

GENERAL POLICIES FOR DEVELOPMENT

INTRODUCTION AND PLANNING CONTEXT

- 4.1 The historic towns and villages of the Vale are a fine inheritance and much of the district's environment is acknowledged to be of great value and is subject to special policy protection. Other parts of the district may not possess any special status, but nevertheless have an attractive sense of place which is significant to local people, whilst some areas may be in need of environmental improvement or reinstatement. Whatever the existing appearance and character of the locality, the Council will promote high quality, sustainable, new development so that we hand on an even better environment to future generations. This reflects aim 2 of the Local Plan as set out in Chapter 2.
- 4.2 High quality sustainable development involves good design which is about the way in which the development functions, its appearance and its relationship to its surroundings. High quality, sustainable development involves the provision of safe access for all, controlling pollution and incorporating measures to assist in waste collection and recycling, energy conservation and increasing security and reducing crime. It is about locating and laying out new development to encourage walking, cycling and the use of public transport, and to ensure that neighbouring uses do not have a harmful effect on each other. It is about protecting and conserving natural resources and the heritage of the district.
- 4.3 The Vale also contains a wealth of natural resources including minerals, water and agricultural land, for example, which the Council wishes to protect and ensure are used prudently to safeguard the interests of future generations. This is in accordance with the principles of sustainable development and reflects the Council's first aim for the Local Plan.
- 4.4 The following general development control policies set out criteria against which all proposals for new development will be judged. Planning not only aims to promote a sustainable pattern of land use but to influence how our towns, villages and countryside look. It also aims to protect and improve our heritage and our environment. Whatever the type or scale of development, whether it is for housing, commercial, industrial, agricultural, recreational or advertising purposes, this chapter sets out the detailed policies which the Council will apply to ensure proposals are sustainable and of a high quality in accordance with the overall aims of the Plan.

The Structure of this Chapter

- 4.5 This chapter is divided into three broad sections containing policies as follows:
- i) to promote high quality development whilst making efficient use of land;
 - ii) to protect natural resources; and
 - iii) to control specific types of development including advertisements and shopfronts.

Government Advice and Structure Plan Policies

- 4.6 Government advice, particularly in its Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1), and the Oxfordshire Structure Plan, have running through them the themes of promoting high quality sustainable development and protecting and conserving natural resources. Rather than discussing all aspects at the beginning of the chapter, the policy context provided by these two sources will be referred to as background to the individual policies below.

POLICIES AND PROPOSALS

The Quality of New Development

Design

- 4.7 PPS1 recognises that new buildings and their curtilages have a significant effect on the character and quality of an area, and that the appearance of a proposed development and its relationship with its surroundings are material considerations when determining planning applications. Both of these aspects require an understanding of the context within which the development takes place and the relationship between all the elements of the built and unbuilt spaces. The Oxfordshire Structure Plan in policy G2 states that all development should be of a scale and type appropriate to its site and surroundings and incorporate a high quality of layout, design and landscaping.
- 4.8 Good design should be the aim of everyone involved in the development process, whether it be developers, architects, builders, entrepreneurs or householders, and it will be encouraged everywhere. Good design not only improves the quality of the environment, it also attracts business and investment and reinforces civic pride. It can help to secure public acceptance of new development.
- 4.9 Proposals should be based on a thorough assessment of the surrounding built and natural environment and the defining characteristics of the local area, including local building traditions and materials. Although the Council will seek to promote local distinctiveness, this does not mean that new designs should simply mimic their

surroundings: innovative designs and increases in density may be acceptable. Through policy DC1 below the Council will ensure that the scale, mass, height and layout of the development and the materials used do not harm the character and appearance of its surroundings and that wherever possible new development will enhance the local area. The preparation of Parish Plans will be helpful in enabling local communities to make known their views on planning matters in their areas.

- 4.10 People applying for planning permission should seek competent advice on design matters before an application is submitted. Applicants should explain the design principles they have adopted, should provide clear and accurate plans and drawings of the proposed elevations and, where appropriate, show the proposed development in relation to neighbouring buildings and uses. For large-scale or complex proposals and those involving sensitive areas, such as conservation areas for example, perspective drawings and in some cases models of the development and its surroundings may be required. Policy DC1 refers to inclusive design which is about ensuring buildings and places can be used by everyone. It means thinking about the way design affects our ability to move, see, hear and communicate. It aims to remove barriers, enabling everyone, regardless of age, gender, ethnicity or ability, to participate in everyday activities.

