

Cherwell *Local Plan*



**NOVEMBER
1996**

H5 WHERE THERE IS A DEMONSTRABLE LACK OF AFFORDABLE HOUSING TO MEET LOCAL NEEDS, THE DISTRICT COUNCIL WILL NEGOTIATE WITH DEVELOPERS TO SECURE AN ELEMENT OF AFFORDABLE HOUSING IN SUBSTANTIAL NEW RESIDENTIAL DEVELOPMENT SCHEMES. THE DISTRICT COUNCIL WILL NEED TO BE SATISFIED THAT SUCH AFFORDABLE HOUSING:-

(i) IS ECONOMICALLY VIABLE IN TERMS OF ITS ABILITY TO MEET THE NEED IDENTIFIED

(ii) WILL BE AVAILABLE TO MEET LOCAL NEEDS LONG TERM THROUGH SECURE ARRANGEMENTS BEING MADE TO RESTRICT THE OCCUPANCY OF THE DEVELOPMENT

(iii) IS COMPATIBLE WITH THE OTHER POLICIES IN THIS PLAN.

2.13 At the present time, there is evidence of a lack of affordable housing for local need in

Cherwell District in the main urban areas and in a number of rural settlements. It is envisaged

however that policy H5 will be implemented principally in the urban areas of Banbury and

Bicester, where larger residential development schemes will take place. In particular, large areas

of land north of Hardwick Estate, Banbury and at Slade Farm, Bicester are proposed to be allocated for residential development, a proportion of which will be encouraged through negotiation to be developed for affordable housing.

2.14 In addition, a number of unidentified sites within the District may come forward during

the plan period where it would be reasonable for the authority to negotiate for the inclusion of a

proportion of affordable housing. The willingness of a developer to include an element of affordable housing in such circumstances will be a material consideration in determining a

planning application. However it is not envisaged that the policy would apply to sites less than 1

ha in size, as it would not be reasonable to expect a proportion of affordable housing to be

provided on sites smaller than this.

2.15 Similarly, it is not intended that the policy should apply to those housing sites that were

previously allocated in the Banbury Local Plan Review or the Bicester Local Plan and now have

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planning permission. Many of these sites have already been acquired by developers on the basis

that the sites have been allocated for general housing available on the open market.

2.16 Evidence of the need for affordable housing to be provided at Banbury, Bicester and

Kidlington has been supplied by the Council's Housing Department. It is estimated that each year about 100 families who are assessed as being in severe housing need are being added to the housing waiting list. To this number can be added about 50 families each year who are accepted as homeless, making a total of 150 families each year. There are no indications that this rate will fall in future.

2.17 The supply of Housing Association developments on land provided by the Council is likely to average about 50 dwellings each year for a period of about 3 years after which the supply of land is likely to be substantially less as the Council exhausts its reserves of land and

seeks to assist Housing Associations by searching for other sites on an ad hoc basis.

2.18 It follows that the need for affordable housing is likely to be approximately 100 dwellings per year in the Council's urban areas. The plan makes provision at Kidlington for local

housing needs to be provided for on the site owned by the Council and referred to in Policy H9.

It is estimated that at least 80 dwellings per annum would be needed at Banbury and Bicester in

total and the 1991 Census shows that 200 households in Banbury and Bicester combined were

sharing accommodation with other households.

2.19 The number of households on the Council's housing list in May 1995 was 778 for Banbury, 397 at Bicester and 263 at Kidlington. As people are housed from the waiting list, so

the list grows again and there is no apparent end to this cycle.

2.20 Given this background the Council concludes that there is a substantial and continuing

level of affordable housing need in Banbury, Bicester and Kidlington and particularly at Banbury.

2.21 Accordingly the Council will have as a target in negotiations with developers, the provision of 20% of new dwellings on sites of 1 ha and over as affordable housing at Banbury

and 15% at Bicester and, should the opportunity arise, at Kidlington.

2.22 The Council recognises, however, that such needs, both in terms of the quantity and type,

as well as site and market conditions are likely to differ in each location and may vary over the

period covered by the plan.

2.23 It therefore, intends to conduct a full housing needs survey of the whole of the District

during the summer of 1995, and to make periodical reviews, and to use the results in negotiations with developers to seek the provision of an appropriate element of affordable housing on a site by site basis.

2.24 The definition of what constitutes "affordable housing" is dependent on such factors as the local housing market, which may vary during the plan period. However affordable housing will generally be regarded as being housing, whether it be for the outright sale, rent or staircasing to full ownership, within the financial means of households that are otherwise unable to secure private sector housing for purchase or rent in prevailing economic circumstances. This is what is meant by the words "economically viable" in Policy H5(i)".

