

PLANNING & REGULATION COMMITTEE – 27 JANUARY 2020

Policy Annex (Relevant Development Plan and other Policies)

Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)

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 Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether: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 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.

POLICY M10: RESTORATION OF MINERAL WORKINGS

Mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. The restoration and after-use of mineral workings must take into account:

- the characteristics of the site prior to mineral working;

- the character of the surrounding landscape and the enhancement of local landscape character;
- the amenity of local communities, including opportunities to enhance green infrastructure provision and provide for local amenity uses and recreation;
- the capacity of the local transport network;
- the quality of any agricultural land affected, including the restoration of best and most versatile agricultural land;
- the conservation of soil resources
- flood risk and opportunities for increased flood storage capacity;
- the impacts on flooding and water quality of any use of imported material in the proposed restoration;
- bird strike risk and aviation safety;
- any environmental enhancement objectives for the area;
- the conservation and enhancement of biodiversity appropriate to the local area, supporting the establishment of a coherent and resilient ecological network through the landscape-scale creation of priority habitat;
- the conservation and enhancement of geodiversity;
- the conservation and enhancement of the historic environment; and
- consultation with local communities on options for after-use.

Planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and after-use of the site, including where necessary the means of securing them in the longer term.

Proposals for restoration must not be likely to lead to any increase in recreational pressure on a Special Area of Conservation.

Vale Local Plan 2031 Part 1 (VLP1)

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 permission unless material considerations indicate otherwise, and unless:

- i. 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
- ii. specific policies in that 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. 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.

Vale of the White Horse Local Plan 2031 Part 2 (VLP2)

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^a.

Noise-sensitive Development

Noise-sensitive development in locations likely to be affected by existing sources of noise^b 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.

^aCurrently set out in British Standards 4142:2014 and 8233:2014. The Council is currently developing guidance relating to noise mitigation.

^bBusy roads, railway lines, aerodromes, industrial/commercial developments, waste, recycling and energy plant, and sporting, recreation and leisure facilities.
Development Policy 24: Noise Pollution.

Oxford Core Strategy 2026 (OCS)

POLICY CS11: FLOODING

Planning permission will not be granted for any development in the functional flood plain (Flood Zone 3b) except water-compatible uses and essential infrastructure. The suitability of developments proposed in other flood zones will be assessed according to the PPS25 sequential approach and exceptions test.

For all developments over 1 hectare and/or development in any area of flood risk from rivers (Flood Zone 2 or above) or other sources* developers must carry out a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. Necessary mitigation measures must be implemented.

Unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit run-off from new development, and preferably reduce the existing rate of run-off.

Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

*Note: "Other sources" of flood risk include those arising from groundwater, sewerage overflow and surface run-off.

POLICY CS12: BIODIVERSITY

Development will not be permitted that results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.

Site and species important for biodiversity will be protected:

- International and national sites (the SAC and SSSIs: These must be protected from any development that will have an adverse impact.
- Local sites: No development should have a significant adverse effect upon a site that is designated as having local importance for nature conservation or as a wildlife corridor, save in exceptional circumstances where the importance of the development outweighs the harm, and where it is possible to compensate for the damage caused by providing adequate replacement habitat.
- Species and habitats of importance for biodiversity are found across Oxford. These will be expected to be protected from harm, unless the harm can be appropriately mitigated.

Opportunities will be taken (including through planning conditions or obligations) to:

- maintain, restore and add to the network of unimproved flood meadows within the Thames and Cherwell flood plains;
- deliver Biodiversity Action Plan targets and meet the objectives of Conservation Target Areas;
- create links between natural habitats and identify a strategic Oxford habitat network; and
- ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford.

POLICY CS16: ACCESS TO EDUCATION

The City Council will work with the County Council and other agencies to improve access to all levels of education, through new or improved facilities, throughout Oxford, but particularly in areas of population growth.

The strategic development areas at Barton and West End, and potentially Summertown, will identify suitable provision for primary school(s). Funding to enable the timely provision of the necessary education facilities will be sought from the developments that generate that need.

Planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport. Provision for community as well as educational use will be sought.

POLICY CS18: URBAN DESIGN PRINCIPLES

Planning permission will only be granted for development that demonstrates high-quality urban design through:

- responding appropriately to the site and its surroundings;
- creating a strong sense of place;
- being easy to understand and to move through;
- being adaptable, in terms of providing buildings and spaces that could have alternative uses in future;
- contributing to an attractive public realm;
- high quality architecture.

Development proposals should respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the character and distinctiveness of the locality. Development must not result in loss or damage to important historic features, or their settings, particularly those of national importance and, where appropriate, should include proposals for enhancement of the historic environment, particularly where these address local issues identified in, or example, conservation area character appraisal or management plans. Views of the skyline of the historic centre will be protected.

Saved Policies of the Oxford Local Plan 2001-2016 (saved policies) (OLP)

POLICY CP1: STANDARDS OF DEVELOPMENT

Planning permission will only be granted for development which:

- a. shows a high standard of design, including landscape treatment, that respects the character and appearance of the area; and
- b. uses materials of a quality appropriate to the nature of the development, the site and its surroundings; and
- c. is acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements including, where appropriate, links to adjoining land; and
- d. provides buildings and spaces with suitable access arrangements and facilities for use by all members of the community with special access needs.

