

## **PLANNING & REGULATION COMMITTEE – 9 SEPTEMBER 2019**

### **Policy Annex (Relevant Development Plan and other Policies)**

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

##### **POLICY M1: RECYCLED AND SECONDARY AGGREGATE**

So far as is practicable, aggregate mineral supply to meet demand in Oxfordshire should be from recycled and secondary aggregate materials in preference to primary aggregates, in order to minimise the need to work primary aggregates.

The production and supply of recycled and secondary aggregate, including that which improves waste separation and the range or quality of end products, will be encouraged so as to enable the maximum delivery of recycled and secondary aggregate within Oxfordshire. Where practicable, the transport of recycled and secondary aggregate materials (both feedstock and processed materials) from locations remote from Oxfordshire should be by rail.

Provision will be made for facilities to enable the production and/or supply of a minimum of 0.926 million tonnes of recycled and secondary aggregates per annum.

Sites which are suitable for facilities for the production and/or supply of recycled and secondary aggregates at locations that are in accordance with policies W4 and W5 and other relevant policies of this Plan and of other development plans will be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. Permission will be granted for such facilities at these allocated sites provided that the requirements of policies C1 – C12 are met.

Permission will normally be granted for recycled and secondary aggregate facilities at other sites, including for temporary recycled aggregate facilities at aggregate quarries and landfill sites, that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1 – C12, taking into account the benefits of providing additional recycled and secondary aggregate capacity and unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. Where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period.

Sites for the production and/or supply of recycled and secondary aggregate will be safeguarded under Policy M9 and/or W11 and safeguarded sites will be defined in the Site Allocations Document.

##### **POLICY W1: OXFORDSHIRE WASTE TO BE MANAGED**

Provision will be made for waste management facilities to provide capacity that allows Oxfordshire to be net self-sufficient in the management of its principal waste streams – municipal solid waste (or local authority collected waste), commercial and industrial waste, and construction, demolition and excavation waste – over the period to 2031.

The amounts of waste for which waste management capacity needs to be provided is as follows:

Waste Type	2016	2021	2026	2031
Municipal Solid Waste	0.32	0.34	0.36	0.38
Commercial and Industrial Waste	0.54	0.56	0.57	0.58

These forecasts will be kept under review and updated as necessary in the Oxfordshire Minerals and Waste Annual Monitoring Reports.

Provision for facilities for hazardous waste, agricultural waste, radioactive waste and waste water/sewage sludge will be in accordance with policies W7, W8, W9 and W10 respectively.

#### POLICY W2: OXFORDSHIRE WASTE MANAGEMENT TARGETS

Provision will be made for capacity to manage the principal waste streams in a way that provides for the maximum diversion of waste from landfill, in line with the following targets:

Oxfordshire waste management targets 2016 – 2031

		Year			
		2016	2021	2026	2031
<b>MUNICIPAL WASTE</b>	<b>Composting &amp; food waste treatment</b>	29%	32%	35%	35%
	<b>Non-hazardous waste recycling</b>	33%	33%	35%	35%
	<b>Non-hazardous residual waste treatment</b>	30%	30%	25%	25%

	<b>Landfill (these percentages are not targets but are included for completeness)</b>	8%	5%	5%	5%
	<b>Total</b>	100%	100%	100%	100%

<b>COMMERCIAL &amp; INDUSTRIAL WASTE</b>	<b>Composting &amp; food waste treatment</b>	5%	5%	5%	5%
	<b>Non-hazardous waste recycling</b>	55%	60%	65%	65%
	<b>Non-hazardous residual waste treatment</b>	15%	25%	25%	25%
	<b>Landfill (these percentages are not targets but are included for completeness)</b>	25%	10%	5%	5%
	<b>Total</b>	100%	100%	100%	100%
<b>CONSTRUCTION, DEMOLITION EXCAVATION WASTE</b>	<b><i>Proportion of Projected Arisings taken to be Inert*</i></b>	80%	80%	80%	80%
	<b>Inert waste recycling (as proportion of inert arisings)</b>	55%	60%	65%	70%
	<b>Permanent deposit of inert waste other than for disposal to landfill** (as proportion of inert arisings)</b>	25%	25%	25%	25%