2.25 The Authority will need to be satisfied of arrangements to ensure that the housing continues to meet local need in the long term. This is likely to involve management by a housing

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association or charitable trust. In the case of a site in local authority ownership, this may be

achieved through a local authority and private development partnership scheme.

2.26 Throughout negotiations with developers, the Council will seek to play an active part in assisting both developers and housing associations in achieving the satisfactory provision of

affordable housing. The Council recognises the key role of Housing Associations in the provision of affordable housing and believes that they should be registered with the Housing

Corporation so as to ensure that good standards of practice are maintained and so that they are

able to receive full grant aid.

THE CATEGORY-1 SETTLEMENTS

H13 RESIDENTIAL DEVELOPMENT WITHIN THE VILLAGES OF ADDERBURY, AMBROSDEN, BLOXHAM, BODICOTE, CHESTERTON, CROPREDY, DEDDINGTON, FINMERE, FRINGFORD, FRITWELL, HOOK NORTON, KIRTLINGTON, LAUNTON, MOLLINGTON, STEEPLE ASTON, SHENINGTON, SIBFORD GOWER AND

SIBFORD FERRIS WILL BE RESTRICTED TO:-

(i) INFILLING;

(ii) MINOR DEVELOPMENT COMPRISING SMALL GROUPS OF DWELLINGS ON SITES WITHIN THE BUILT-UP AREA OF THE SETTLEMENT;

(iii) THE CONVERSION OF NON-RESIDENTIAL BUILDINGS IN ACCORDANCE WITH POLICY H21. IN EACH INSTANCE DEVELOPMENT PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.65 The category-1 settlements are so classified because their physical characteristics and the range of services within them enable them to accommodate some limited extra housing growth.

2.66 Structure Plan policy RUR 3 requires that most housing development should take place

within settlements where a reasonable range of services and community facilities exist. This

should usually include a primary school, a sub-post office and a food shop. The District Council

considers the existence of a primary school to be particularly important when the suitability of a

settlement for further housing growth is determined.

2.67 Infilling will be regarded as being the development of a small gap in an otherwise continuous built-up frontage suitable for one or two dwellings. Policies H13 (i) and H13 (ii)

should not be regarded as creating a presumption in favour of the filling of every small space

within the category-1 settlements. Many spaces within them are important to their character and

should remain undeveloped. Proposals within conservation areas will also be considered against

Policy C22. The interpretation of 'minor development' will have regard to the size of the village,

the general location of the site within the settlement structure, and the need to maintain a fiveyear

supply of building land and to conform generally to Structure Plan policy RUR2.

NEW DWELLINGS IN THE COUNTRYSIDE

H18 PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE CONSTRUCTION OF NEW DWELLINGS BEYOND THE BUILT-UP LIMITS OF SETTLEMENTS OTHER THAN THOSE IDENTIFIED UNDER POLICY H1 WHEN

(i) IT IS ESSENTIAL FOR AGRICULTURE OR OTHER EXISTING UNDERTAKINGS, OR

(ii) THE PROPOSAL MEETS THE CRITERIA SET OUT IN POLICY H6; AND

(iii) THE PROPOSAL WOULD NOT CONFLICT WITH OTHER POLICIES IN THIS PLAN.

2.76 Policy H18 is a continuation of past policies and reflects Central Government advice. Its

intention is to ensure that the countryside is protected from sporadic development whilst, at the same time, recognising the legitimate needs of agriculture and forestry.

2.77 'Essential' will normally be interpreted as a proven necessity for a worker to live at or very close to the site of their work ie it is necessary for the proper functioning of the enterprise for a new dwelling to be occupied by a worker in connection with it. Sufficient details should be provided to enable an assessment of the size, nature and viability of the existing or proposed enterprise together with details of the number and tenure of existing dwellings related to the holding or estate. Where there is any doubt that a dwelling is required for the proper functioning of an enterprise, or where a new business is being proposed, it will be necessary to supply adequate financial information to demonstrate that the proposals are sound. In particular the Council will wish to be satisfied that such need as might exist could not be reasonably secured in a nearby settlement.

2.78 When an essential need has been proven, the Council may still resist the erection of a new dwelling if the opportunity to convert an existing redundant building in compliance with policy H19, H20 or H21 exists on the land. The erection of a new dwelling will normally be expected to be of traditional design and be closely related to existing buildings in the interest of protecting the appearance and open character of the countryside.

