

## **PLANNING & REGULATION COMMITTEE – 29 OCTOBER 2018**

### **POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)**

#### **Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)**

##### **POLICY M9: SAFEGUARDING MINERAL INFRASTRUCTURE**

Existing and permitted infrastructure that supports the supply of minerals in Oxfordshire is safeguarded against development that would unnecessarily prevent the operation of the infrastructure or would prejudice or jeopardise its continued use by creating incompatible land uses nearby.

Safeguarded sites include the following rail depot sites which are safeguarded for the importation of aggregate into Oxfordshire:

- Hennef Way, Banbury (existing facility);
  - Kidlington (existing facility);
  - Appleford Sidings, Sutton Courtenay (existing facility); and
  - Shipton-on-Cherwell Quarry (permitted facility);
- as shown on the Policies Map; and
- any other aggregate rail depot sites which are permitted, as identified in the Annual Monitoring Report.

Other safeguarded sites will be defined in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document.

Proposals for development that would directly or indirectly prevent or prejudice the use of a site safeguarded for mineral infrastructure will not be permitted unless:

- the development is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan; or
- it can be demonstrated that the infrastructure is no longer needed; or
- the capacity of the infrastructure can be appropriately and sustainably provided elsewhere.

##### **POLICY C1: SUSTAINABLE DEVELOPMENT**

A positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework and the aim to improve economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the National Planning Policy Framework; or

specific policies in the National Planning Policy Framework indicate that the development should be restricted.

#### POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
  - human health and safety;
  - residential amenity and other sensitive receptors; and
  - the local economy;
- including from:
- noise;
  - dust;
  - visual intrusion;
  - light pollution;
  - traffic;
  - air quality;
  - odour;
  - vermin;
  - birds;
  - litter;
  - mud on the road;
  - vibration;
  - surface or ground contamination;
  - tip and quarry-slope stability;
  - differential settlement of quarry backfill;
  - subsidence; and
  - the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

#### POLICY C8: LANDSCAPE

Proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. Where significant adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements shall be made to offset the residual landscape and visual impacts.

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that

they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except in exceptional circumstances and where it can be demonstrated they are in the public interest, in accordance with the 'major developments test' in the NPPF (paragraph 116). Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

#### **POLICY C10: TRANSPORT**

Minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain and, if possible, lead to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network; and
- residential and environmental amenity, including air quality.

Where development leads to a need for improvement to the transport network to achieve this, developers will be expected to provide such improvement or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

Proposals for minerals and waste development that would generate significant amounts of traffic will be expected to be supported by a transport assessment or transport statement, as appropriate, including mitigation measures where applicable.

#### **Oxfordshire Minerals & Waste Local Plan (OMWLP) 1996**

#### **POLICY SC3: ROUTEING AGREEMENTS IN THE SUTTON COURTENAY AREA**

Planning permission will not be granted unless a routeing agreement has been secured to:

- (a) encourage heavy goods traffic to use the Didcot Northern Perimeter Road;

- (b) prevent heavy goods traffic from entering the villages of Sutton Courtenay, Appleford and Long Wittenham except for local access; and
- (c) limit the use of Culham Bridge to heavy goods vehicles serving local markets in the eastern parts of Abingdon and eastwards along the A415.

**Vale of White Horse Local Plan 2011 (VLP 2011)**

**POLICY DC5: ACCESS**

Proposals for development will only be permitted provided that:

- i) safe and convenient access will be provided both within the site and to and from the adjoining highway network for all users including those with impaired mobility, and for all modes of transport;
- ii) the road network can accommodate the traffic arising from the development without causing safety, congestion or environmental problems;
- iii) adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning;
- iv) adequate and safe provision will be made for parking vehicles and cycles;
- v) off-site improvements to the highway infrastructure (including traffic management measures), cycleways, footpaths and the public transport network can be secured where these are not adequate to service the development; and
- vi) the scheme is designed to minimise the impact of vehicles and give priority to the needs of pedestrians, cyclists, the users of public transport and those with impaired mobility.

**POLICY DC6: LANDSCAPING**

All proposals for development will be required to include hard and soft landscaping measures designed to:

- i) project and enhance the visual amenities of the site and its surrounding including, where appropriate, existing important landscape features; and
- ii) maximise the opportunities for nature conservation and wildlife habitat creation.

**POLICY DC9: IMPACT OF DEVELOPMENT ON NEIGHBOURING USES**

Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, gases or other emissions;
- v) pollution, contamination or the use of or storage of hazardous substances; and
- vi) external lighting.

POLICY NE9: THE LOWLAND VALE

Development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on the long open views within or across the area.

**Adopted Vale of White Horse Local Plan 2031 (VLP 2031)**

CORE POLICY 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with this Local Plan 2031 (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant planning permission unless material considerations indicate otherwise, and unless:

- i. Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
- ii. Specific policies in the Framework indicate that development should be restricted.