	<b>Landfill (as proportion of inert arisings) (these percentages are not targets but are included for completeness)</b>	20%	15%	10%	5%
	<b>Total (inert arisings)</b>	100%	100%	100%	100%

<b>Proportion of Projected Arisings taken to be Non-Inert*</b>	20%	20%	20%	20%
<b>Composting (as proportion of non-inert arisings)</b>	5%	5%	5%	5%
<b>Non-hazardous waste recycling (as proportion of non-inert arisings)</b>	55%	60%	65%	65%
<b>Non-hazardous residual waste treatment (as proportion of non-inert arisings)</b>	15%	25%	25%	25%
<b>Landfill (as proportion of non-inert arisings) (these percentages are not targets but are included for completeness)</b>	25%	10%	5%	5%
<b>Total (non-inert arisings)</b>	100%	100%	100%	100%

Proposals for the management of all types of waste should demonstrate that the waste cannot reasonably be managed through a process that is higher up the waste hierarchy than that proposed.

#### POLICY W4: LOCATIONS FOR FACILITIES TO MANAGE THE PRINCIPAL WASTE STREAMS

Facilities (other than landfill) to manage the principal waste streams should be located as follows:

- a) Strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, as indicated on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.
- b) Non-strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, the other large towns (Witney and Wantage & Grove) and the small towns (Carterton, Chipping Norton, Faringdon, Henley-on-Thames, Thame and Wallingford), as indicated on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.

c) Elsewhere in Oxfordshire, and particularly in more remote rural areas, facilities should only be small scale, in keeping with their surroundings.

The locations for strategic and/or non-strategic waste management facilities around Oxford, Abingdon, Didcot and Wantage and Grove exclude the Oxford Meadows, Cothill Fen, Little Wittenham and Hackpen Hill Special Areas of Conservation and a 200 metre dust impact buffer zone adjacent to these SACs.

As indicated on the Waste Key Diagram, strategic and non-strategic waste management facilities (that comprise major development) should not be located within Areas of Outstanding Natural Beauty except where it can be demonstrated that the 'major developments test' in the NPPF (paragraph 116), and as reflected in policy C8, is met.

#### **POLICY W5: SITING OF WASTE MANAGEMENT FACILITIES**

Priority will be given to siting waste management facilities on land that:

- is already in waste management or industrial use; or
- is previously developed, derelict or underused; or
- is at an active mineral working or landfill site; or
- involves existing agricultural buildings and their curtilages; or
- is at a waste water treatment works.

Waste management facilities may be sited on other land in greenfield locations where this can be shown to be the most suitable and sustainable option.

#### **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 C7: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.

The highest level of protection will be given to sites and species of international nature conservation importance (e.g. Special Areas of Conservation and European Protected Species) and development that would be likely to adversely affect them will not be permitted.

In all other cases, development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity (or geodiversity). In addition:

- (i) Development that would be likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other development) will not be permitted except where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the Site of Special Scientific Interest and any broader impacts on the national network of Sites of Special Scientific Interest.

(ii) Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees, will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.

(iii) Development shall ensure that no significant harm would be caused to:

- Local Nature Reserves;
- Local Wildlife Sites;
- Local Geology Sites;
- Sites of Local Importance for Nature Conservation;
- Protected, priority or notable species and habitats,

except where the need for and benefits of the development in that location clearly outweigh the harm.

All proposals for mineral working and landfill shall demonstrate how the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity (including fossil remains and trace fossils), including contributing to the objectives of the Conservation Target Areas wherever possible. Satisfactory long-term management arrangements for restored sites shall be clearly set out and included in proposals. These should include a commitment to ecological monitoring and remediation (should habitat creation and/or mitigation prove unsuccessful).