2.79 All planning permissions for agricultural dwellings outside the villages will contain an agricultural-occupancy condition restricting their occupation to a person or persons employed or last employed in agriculture and their immediate dependants. Such conditions will only be removed if it can clearly be demonstrated that there is no need for an agricultural worker's dwelling in the locality. The requirements of any given farm holding will be considered secondary to the needs of agriculture as a whole.

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2.80 Policy H18 will also apply to locations where there are already a few scattered buildings.

Transportation Funding

TR1 BEFORE PROPOSALS FOR DEVELOPMENT ARE PERMITTED THE COUNCIL WILL REQUIRE TO BE SATISFIED THAT NEW HIGHWAYS, HIGHWAYIMPROVEMENT WORKS, TRAFFIC-MANAGEMENT MEASURES, ADDITIONAL PUBLIC TRANSPORT FACILITIES OR OTHER TRANSPORT MEASURES THAT WOULD BE REQUIRED AS A CONSEQUENCE OF ALLOWING THE DEVELOPMENT TO PROCEED WILL BE PROVIDED.

5.8 The restrictions placed on public expenditure by Central Government mean that the infrastructure requirements arising from the development of land rely increasingly on private sector

funding. Government support for appropriate development funding is contained in PPG13

and Circular 16/91 and the Oxfordshire Structure Plan contains two policies (G2 and T15) which

seek the provision of such funding in accordance with that advice. The Council will liaise closely

with the County Council as Highway Authority to identify those highway improvements that are

required as a consequence of development and to secure an appropriate level of development

funding in accordance with the advice in Circular 16/91. Reference is made later in this chapter

to specific transportation schemes and associated works to which this policy will apply.

5.9 The Government's Planning Policy Guidance on transport (PPG13) which was revised in

March 1994 encourages local planning authorities to promote strategies to reduce the need for

travel. Where highway improvements required to serve new development would themselves be

likely to increase travel demand, then planning permission may be refused.

5.10 For the purposes of policy TR1 the terms 'new highways', 'highway-improvement works',

and 'traffic-management measures' and 'additional public transport facilities' include the provision of new roads, the improvement of existing roads, the provision of cycle ways, footpaths, traffic controls, crossings, signing, road closures, traffic-calming measures, pedestrian-priority schemes, park and ride facilities and bus priority measures, both on-site and

off-site as circumstances require.

R12 THE DISTRICT COUNCIL WILL NORMALLY REQUIRE IN CONNECTION WITH

ALL NEW HOUSING DEVELOPMENTS THE MINIMUM PROVISION OF 2.43 HECTARES (6 ACRES) OF PUBLIC OPEN SPACE PER 1,000 POPULATION.

6.52 The on-site open space requirement can be broken down into the following component

parts:

(i) Amenity open space: 0.4-0.5 ha (1-1.25 acres).

(ii) Children's playspace: 0.2-0.3 ha (0.5-0.75 acres).

(iii) Sports grounds: 1.6-1.8 ha (4-4.5 acres).

Generally, the Council will require the open space to be provided within the development area

and will not allow the provision to be made up of fragmented areas that are of little recreational

use and which are expensive to maintain.

6.53 The Council does however recognise that it may not always be reasonable or appropriate

to require on-site provision for all new housing developments particularly where a very small

number of new dwellings is proposed. The Council will therefore apply this policy flexibly

assessing each proposal on its merits. Particular regard will be had to the type of housing proposed i.e. family housing is likely to give rise to a greater demand for recreation facilities

than that for the elderly, and the level and quality of the existing recreation facilities in the

locality. Where the Council considers that a development does generate a demand for recreation

facilities it may consider it more appropriate to seek a financial contribution from developers

towards the improvement of facilities in the locality in accordance with the guidelines set out in

Circular 16/91.

6.54 It is important that provision is made for children to gather and play in safety.

Provision

in the larger open spaces, where surveillance is practicable, and away from major roads, will

generally be sought. Provision of appropriately equipped children's play areas, where surveillance is practicable, and away from major roads, will generally be sought. The Council

will seek appropriate contributions from developers towards the maintenance of these play areas

in accordance with the guidelines set out in Circular 16/91.

C2 DEVELOPMENT WHICH WOULD ADVERSELY AFFECT ANY SPECIES PROTECTED BY SCHEDULE 1, SCHEDULE 5 AND SCHEDULE 8 OF THE 1981 WILDLIFE AND COUNTRYSIDE ACT, AND BY THE E.C. HABITATS DIRECTIVE 1992

WILL NOT NORMALLY BE PERMITTED.

9.5 In addition to habitats of importance to nature conservation there are a number of plant and animal species protected by the Wildlife and Countryside Act and the E.C. Habitats Directive 1992. Policy C2 seeks to protect them from development which would result in their loss or damage.