CORE POLICY 33: PROMOTING SUSTAINABLE TRANSPORT AND ACCESSIBILITY

The Council will work with Oxfordshire County Council and others to:

- i. actively seek to ensure that the impacts of new development on the strategic and local road network are minimised
- ii. ensure that developments are designed in a way to promote sustainable transport access both within new sites, and linking with surrounding facilities and employment
- iii. support measures identified in the Local Transport Plan for the district, including within the relevant local area strategies
- iv. support improvements for accessing Oxford
- v. support improvements for accessing Oxfordshire County Council ensure that transport improvements are designed to minimise any effects on the amenities, character and special qualities of the surrounding area, and
- vi. promote and support improvements to the transport network that increase safety, improve air quality and/or make our towns and villages more attractive.

CORE POLICY 42: FLOOD RISK

The risk and impact of flooding will be minimised through:

- i. directing new development to areas with the lowest probability of flooding

- ii. ensuring that all new development addresses the effective management of all sources of flood risk
- iii. ensuring that development does not increase the risk of flooding elsewhere, and
- iv. ensuring wider environmental benefits of development in relation to flood risk.

The suitability of development proposed in flood zones will be strictly assessed using the Sequential Test, and, where necessary, the Exceptions Test. A sequential approach should be used at site level.

A site-specific flood risk assessment will be required for all developments of 1 hectare and greater in Flood Zone 1 and, for all proposals for new development, including minor development and change of use in Flood Zone 2 and 3 and, in Critical Drainage Areas, and also where proposed development or a change of use to a more vulnerable class that may be subject to other forms of flooding. Appropriate mitigation and management measures will be required to be implemented.

All development proposals must be assessed against the Vale of White Horse and South Oxfordshire Strategic Flood Risk Assessment and the Oxfordshire Local Flood Risk Management Strategy to address locally significant flooding. Appropriate mitigation and management measures must be implemented.

All development will be required to provide a drainage strategy. Developments will be expected to incorporate sustainable drainage systems and ensure that run-off rates are attenuated to greenfield run-off rates. Higher rates would need to be justified and the risks quantified. Developers should strive to reduce run-off rates for existing developed sites.

Sustainable drainage systems should seek to enhance water quality and biodiversity in line with the Water Framework Directive (WFD).

#### CORE POLICY 44: LANDSCAPE

The key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced, in particular:

- i. features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies
- ii. important landscape settings of settlements
- iii. topographical features
- iv. areas or features of cultural and historic value
- v. important views and visually sensitive skylines, and
- vi. tranquillity and the need to protect against intrusion from light pollution, noise and motion.

Where development is acceptable in principle, measures will be sought to integrate it into the landscape character and/or the townscape of the area. Proposals will need

to demonstrate how they have responded to the above aspects of landscape character and will be expected to:

- vii. incorporate appropriate landscape proposals that reflect the character of the area through appropriate design and management;
- viii. preserve and promote local distinctiveness and diversity and, where practical enhance damaged landscape areas.

High priority will be given to conservation and enhancement of the natural beauty of the North Wessex Downs AONB and planning decisions will have regard to its setting. Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes, will be encouraged, provided they do not conflict with the aims of conservation and enhancement.

### **Vale of White Horse Local Plan 2031 Part 2 (VLP 2031 2)**

#### **DEVELOPMENT POLICY 16: ACCESS**

All proposals for new development will be required to be of high quality design in accordance with Core Policy 37: Design and Local Distinctiveness. In addition to those criteria set out in Core Policy 37 and other relevant Local Plan policies, proposals for development will also need to provide evidence to demonstrate that:

- i. adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning, and
- ii. acceptable off-site improvements to the highway infrastructure (including traffic management measures), cycleways, public rights of way and the public transport network can be secured where these are not adequate to service the development.

#### **DEVELOPMENT POLICY 23: IMPACT OF DEVELOPMENT ON AMENITY**

Development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts in relation to the following factors:

- i. loss of privacy, daylight or sunlight
- ii. dominance or visual intrusion
- iii. noise or vibration
- iv. dust, heat, odour, gases or other emissions
- v. pollution, contamination or the use of/or storage of hazardous substances; and
- vi. external lighting.

#### **DEVELOPMENT POLICY 25: NOISE POLLUTION**

##### *Noise-Generating Development*

Noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take account of:

- i. the location, design and layout of the proposed development
- ii. existing levels of background noise
- iii. measures to reduce or contain generated noise, and
- iv. hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided within an appropriate design or standard<sup>1</sup>.

#### *Noise-Sensitive Development*

Noise-sensitive development in locations likely to be affected by existing sources of noise<sup>2</sup> will be expected to provide an appropriate scheme of mitigation to ensure appropriate standards of amenity are achieved for future occupiers of the proposed development, taking account of:

- i. the location, design and layout of the proposed development
- ii. measures to reduce noise within the development to acceptable levels, including external areas, and
- iii. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.

In areas of existing noise, proposals for noise-sensitive development should be accompanied by an assessment of environmental noise and an appropriate scheme of mitigation measures.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design.

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<sup>1</sup> Currently set out in British Standards 4142:2014 and 8233:2014. The Council is currently developing guidance relating to noise mitigation

<sup>2</sup> Busy roads, railway lines, aerodromes, industrial/commercial developments, waste, recycling and energy plant, and sporting, recreation and leisure facilities.  
Development Policy 24: Noise Pollution