#### 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 and Waste Local Plan 1996 – Saved Policies (OMWLP):**

#### **POLICY SH2: TRAFFIC IMPACT IN SUTTON**

Planning permission will not be granted for mineral extraction or waste disposal, including development which would intensify existing workings, where the development would lead to a significant increase in traffic in Sutton or prolongation of significant traffic intrusion, unless the Sutton bypass has been constructed and brought into use. If necessary, weight restrictions will be placed within the village following construction of the bypass.

#### **POLICY SH3: ROUTEING AGREEMENTS**

The County Council will seek routeing agreements with operators in order to limit the use of the A415 through Standlake and southwards over Newbridge. The preferred routes will be the A415 north of Standlake to the Ducklington bypass, or the B4449 via the Blackditch, Sutton and Eynsham bypasses.

### **South Oxfordshire Core Strategy (SOCS)**

#### **POLICY CS1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

Planning applications which accord with the policies in the Development Plan (including, where relevant, Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Planning permission will also be granted where relevant policies in the Development Plan are out of date or silent unless:

- Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in the Framework or other material considerations indicate that development should be restricted.

#### **POLICY CSM1: TRANSPORT**

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

- (i) in partnership with the Vale of White Horse District Council, actively seek to deliver the transport infrastructure and measures which improve movement in Didcot and within the Didcot/Wantage and Grove corridor, in particular linking Didcot with the major employment sites at Harwell and Milton Park as identified



- in the County Council's LTP3 SVUK area Strategy and Southern Central Oxfordshire Transport Study;
- (ii) actively seek to ensure that the impact of new development on the strategic and local road network, in particular the Milton, Chilton and Marcham junctions of the A34 and the road links and junctions identified in the Council's Evaluation of Transport Impact and County Council's Southern Central Oxfordshire Transport Study is adequately mitigated (see Policy CSM2);
  - (iii) support improvements for accessing Oxford;
  - (iv) work with the authorities affected by cross Thames travel in the Reading area to ensure that traffic and environmental conditions in South Oxfordshire are improved by the implementation of measures which also improve access to Reading;
  - (v) support measures which enable modal shift to public transport, cycling and walking particularly where these support the network of settlements in the district;
  - (vi) promote and support traffic management measures and environmental improvements which increase safety, improve air quality, encourage the use of sustainable modes of transport and/or make our towns and villages more attractive;
  - (vii) adopt a comprehensive approach to car parking aimed at improving the attraction of our town and village centres;
  - (viii) encourage the use of sustainable modes of transport;
  - (ix) promote electronic communications allowing businesses to operate throughout the district and to provide services and information which reduce the need to travel and encourage sustainable modes of transport; and
  - (x) cater for the needs of all users.

#### POLICY CSWAL1: THE STRATEGY FOR WALLINGFORD

Proposals for development in Wallingford should be consistent with the strategy which is to:

- (i) strengthen the town centre including supporting schemes which allow for the re-use or redevelopment of the former Waitrose site provided that the retail element and car parking is retained;
- (ii) support housing and employment uses above shops;
- (iii) support the market place as a focal hub;
- (iv) support measures which improve the attraction of Wallingford for visitors with particular emphasis on the River Thames;
- (v) improve accessibility, car parking, pedestrian and cycle links and local air quality;
- (vi) support schemes which enhance the town's environment;
- (vii) identify land for about 2ha for employment growth;
- (viii) support schemes which improve the stock of existing commercial buildings and the environment of existing employment areas;
- (ix) identify land for 555 new homes (see policy CSWAL2);
- (x) allow housing on suitable infill and redevelopment sites.

## POLICY CSEN1: LANDSCAPE

The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced:

- (i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.
- (ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the economies and social well-being of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.
- (iii) The landscapes and waterscapes of the River Thames corridor will be maintained and where possible enhanced as will the setting and heritage of the river for its overall amenity and recreation use.

## POLICY CSEN3: HISTORIC ENVIRONMENT

The district's designated historic heritage assets, both above and below ground such as:

- nationally designated assets including listed buildings, historic parks and gardens, historic battlefields and Scheduled Ancient Monuments;
- conservation areas; and
- their settings

will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.

This will be carried out through:

- conservation area appraisals/reviews;
- management plans;
- designating new conservation areas where appropriate;
- the determination of planning, listed building consent and other relevant applications.

Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

## POLICY CSQ3: DESIGN

Planning permission will be granted for new development that is of a high quality and inclusive design that:

- responds positively to and respects the character of the site and its surroundings, particularly the historic significance and heritage values of the historic environment, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting;
- improves the quality of the public realm with well designed external areas, and, where appropriate a clear structure of open spaces;

- provides and/or links into green infrastructure where available;
- is designed to create safe communities and reduce the likelihood and fear of crime;
- creates a distinctive sense of place and is easy to understand through the use of vistas, landmarks and focal points;
- ensures high levels of accessibility and ease of use by all modes of transport both within the site and with the wider area, also making sure that any new development is properly integrated with existing development ensuring accessibility to local services; and
- is adaptable to changing requirements and constructed with materials appropriate to the area.

All proposals for new development should be accompanied by a design and access statement to show how they have responded to the above criteria.

#### **POLICY CSB1: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY**

A net loss of biodiversity will be avoided, and opportunities to achieve a net gain across the district will be actively sought.

Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be sought for all types of habitats, with a primary focus on delivery in the Conservation Target Areas.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species).

Damage to nationally important sites of special scientific interest, local wildlife sites, local nature reserves, priority habitats, protected species and locally important geological sites will be avoided unless the importance of the development outweighs the harm and the loss can be mitigated to achieve a net gain in biodiversity.

#### **South Oxfordshire Local Plan 2011 (Saved Policies)**

#### **POLICY G2: PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT**

The district's countryside, settlements and environmental resources will be protected from adverse developments.

#### **POLICY C6: BIODIVERSITY CONSERVATION**

In considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought. Full account of the effects of development on wildlife will be taken. Where there is any significant loss in biodiversity as part of a proposed development, the creation and maintenance of new landscape features, habitat links and wildlife corridors of appropriate scale and kind will be required to ensure there is no net loss in biodiversity resources.

## POLICY CON5: THE SETTING OF LISTED BUILDINGS

Proposals for development which would adversely affect the setting of a listed building will be refused.

## POLICY EP1: PREVENTION OF POLLUTING EMISSIONS

Proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented. In addition, development will not be permitted near to an existing or proposed polluting use, unless effective mitigation measures will be implemented to ensure that there would be no adverse effect on the health and amenity of future occupiers.

## POLICY EP2: NOISE AND VIBRATIONS

Proposals which would by reason of noise or vibrations have an adverse effect on existing or proposed occupiers will not be permitted, unless effective mitigation measures will be implemented. In addition, noise sensitive development will not be permitted close to existing or proposed sources of significant noise or vibrations.

## POLICY EP6: SURFACE WATER PROTECTION

Developers will be required, wherever practicable, to demonstrate that the surface water management system on any development accords with sustainable drainage principles and has been designed as an integral part of the development layout. The system should effectively mitigate any adverse effects from surface water un-off and flooding on people, property and the ecological value of the local environment.

## POLICY D1: GOOD DESIGN AND LOCAL DISTINCTIVENESS

The principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development through:

- (i) the provision of a clear structure of spaces;
- (ii) respecting existing settlement patterns;
- (iii) providing for a choice of routes and transport modes to, from and within the development;
- (iv) providing a development that users find easy to understand through the use of landmarks, vistas and focal points;
- (v) providing landscape structure as a framework for new development;
- (vi) respecting the character of the existing landscape;
- (vii) respecting distinctive settlement types and their character;
- (viii) providing good quality site and building design and appropriate materials; and
- (ix) providing well-designed external areas.

## POLICY D2: VEHICLE AND BICYCLE PARKING

Planning permission will not be granted for developments that fail to incorporate adequate, safe and secure parking for vehicles and cycles. Vehicle parking should be provided in a discreet and sensitive manner.