POLICY DC1

DEVELOPMENT WILL BE PERMITTED PROVIDED THAT:

- i) IT IS OF A HIGH QUALITY AND INCLUSIVE DESIGN SUCH THAT THE LAYOUT, SCALE, MASS, HEIGHT, DETAILING, MATERIALS USED AND ITS RELATIONSHIP TO ADJOINING BUILDINGS AND OPEN SPACE DO NOT ADVERSELY AFFECT THOSE ATTRIBUTES THAT MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF THE LOCALITY;**

- ii) IT TAKES INTO ACCOUNT LOCAL DISTINCTIVENESS AND CHARACTER EITHER IN A MODERN OR A TRADITIONAL INTERPRETATION.**

Energy and Resource Conservation

- 4.11 Creating sustainable development involves designing it in a way which minimises the consumption of natural resources. Although building regulations control the detailed design of buildings to secure energy efficiency, the planning system also has an important role to play through the location and orientation of buildings to maximise passive solar gain for heat and light and in avoiding overshadowing and reducing the cooling of buildings by providing shelter, particularly from cold northerly winds. The use of energy-efficient technologies such as solar panels or photovoltaic cells can collect energy and lead to significant energy savings. Similarly water is a valuable natural resource which should be used carefully. Measures such as water butts and grey water schemes should be incorporated into

new developments to conserve the use of water and once restored, the Wilts & Berks Canal may be used in conserving and supplying bulk water resources to the area in the long term. The Council will require measures to conserve energy and other resources to be incorporated into all appropriate new developments.

POLICY DC2

IN NEW DEVELOPMENTS CONSIDERATION SHOULD BE GIVEN TO MEASURES TO CONSERVE ENERGY AND THE USE OF OTHER RESOURCES. THESE MAY INCLUDE PASSIVE SOLAR DESIGN (WHICH INVOLVES INFLUENCING THE LAYOUT, DESIGN, ORIENTATION AND SHELTER OF BUILDINGS), THE USE OF ENERGY-EFFICIENT TECHNOLOGIES, MEASURES TO CONSERVE THE USE OF WATER AND MAXIMISING THE RE-USE OF RECYCLED AND WASTE MATERIALS.

Design Against Crime

- 4.12 Local planning authorities have a duty under the Crime and Disorder Act 1998 to promote community safety and PPS1 confirms that crime prevention is one of the social considerations to which regard must be given in development plans and development control. In designing new development, architects and developers should take the opportunity to introduce environmentally sensitive measures that will assist in reducing the likelihood of crime. The principles of natural surveillance and territoriality are considered fundamental in designing against crime. Natural surveillance requires that the design and layout of buildings allows people to see and monitor communal areas such as streets and play areas. Territoriality is concerned with ensuring that private space is clearly defined from public space, so that the public do not unwittingly intrude upon private property. The Council will require developers to consider measures which will assist in designing against crime, including CCTV, and will seek contributions for the provision of any such measures. The Council will also welcome security measures for existing development although any such proposals must have regard to their environmental impact.

POLICY DC3

THE DESIGN AND LAYOUT OF NEW BUILDINGS AND THE SPACES AROUND AND BETWEEN THEM AS WELL AS ACCESS PROVISIONS MUST BE ARRANGED TO INCREASE SECURITY AND DETER CRIME. PROPOSALS TO INCREASE SECURITY ON EXISTING DEVELOPMENT WILL BE PERMITTED PROVIDED THERE IS NO HARM TO THE CHARACTER OF THE AREA.

Public Art

- 4.13 Throughout history, towns have been enhanced by the use of decorative arts, crafts and design, from historic monuments and sculptures to innovative designs of

clocks, signs, fencing, gateways and decorative paving. The aim in providing public art is to improve the quality of new developments by producing a more stimulating environment which will enhance the appearance of the district and provide a higher quality of heritage for future generations to enjoy. The Council will seek to support and promote the arts in association with new development in a variety of locations. This is consistent with the Council's *Arts Development Strategy* (2001–2005). This seeks to encourage developers of public and private buildings to devote a proportion of their expenditure to the provision of a public work of art i.e. art that is accessible to local people. Works of art can give quality, character and human scale to new development. They can make a positive contribution to the character of an area, especially if they draw inspiration from local themes or associations and the use of decorative art to improve the 'sense of place' can be widely appreciated by the public.

