

Cherwell

Local Plan



NOVEMBER
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Transportation Funding

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

5.8 The restrictions placed on public expenditure by Central Government mean that the infrastructure requirements arising from the development of land rely increasingly on private- sector funding. Government support for appropriate development funding is contained in PPG13 and Circular 16/91 and the Oxfordshire Structure Plan contains two policies (G2 and T15) which seek the provision of such funding in accordance with that advice. The Council will liaise closely with the County Council as Highway Authority to identify those highway improvements that are required as a consequence of development and to secure an appropriate level of development funding in accordance with the advice in Circular 16/91. Reference is made later in this chapter to specific transportation schemes and associated works to which this policy will apply.

5.9 The Government's Planning Policy Guidance on transport (PPG13) which was revised in March 1994 encourages local planning authorities to promote strategies to reduce the need for travel. Where highway improvements required to serve new development would themselves be likely to increase travel demand, then planning permission may be refused.

5.10 For the purposes of policy TR1 the terms 'new highways', 'highway-improvement works', and 'traffic-management measures' and 'additional public transport facilities' include the provision of new roads, the improvement of existing roads, the provision of cycle ways, footpaths, traffic controls, crossings, signing, road closures, traffic-calming measures, pedestrian-priority schemes, park and ride facilities and bus priority measures, both on-site and off-site as circumstances require.

C18 IN DETERMINING AN APPLICATION FOR LISTED BUILDING CONSENT THE COUNCIL WILL HAVE SPECIAL REGARD TO THE DESIRABILITY OF PRESERVING THE BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST. THE COUNCIL WILL NORMALLY ONLY APPROVE INTERNAL AND EXTERNAL ALTERATIONS OR EXTENSIONS TO A LISTED BUILDING WHICH ARE MINOR AND SYMPATHETIC TO THE ARCHITECTURAL AND HISTORIC CHARACTER OF THE BUILDING.

9.39 Listed buildings represent a finite resource and an irreplaceable asset, and it is important that this limited supply is protected and preserved.

9.40 The character of a listed building is determined by the detail of its structure as well as its appearance. Even minor internal or external alterations can lessen the value of such a building if they destroy important architectural features or are visually incongruous.

9.41 It is an important principle that disabled people have easy access to and within historic buildings. The Council will seek the provision of suitable access in accordance with other policies in the plan, where possible without compromising a building's special interest and will take into account advice from the Centre for Accessible Environments.

9.42 The Council will operate a flexible approach to structural matters as advised in PPG15 paras 3.16-3.29.

C23 THERE WILL BE A PRESUMPTION IN FAVOUR OF RETAINING BUILDINGS, WALLS, TREES OR OTHER FEATURES WHICH MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA.

9.50 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 requires special attention to be given to the preservation or enhancement of designated conservation areas. Proposals for new development will only be acceptable if they assist in the achievement of that objective. So that applications for permission for new development in a conservation area can be properly assessed the Council will normally expect the submission of detailed drawings sufficient to indicate the position, scale, size and massing of new building works and the extent of any demolition or tree felling and the Council may wish to provide design guidance in appropriate cases. It is a defence to prove that works are required to protect public safety and in such exceptional circumstances relevant sections of the Planning (Listed Buildings and Conservation Areas) Act 1990 will apply (sections 55, 56, 59 and 74 etc).

9.51 PPG15 states that the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same criteria as proposals to demolish listed buildings, referred to above. 'Other features' referred to in Policy C23 above will include such items as street furniture.

9.52 Existing conservation areas in the District are listed in appendix C, and the boundaries are indicated on the proposals map. The conservation areas have distinct visual characteristics and it is important that these are recognised when proposals for new development are formulated. Formality or informality of building line, the methods of boundary enclosure, homogeneity of building materials, local architectural styles and building practice, the importance of undeveloped space within the settlement structure, and the setting of existing buildings, are some of the matters that should be taken into account.

9.53 The Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. PPG15 advises of the importance of a clear assessment and definition of an area's special interest, the identification of negative factors and opportunity sites and the means by which objectives of preservation and enhancement can be met, and contains a number of cross references to other documents which provide further guidance. As resources permit the Council is carrying out

character appraisals for each conservation area, and where possible proposals for the preservation or enhancement of conservation areas will be formulated, in consultation with the public.

Archaeological Areas

9.54 The District contains many monuments and sites of archaeological or historic interest which, particularly within the wider historic landscape, contribute towards the special character and identity of the District. The archaeological resource has great social, economic, cultural and educational value for the community.

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

C30 DESIGN CONTROL WILL BE EXERCISED TO ENSURE:

(i) THAT NEW HOUSING DEVELOPMENT IS COMPATIBLE WITH THE APPEARANCE, CHARACTER, LAYOUT, SCALE AND DENSITY OF EXISTING DWELLINGS IN THE VICINITY;

(ii) THAT ANY PROPOSAL TO EXTEND AN EXISTING DWELLING (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) IS COMPATIBLE WITH THE SCALE OF THE EXISTING DWELLING, ITS CURTILAGE AND THE CHARACTER OF THE STREET SCENE;

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

9.69 The Council wishes to secure environmental enhancement through new development. Proposals that would detract from the character of an area owing to obviously poor design will be resisted. Similarly proposals that would change the established character of an area, by, for example, introducing high-density housing development where low densities predominate, will normally be unacceptable. The design and layout of new development can also assist with crime prevention and the Council will have regard to the advice in Circular 5/94 'Planning Out Crime' and 'Secured by Design' initiative. The assistance of the Thames Valley Policy Architectural Liaison Officer will be sought in this context.