## POLICY CF1: SAFEGUARDING COMMUNITY FACILITIES AND SERVICES INCLUDING RECREATION FACILITIES

Proposals that result in the loss of a recreation facility or an essential community facility or service, through change of use or redevelopment, will not be permitted unless:

- (i) suitable alternative provision is made for the facility (or similar facilities of equivalent community value) on a site elsewhere in the locality, or
- (ii) in the case of recreational facilities, it is not needed, or
- (iii) in the case of commercial services, it is not economically viable.

## POLICY CF2: PROVISION OF COMMUNITY FACILITIES AND SERVICES

Proposals that would result in the provision of additional community facilities or services within settlements will be permitted, provided that there are no overriding amenity, environmental or traffic objections to the proposals and that there is no conflict with the other policies in this plan.

## **Emerging South Oxfordshire Local Plan 2034 (ESOLP)**

### POLICY STRAT1: THE OVERALL STRATEGY

1. Proposals for development in South Oxfordshire will be assessed using national policy and guidance and the whole of the development plan and should be consistent with the overall strategy of:
  - Focusing major new development in Science Vale including Didcot Garden town and Culham so that this area can play an enhanced role in providing homes, jobs and services with improved transport connectivity;
  - Providing strategic allocations at Grenoble Road, Culham, Berinsfield, Wheatley, Northfield, Chalgrove and North of Bayswater Brook including necessary infrastructure and community facilities;
  - Close working with partner agencies, neighbouring local authorities, communities and other stakeholders to ensure the timely delivery of our strategy, which will deliver a significant amount of growth beyond the end of the plan period;
  - Supporting and enhancing the economic and social dependencies between our towns and villages;
  - Supporting the roles of Henley-on-Thames, Thame and Wallingford by maintaining and improving the attractiveness of their town centres through

- measures that include environmental improvements and mixed-use development and by providing new homes, jobs, services and infrastructure;
- Meeting unmet housing needs of Oxford City on strategic allocations adjacent to the boundary of Oxford near to where that need arises;
  - Supporting and enhancing the roles of the larger villages of Benson, Berinsfield, Chalgrove, Chinnor, Cholsey, Crowmarsh Gifford, Goring-on-Thames, Nettlebed, Sonning Common, Watlington, Wheatley and Woodcote as local service centres
  - Supporting smaller and other villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services;
  - Protecting and enhancing the countryside and particularly those areas within the two AONB and Oxford Green Belt by ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment;
  - Support and enhance our historic environment.

#### POLICY WAL1: THE STRATEGY FOR WALLINGFORD

1. The Council will support development proposals that:
  - i) that have regard to a Wallingford Neighbourhood Development Plan appropriate to its stage in the plan making process;
  - ii) support measures that improve the attraction of Wallingford for visitors with emphasis on the River Thames and the town's heritage;
  - iii) support the market place as a focal hub;
  - iv) improve accessibility, car parking in the town centre, pedestrian and cycle links;
  - v) provide new employment opportunities and improve the stock of existing employment areas;
  - vi) support schemes that enhance the town's natural and historic environment and conserve and enhance the town's heritage assets;
  - vii) address air quality issues in the town centre.

#### POLICY TRANS5: CONSIDERATION OF DEVELOPMENT PROPOSALS

1. Proposals for all types of development will, where appropriate:
  - i) provide a safe and convenient access for all users to the highway network;
  - ii) provide safe and convenient routes for cyclists and pedestrians, both within the development, and including links to rights of way and other off-site walk and cycle routes where relevant;
  - iii) provide for covered, secure and safe cycle parking, complemented by other facilities to support cycling where relevant;
  - iv) be designed to facilitate access to high quality public transport routes, including safe walking routes to nearby bus stops or new bus stops;
  - v) provide for appropriate public transport infrastructure;
  - vi) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;

- vii) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, they should be constructed to adoptable standards and be completed as soon as they are required to serve the development;
- viii) make adequate provision for those whose mobility is impaired;
- ix) be designed to enable charging of plug-in and other low-emission vehicles in safe, accessible and convenient locations;
- x) provide for loading, unloading, circulation and turning space;
- xi) be designed to enable the servicing of properties by refuse collection vehicles;
- xii) provide for the parking of vehicles in accordance with Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise; and
- xiii) provide facilities to support the take up of electric and/or low-emission vehicles.