- 4.14 Advice on public art in the Vale is contained in Supplementary Planning Guidance available from the Council and more general guidance can be obtained from Arts Council England, South East. On all sites of half a hectare or more the Council will seek the provision of public art. Major developers will be expected to set aside a proportion of the capital budget of their schemes (the Arts Council has recommended 1% of the contract sum) to commission works of art to benefit the community and the environment. Care and sensitivity is obviously needed in the selection and placing of works, especially in more heavily used public spaces. The Vale Council's Arts Strategy explains that the aim to use the arts to improve the physical environment will be developed and shared with planners, the private sector, artists and potential partners including local people and communities.

POLICY DC4

IN DEVELOPMENTS ON ALL SITES OF 0.5 OF A HECTARE OR MORE THE PROVISION OF PUBLIC ART WHICH MAKES A SIGNIFICANT CONTRIBUTION TO THE APPEARANCE OF THE SCHEME OR THE CHARACTER OF THE AREA, OR WHICH BENEFITS THE LOCAL COMMUNITY WILL BE SOUGHT.

Access

- 4.15 The physical form and qualities of a place shape the way it is used and the way people and vehicles move through it. New development should help to create places that connect with each other safely, attractively and sustainably and should provide the right conditions to encourage walking, cycling and the use of public transport. The Government's Planning Policy Guidance Note 13: *Transport* (PPG13) stresses that people should come before traffic and acknowledges that the planning system has a substantial influence on the safety of pedestrians, cyclists and the occupants of vehicles through the design and layout of new development. The guidance confirms that it is important to ensure that new developments are accessible to all people, including wheelchair users, people with mobility, cognitive

and sensory impairments, older people and those with toddlers or infants in pushchairs. The Council is committed to ensuring that all people are able to participate in the economic, social, democratic and cultural life of the Vale and are not prevented from doing so because new developments are not permeable or the access arrangements to sites and buildings have not catered for their needs. Policy DC5 below sets out the access issues to which the Council will have regard when considering planning applications for new development.

- 4.16 Prospective developers should hold early discussions with the County Council as Highway Authority to clarify the highway design requirements in new developments. The County Council's *Highway Design Guide and Residential Road Design Guide* provides information on standards which the Highway Authority considers appropriate, including the design and construction of roads, footpaths and cycleways and innovative new approaches such as the introduction of homes zones. Clarification should also be sought from the County Council on any possible requirements for transport assessments, travel plans and contributions to on-site and off-site highways improvements which may arise, particularly in association with development proposals that generate significant demand for travel (see Chapter 5 Transport). The maximum parking standards to be applied across the county are published by the District Council as supplementary planning guidance.

POLICY DC5

PROPOSALS FOR DEVELOPMENT WILL ONLY BE PERMITTED PROVIDED THAT:

- i) SAFE AND CONVENIENT ACCESS WILL BE PROVIDED BOTH WITHIN THE SITE AND TO AND FROM THE ADJOINING HIGHWAY NETWORK FOR ALL USERS INCLUDING THOSE WITH IMPAIRED MOBILITY, AND FOR ALL MODES OF TRANSPORT;**
- ii) THE ROAD NETWORK CAN ACCOMMODATE THE TRAFFIC ARISING FROM THE DEVELOPMENT WITHOUT CAUSING SAFETY, CONGESTION OR ENVIRONMENTAL PROBLEMS;**
- iii) ADEQUATE PROVISION WILL BE MADE FOR LOADING, UNLOADING, CIRCULATION, SERVICING AND VEHICLE TURNING;**
- iv) ADEQUATE AND SAFE PROVISION WILL BE MADE FOR PARKING VEHICLES AND CYCLES;**
- v) OFF-SITE IMPROVEMENTS TO THE HIGHWAY INFRASTRUCTURE (INCLUDING TRAFFIC MANAGEMENT MEASURES), CYCLEWAYS, FOOTPATHS AND THE PUBLIC TRANSPORT NETWORK CAN BE SECURED WHERE THESE ARE NOT ADEQUATE TO SERVICE THE DEVELOPMENT; AND**

