

The Cherwell Local Plan 2011 – 2031

your place • your space
your say



Part 1
Adopted 20 July 2015

July 2015

Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Presumption in Favour of Sustainable Development

A.28 The principles of 'sustainable development' are central to the planning system. The NPPF (paragraphs 11-16) sets out what is meant by the 'presumption in favour of sustainable development' and recommends that Policies in the Local Plan should follow this presumption.

A.29 The Framework recognises that sustainable development is about change for the better. It is about positive growth, making economic, environmental and social progress for this and future generations. To achieve sustainable development, economic, social and environmental gains should be sought jointly. They are mutually dependent.

A.30 In line with Government policy advice, the Council has adopted a positive approach in seeking to meet the objectively assessed development needs of the District. The policies in the Local Plan provide a clear framework to guide development that creates positive, sustainable growth, therefore following the presumption in favour of sustainable development, enabling proposals that accord with the Plan objectives to be approved without delay. This policy is therefore at the heart of decision making when assessing planning applications.

A.31 There may be instances where the Plan is silent or in future years, policies become out of date. To enable the Council to continue to take a sustainably positive approach to decision making, the applicant will need to assist by submitting evidence to demonstrate how the benefits of the proposal outweigh any adverse impacts.

A.32 The challenge here is to reconcile the need to deliver sufficient jobs and homes, supported by appropriate infrastructure to meet Cherwell's needs, whilst conserving the natural and built environment, minimising the need to travel and addressing climate change.

Policy PSD 1: Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) 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 – 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 the Framework indicate that development should be restricted.**

Policy SLE 1: Employment Development

B.38 The Council will, as a general principle, continue to protect existing employment land and buildings for employment (B class) uses. The Council will support existing businesses and will seek to ensure their operational activity is not compromised wherever possible. Inevitably, over the period of the Local Plan, businesses will relocate or close, leaving land and premises available for re-use or re-development.



B.39 Where existing employment sites have good transport links for commercial vehicles and the proposed use of these sites accords with the Local Plan we will encourage new development here to ensure the efficient use of land on these sites and in our towns, avoiding the need to use valuable countryside. This will not always meet the needs of some companies so new sites will be required.

B.40 We will create new employment sites for commerce and engineering/manufacturing to meet the needs of existing and new companies. We will also actively promote those sites for inward investment.

B.41 To promote growth we have allocated an increase in the amount of employment land in the District. This is focused more at Bicester in order to match the growth in housing and make the town more sustainable.

B.42 A flexible approach to employment development is set out in this Plan with a number of our strategic sites allocated for a mix of uses and many allowing for different types of employment. Employment development will be supported in a number of locations as long as it meets certain policy criteria. In all cases very careful consideration should be given to locating employment and housing in close proximity and unacceptable adverse effects on the amenity of residential properties will not be permitted. Live/work units will be encouraged in locations such as Banbury Canalside.

B.43 This Local Plan identifies strategic sites for employment use in Banbury and Bicester (see 'Policy Bicester 1: North West Bicester', 'Policy Bicester 2: Graven Hill', 'Policy Bicester 4: Bicester Business Park', 'Policy Bicester 10: Bicester Gateway', 'Policy Bicester 11: Employment Land at North East Bicester', 'Policy Bicester 12: South East Bicester', 'Policy Banbury 6: Employment Land West of the

M40' and 'Policy Banbury 15: Employment Land North East of Junction 11'). A number of these sites have recent planning permissions and are under construction. The former RAF Upper Heyford site will also provide for employment uses. The sites identified in the Employment Trajectory in the Local Plan cover 200 hectares (gross) and result in approximately 20,500 jobs generated on B Use class land. There may be a slight change in jobs on sites due to site constraints such as flood risk and differing B use class mixes, which will be determined at the master planning stage. Further jobs will be generated generally through other means such retail and home working. Policies seek different types of employment units to ensure a range of employment uses are provided. Land is allocated taking account of economic evidence base, matching growth in housing and to cater for company demand, particularly for logistics. The Council's assessment of and strategies for housing, employment and other uses are integrated, and take full account of relevant market and economic signals.

B.44 To ensure employment is located in sustainable locations, to avoid problems such as traffic on rural roads and commuting, employment development in the rural areas will be limited. This accords with the Council's strategy for focusing new housing development at Banbury and Bicester, ensuring housing and employment are located in the same place.

B.45 The new strategic employment sites set out in Section C 'Policies for Cherwell's Places' have been allocated because they:

- are, or will be accessible to the existing and proposed labour supply
- have good access, or can be made to have good access, by public transport
- have good access and transport links for commercial vehicles
- have the least effect on the natural environment.

B.46 The new allocated employment sites in Banbury and Bicester along with existing employment sites are considered to ensure a sufficient employment land supply.

B.47 The Local Plan Part 2 will consider where further, smaller, allocations need to be made in the urban and rural areas to support the delivery of a flexible supply of employment land. Where new small sites are proposed we will consider the most appropriate use class for the location. Opportunities for developing small 'hubs' of activity to meet local needs will be explored. New employment uses will be supported where appropriate in residential areas, where they are proposed on existing employment sites. Employment development will be focused at the more sustainable villages. These villages are also considered to be the most appropriate for any further employment development.

B.48 Policy SLE 1 applies to B use class employment development. The provision or the loss of jobs in general terms will be a material consideration for determining proposals for any use classes. The policy applies to sites which have planning permission for employment uses. Where any allocated or committed employment sites in the District remain undeveloped in the long term and there is no reasonable prospect of the site being used for that purpose other uses will be considered. Policy SLE 2 will apply for proposals for main town centre uses.

Policy SLE 1: Employment Development

Employment development on new sites allocated in this Plan will be the type of employment development specified within each site policy in Section C 'Policies for Cherwell's Places'. Other types of employment development (B Use class) will be considered in conjunction with the use(s) set out if it makes the site viable.

In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:

- the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.
- the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.
- the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment.

Regard will be had to whether the location and nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses.

Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use.

Employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations. New dwellings will not be permitted within employment sites except where this is in accordance with specific site proposals set out in this Local Plan.

Employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria:

- Are within the built up limits of the settlement unless on an allocated site
- They will be outside of the Green Belt, unless very special circumstances can be demonstrated
- Make efficient use of previously-developed land wherever possible
- Make efficient use of existing and underused sites and premises increasing the intensity of use on sites
- Have good access, or can be made to have good access, by public transport and other sustainable modes
- Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings
- Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.

Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A (see Policy Villages 1).

New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- They will be outside of the Green Belt, unless very special circumstances can be demonstrated.
- Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.
- They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.
- They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.
- The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).
- The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.
- There are no suitable available plots or premises within existing nearby employment sites in the rural areas.

The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

Monitoring and review will be undertaken regularly.

Extensions to existing employment sites will be considered in the Local Plan Part 2.

Policy SLE 3: Supporting Tourism Growth

B.62 Given the growing role that tourism has to play in the local economy, developments in this sector will be supported, especially new attractions and new hotels at the two towns to reinforce their central role as places to visit and stay. We will support new tourism provision that can demonstrate direct benefit for the local 'visitor' economy and which will sustain the rural economy.