9.6 The Council will seek to protect sites of nature conservation value by entering into management agreements with landowners. The Council also has the power to designate local

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nature reserves on land which they own or manage. Local nature reserves have the benefit of providing recreational and educational potential as well as playing a protective role.

Landscape Conservation

C7 DEVELOPMENT WILL NOT NORMALLY BE PERMITTED IF IT WOULD CAUSE DEMONSTRABLE HARM TO THE TOPOGRAPHY AND CHARACTER OF THE LANDSCAPE.

9.11 The present character and appearance of the countryside has evolved over many hundreds of years. Despite changes caused by modern farming techniques, this appearance is still greatly valued. If this character is to be retained and enhanced it will be necessary to ensure that tight control is exercised over all development proposals in the countryside. This is reaffirmed by recent Central Government advice (PPG 7) which advises that the countryside should be protected for its own sake. The Council will therefore require development to take account of changes in level or slope, not protrude above prominent ridges or skylines, not detract from important views and not expand out of any valley or depression which confines present development.

C8 SPORADIC DEVELOPMENT IN THE OPEN COUNTRYSIDE INCLUDING DEVELOPMENTS IN THE VICINITY OF MOTORWAY OR MAJOR ROAD JUNCTIONS

WILL GENERALLY BE RESISTED.

9.12 Sporadic development in the countryside must be resisted if its attractive, open, rural character is to be maintained.

9.13 Policy C8 will apply to all new development proposals beyond the built-up limits of settlements including areas in the vicinity of motorway or major road developments but will be reasonably applied to accommodate the needs of agriculture. There is increasing pressure for development in the open countryside particularly in the vicinity of motorway junctions. The Council will resist such pressures and will where practicable direct development to suitable sites at Banbury or Bicester.

C27 DEVELOPMENT PROPOSALS IN VILLAGES WILL BE EXPECTED TO RESPECT THEIR HISTORIC SETTLEMENT PATTERN.

9.64 The settlement pattern of a village can be as important to its character as the buildings.

Proposals which would result in the obliteration of part of an historic plan form or fail to respect the traditional settlement pattern will be considered contrary to policy and will be resisted.

9.65 Particular attention will be paid to policy C27 within the existing and proposed conservation areas where the character of the settlement is particularly sensitive to change.

C28 CONTROL WILL BE EXERCISED OVER ALL NEW DEVELOPMENT, INCLUDING CONVERSIONS AND EXTENSIONS, TO ENSURE THAT THE STANDARDS OF LAYOUT, DESIGN AND EXTERNAL APPEARANCE, INCLUDING THE CHOICE OF EXTERNAL-FINISH MATERIALS, ARE SYMPATHETIC TO THE CHARACTER OF THE URBAN OR RURAL CONTEXT OF THAT DEVELOPMENT. IN SENSITIVE AREAS SUCH AS CONSERVATION AREAS, THE AREA OF OUTSTANDING NATURAL BEAUTY AND AREAS OF HIGH LANDSCAPE VALUE, DEVELOPMENT WILL BE REQUIRED TO BE OF A HIGH STANDARD AND THE USE OF TRADITIONAL LOCAL BUILDING MATERIALS WILL NORMALLY BE REQUIRED.

C30 DESIGN CONTROL WILL BE EXERCISED TO ENSURE:

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- (i) THAT NEW HOUSING DEVELOPMENT IS COMPATIBLE WITH THE APPEARANCE, CHARACTER, LAYOUT, SCALE AND DENSITY OF EXISTING DWELLINGS IN THE VICINITY;**
- (ii) THAT ANY PROPOSAL TO EXTEND AN EXISTING DWELLING (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) IS COMPATIBLE WITH**

THE SCALE OF THE EXISTING DWELLING, ITS CURTILAGE AND THE CHARACTER OF THE STREET SCENE;
(iii) THAT NEW HOUSING DEVELOPMENT OR ANY PROPOSAL FOR THE EXTENSION (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) OR CONVERSION OF AN EXISTING DWELLING PROVIDES STANDARDS OF AMENITY AND PRIVACY ACCEPTABLE TO THE LOCAL PLANNING AUTHORITY.

9.69 The Council wishes to secure environmental enhancement through new development.

Proposals that would detract from the character of an area owing to obviously poor design will

be resisted. Similarly proposals that would change the established character of an area, by, for

example, introducing high-density housing development where low densities predominate, will

normally be unacceptable. The design and layout of new development can also assist with crime

prevention and the Council will have regard to the advice in Circular 5/94 'Planning Out Crime'

and 'Secured by Design' initiative. The assistance of the Thames Valley Policy Architectural

Liaison Officer will be sought in this context.