- vi) **THE SCHEME IS DESIGNED TO MINIMISE THE IMPACT OF VEHICLES AND GIVE PRIORITY TO THE NEEDS OF PEDESTRIANS, CYCLISTS, THE USERS OF PUBLIC TRANSPORT AND THOSE WITH IMPAIRED MOBILITY.**

Landscaping

- 4.17 Existing landscape features, trees, hedgerows and ponds can make an important contribution to the character and biodiversity of an area and it is essential that new development does not lead to the loss of, or pose a future threat to, such features. The location and siting of new development, and in particular buildings, should seek to retain important landscape features and integrate them into the design of the development. The provision of new landscape features can often be an essential prerequisite for creating an attractive development which complements and enhances its surroundings. It can also enhance the quality of life of local people and contribute to local biodiversity through the conservation and creation of new wildlife habitats (see Chapter 7). For these reasons the Council will seek a high standard of landscaping associated with development proposals.
- 4.18 When designing a scheme careful consideration should be given to the functional and aesthetic aspects of landscaping. A survey of existing features will often be required from the applicant. Such surveys will be expected to include site contours, accurate positions of trees and shrubs, their condition, height, stem diameter, extent of canopy and species and details of other aspects of the site's ecology. The Council considers it particularly important to maintain mature trees and conditions will be attached to planning permissions to protect existing trees during and after site works. Where appropriate regard will be paid to the impact of landscaping on important views, in particular the views protected under policy NE8 of this Plan. Care should be taken to ensure that new planting will not impair visibility at access points or obstruct footpaths and cycleways. The Council will normally encourage the use of native species of local origin in landscaping schemes associated with new development. However, it is accepted that in some locations, for example in town centres, a case may exist for the use of non native species.

POLICY DC6

ALL PROPOSALS FOR DEVELOPMENT WILL BE REQUIRED TO INCLUDE HARD AND SOFT LANDSCAPING MEASURES DESIGNED TO:

- i) **PROTECT AND ENHANCE THE VISUAL AMENITIES OF THE SITE AND ITS SURROUNDINGS INCLUDING, WHERE APPROPRIATE, EXISTING IMPORTANT LANDSCAPE FEATURES; AND**
- ii) **MAXIMISE THE OPPORTUNITIES FOR NATURE CONSERVATION AND WILDLIFE HABITAT CREATION.**

Waste Collection and Recycling

- 4.19 It is widely recognised that the way in which society manages the waste products it produces needs to change if the environment is to be protected now and in the future. Government advice in Planning Policy Statement 10: *Planning for Sustainable Waste Management* (PPS10) provides advice about how the land-use planning system should contribute to sustainable waste management. The County Council is responsible for the planning and provision of waste disposal sites in Oxfordshire and district councils are responsible for collecting the waste. The Oxfordshire Structure Plan has policies to minimise waste generation and increase the re-use and recycling of materials so as to reduce the amount of waste which has to be disposed of by landfill. The County Council's *Minerals and Waste Local Plan* (1996) is currently being reviewed and the district councils in Oxfordshire are working with the County Council to develop sustainable waste management practices. The key role of this Local Plan in the process is to ensure that opportunities are taken for incorporating re-use and recycling facilities in new developments. This may involve ensuring that, for example, new housing developments make provision for such facilities as wheel bins, adequate space to sort recyclable waste in the home, home composting, water butts and grey water schemes. Policy DC7 below establishes this principle.

POLICY DC7

NEW DEVELOPMENTS MUST MAKE ADEQUATE PROVISION FOR THE SORTING, STORAGE AND COLLECTION OF WASTE ARISING FROM THE SITE AND FOR HOME COMPOSTING AND OTHER SUSTAINABLE WASTE MANAGEMENT INITIATIVES AS APPROPRIATE.