### POLICY ENV3: BIODIVERSITY – NON DESIGNATED SITES, HABITATS AND SPECIES

1. Development that will conserve, restore and enhance biodiversity in the district will be supported. All development should provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity. All proposals should be supported by evidence to demonstrate a biodiversity net gain using a recognised biodiversity accounting metric.
2. Development proposals which would result in a net loss of biodiversity will only be considered if it can be demonstrated that alternatives which avoid impacts on biodiversity have been fully explored in accordance with the mitigation hierarchy. In the absence of alternative sites or layouts, development proposals must include adequate mitigation measures to achieve a net gain of biodiversity. Where harm cannot be prevented or adequately mitigated, appropriate compensation measures will be sought, as a last resort, through planning conditions or planning obligations (depending on the circumstances of each application) to offset the loss by contributing to appropriate biodiversity projects to achieve an overall net gain for biodiversity.
3. Planning permission will only be granted if impacts on biodiversity can be avoided, mitigated or, as a last resort, compensated fully.

### POLICY ENV6: HISTORIC ENVIRONMENT

1. The Council will seek to protect, conserve and enhance the District's historic environment. This includes all heritage assets including historic buildings and structures, Conservation Areas, landscapes and archaeology.
2. Proposals for new development should be sensitively designed and should not cause harm to the historic environment. Proposals that have an impact on heritage assets (designated and non-designated) will be supported particularly where they:

- i) conserve or enhance the significance of the heritage asset and settings. The more important the heritage asset, the greater the weight that will be given to its conservation;
  - ii) make a positive contribution to local character and distinctiveness (through high standards of design, reflecting its significance, including through the use of appropriate materials and construction techniques);
  - iii) make a positive contribution towards wider benefits;
  - iv) provide a viable future use for a heritage asset that is consistent with the conservation of its significance; and/or
  - v) protect a heritage asset that is currently at risk.
3. The Council will work with landowners, developers, the community, Historic England and other stakeholders to:
- i) ensure that vacant historic buildings are appropriately re-used to prevent deterioration of condition;
  - ii) ensure that alterations (internal or external to the fabric of the building e.g. to improve energy efficiency), are balanced alongside the need to retain the integrity of the historic environment and to respect the character and significance of the asset;
  - iii) identify criteria for assessing non-designated heritage assets and maintaining a list of such assets as Locally Listed Buildings;
  - iv) encourage Heritage Partnership Agreements, particularly for Listed Buildings on any 'at risk' register;
  - v) encourage better understanding of the significance of scheduled monuments on the "Heritage at Risk" Register and to aid their protection;
  - vi) seek to reduce the number of buildings on the "Heritage at Risk" Register;
  - vii) better understand the significance of Conservation Areas in the district through producing Conservation Area Character Appraisals and Management Plans; and
  - viii) support Neighbourhood Development Plans where they seek to assess their heritage assets and add to the evidence base.

## POLICY ENV7: LISTED BUILDINGS

1. Proposals for development, including change of use, that involve any alteration of, addition to or partial demolition of a listed building or within the curtilage of, or affecting the setting of a listed building will be expected to:
- i) conserve, enhance or better reveal those elements which contribute to the heritage significance and/or its setting;
  - ii) respect any features of special architectural or historic interest, including, where relevant, the historic curtilage or context, such as burgage plots, or its value within a group and/or its setting, such as the importance of a street frontage or traditional shopfronts; and
  - iii) be sympathetic to the listed building and its setting in terms of its siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form, in order to retain the special interest that justifies its designation through appropriate, and in accordance with the South Oxfordshire Design Guide.



2. Where development proposals affecting the significance of a listed building or its setting will lead to substantial harm to or total loss of significance they will only be supported where it is justified that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. This will be demonstrated by:
  - i) the greater the harm to the significance of the Listed Building, the greater justification and public benefit that will be required [before the application could gain support];
  - ii) providing exceptional circumstances exist for the demolition of a listed building; and
  - iii) minimising any identified harm or loss to the Listed Building through mitigation.
3. Changes of use will be supported where it can be demonstrated that the new use can be accommodated without any adverse effect on the significance of the building and its setting.