B.63 We will support an increase in high quality accommodation available in our towns to meet the needs of visitors and to end the current under provision. Valuable expenditure associated with overnight stays is potentially being lost, meaning that tourism has scope to play a significant wealth-creating role for the District.

B.64 Tourism can help support local services and facilities, provide employment, promote regeneration and help preserve the natural and historic environment. It can include day visits by local people through to visits from overseas. Tourism is a vital component in the make-up of the national economy. Currently tourism is worth over £300 million in Cherwell District and makes a significant contribution towards the development of a sustainable local economy. 1.2 million people live within a 30 minute drive time of the District boundary.

B.65 A tourism study was completed for the District in August 2008 in order to assist the Council in gaining a broad understanding of tourist activity and trends in Cherwell District and nearby. It highlighted that tourism was not as great a part of the local economy as for some locations, but that initiatives to further encourage tourism could be considered. The following observations and issues were identified:

- the District will not attract the level of tourists who visit surrounding destinations but should make the most of its proximity to these destinations and its good transport links
- the 58km of Oxford Canal in Cherwell is a resource that is not used to its full potential and access should be improved to promote green and sustainable leisure opportunities – using the towpath for walking and cycling as well as the water for boating
- business tourism is important to Cherwell's economy
- Cherwell's villages are attractive and distinctive and many have places of interest

- Banbury's historic town centre is somewhere to visit and also to stay if visiting popular destinations nearby such as Oxford or Stratford. It also acts as one of the main retail destinations in the area
- Bicester Village is the District's most visited tourist destination
- that Former RAF Bicester and Former RAF Upper Heyford represent potential new tourism developments
- the opportunity for a Cold War Visitor Centre at Former RAF Upper Heyford
- there are mixed trends in terms of the occupancy of tourist accommodation which is often below average but hotels are also turning away guests on other occasions
- a large new hotel was completed in Banbury, near the M40, in 2008. A new hotel has been built near Bicester and further such investment is planned. Demand for hotel and other overnight accommodation continues.

B.66 Other policies in other sections of this Local Plan will contribute towards addressing these issues and encouraging sustainable tourism development; for example by:

- the regeneration of Banbury Canalside ('Policy Banbury 1: Banbury Canalside')
- the development of the Spiceball Development Area in Banbury ('Policy Banbury 9: Spiceball Development Area')
- maintaining village services and facilities
- the preservation and enhancement of the historic environment in both towns and villages.

B.67 The Local Plan Part 2 will also support tourism by including policies encouraging new accommodation and the allocation of smaller sites for tourism related development.

B.68 There are other factors which are beyond the scope of the Local Plan which are important to drawing visitors to Cherwell's towns, villages and countryside. The Council, working with partners, already undertakes marketing, but to increase the number of visitors to Cherwell and to compete nationally, this will need to be maintained and enhanced.

Policy SLE 3: Supporting Tourism Growth

The Council will support proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the District.

Policy SLE 4: Improved Transport and Connections

B.69 The District has excellent road and rail links. New investment has substantially reduced the travel time from Banbury and Bicester to central London and Birmingham, with regular high quality train services via the Chiltern line. New investment is due in the Plan period to open up frequent rail links between Oxford, Milton Keynes and Bedford reinforcing the role of Bicester. The M40 corridor provides links to the wider national motorway network and rail links help secure a central location for rail based freight movement.



B.70 The Local Plan promotes a series of proposals to support a modal shift away from an over reliance on the car to less energy intensive forms of transport. The strategy proposes more sustainable locations for housing and employment growth, whilst recognising the importance of the car in a rural District. The strategy seeks to avoid increasing the function of the towns as dormitory centres by strengthening their employment base and transport connection to those sites.

B.71 Over the life of the Local Plan public transport will continue to improve and become more demand responsive. The partners to the plan anticipate that support will be provided for the extension of real time timetable information across the network, across the whole District.

B.72 New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. This will support delivery of the infrastructure and services needed to facilitate travel by sustainable modes, whilst also enabling improvements to be made to the local and strategic road and rail networks.

B.73 Over the life of the plan there will be investment in the highway network as well as contributions from development to strengthen the road infrastructure of the plan area. This will include the South West Bicester Perimeter Road (Vendee Drive, already completed) and new highway improvements, including a potential relief road on the south east and south of Bicester, works to the A34 south from Bicester and improvements to junctions 9 and 10 of the M40, of which Junction 9 is programmed for early delivery. There will also be improvements to the Windsor Street/Upper Cherwell Street Corridor in Banbury to Hennef Way junctions and to the Bridge Street/Cherwell Street junction. The potential for a link road on the eastern side of the M40, to mitigate the impact of traffic on the approach to Junction 11 along Hennef Way will also be explored with the County Council and Highways England. Cherwell is working with Aylesbury Vale District Council to ensure the impacts of growth at Bicester and Aylesbury on the A41 are fully addressed and appropriate mitigation considered.

B.74 Phase 1 Improvements to Junction 9 of the M40 motorway are complete and Phase 2 is being progressed with the Department for Transport, Highways England and Oxfordshire County Council. The proposals to improve the rail link between Bicester and Oxford are also supported as it will promote more sustainable modes of transport and reduce congestion on the A34 and M40 trunk roads. These improvements will enable additional development capacity to be provided within the two towns.

B.75 The Oxfordshire Local Transport Plan provides the strategic framework for transport in the County. It aims to support the local economy and the growth and competitiveness of the county; to make it easier to get around the county and improve access to jobs and services for all by offering real choice; to reduce the impact of transport on the environment and help tackle climate change; and to promote healthy, safe and sustainable travel. Our strategy for managing growth across the District is to locate development in sustainable locations and identify appropriate and deliverable measures to meet the transport needs of the District.

B.76 Integrated Transport and Land Use Studies for Banbury, Bicester and the Cherwell Rural Areas were completed on behalf of Oxfordshire County Council and Cherwell District Council and have informed the Local Plan. More recent Movement Strategies have been produced for Bicester and Banbury to support the preparation of Banbury and Bicester Masterplans. The Movement Strategies propose sustainable movement and access strategies.

B.77 Infrastructure will need to be provided which allows for more walking, cycling, the use of public transport and integration between modes. Cycling and walking in the two towns is a means to secure an effective integration between the established areas and new areas of development. Consideration will be given to the implementation of walking and cycling improvements which connect to employment areas, the town centre and key services and that link urban routes with the rights of way network. We will also seek improved public access to the River Cherwell valley in support of our policies to increase tourism and public well-being.

B.78 New rail investment provides the opportunity to both strengthen the role of the two towns and their locations as places to live and work. The new East - West rail project will strengthen the location of Bicester through a vastly improved connection and service links to Oxford, Milton Keynes and Bedford. Rail investment, including electrification, reinforces the critical role that rail has to play as the centrepiece of wider town centre regeneration in Banbury associated with Canalside redevelopment (Policy Banbury 1); and in Bicester, associated with the town centre and through to Bicester Village from an upgraded Bicester Village Station. Due to the implementation of strategic development proposals in the Plan including East West Rail, the new station at Water Eaton and a growth in employment opportunities at Kidlington and Bicester the Council would expect demand for an increased role for London-Oxford airport. The Council will work with London-Oxford Airport operators, the County Council and the Civil Aviation authority and other stakeholders to consider any proposals.