C32 IN CONSIDERING PROPOSALS FOR DEVELOPMENT THE COUNCIL WILL SUPPORT MEASURES THAT PROVIDE, IMPROVE OR EXTEND ACCESS FACILITIES FOR DISABLED PEOPLE.

9.71 A large number of people in the District have difficulty in terms of mobility and access. Disabilities often confine people to wheelchairs but there are many others who are not so confined but who still have a mobility impairment. Examples include those with heart conditions or breathing difficulties, those with hearing or sight impairments, parents with infants in pushchairs or prams, and the elderly generally. There are also those with temporary impairments including those with broken limbs and pregnant women.

9.72 The Council is committed to creating an environment with fewer potential hazards for the disabled and where equal opportunities for access exist for all sections of the population. The main statutory means of control is through Part M of the Building Regulations which applies to most new buildings and major extensions, both to the inside of those buildings and the approaches to them, and to staff as well as visitors. Housing is not yet included but the government is reviewing this (see Housing Chapter). The Council will also use its powers under other legislation, including the planning acts, to seek to provide for the needs of the disabled outside buildings, including pedestrianisation schemes (see the Chapter on Town Centres and Local Shopping). The plan contains many other references in particular chapters where the needs of the disabled are considered in more detail.

9.73 Design considerations outside buildings include the need for level access, ramps (and steps for those who find them easier), even surfaces, convenient parking, dropped kerbs, tactile crossings, the generous provision of seating, handrails etc. Good design practice will be encouraged in design briefs. The advice of the Council's Access Officer (and Oxfordshire County Council's), local access groups and local media will be sought in appropriate cases.

9.74 Trees are a valuable feature of both the rural and the urban landscape. Their amenity value and screening effect can enhance the appearance of new development. Thus wherever new tree or hedge planting is considered desirable for aesthetic reasons, and can be justified by the nature or scale of the development proposed, the Council will attach appropriate conditions to a planning approval. Landscaping schemes should normally include tree and shrub planting but should also include landscape modelling and hard-surface detailing whenever necessary. General Guidance for developers is given in BS 5837:1991- A Guide to Trees in Relation to Construction although developers are advised to contact the Council's Leisure Services Department for more detailed advice.

9.75 Landscaping is an essential component of housing development, and to be successful should be considered from the outset and should incorporate those existing trees and hedgerows which would be of amenity value to the new housing.

C34 BUILDINGS WHOSE HEIGHT OR APPEARANCE WOULD SPOIL VIEWS OF ST MARY'S CHURCH, BANBURY, WILL NOT NORMALLY BE PERMITTED.

9.79 In implementing policy C34 the Council will have regard to the physical context of the development proposed. Proposals for new buildings of obviously poor design or ostensibly out of scale with their surroundings or of incongruous materials will normally be resisted. Regard will be taken of the topography of the site, existing trees, and other features of importance. New development in accordance with the proposals in Chapter 3 on land adjacent to the M40 will be

expected to enhance the prospect of the town from the motorway and the Banbury interchange rather than detract from it.

Conversion of Buildings

9.80 Policies relating to the conversion of buildings are contained in Chapters 2, 3 and 7. The Council has also produced a Design Guide for the conversion of farm buildings, copies of which can be purchased from the Department of Development and Property Services.

Contaminated Land

ENV12 DEVELOPMENT ON LAND WHICH IS KNOWN OR SUSPECTED TO BE CONTAMINATED WILL ONLY BE PERMITTED IF:

- (i) ADEQUATE MEASURES CAN BE TAKEN TO REMOVE ANY THREAT OF CONTAMINATION TO FUTURE OCCUPIERS OF THE SITE
- (ii) THE DEVELOPMENT IS NOT LIKELY TO RESULT IN CONTAMINATION OF SURFACE OR UNDERGROUND WATER RESOURCES
- (iii) THE PROPOSED USE DOES NOT CONFLICT WITH THE OTHER POLICIES IN THE PLAN.

10.19 Proposals for the redevelopment of sites known or suspected to be contaminated will be considered against the above policy. Development on land known or suspected to be contaminated must accord with the regulations set out in Circular 21/87.

Minerals and Waste Disposal

10.20 Oxfordshire County Council is responsible for minerals and waste disposal planning, and the relevant structure plan policies controlling this type of development are contained in appendix A.

10.21 The minerals that are worked in Cherwell District are ironstone (Hornton and Alkerton), limestone (Ardley and Stratton Audley), soft sand (Duns Tew) and sharp sand

and gravel (Yarnton). Mineral extraction has ceased at Shipton on Cherwell (Blue Circle Cement Works).

10.22 Whilst the County Council is the waste disposal authority, this Council has some responsibilities with reference to recycling. A Recycling Plan has been prepared which sets out the authority's targets, including the promotion and expansion of community based recycling centres.