**POLICY ENV12: POLLUTION – IMPACT OF DEVELOPMENT ON HUMAN HEALTH, THE NATURAL ENVIRONMENT AND/OR LOCAL AMENITY (POTENTIAL SOURCES OF POLLUTION)**

1. Development proposals should be located in sustainable locations and should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment and/or the amenity of neighbouring uses.
2. The individual and cumulative impacts of development on human health, the natural environment and/or local amenity will be considered when assessing development proposals.
3. The consideration of the merits of development proposals will be balanced against the adverse impact on human health, the natural environment and/or local amenity, including the following factors:
  - noise or vibration;
  - smell, dust, odour, artificial light, gases and other emissions;
  - air pollution, contamination of the site or its surroundings and hazardous substances nearby;
  - land instability; and
  - any other relevant types of pollution.

**POLICY EP1: AIR QUALITY**

1. In order to protect public health from the impacts of poor air quality:
  - development must be compliant with the measures laid out in the Council's Developer Guidance Document and the associated Air Quality Action Plan, as well as the national air quality guidance and any local transport plans;
  - where sensitive development is proposed in areas of existing poor air quality and/or where significant development is proposed, an air quality assessment will be required;

- all development proposals should include measures to minimise air pollution at the design stage and incorporate best practice in the design, construction and operation of the development;
- where a development has a negative impact on air quality, including cumulative impact, developers should identify mitigation measures that will sufficiently minimise emissions from the development. Where mitigation is not sufficient the impacts should be offset through planning obligations; and
- development will only be permitted where it does not exceed air pollution levels set by European and UK regulations.

#### POLICY EP4: FLOOD RISK

1. 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.
2. 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.
3. A Site-Specific Flood Risk Assessment (SSFRA) should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, a SFRA should accompany all proposals involving:
  - sites of 1 hectare or more;
  - land which has been identified by the Environment Agency as having critical drainage problems;
  - land identified in the strategy flood risk assessment as being at increased flood risk in future; or
  - land that may be subject to other sources of flooding, where development would introduce a more vulnerable use.
4. All development proposals must be assessed against the current South Oxfordshire Strategic Flood Risk Assessment or any updates and the Oxfordshire Local Flood Risk Management Strategy to address locally significant flooding. Appropriate mitigation and management measures must be implemented and maintained.
5. All development will be required to provide a drainage strategy. Development will be expected to incorporate sustainable drainage systems and ensure that runoff rates are attenuated to greenfield run-off rates. Higher rates would need to be justified and the risks quantified. Development should strive to reduce run-off rates for existing developed sites.
6. Sustainable drainage systems should seek to enhance water quality and biodiversity in line with the Water Framework Directive.

## POLICY DES6: RESIDENTIAL AMENITY

1. 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) smell, dust, heat, odour, gases or other emissions;
  - v) pollution, contamination or the use of/or storage of hazardous substances; and
  - vi) external lighting.

## POLICY CF1: SAFEGUARDING COMMUNITY FACILITIES

1. Proposals that result in the loss of an essential community facility or service, through change of use or redevelopment, will not be permitted unless:
  - i) it would lead to the significant improvement of an existing facility or the replacement of an existing facility equally convenient to the local community it serves and with equivalent or improved facilities;
  - ii) it has been determined that the community facility is no longer needed; or
  - iii) in the case of commercial services, it is not economically viable.
2. Appropriate, detailed and robust evidence will be required to satisfy the above criteria. The Council will require the independent assessment of this evidence.
3. Planning conditions or legal obligations may be necessary to ensure that any replacement facility and its ongoing maintenance is provided. Any replacement facility should normally be available before the original facility is lost.
4. A community facility or service may be essential, either because it is one of a limited number of that nature in a settlement or area or is fundamental to the quality and convenience of everyday life in a settlement. This include the protection of Public Rights of Way including bridleways and by-ways. If suitable alternative provision already exists, any facility or service will not be considered essential.