B.79 We will support expansions to the existing railway stations at Banbury and Bicester and in the villages to provide improved access to the wider rail network. Proposals should accord with other policies in the Plan.

B.80 At Bicester, the Graven Hill site ('Policy Bicester 2: Graven Hill') has the major potential to capitalise on the Network Rail Freight Route Utilisation Strategy (2007) for upgrading the national freight network. This will assist removing freight travelling north from Southampton on the A34, past Oxford and onto the M40 and A43, with consequential gains for the environment with reduced emissions.

B.81 This development will confirm Bicester's location as a Rail Freight Interchange (RFI) and a distribution hub within the regional economy, which will help consolidate its economic growth.

B.82 A skilled workforce is available at Bicester, one of the locational factors necessary for the RFI to operate successfully, as stressed in the Strategic Rail Freight Interchange Policy Guide (DfT 2011). Recent studies from Cranfield and GVA Grimley show that logistics employment output is 30-40% greater than manufacturing. In addition, the range of jobs engaged in logistics has widened to include a higher proportion of elementary and process operatives skill levels employed compared with the manufacturing sector, and this proportion has been rising. Cranfield and GVA Grimley also revealed that wage levels are between 10 & 17% higher in the distribution sector than the manufacturing sector. At a time when UK manufacturing has declined, High Performance Engineering and Defence continue to grow, as does logistics. Bicester has a unique opportunity from the presence of all three sectors.

Policy SLE 4: Improved Transport and Connections

The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

We will support key transport proposals including:

- **Transport Improvements at Banbury, Bicester and at the Former RAF Upper Heyford in accordance with the County Council's Local Transport Plan and Movement Strategies**
- **Projects associated with East-West rail including new stations at Bicester Town and Water Eaton**
- **Rail freight associated development at Graven Hill, Bicester**
- **Improvements to M40 junctions.**

Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

Policy ESD 1: Mitigating and Adapting to Climate Change

B.177 The 2009 UK Climate Projections (UKCP09) set out some key projections of climate change across the UK over the 21st Century. Projected changes by the 2080s, based on a 50% probability level, include:

- **increases in summer mean temperatures, particularly in southern England where increases of 3.9 degrees are projected**

- decreases in summer precipitation, again particularly in southern England where decreases of 23% are projected
- increases in winter precipitation in southern England of 22%.



B.178 Changes as small as a 2°C global temperature rise will have serious impacts:

- rising sea levels
- extreme events such as droughts and heavy rainfall, leading to disruption to natural and man-made habitats
- communities across the UK may struggle to cope with the effects of warmer summers and wetter winters.

B.179 A Local Climate Impacts Profile (LCLIP) has been undertaken to better understand the impact of extreme weather in Cherwell and on the Council itself. The LCLIP reviewed extreme weather events experienced over a five year period (2003 – 2008), finding that within Cherwell flooding was by far the most significant event, with significant flooding occurring 6 times in a 5 year period, 2 of the events being serious and widespread (2003 and 2007). Heatwaves were found to have been infrequent in that 5 years period, but if they were to recur on the scale of 2003 this would have significant impacts on health, biodiversity and infrastructure (including damage to buildings by tree and drought related subsidence, roads, drainage systems and business closures).

B.180 There is increasing recognition that reducing carbon emissions is important in reducing and adapting to the impacts of climate change. The Climate Change Act 2008 has an objective of an 80% reduction (from a 1990 baseline) in carbon dioxide emissions by 2050. This can be achieved by, for example, reducing dependence on private cars and locating new development in sustainable, accessible, locations, increasing energy efficiency, or by increasing the use of renewable or low carbon energy sources. It is particularly important to reduce carbon emissions from dwellings and business through increasing energy efficiency. Similarly it is important to ensure that we adapt to the inevitable changes to future climate. This applies to the built development, its location, design, layout and proposed land uses, as well as the natural environment, by seeking to reduce exacerbated habitat fragmentation by increasing landscape permeability and connectivity (see 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment', 'Policy ESD15 Built and Historic Environment' and 'Policy ESD 17: Green Infrastructure').

B.181 Mitigating and adapting to the impacts of climate change are an important priority for the District and have been recognised in the following:

- the Cherwell Sustainable Community Strategy 'Our District Our Future'
- the Council's Low Carbon Environmental Strategy
- the Council's signing of the Nottingham Declaration
- Eco Bicester: seeking to deliver sustainable building standards across the town.

B.182 Consequently this Local Plan and its strategic objectives are focused on delivering sustainable development. Specifically, Strategic Objective 10 (see Section Strategy for Development in Cherwell) relates to climate change mitigation and adaptation (to reduce the intensity of climate change and to adapt to its effects) and this will be achieved through policies ESD 1 - 7.

B.183 The most sustainable locations for growth in the District are considered to be Banbury, Bicester and the larger villages as identified in Policies Villages 1 and Villages 2 as these settlements have a range of services and facilities, reducing the need to travel by car. Well designed and connected schemes which promote pedestrian movement can also assist in meeting this objective. (see 'Policy ESD 15 The Character of the Built and Historic Environment'). The Council will develop a sustainability checklist to aid the assessment of the sustainability of development proposals, which will be included in the Sustainable Buildings in Cherwell SPD.

Policy ESD 1: Mitigating and Adapting to Climate Change

Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:

- **Distributing growth to the most sustainable locations as defined in this Local Plan**
- **Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars**
- **Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)**
- **Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).**

The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- **Taking into account the known physical and environmental constraints when identifying locations for development**
- **Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling**
- **Minimising the risk of flooding and making use of sustainable drainage methods, and**
- **Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).**

Adaptation through design approaches will be considered in more locally specific detail in the Sustainable Buildings in Cherwell Supplementary Planning Document (SPD).

Policy ESD 2: Energy Hierarchy and Allowable Solutions

B.184 Whilst we need to promote renewable energy where appropriate (see 'Policy ESD 3: Sustainable Construction'), it would be counter-productive to encourage generation of renewable energy if energy is being wasted by inefficiency. As such Policy ESD 2 expresses our support for an 'energy hierarchy'.



B.185 An Energy Statement will be required for proposals for major residential developments (over 10 dwellings), and all non-residential development to demonstrate how the energy hierarchy has been applied. The Energy Statement can form a standalone document or be part of the Design and Access Statement. The Council will produce a template for use in preparing energy statements.

B.186 Carbon emissions reductions can be achieved through a range of “allowable solutions”; measures which secure carbon savings off site. These have yet to be defined by the government but could potentially include investment in off site low and zero carbon technologies. The concept is relatively new and is seen as a way to enable developments to become carbon neutral where it is not possible to deal with all carbon emissions through on site measures. It will not always be cost effective or technically feasible to meet the zero carbon standard through on site measures and the government is therefore proposing that the zero carbon standard could be achieved by mitigating the remaining emissions off-site through the use of allowable solutions. The Council will support the implementation of the national approach to allowable solutions once defined and any additional implementation guidance required at a local level will be set out in the Local Plan Part 2 and the Sustainable Buildings in Cherwell SPD’.