Where relevant, development proposals must also:

- e. retain and protect important landscape and ecological features, and provide for further landscape treatment where appropriate to the nature of the area or to safeguard the local amenity; and
- f. retain important open spaces of recreational or amenity value or both; and
- g. preserve or enhance the special character and setting of listed buildings and conservation areas; and
- h. preserve the site and setting of Scheduled Ancient Monuments or sites of special local archaeological significance; and
- i. safeguard public rights of way and the amenities of adjoining land users and occupiers, including the provision of alternative rights of way of equal or enhanced quality.

POLICY CP8: DESIGNING DEVELOPMENT TO RELATE TO ITS CONTEXT

All new and extended buildings should relate to their setting to strengthen, enhance and protect local character. Planning permission will only be granted where:

- a. new development is well connected to, and integrated with, the wider area;
- b. the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area;
- c. building design is specific to the site and its context and should respect, without necessarily replicating, local characteristics, and should not rule out innovative design; and
- d. proposed development on sites with a high public visibility enhances the style and perception of the area, particularly by retaining features which are important to, and remove features which detract from, the character of the local area.

POLICY CP10: SITING OF DEVELOPMENT TO MEET FUNCTIONAL NEEDS

Planning permission will only be granted where proposed developments are sited to ensure that:

- a. access to the site is practicable, with priority given to pedestrians and cyclists;
- b. circulation within the site, and site entrances, give priority to pedestrians and cyclists;
- c. outdoor needs are properly accommodated, including private amenity space, screened refuse and recycling storage, servicing and parking;
- d. street frontage and streetscape are maintained or enhanced or created;
- e. buildings are orientated to provide satisfactory light, outlook, and privacy; and
- f. the use or amenity of other properties is adequately safeguarded.

POLICY CP13: ACCESSIBILITY

Planning permission will only be granted for development which makes reasonable provision for access by all members of the community, including people and children, elderly people and people with disabilities. The City Council will require proposals to ensure that the particular needs of different groups are incorporated into the design of new buildings, facilities and the layout of sites.

POLICY CP25: TEMPORARY BUILDINGS

Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work.

Planning permission for temporary or portable buildings will not be granted where:

- a. buildings would adversely affect visual attractiveness, trees or parking provision; and

- b) proposals do not adequately address, where appropriate: landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; or provide a suitable external appearance.

Planning permissions for temporary buildings will be subject to a planning condition that requires the removal of the buildings within a specified time period.

POLICY TR4: PEDESTRIAN & CYCLE FACILITIES

The City Council will only grant planning permission for development that:

- a) provides good access and facilities for pedestrians and for cyclists, and
- b) complies with the minimum cycle parking standards shown in Appendix 4.

For new non-residential development, the City Council will seek the provision of showers and changing facilities in accordance with the thresholds and minimum standards set out in Appendix 4.

Where appropriate, the City Council will seek contributions towards, or provision of, off-site measures that create safer, more attractive and convenient access for pedestrians and for cyclists, and secured by a planning obligation.

Oxford Local Plan 2036 (Proposed Submission Draft) (DOLP)

POLICY S1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national Planning Policy Framework. It will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with Oxford's Local Plan (and, where relevant, with neighbourhood plans) will be approved without delay, 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, and unless:

- a) 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
- b) specific policies in that Framework indicate that development should be restricted.

POLICY G1: PROTECTION OF GREEN AND BLUE INFRASTRUCTURE NETWORK

Green and open spaces and waterways of the Green and Blue Infrastructure Network are protected for their social, environmental and economic functions and are defined on the Policies Map.

Planning permission will not be granted for development that would result in harm to the Green and Blue Infrastructure network except where:

- a) the loss resulting from the proposed development would be replaced by equivalent or better provision elsewhere in a suitable location; and
- b) it can be demonstrated that there will be no harm to any biodiversity network function; and
- c) any loss of water-based recreation facilities, support services for boat users or other facilities that enable the enjoyment of the blue infrastructure network, is to be replaced by a facility in another equally accessible and suitable location; and
- d) adequate mitigation measures to achieve a net improvement in green infrastructure provision in the locality are proposed; and
- e) any relevant criteria of the policies G2-G5 are met.

POLICY RE2: EFFICIENT USE OF LAND

Planning permission will only be granted where development proposals make efficient use of land.

Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as addressing the following criteria:

- a) the density must be appropriate for the use proposed;
- b) the scale of development, including building heights and massing, should conform to other policies in the plan. It is expected that sites at transportation hubs, and within the city and district centres in particular will be capable of accommodating development at an increased scale and density, although this will also be encouraged in all other appropriate locations where the impact of so doing is shown to be acceptable;
- c) opportunities for developing at the maximum appropriate density must be fully explored; and
- d) built form and site layout must be appropriate for the capacity of the site.

High-density development (for residential development this will indicatively be taken as 100dph) is expected in the city centre and district centres.

POLICY RE7: MANAGING THE IMPACT OF DEVELOPMENT

Planning permission will only be granted for development that:

- a) ensures that the amenity of communities, occupiers and neighbours is protected;
and
- b) does not have unaddressed transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
- c) provides mitigation measures where necessary;

The factors the City Council will consider in determining compliance with the above elements of this policy include:

- d) visual privacy, outlook;
- e) sunlight, daylight and overshadowing;
- f) artificial lighting levels;
- g) transport impacts, including the assessment of these impacts within the Transport Assessments, Travel Plans and Delivery and Servicing Management Plans Policy T2;
- h) impacts of the construction phase, including the assessment of these impacts within the Construction Management Plans;
- i) odour, fumes and dust;
- j) microclimate;
- k) contaminated land; and
- l) impact upon water and wastewater infrastructure.