## POLICY CF4: EXISTING OPEN SPACE, SPORT AND RECREATION FACILITIES

1. The Council will seek to protect, maintain and where possible enhance existing open space, sport and recreation, play facilities and land including playing fields to ensure their continued contribution to the health and well-being of visitors and residents. Development proposals that result in the loss of such facilities will only be permitted where:

- i) it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development;
- ii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss; or
- iii) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.

## **West Oxfordshire Local Plan 2031 (WOLP 2031)**

### **POLICY EH8: ENVIRONMENTAL PROTECTION**

Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

#### **Air quality**

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton. Where appropriate, developments will need to be supported by an air quality assessment.

#### **Contaminated land**

Proposals for development of land which maybe contaminated must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

#### **Hazardous substances, installations and airfields**

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

#### **Artificial light**

The installation of external lighting and lighting proposals for new buildings, particularly those in remote rural locations, will only be permitted where:

- the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- the elevations of buildings, particularly roofs, are designed to limit light spill;
- the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.

#### **Noise**

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

#### Water resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features.

#### Waste

Proposals for development that make provision for the management and treatment of waste will need to be in accordance with the Oxfordshire Minerals and Waste Local Plan.

### POLICY OS1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in 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 permission unless material considerations indicate otherwise- taking into account whether:

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

### POLICY OS2: LOCATING DEVELOPMENT IN THE RIGHT PLACES

#### Main service centres, rural service centres and villages

A significant proportion of new homes, jobs and supporting services will be focused within and on the edge of the main service centres of Witney, Carterton and Chipping Norton. A number of site allocations are proposed to ensure identified needs are met. The distribution of development is set out in Policy H1.

Due to the size of the settlement and its proximity and connections to Oxford City, Eynsham will also make a significant contribution towards meeting the identified housing needs of the District and Oxford City with a strategic urban extension to be provided to the west of the village.

A new rural service centre - Oxfordshire Cotwolds Garden Village will be created to the north of Eynsham to contribute towards Oxford City's needs.

This will comprise a self-contained settlement based on 'garden village' principles and will play a complementary role to Eynsham.

Woodstock is suitable for a reasonable scale of development, whilst protecting its important historic character and the setting of Blenheim Palace, in order to deliver affordable housing, enhance local services and reinforce its role as a service centre.

Burford and Charlbury are relatively constrained by their AONB location and Bampton and Long Hanborough have a more restricted range of services and facilities. Consequently, these rural service centres are suitable for a modest level of development to help reinforce their existing roles. Two site allocations are proposed at Long Hanborough.

The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. A number of site allocations are proposed to ensure identified needs are met. Further allocations may be made through Neighbourhood Plans.

Proposals for residential development will be considered in accordance with Policy H2 of this Local Plan.

#### Small villages, hamlets and open countryside

Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area. Proposals for residential development will be considered under policy H2.

Proposals for non-residential development that is regarded as appropriate will include:

- Re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting, with preference given to employment, tourism and community uses;
- Proposals to support the effectiveness of existing businesses and sustainable tourism;
- Development which will make a positive contribution to farm and country estate diversification; and
- Telecommunications development sited and designed to minimise impact upon the environment.

#### General principles

All development should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;

- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment;
- Safeguard mineral resources;
- In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development;
- In the Green Belt, comply with national policies for the Green Belt; and
- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

#### POLICY OS4: HIGH QUALITY DESIGN

High design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

- demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and
- not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and
- demonstrate resilience to future climate change, particularly increasing temperatures and flood risk, and the use of water conservation and management measures; and
- conserve or enhance areas, buildings and features of historic, architectural and environmental significance, including both designated and non-designated heritage assets and habitats of biodiversity value; and
- enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.

Designers of new development will be expected to provide supporting evidence for their design approach. They should have regard to specific design advice contained in supplementary planning guidance covering the District. The West Oxfordshire Design Guide, Oxfordshire Historic Landscape Appraisal, Landscape Assessments, Conservation Area Appraisals and Cotswolds AONB guidance documents are key tools for interpreting local distinctiveness and informing high design quality.