Policy ESD 2: Energy Hierarchy and Allowable Solutions

In seeking to achieve carbon emissions reductions, we will promote an 'energy hierarchy' as follows:

- **Reducing energy use, in particular by the use of sustainable design and construction measures**

- **Supplying energy efficiently and giving priority to decentralised energy supply**
- **Making use of renewable energy**
- **Making use of allowable solutions.**

B.187 The detailed application of the energy hierarchy in assessing proposals will be explained in the Sustainable Buildings in Cherwell SPD.

B.188 Policies on each element of the energy hierarchy are set out in order below.

Policy ESD 3: Sustainable Construction

B.189 Policy ESD 3 sets out the Council's approach to implementing the first step of the energy hierarchy in Policy ESD 2 specifically, its encouragement for the use of sustainable design and construction measures.



B.190 The delivery of sustainable development is a fundamental theme of the Local Plan and the Council places a high priority on the achievement of sustainable construction.

B.191 The expectations in Policy ESD 3 will be applied flexibly. The onus will be on the developer to demonstrate (with robust evidence) why the requirements cannot be met, for example where the application of the policy would conflict with other policy objectives, or where it can be satisfactorily shown that implementing the standards would not be feasible or financially viable, undermining delivery of the development. Negotiations will take place to ensure that sustainable construction is achieved as far as possible and we encourage discussion with the Council in the early stages of any development proposal. This policy will be subject to monitoring and review to ensure the standards and guidance remain appropriate and relevant. Any new national standards will need to be reflected in revisions to the local policy.

B.192 Sustainable design and construction issues will be considered and illustrated in more local detail in the Sustainable Buildings in Cherwell SPD.

Policy ESD 3: Sustainable Construction

All new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy.

Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day.

All new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.

The strategic site allocations identified in this Local Plan are expected to provide contributions to carbon emissions reductions and to wider sustainability.

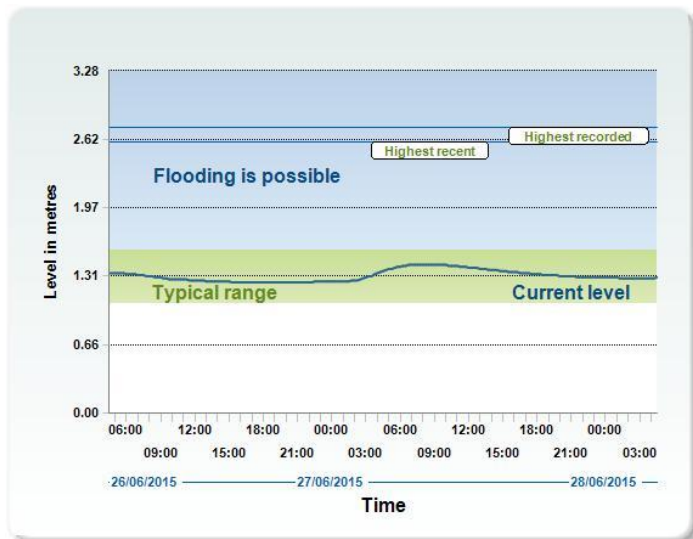
All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- **Minimising both energy demands and energy loss**
- **Maximising passive solar lighting and natural ventilation**
- **Maximising resource efficiency**
- **Incorporating the use of recycled and energy efficient materials**
- **Incorporating the use of locally sourced building materials**
- **Reducing waste and pollution and making adequate provision for the recycling of waste**
- **Making use of sustainable drainage methods**
- **Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and**
- **Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.**

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an independent economic viability assessment can be undertaken. Where it is agreed that an economic viability assessment is required, the cost shall be met by the promoter.

Policy ESD 6: Sustainable Flood Risk Management

B.203 The risk of flooding from rivers and watercourses across the District is high, with large extensive floodplains a feature of our rural landscape. The District falls within three major river catchments. The River Cherwell forms part of the larger Thames catchment, which comprises about 80% of the District's total area covering much of the urban and rural development in the District. During flood conditions the River Cherwell also largely co-joins with the adjacent Oxford Canal. The Great Ouse catchment covers approximately 15% of the District's total area and the Warwickshire Avon catchment approximately 5%. Groundwater and sewer flooding have also occurred at various locations in the District. Flooding events are detailed in the Council's Level 1 Strategic Flood Risk Assessment (SFRA) and further information is also provided in the Council's Local Climate Impacts Profile (LCLIP) (See Appendix 3: Evidence Base).



B.204 Properties at risk of flooding are dispersed across the District but there are clusters of properties at risk in Banbury and Kidlington (more than 100 properties in total). The SFRA also highlights that some rural settlements are potentially affected by fluvial flooding.

B.205 Construction work commenced in February 2011 on a Flood Alleviation Scheme for Banbury to protect the town centre and surrounding businesses from flooding and the scheme is now complete. The project was funded by the Environment Agency supported by Cherwell District Council and contributions from local landowners.

B.206 The Flood and Water Management Act 2010 assigns local authorities with a responsibility for managing flood risk. In Cherwell District, Oxfordshire County Council is the Lead Local Flood Authority (LLFA), with the District Council having an important supporting role to play as a Risk Management Authority. The probability of flooding can be reduced through the management of land, river systems and flood defences, and the impact reduced through influencing the type of development located in flood risk areas. The following policy will be used to manage and reduce flood risk in the District.

Policy ESD 6: Sustainable Flood Risk Management

The Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.

In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Building over or culverting of watercourses should be avoided and the removal of existing culverts will be encouraged.

Existing flood defences will be protected from damaging development and where development is considered appropriate in areas protected by such defences it must allow for the maintenance and management of the defences and be designed to be resilient to flooding.

Site specific flood risk assessments will be required to accompany development proposals in the following situations:

- **All development proposals located in flood zones 2 or 3**
- **Development proposals of 1 hectare or more located in flood zone 1**
- **Development sites located in an area known to have experienced flooding problems**
- **Development sites located within 9m of any watercourses.**

Flood risk assessments should assess all sources of flood risk and demonstrate that:

- **There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event)**
- **Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.**

Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.

B.207 The above policy reflects government planning guidance on sustainable flood risk management set out in the NPPF and NPPG. The suitability of development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Defended areas should be sequentially tested as though the defences are not there. Applications will also be assessed against the Environment Agency's standing advice on flood risk.

B.208 The Council's Level 1 SFRA (see Appendix 3: Evidence Base) provides the framework for applying the sequential and exception tests in the District. The SFRA identifies and maps the risk of flooding across the District based on a range of data and taking into account predicted climate change impacts, and is a useful source of information in undertaking site specific flood risk assessments particularly in relation to specific locations across the District. The SFRA also highlights the biodiversity opportunities associated with the use of sustainable flood risk management techniques, for example in enhancing or creating priority habitats such as grazing marsh, wet grassland, wetlands and aquatic habitats (particularly so in the Conservation Target Areas - see 'Policy ESD 11: Conservation Target Areas').

B.209 Level 2 SFRA's have also been carried out to assess the level of flood risk for strategic site allocations in more detail (see Appendix 3: Evidence Base). The assessments provide site specific guidance for flood risk assessments, policy recommendations and Sustainable Drainage Systems (SuDS) guidance. The findings of the assessments will be taken into account in the final determination of planning applications at the strategic sites.

B.210 Site specific Flood Risk Assessments (FRAs) will be required in accordance with the NPPF and NPPG. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. Fluvial flood events up to and including the 1 in 100 year event with an allowance for climate change should be considered. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should also include investigation of the use of sustainable drainage systems (see 'Policy ESD 7: Sustainable Drainage Systems' (SuDS)).

