

Cherwell *Local Plan*



NOVEMBER
1996



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.

C31 IN EXISTING AND PROPOSED RESIDENTIAL AREAS ANY DEVELOPMENT WHICH IS NOT COMPATIBLE WITH THE RESIDENTIAL CHARACTER OF THE AREA, OR WOULD CAUSE AN UNACCEPTABLE LEVEL OF NUISANCE OR VISUAL INTRUSION WILL NOT NORMALLY BE PERMITTED.

9.70 The Council wishes to ensure that new development, including changes of use, does not prejudice the environment of the areas concerned. The above policy seeks to prevent the introduction of incompatible non-residential uses in residential areas.

C38 WHERE PLANNING PERMISSION IS REQUIRED, PROPOSALS FOR SATELLITE DISHES IN CONSERVATION AREAS OR ON A LISTED BUILDING WILL NOT NORMALLY BE PERMITTED WHERE SUCH APPARATUS WOULD BE VISIBLE FROM A PUBLIC HIGHWAY.

C39 THE COUNCIL WILL NORMALLY GRANT PLANNING PERMISSION FOR MASTS AND OTHER TELECOMMUNICATIONS STRUCTURES WHERE IT HAS BEEN DEMONSTRATED THAT:

(i) IT IS NOT POSSIBLE TO SHARE EXISTING FACILITIES;

(ii) IN THE CASE OF RADIO MASTS IT IS NOT POSSIBLE TO ERECT THE ANTENNA ON AN EXISTING BUILDING OR OTHER STRUCTURE; AND

(iii) IN THE AREA OF OUTSTANDING NATURAL BEAUTY AND THE AREA OF HIGH LANDSCAPE VALUE THERE IS NO SUITABLE ALTERNATIVE SITE AVAILABLE IN A LESS SENSITIVE LOCATION.

9.86 The Government's overall aim as set out in PPG8 is to balance the need and demands for maintaining and developing telecommunications systems whilst at the same time protecting the character and appearance of buildings, towns and the countryside as far as possible from unsightly telecommunications equipment.

9.87 In assessing proposals for large communications equipment the local planning authority will require details of any other related mast proposals and how the proposal is linked to the network. In addition applicants should show that they have explored the possibility of site sharing with other operators or erecting antennas on an existing building or other structure.

9.88 In all cases the Council will expect the materials, colour and design of the apparatus to be sympathetic to the character of its urban or rural context. It is particularly concerned to minimise the impact of such developments on the landscape. In addition, the Council may require new structures to have additional strength to accommodate possible future facilities.

CHAPTER TEN ENVIRONMENTAL PROTECTION

Introduction

10.1 The policies in this chapter seek to protect the environment and prevent pollution through the control of development. The most recent Government advice addressing the subject of planning and pollution control is contained in PPG23 which, inter alia, gives advice on the relationship between a Council's planning responsibilities and the separate statutory responsibilities exercised by local authorities and other pollution control bodies, principally under the Environmental Protection Act 1990 and the Water Resources Act 1991. Additional environmental policies are contained in Chapter Nine: Rural Conservation, Urban Conservation and Design.

10.2 One of the fundamental principles of PPG23 is that local planning authorities should not seek to duplicate the powers of the pollution control authorities but that there should be close consultation amongst all parties. The Town & Country Planning (General Development Procedure) Order, 1995 requires the Council to consult when considering certain types of application. However, there are also other developments which are likely to involve significant pollution issues on which the Council will need to obtain specialist advice in order to reach an informed planning decision.

10.3 The Council will seek information on the likely environmental impact of proposals from developers. For certain projects, the Town & Country Planning (Assessment of Environmental Effects) Regulations 1988 require an environmental assessment to be carried out before planning permission may be granted. The Regulations set out lists of projects in two Schedules. For those in Schedule 1 an EA is required in every case; for those in Schedule 2 an EA is required if the particular development proposed is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. In cases where there is uncertainty over the potential impact of a development the Council will take a precautionary stance. It is the Government's intention to stimulate the exploitation and development of renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable. Oxfordshire County Council are carrying out a renewable energy study from which they intend to draw up a policy framework and develop draft Structure Plan policies. When the information from the study is received the Council intends to produce its own renewable energy sources policies.

Pollution Control

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.

TRANSPORTATION

Introduction

5.1 The District Council is not responsible for the roads or other transport facilities within the District. The M40 and trunk roads are the responsibility of the Department of Transport. All the remaining public roads fall under the authority of Oxfordshire County Council, although the planning, design and implementation of certain traffic-management measures may, at the County Council's discretion, be delegated to the District Council. Bus services are operated by independent companies and rail transport is provided by British Rail.

5.2 The District Council has the responsibility for planning the provision of transport facilities for major new developments and for ensuring that proper regard is had to transportation policies in the administration of the development control function, including the provision of car parking spaces to its approved standards. The Council consults the appropriate authorities on transportation matters as part of the development control process.

5.3 Rising affluence and car ownership strongly suggest that the kind of road congestion commonly experienced in cities and large towns will in future become a feature of smaller towns as well unless suitable measures are taken to prevent this happening. Recent trends in transportation show that it is increasingly expensive and environmentally damaging to try to meet the needs of motorists fully and that in urban areas the construction of new roads alone is unlikely to provide a long term solution.

5.4 In response to these trends, and as a result of Alterations that were approved by the Secretary of State for the Environment in January 1992, the Oxfordshire Structure Plan now places greater emphasis on the role of public transport in transportation planning than was previously the case.

5.5 The main objectives of the policies in the Structure Plan are now:

- to encourage the provision and use of convenient, reliable and high standard public transport services and reduce the need to travel by private transport (T11)
- to locate development where it can conveniently be served by public transport (G4, T17)
- to give priority to public transport in new highway schemes (T6) and town centres (T9)
- to make provision for pedestrians, cyclists and the disabled in new highway schemes (T6), in traffic calming schemes (T8), by the provision of new pedestrian and cycling routes (T8) and to give priority to pedestrians in town centres (T9)
- to seek appropriate contributions to the cost of providing facilities, including public transport facilities, where required by development (G2, T15)

5.6 The aim in preparing the policies in this plan has been to conform generally to these Structure Plan objectives and to follow the guidance emerging in the revised Planning Policy

Guidance 13 "Transport" which has the following key aims:

- to reduce the growth in the length and number of motorised journeys
- to encourage alternative means of travel which have less environmental impact and hence
 - reduce reliance on the private car.

5.7 The Council recognises the growing importance of this issue, particularly in the case of Banbury, and supports in principle the general aims of the County Council. The policies in the plan have been prepared accordingly although, in the case of Banbury, it is considered that a comprehensive study needs to be undertaken before an integrated transportation strategy can be prepared (see the section on Banbury below).

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.