

# *Cherwell* *Local Plan*



**NOVEMBER**  
**1996**

## NEW DWELLINGS IN THE COUNTRYSIDE

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

- (i) IT IS ESSENTIAL FOR AGRICULTURE OR OTHER EXISTING UNDERTAKINGS, OR
- (ii) THE PROPOSAL MEETS THE CRITERIA SET OUT IN POLICY H6; AND
- (iii) THE PROPOSAL WOULD NOT CONFLICT WITH OTHER POLICIES IN THIS PLAN.

2.76 Policy H18 is a continuation of past policies and reflects Central Government advice. Its intention is to ensure that the countryside is protected from sporadic development whilst, at the same time, recognising the legitimate needs of agriculture and forestry.

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

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

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

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

C5 THE COUNCIL WILL SEEK TO PROTECT THE ECOLOGICAL VALUE AND RURAL CHARACTER OF THE FOLLOWING THROUGH THE CONTROL OF DEVELOPMENT:

(i) THE OXFORD CANAL AND RIVER CHERWELL; (ii) THE FLOOD PLAIN OF THE RIVER CHERWELL; (iii) SALT WAY, BANBURY;  
(iv) THE MINERAL-RAILWAY FOOTPATH ROUTE AND GEOLOGICAL SITE OF SPECIAL SCIENTIFIC INTEREST, BANBURY;

(v) THE URBAN WOODLANDS TO THE SOUTH OF ST. LOUIS MEADOW, AT GRIMSBURY GREEN AND TO THE NORTH OF GRIMSBURY RESERVOIR, BANBURY;

(vi) OTMOOR AND THE FLOOD PLAIN OF THE RIVER RAY;

9.8 Apart from the need to protect green areas, trees and rural landscapes for their own sake, the ecology of these areas is an important resource which should be protected, and where appropriate managed, to create and maintain further opportunities for environmental education and passive recreation in accordance with the advice in D.O.E. Circular 27/87 "Nature Conservation". The use of native species in landscaping schemes for new development will be encouraged, as this can assist in the creation of new habitats.

9.9 M.A.F.F. designated the Upper Thames Tributaries as an Environmentally Sensitive Area (ESA) in March 1994. This scheme will be supported through the implementation of Policy C5 and other policies in the plan.

C8 SPORADIC DEVELOPMENT IN THE OPEN COUNTRYSIDE INCLUDING DEVELOPMENTS IN THE VICINITY OF MOTORWAY OR MAJOR ROAD JUNCTIONS WILL GENERALLY BE RESISTED.

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

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

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.

C33 THE COUNCIL WILL SEEK TO RETAIN ANY UNDEVELOPED GAP OF LAND WHICH IS IMPORTANT IN PRESERVING THE CHARACTER OF A LOOSE-KNIT SETTLEMENT STRUCTURE OR IN MAINTAINING THE PROPER SETTING FOR A LISTED BUILDING OR IN PRESERVING A VIEW OR FEATURE OF RECOGNISED AMENITY OR HISTORICAL VALUE.

9.76 Not all undeveloped land within the structure of settlements can be built on without damage to their appearance and rural character. Where the existing pattern of

development is loose-knit there will often be a compelling case for it to remain so for aesthetic, environmental or historical reasons.

9.77 Proposals that would close or interrupt an important view of a historic building eg a church or other structure of historical significance, will be resisted under this policy. The Council will also have regard to the importance of maintaining the setting of a listed building and will resist infill development that would diminish its relative importance or reduce its immediate open environs to the extent that an appreciation of its architectural or historical importance is impaired.

9.78 Proposals that would close or interrupt an important vista across open countryside will also be discouraged, as will the loss of trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape.

**ENV1 DEVELOPMENT WHICH IS LIKELY TO CAUSE MATERIALLY DETRIMENTAL LEVELS OF NOISE, VIBRATION, SMELL, SMOKE, FUMES OR OTHER TYPE OF ENVIRONMENTAL POLLUTION WILL NOT NORMALLY BE PERMITTED.**

10.4 The Council will seek to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation. In addition to the above policy, policies AG3 and AG4 of chapter 8 relate specifically to intensive livestock and poultry units and associated problems of smell and waste disposal.

10.5 Where a source of pollution is already established and cannot be abated, the Council will seek to limit its effect by ensuring that development within the affected area maintains a suitable distance from the pollution source.

#### 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.

#### 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.