B.211 Briefly, there are 3 levels of FRA, as follows:

- Level 1 - Screening: identify if a development site has flood risk issues
- Level 2 - Scoping: qualitative assessment to determine how flood sources affect the site and options available for mitigation
- Level 3 - Details: where the quality and/or quantity of information is insufficient to enable a robust assessment of the flood risks, further investigation will be required potentially involving hydraulic modelling.

B.212 An FRA does not need to go through every stage (i.e. if it is known that detailed modelling will be required, just a Level 3 FRA can be carried out). The Council's SFRA makes the following recommendations for FRAs undertaken in particular locations across the District, as follows:

Location	Site Specific FRA Requirement
Wherever applicable	Where a site is in close proximity of the Oxford Canal, the Level 3 FRA should include breach analysis.
Wherever applicable	Flood defended areas will require a FRA to include assessment of risk from catastrophic failure of defences.
Banbury	A detailed level 3 FRA is required for development within the River Cherwell Floodplain to include flood compensation. Groundwater risk to be highlighted at Crouch Hill.
North East Bicester	A level 2 FRA using existing data can be applied.
South East Bicester	A level 3 FRA including hydraulic modelling will be required in the vicinities of these watercourses.
Kidlington	Where EA modelled data is available a level 2 FRA can be completed using existing modelled flood levels. Where no data is available a Level 3 FRA including hydraulic

	<p>modelling may be required for sites in close proximity to the Rowell Brook or the River Cherwell.</p> <p>A level 2 FRA to include detailed assessment of groundwater flood risk should be included at all sites.</p>
Rural Areas	There are village specific recommendations contained in the SFRA

B.213 Additional recommendations are included in the Level 2 SFRA for the proposed strategic site allocations.

B.214 We will work actively with the Environment Agency, the Local Lead Flood Authority, other operating authorities and stakeholders to ensure that best use is made of their expertise and so that spatial planning supports existing flood risk management policies and plans, River Basin Management Plans and emergency planning.

Policy ESD 7: Sustainable Drainage Systems (SuDS)

B.215 Policy ESD 7 sets out the Council's approach to Sustainable Drainage Systems (SuDS). Potential flooding and pollution risks from surface water can be reduced by reducing the volume and rate of water entering the sewerage system and watercourses. Managing drainage more sustainably in this way can ensure that developments are better adapted to the predicted impacts of climate change in the South East, which include more intense rainfall events. Policy ESD 7 is supported by the Flood and Water Management Act 2010 which presumes that SuDS will be used for all new developments and redevelopments in order to prevent surface water run-off from increasing flood risk, and sets out that national standards be published to address SuDS design, construction, operation and maintenance issues at a national level.

B.216 SuDS seek to manage surface water as close to its source as possible, mimicking surface water flows arising from the site prior to the proposed development. Typically this approach involves a move away from piped systems to softer engineering solutions. SuDS are considered to be suitable for use in association with developments across the District. Where site specific Flood Risk Assessments are required to be submitted to accompany development proposals these should be used to investigate how SuDS can be used on particular sites and to design appropriate systems.

B.217 In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, multiple benefits including for recreation and wildlife should be delivered. Proposals must include an agreement on the future management, maintenance and replacement of the drainage structures.

B.218 All relevant organisations should meet at an early stage to agree on the most appropriate drainage system for the particular development. These organisations may include the Local Authority, the Sewage Undertaker, Oxfordshire County Council as the LLFA and Highways Authority,

and the Environment Agency. Highways SuDS will be adopted by Oxfordshire County Council but must be located on the most appropriate land, requiring consideration of the need to provide access for maintenance purposes, and topographical factors. Non-highway SuDS draining two properties or more will be adopted by the Local Lead Flood Authority (LLFA) after Schedule 3 of the 2010 Act comes into force.

B.219 Advice on SuDS and their various techniques is provided in the Council's Level 1 SFRA (August 2008). All areas of the District are suitable for SuDS in one form or another but the SFRA contains maps of a range of geological and ground condition data which can be used to identify the general permeability of the underlying ground conditions (bedrock, superficial deposits and soil) and the vulnerability of the groundwater resources (aquifers), to determine which SuDS system might be suitable. However the SFRA's mapping of SuDS opportunity does not provide a detailed and definitive investigation at site specific level, and so further assessment may be required to further investigate SuDS opportunities on individual sites. The Level 2 SFRAs contain additional guidance relating to the use of SuDS on the proposed strategic site allocations.

Policy ESD 7: Sustainable Drainage Systems (SuDS)

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

Our Core Assets

Policy ESD 8: Water Resources

B.220 In considering development proposals, the Council will use Policy ESD 8 together with 'Policy ESD 3: Sustainable Construction', 'Policy ESD 6: Sustainable Flood Risk Management' and 'Policy ESD 7: Sustainable Drainage Systems' (SuDS) to reduce the impact of development on the water environment, maintain water quality, ensure adequate water resources and promote sustainability in water use. This will assist in contributing to the objectives of the Water Framework Directive which seeks to protect and enhance the quality of water bodies, and indicates that development should not result in any deterioration in the status of surface water bodies. Some development can remediate contaminated land which may be having an adverse impact on controlled water and human health. These policies together with Policy ESD 8 are also intended to help deliver the actions contained in the Thames River Basin Management Plan. These actions highlight the importance of development proposals contributing to an improved water environment, through the use of sustainable design and construction techniques for water efficiency, water quality and sustainable

flood management, and the incorporation of appropriate green infrastructure and biodiversity improvements.



B.221 Research carried out by the Environment Agency and set out in the Catchment Abstraction Management Strategies (CAMS) shows that Cherwell District lies within an area of serious water stress and the Upper Cherwell area (including Banbury) has been over abstracted. Policy ESD 8 will be used to ensure that new development is located in areas where adequate water supply can be provided from existing and potential water supply infrastructure. In addition 'Policy ESD 1: Mitigating and Adapting to Climate Change' and 'Policy ESD 3: Sustainable Construction' will ensure new development incorporates water efficiency measures, reducing demand.

Policy ESD 8: Water Resources

The Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.

Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals which would adversely affect the water quality of surface or underground water bodies, including rivers, canals, lakes and reservoirs, as a result of directly attributable factors, will not be permitted.

Development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses. Where appropriate, phasing of development will be used to enable the relevant water infrastructure to be put in place in advance of development commencing.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

B.233 Development proposals likely to affect a site of international ecological importance will need to be accompanied by a thorough Habitats Regulations Assessment of the potential effects of the development on that site of international importance, to enable the Council to determine whether the development would result in significant adverse effects on the integrity of the site. Any development that is unable to demonstrate that it would not have a significant adverse effect upon

the integrity of a European site, having taken account of proposed mitigation, will be refused. This is in accordance with the precautionary principle enshrined in the Habitats Directive. Where there are imperative reasons of over-riding public interest and the Council is unable to conclude no adverse effect on the integrity of the SAC, the authority will notify the Secretary of State to allow the application to be called in for determination. In these situations compensatory measures to protect the site must be put in place.