The Provision of Infrastructure and Services

- 4.20 Government advice in Planning Policy Statement 12: *Local Development Frameworks* (PPS12) confirms that one of the purposes of the planning system is to co-ordinate development with the infrastructure required to service it. This can cover a whole range of facilities, which may be provided on or off site, including education, health, recreation, open space, community buildings, transport infrastructure and service support, waste recycling facilities, water supply, land drainage and sewage disposal. The Oxfordshire Structure Plan has a policy (G3) which states that development will not be permitted unless the infrastructure necessary to service the development is available or will be provided and that contributions towards new provision will be sought from developers. The District Council considers it essential to ensure that where the existing infrastructure and services are unable to cope satisfactorily with new development, the developers or landowners must provide the necessary new facilities on or off the site or make a

financial contribution to enable existing facilities to be improved. Without this the quality of life of existing residents of the Vale will be gradually eroded. The Council may also seek commuted payments to cover the costs of maintaining the new facilities and services provided for a period of at least 10 years. The Council will normally ask for these payments to be made before development starts, but on large sites phased payments may be appropriate, tied to the commencement of each phase. Improvements to essential infrastructure and services will be secured through planning obligations in accordance with Government guidance, currently given in Circular 05/2005 *Planning Obligations*. This circular advises that the provision for subsequent maintenance of facilities may be required in perpetuity where the facilities are predominantly for the users of the associated development. Further information on the local approach to planning obligations and agreements for development can be found in "Infrastructure and Service Needs for New Development" published by the County Council.

POLICY DC8

DEVELOPMENT WILL ONLY BE PERMITTED WHERE THE NECESSARY SOCIAL AND PHYSICAL INFRASTRUCTURE AND SERVICE REQUIREMENTS OF FUTURE OCCUPIERS AND/OR USERS OF THE DEVELOPMENT ARE:

- i) **AVAILABLE AT A SUITABLE STANDARD; OR**
- ii) **WILL BE PROVIDED IN ASSOCIATION WITH THE DEVELOPMENT; OR**
- iii) **CAN BE SECURED OR IMPROVED TO A SUITABLE STANDARD THROUGH AN APPROPRIATE FINANCIAL CONTRIBUTION FROM THE DEVELOPERS OR LANDOWNERS.**

SERVICES AND INFRASTRUCTURE MUST BE PROVIDED IN TIME TO ENSURE CO-ORDINATION BETWEEN THEIR PROVISION AND NEEDS ARISING FROM THE DEVELOPMENT. WHERE APPROPRIATE COMMUTED SUMS TO COVER MAINTENANCE WILL ALSO BE SOUGHT FROM DEVELOPERS OR LANDOWNERS.

Impact of Development on Neighbouring Uses

- 4.21 In designing new development it is important to have regard to its relationship with neighbouring uses, in order to minimise the impact of the development on these uses both now and in the future. A range of issues needs to be taken into account.
- 4.22 **Amenities of Neighbours** Applicants will not only need to demonstrate that the development itself is of a high standard of design and that account has been taken of the characteristics of the local area but also that the design and proposed use will not cause harm to the amenities of neighbouring or nearby properties. Care will be taken to ensure that new development does not overshadow or visually

dominate existing properties or adversely affect their existing levels of privacy. Additionally, new development should not affect unacceptably the local or wider environments through, for example, noise, vibration, or external lighting, or effects on air or water quality. Particular care will be taken to ensure that new development is carried out in such a way as to minimise the effect of construction activities.

- 4.23 **Noise** Noise from road traffic, trains, aircraft, commercial and entertainment premises can have serious effects on people's lives and it is important that these effects are minimised. The planning process can assist by ensuring that as far as possible 'noise sensitive' developments, such as dwellings, schools, hospitals and nursing homes, are located away from existing sources of noise and that potentially noisy developments are located in areas where noise will not be such an important consideration. In accordance with Planning Policy Guidance Note 24: *Planning and Noise* (PPG24), the Council will ensure that new development does not cause an unacceptable degree of disturbance. An environmental impact assessment may be sought for certain types of project (see section on this below). Measures can be required to control the exposure to noise through planning conditions. For example, developers may be required to insulate buildings, erect screens or natural barriers, ensure adequate distances between the noise and the noise sensitive land use or limit the operating times of a potentially noisy activity. Early consultation with the Council is desirable.
- 4.24 **Pollution** From time to time parts of the Vale experience problems from various forms of pollution. Many of the problems are dealt with under environmental health controls and by other statutory bodies such as the Environment Agency and the Health and Safety Executive. The planning system should not duplicate these controls but it has an important role to play in determining the location of development which may give rise to pollution and controlling proposals for development close to potential sources of pollution. The Council will aim to keep apart housing and other developments sensitive to pollution from potentially polluting uses where they cannot reasonably co-exist. Planning controls complement the pollution control regimes and can help secure the proper operation, rehabilitation and restoration of potentially polluting development. In some cases the scope of the planning system to protect the environment will be wider than the pollution control regime, particularly where the development is unsightly or would result in the loss of amenity. Therefore, in some cases, even though the development is acceptable to the pollution control authority, planning permission may be refused.
- 4.25 **External Lighting** Light is considered to be a form of pollution and the increasing number of situations where external lighting is used means that it can have a significant impact on the amenity of the surrounding area. More detailed coverage of this issue is set out in paragraphs 4.66 and 4.67 and policy DC20.