B.234 Sites of national importance comprise Sites of Special Scientific Interest (SSSIs) and National Nature Reserves. Cherwell District has 18 SSSIs but does not contain any National Nature Reserves.

B.235 Sites of regional/local importance comprise Local Geological Sites (LGSs), Local Nature Reserves (LNRs), non-statutory nature reserves and other sites of importance for nature conservation including Local Wildlife Sites (LWSs- formerly known as County Wildlife Sites), ancient woodland, aged or veteran trees and UK Biodiversity Action Plan (BAP) Priority Habitats (habitats of principal importance for the conservation of biodiversity under Section 41 of the NERC Act). Cherwell contains 13 LGSs, 3 LNRs, 83 Local Wildlife sites (completely or partly within the District), 16 proposed LWSs and 8 proposed LWS extensions (as of August 2013). The sites are indicated on the biodiversity map at Appendix 5: Maps, but it must be acknowledged that the number and location of sites changes over time as surveys and re-surveys take place. A living list of Local Wildlife Sites and associated maps are available at <http://www.tverc.org>. Sites of regional/local importance also include the habitats of those species of principal importance for biodiversity (as identified in Section 41 of the NERC Act).

B.236 It is not just designated sites that are of importance to the biodiversity resource of the District. Areas adjacent to designated sites can be of value as they can form part of the overall ecological unit and may provide important linkages. Also landscape features such as hedgerows, woods, trees, rivers and riverbanks, ponds and floodplains can be of importance both in urban and rural areas, and often form wildlife corridors and stepping stones. Similarly it is not just greenfield sites that can be of value; previously developed land can also make an important contribution to biodiversity. Some development can remediate contaminated land which may be having an adverse impact on ecology. It is important that any features of value are identified early in the planning process so that adequate measures can be taken to secure their protection. Developers will be expected to

incorporate and enhance such features within a site wherever possible and adequate measures should be taken to protect them from damage during construction. Networks of habitats will be protected from development and where possible strengthened by it.

B.237 Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site of known biodiversity value or the biodiversity/natural environment of the local area. A biodiversity survey and report will also be required where it is likely that previously unrecorded biodiversity interest may be present which could be affected by the development. All developments around Bicester will require surveys carried out for the brown hairstreak butterfly. Surveys should include consideration of the site's value as a wildlife corridor and the contribution it makes to ecological networks. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.

B.238 There are a number of features which can be incorporated into developments to encourage biodiversity including green roofs and walls, SUDs, using native and locally characteristic species in landscaping schemes, using landscaping to link up existing areas supporting biodiversity and including features such as bird and bat boxes. The Council is compiling further guidance on the incorporation of features to encourage biodiversity which will form part of the Sustainable Buildings in Cherwell SPD.

B.239 Consideration will be given to the introduction of a tariff based approach to securing biodiversity improvement through development. Further information on the use of planning obligations to secure contributions from development towards biodiversity will be contained in the final Developer Contributions SPD.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

Protection and enhancement of biodiversity and the natural environment will be achieved by the following:

- **In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources**
- **The protection of trees will be encouraged, with an aim to increase the number of trees in the District**
- **The reuse of soils will be sought**
- **If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.**
- **Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated**
- **Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity**


- **Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity**
- **Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity**
- **Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value**
- **Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution**
- **Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably**
- **A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management.**

Policy ESD 13: Local Landscape Protection and Enhancement

B.248 The Cherwell Local Plan 1996 identified Areas of High Landscape Value - land of particular environmental quality - where the Council would seek to conserve and enhance the environment. This Local Plan adopts a character-based approach to seek to conserve and enhance the countryside and landscape character of the whole District, and so Areas of High Landscape Value are not proposed to be retained. Policy ESD 13 therefore seeks to conserve and enhance the distinctive and highly valued local character of the entire District. The Council will use the CPRE's Tranquillity Map of Oxfordshire available at <http://www.cpre.org.uk> as a guide in assessing areas of tranquillity. Further guidance will be contained within the Local Plan Part 2.

Examples of landscape types (Popup full image)

Landscape Types

	Clay Vale
	Farmland Plateau
	Farmland Slopes and Valley Sides
	River Meadowlands
	Upstanding Village Farmlands
	Wooded Pasture Valleys and Slopes

B.249 Opportunities for landscape enhancement can also be provided by land in the Council's ownership, and on other land by agreement.

B.250 The relationship between the District's towns and the adjoining countryside and the avoidance of an abrupt transition from built development to open farmland requires special attention to the landscaping of existing and proposed development. This interface is important in determining the relationship between the urban areas and on the character of the countryside. Where new development will extend the built up limits of the towns the Council will seek a masterplan and well-designed approach to the urban edge. This could incorporate the enhancement of existing hedgerows and woodlands and new areas of woodland planting and hedgerows to be incorporated as part of the development, to ensure the satisfactory transition between town and country. These considerations can equally be applied where extensions to villages are required. Landscape mitigation for the proposed strategic sites will be negotiated on a site by site basis.

B.251 In order to understand the local landscape character of Cherwell a Landscape Assessment was undertaken in 1995. The findings of this assessment informed the Non Statutory Cherwell Local Plan policy and the Countryside Design Summary Supplementary Planning Guidance. These documents identified four distinct character areas - the 'Cherwell Valley', 'Ironstone Downs', 'Ploughley Limestone Plateau' and 'Clay Vale of Otmoor'. The guidance states how development can complement the most important aspects of the character of that part of the District. More recently the Oxfordshire Wildlife and Landscape Study (OWLS) looked in detail at the landscape types across the District as well as the biodiversity resource. It identifies the 'forces for change' in a particular location and includes landscape/biodiversity strategies which set guidelines for how developments can contribute towards landscape character. Further landscape assessment work has been undertaken to inform the Local Plan and the Masterplans being prepared for Bicester and Banbury (see Appendix 3: Evidence Base).

B.252 One of the most important elements of the landscape which can add to the character and identity of an area are natural landscape features. Such features include Muswell Hill, Crouch Hill, Madmarston Hill, the River Cherwell and Otmoor, which all make those areas distinct and create a sense of place. Many form local landmarks valued by the local communities. The Council's Landscape Evidence Base documents identify the key landform and landscape features of value which include the following features around Banbury and Bicester:

- the open and agricultural setting and identity of the outlying villages surrounding Banbury and Bicester, many with locally distinctive historic cores
- ironstone ridges and valleys
- the historic villages and parkland of Hanwell and Wroxton
- Broughton Castle and Grade II Registered Park
- Crouch Hill: an important landmark overlooking Banbury and the surrounding area
- the landscape to the east of the motorway at Banbury which retains a distinct historic pattern
- Salt Way and its setting
- the Sor Brook Valley
- the setting of the Oxford Canal and River Cherwell corridor
- specific features at Bicester noted for their value include those showing notable 'time depth' including Former RAF Bicester, Wretchwick deserted medieval village, Bignell Park and the Roman roads

- Graven Hill and Blackthorn Hill which contrast with the relatively flat surrounding landform
- the River Ray floodplains.

B.253 The Council will seek to retain woodlands, trees, hedges, ponds, walls and any other features which are important to the character or appearance of the local landscape as a result of their ecological, historic or amenity value. Proposals which would result in the loss of such features will not be permitted unless their loss can be justified by appropriate mitigation and/or compensatory measures to the satisfaction of the Council.

B.254 In order that development conserves and enhances the character of the countryside, the Council will carefully control the type, scale and design of development, including the materials used, taking into account the advice contained in the Council's Countryside Design Summary SPG and the OWLS.

B.255 In addition to this policy, many villages have conservation areas and in considering development proposals within or adjacent to them, special attention will be given to the preservation or enhancement of their character and appearance under 'Policy ESD 15: The Character of the Built and Historic Environment'.

Policy ESD 13: Local Landscape Protection and Enhancement

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- **Cause undue visual intrusion into the open countryside**
- **Cause undue harm to important natural landscape features and topography**
- **Be inconsistent with local character**
- **Impact on areas judged to have a high level of tranquillity**
- **Harm the setting of settlements, buildings, structures or other landmark features, or**
- **Harm the historic value of the landscape.**

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

Policy ESD 15: The Character of the Built and Historic Environment

B.261 Conservation of the historic environment and securing high quality urban design are very important in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work. Cherwell District is composed of four landscape character areas, which each display distinct, settlement patterns, building materials and styles of vernacular

architecture to create a rural environment that is strongly locally distinctive. Each of the three urban areas also displays its own unique character.



B.262 The following features contribute to the distinctive character, appearance and high quality environment of Cherwell District:

- over 2,200 listed buildings and many others of local architectural and historical interest.
- currently 60 conservation areas
- 36 Scheduled Ancient Monuments
- 5 registered Historic Parks and Gardens and a Historic Battlefield, and 6 Historic Parks and Gardens considered as non-designated heritage assets
- three urban centres: Banbury, Bicester and Kidlington – with quite distinct characters, retaining their medieval street patterns
- the Oxford Green Belt (see 'Policy ESD 14: Oxford Green Belt')
- the Cotswolds Area of Outstanding Natural Beauty in the north-west of the District (see 'Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB)')
- the District's waterways, in particular the River Cherwell and the Oxford Canal
- sites of ecological importance including 18 Special Areas for Conservation (see 'Policy ESD 9: Protection of the Oxford Meadows SAC') and Sites of Special Scientific Interest (SSSIs).

B.263 We will protect our historic environment; it is a major resource contributing to the local distinctiveness of the District. Conservation Areas and other heritage assets (including both designated and undesignated assets) form part of the historic fabric of the District and contribute to the character of the area and will be maintained. We will protect our Conservation Areas and other heritage assets from harmful growth as these help to define how the area looks and feels, both in the towns and villages. The Council has a rolling programme of Conservation Area Appraisals and review. We will maintain a local register of Buildings at Risk and use Article 4 Directions to maintain the character of our historic villages and towns. A Register of non-designated heritage assets is also being compiled. Further information on these measures is contained in the Design and Conservation Strategy for Cherwell.

B.264 The Council will protect and enhance the special value of these features individually and the wider environment that they create. The strategic policy on landscape protection can be found under 'Policy ESD 13: Local Landscape Protection and Enhancement'. It is also important, however, to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits.

B.265 We will ensure that the new developments, area renewal and town centre expansions are safe places to live, work and visit through design standards by using tools such as 'secured by design', also through requiring CCTV where appropriate.

B.266 Design standards for new development whether housing or commercial development are equally important. High design standards are critical in the town and village centres where Conservation Areas exist, but more generally in ensuring development is appropriate and secures a strong sense of place and clear sense of arrival at points of entry into the towns and villages. Particular sensitivity is required where development abuts or takes place within designated Conservation Areas.

B.267 It is also important to take into account heritage assets located outside of the District which may be affected by development inside the District such as Blenheim Palace, a World Heritage Site.

Policy ESD 15: The Character of the Built and Historic Environment

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- **Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions**
- **Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions**
- **Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity**
- **Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting**
- **Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in**

accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG.

Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged

- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

B.268 The appearance of new development and its relationship with its surrounding built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance. This policy identifies a number of key issues that need to be addressed in the design of new development.

B.269 These issues are as relevant in urban areas as in rural locations and also in recent development as in historic areas. The policy seeks to protect, sustain and enhance designated and non-designated 'heritage assets'. The NPPF defines these as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. Heritage assets with archaeological interest will require the submission of relevant assessment. In sensitive locations severe constraints may direct the design approach, but in many cases the Council will not wish to prescribe a specific design solution. Designs need to be sensitive and complimentary to their surroundings but this does not require merely replicating existing styles and imitating architectural details; modern interpretation is possible if informed by a full contextual analysis and proposals promote and reinforce local distinctiveness.

B.270 Our urban areas will see significant growth during the period of the Local Plan, and will need to adapt and respond to these pressures both within their existing boundaries and beyond, while retaining their unique character and heritage. A balance will need to be struck between making best use of land and respecting established urban character and creating new and vibrant sustainable neighbourhoods. Applicants should also have regard to national guidance and best practice advice on design, including on public space, street design, trees in the street scene, public buildings, housing, work environments inclusive design, tall buildings and eco-towns, e.g. guidance published by the Commission for Architecture and the Built Environment CABI (now merged with the Design Council). English Heritage has also published much guidance on integration of development into the historic environment. Applicants will also need to have regard to policies from Oxfordshire County Council, such as the Parking Policy.

B.271 Our rural areas will need to accommodate new development which reinforces the locally distinctive character by being sensitive in its location, scale, materials and design, reflecting the

traditional pattern of development within the settlement, balancing making best use of land with respect for the established character and respecting open features that make a positive contribution. A large proportion of rural settlements fall within conservation areas, where the quality and special interest of the area is protected. Council publications, such as its Countryside Design Summary, which analyses settlement types, and Appraisals of the District's Conservation Areas, which analyse the special qualities and identify those features that make a positive contribution to the character of the place, will assist in understanding a settlement. National guidance includes Natural England's guidance on undertaking Village Design Statements.

Policy ESD 16: The Oxford Canal

B.272 The Oxford Canal is an iconic historic structure running the length of the District through the attractive valley of the River Cherwell, and is of historic, ecological and recreational significance. Following an appraisal, the length of the canal through Cherwell District was designated as a Conservation Area in October 2012. The conservation area boundary has been drawn to include the towpath and towpath hedge, canal related earthworks and features including historic wharfs and locks, and woodland. The biodiversity value of the canal is reflected in a number of statutory and non statutory designations along the length of the canal. In terms of recreation, the canal is popular for boaters and anglers. A public footpath runs the length of the canal and a section of the route is a public bridleway. The canal and towpath is owned and maintained by the Canal and River Trust, but the responsibility for planning matters lies with the District Council. This policy for the Oxford Canal draws on the recent Design and Conservation Strategy (2012) and reflects its status as a conservation area.



B.273 'Policy ESD 8: Water Resources', 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment', 'Policy ESD 13: Local Landscape Protection and Enhancement' and 'Policy ESD 17: Green Infrastructure' will be used to protect and enhance water quality and the contribution that the canal makes to the District's landscape, ecological and recreational resource, for its entire length through the District. 'Policy ESD 15: The Character of the Built and Historic Environment' will also be used to ensure that works to existing structures are sympathetic to the historic context and that any new development is sensitively sited and designed to ensure that the special character is preserved or enhanced. The southern section of the Oxford Canal lies within the

Green Belt and Policy ESD 14 will therefore be relevant to proposals in that area. Inappropriate development in the Green Belt will only be permitted if very special circumstances can be demonstrated, as set out in the NPPF. The approach to residential canal moorings and boater's facilities on the Oxford Canal will be set out in the Local Plan Part 2.