4.26 **Contaminated Land** Government advice in Planning Policy Statement 23: *Planning and Pollution Control* (PPS23) emphasises the principle of sustainable development and sets out the Government's objectives for contaminated land as set out in DETR Circular 02/2000 'Contaminated Land'. Examples of contaminated sites include land previously used for industrial purposes, old gas works, former landfill sites, old sewage works and petrol filling stations. Such recycling can provide an opportunity to deal with the threats posed by contamination. Very few sites are so badly contaminated that they cannot be re-used at all but the choice of new use may be restricted by the degree of contamination. It will not always be necessary to remove all the contamination but it will be necessary to bring the land to a standard where it is suitable for its intended use. Where applications are made on land which may be contaminated, the Council will require detailed information on the type and extent of the contamination, whether the land has acquired any nature conservation interest and the remedial measures that will make it safe for the proposed use. Detailed investigations are likely to be needed before an application is determined and specific remedial measures may be required through conditions attached to a planning permission.

4.27 **Hazardous Substances** The Health and Safety Regulations impose stringent controls on the safe operation of installations handling substances which are potentially hazardous. When determining planning applications involving the use of hazardous substances the Council will decide whether it is an appropriate use of the land, taking into account the existing and prospective development in the area, the nature and magnitude of the risks involved and the planning conditions that could reasonably be imposed to mitigate any potential harm. When considering such applications the Council will take account of the advice it receives from the Health and Safety Executive. The Council will not permit development involving the use of hazardous substances where they would pose a significant risk to neighbouring land uses, in particular in residential areas or close to facilities which could be used by a large number of people. Similarly development close to existing hazardous installations will be carefully controlled.

POLICY DC9

DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD UNACCEPTABLY HARM THE AMENITIES OF NEIGHBOURING PROPERTIES AND THE WIDER ENVIRONMENT IN TERMS OF:

- i) LOSS OF PRIVACY, DAYLIGHT OR SUNLIGHT;**
- ii) DOMINANCE OR VISUAL INTRUSION;**
- iii) NOISE OR VIBRATION;**
- iv) SMELL, DUST, HEAT, GASES OR OTHER EMISSIONS;**

v) **POLLUTION, CONTAMINATION OR THE USE OF OR STORAGE OF HAZARDOUS SUBSTANCES; AND**

vi) **EXTERNAL LIGHTING.**

The Effect of Neighbouring or Previous Uses on New Development

4.28 As well as ensuring that the proposed development is acceptable in itself and to its neighbours, it is also important to ensure that the occupiers of new developments would not be harmed by the effects of existing neighbouring uses. These could include noisy uses or activities, sources of pollution, contaminated land and installations using or storing hazardous substances, as discussed in relation to policy DC9 above.

POLICY DC10

DEVELOPMENT WILL NOT BE PERMITTED IF IT IS LIKELY TO BE ADVERSELY AFFECTED BY EXISTING OR POTENTIAL SOURCES OF:

i) **NOISE OR VIBRATION;**

ii) **SMELL, DUST, HEAT, GASES OR OTHER EMISSIONS; OR**

iii) **POLLUTION, CONTAMINATION OF THE SITE OR ITS SURROUNDINGS AND HAZARDOUS SUBSTANCES NEARBY.**

Protecting Natural Resources and Reducing Flood Risk

4.29 Planning Policy Statement 12: *Local Development Frameworks* (PPS12) explains that the spatial planning approach is to ensure the most efficient use of land by balancing competing demands within the context of sustainable development. To further the Government's commitment to sustainable development, the social, environmental and economic effects of a development document will be appraised to ensure that decisions are made that accord with sustainable development.