Policy ESD 16: The Oxford Canal

We will protect and enhance the Oxford Canal corridor which passes south to north through the District as a green transport route, significant industrial heritage, tourism attraction and major leisure facility through the control of development. The length of the Oxford Canal through Cherwell District is a designated Conservation Area and proposals which would be detrimental to its character or appearance will not be permitted. The biodiversity value of the canal corridor will be protected.

We will support proposals to promote transport, recreation, leisure and tourism related uses of the Canal where appropriate, as well as supporting enhancement of the canal's active role in mixed used development in urban settings. We will ensure that the towpath alongside the canal becomes an accessible long distance trail for all users, particularly for walkers, cyclists and horse riders where appropriate.

Other than appropriately located small scale car parks and picnic facilities, new facilities for canal users should be located within or immediately adjacent to settlements. The Council encourages pre-application discussions to help identify significant issues associated with a site and to consider appropriate design solutions to these and we will seek to ensure that all new development meets the highest design standards.

Policy ESD 17: Green Infrastructure

B.274 Green infrastructure comprises the network of green spaces and features in both urban and rural areas including the following: parks and gardens (including historic parks and gardens), natural and semi-natural green space, green corridors (including cycleways and rights of way), outdoor sports facilities, amenity green space, children's play space, allotments, cemeteries and churchyards, accessible countryside in urban fringe areas, river and canal corridors, woodlands, nature reserves, green roofs and walls.



B.275 Securing adequate green infrastructure is an important component of achieving sustainable communities. Green Infrastructure networks can deliver both environmental and social benefits including conserving and enhancing biodiversity, recreation, landscape, water management, social

and cultural benefits to underpin individual health and well-being, contributing to local distinctiveness and helping communities to be more resilient to the effects of climate change. Policy ESD 17 will be used to secure an adequate green infrastructure network in Cherwell District.

B.276 Many sites which contribute to the District's green infrastructure network are not in the Council's ownership or control and partnership working will therefore be required to plan, provide and manage the network to achieve the objectives of the policy.

B.277 Within Banbury, Bicester and Kidlington the key components of green infrastructure are areas of open space, sport and recreation, sometimes linked by public rights of way. Public rights of way are protected in law and comprise four types: footpaths, bridleways, restricted byways and byways open to all traffic (BOAT). The County Council has responsibility for Public Rights of Way, and as such publishes a Rights of Way Improvement Plan and promotes routes for walkers, cyclists and horse riders in order to encourage sustainable access to the countryside. In recognition of the health benefits of walking, cycling and horse riding this Council also promotes a number of circular walks and rides. Elsewhere in the District the dominant strategic features include the River Cherwell and Oxford Canal corridors, statutory designated sites such as Local Nature Reserves, and other areas such as RSPB Otmoor reserve and BBOWT reserves. The Conservation Target Areas (indicated on the Policies Map) are the most important areas for biodiversity in the District where targeted conservation action will have the greatest benefit, and form an important component of the green infrastructure network of the District which can be enhanced over the period of the plan.

B.278 Assessments of open space, sport and recreation provision highlighted various deficiencies in both urban and rural areas of the District, as detailed in Section C 'Policies for Cherwell's Places'. In addition an assessment by Natural England and the Forestry Commission indicated a lack of accessible natural green space provision in the district compared to their standards, with 72% of Cherwell's households meeting none of its requirements. This reflects the relatively low numbers of country parks and common land in the District; however there are a number of smaller areas of open space, and countryside which is accessible solely by Public Rights of Way, which was not taken into account in the initial Natural England analysis. The District has developed its own local standards of provision in accordance with government advice, which differ from those advocated by Natural England. Other than provision in Banbury, Bicester and Kidlington there are few accessible large areas of green space within the District; however parks such as Blenheim, Rousham and Stowe are located in close proximity to it. The Council's proposed country park to the north of Banbury will also help to address this issue.

B.279 Protection and enhancement of open space, sport and recreation sites and sites of importance to nature conservation will assist in maintaining the green infrastructure network. Green corridors consist of canals, river corridors and hedgerows, together with public rights of way. These can provide areas for walking, cycling and horse riding and also provide opportunities for wildlife migration, which on a strategic scale can help to address the impact of climate change on biodiversity. Development proposals will be expected to retain and enhance existing green corridors, and maximise the opportunity to form new links between existing open spaces.

B.280 Development proposals, particularly on larger sites, can offer the opportunity to improve the green infrastructure network. Policy BSC 11 usually requires open space provision on site and biodiversity enhancements secured by 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment' can contribute to the network by maintaining existing habitats and reducing fragmentation. The incorporation of sustainable drainage systems can contribute to green infrastructure provision and can perform dual roles of helping to alleviate flooding and being beneficial to biodiversity. New landscaping areas, particularly in the case of the strategic sites, will be required to assimilate development into the landscape and assist in the transition between the urban edge and rural areas. Effective links in these areas can enable the urban fringe to provide a recreational resource, providing accessible countryside within walking distance of urban dwellers. Proposals should include details of management and maintenance of green infrastructure to ensure areas are secured in perpetuity. Further guidance on green infrastructure provision is provided in the South East Green Infrastructure Framework - from Policy to Practice (available at <http://strategy.sebiodiversity.org.uk>).

B.281 In Banbury and Bicester successive local plans have sought to establish a series of open spaces in the towns, and this plan includes proposals for a new country park in Banbury ('Policy Banbury 14: Cherwell Country Park'). Additional detail is contained under Section C: 'Policies for Cherwell's Places'. The key open space components of existing green infrastructure provision in Banbury and Bicester are shown on the maps for each town (Appendix 5: Maps). Green infrastructure provision will be examined in more detail and progressed through the town masterplans and the Local Plan Part 2. A county level Green Infrastructure Strategy is also being formulated with the District Council being represented on the stakeholder working group.

B.282 South of the Canalside development (Policy Banbury 1) the opportunity exists to turn part of the existing floodplain of the River Cherwell into a managed habitat. This will be explored in more detail through the preparation of the Banbury Masterplan.

Policy ESD 17: Green Infrastructure

The District's green infrastructure network will be maintained and enhanced through the following measures:

- **Pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation**
- **Protecting and enhancing existing sites and features forming part of the green infrastructure network and improving sustainable connectivity between sites in accordance with policies on supporting a modal shift in transport (Policy SLE 4: Improved Transport and Connections), open space, sport and recreation (Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision), adapting to climate change (Policy ESD 1: Mitigating and Adapting to Climate Change), SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), biodiversity and the natural environment (Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment), Conservation Target Areas (Policy ESD 11: Conservation Target Areas), heritage assets (Policy ESD 15) and the Oxford Canal (Policy ESD 16)**

- **Ensuring that green infrastructure network considerations are integral to the planning of new development. Proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling, and connecting the towns to the urban fringe and the wider countryside beyond**
- **All strategic development sites (Section C: 'Policies for Cherwell's Places') will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance.**