4.30 These environmental considerations have set the context within which the whole of this Plan has been prepared but, specifically, the Government has identified the following issues as requiring particular attention:

i) the protection of the best and most versatile agricultural land;

ii) the conservation of mineral resources;

iii) water resources, both their availability and their protection.

These issues are covered in more detail below.

Agricultural Land

- 4.31 A competitive and sustainable agricultural industry is vital to the economic, social and environmental well-being of rural areas. The Government's White Paper *Our Countryside: Our Future* (2000) emphasised the Government's desire both for agriculture to be prosperous and sustainable and to encourage diversification and enterprise.
- 4.32 Government advice in Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS7) is that the development or protection of best and most versatile land should rest with local authorities. The guidance confirms that local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality, except where other sustainability considerations suggest otherwise. These might include, for example, its importance for biodiversity, the quality and character of the landscape, its amenity value or heritage interest, accessibility to infrastructure, workforce and markets and the protection of natural resources including soil quality. Policy DC11 below confirms the Council's commitment to safeguarding the best and most versatile farmland within the Vale, in accordance with Government advice. With regard to those development proposals which involve land where soil or agricultural quality is a consideration, the Council will seek advice from the Department of Environment, Food and Rural Affairs (DEFRA).

POLICY DC11

DEVELOPMENT ON BEST AND MOST VERSATILE LAND, DEFINED AS GRADES 1, 2 AND 3A OF THE AGRICULTURAL LAND CLASSIFICATION, WILL NOT BE PERMITTED UNLESS:

- i) THERE ARE NO OPPORTUNITIES FOR ACCOMMODATING DEVELOPMENT OF THE TYPE PROPOSED ON PREVIOUSLY DEVELOPED SITES OR LAND WITHIN EXISTING URBAN AREAS; AND**
- ii) WHERE DEVELOPMENT OF AGRICULTURAL LAND IS UNAVOIDABLE, THE USE OF AREAS OF POORER QUALITY LAND IN PREFERENCE TO THOSE OF A HIGHER QUALITY IS NOT APPROPRIATE BECAUSE OF OTHER SUSTAINABILITY CONSIDERATIONS.**

Mineral Resources

- 4.33 The planning policies which relate to mineral working are found in the Oxfordshire Structure Plan and are consistent with the government's policy and advice as set out in the Minerals Planning Guidance Notes (MPGs).
- 4.34 Structure Plan policy M1, in essence, seeks to permit mineral workings in appropriate locations. Policy M2 in the Structure Plan to 2011 confirmed that, with

regard to the Vale, the principle of sharp sand and gravel working is accepted in the Sutton Courtenay area between Sutton Courtenay and Appleford, and in the Sutton Wick area south of Abingdon and north-west of Sutton Courtenay. The boundaries of the areas to be worked are not defined in this Local Plan. This is done through the County Council's Minerals and Waste Local Plan which also sets out policies for the protection of mineral-bearing land.

Water Quality and Resources

- 4.35 Improving water quality generally falls outside the scope of the planning process, although it is recognised that maintaining and enhancing the water quality of rivers and lakes and underground water bodies is important. Not only can these be an important source for water supply but they can also provide a valuable general amenity and recreational resource.
- 4.36 There are a large number of groundwater abstractions including public water supplies particularly from the chalk and upper greensand aquifers in the south of the district. The Environment Agency publication *Policy and Practice for the Protection of Groundwater* provides useful information and guidance on the risks to groundwater quality. It also explains the concepts of source and resource protection. This will be replaced by a set of documents "Groundwater Protection: Policy and Practice (GP3)."
- 4.37 Any site which may be contaminated to some degree by virtue of its previous usage forms a potential risk to water quality, especially if redevelopment takes place. The Environment Agency requests any potential developers of such a site to contact the Agency at their earliest opportunity to discuss the need for historical information and site investigations to determine the degree of contamination, if any, of both soil and groundwater.
- 4.38 Development should be limited to locations where adequate water resources already exist, or where new provision of water resources can be made in time for the new development and without adversely affecting abstraction, river flows, water quality, agriculture, fisheries, amenity or nature conservation (see also paragraph 4.20 above). Where development is allowed, the Council may require developers to undertake measures to ensure that a proposed development does not contaminate surface or groundwater resources, including ponds, streams and other watercourses. Development which causes an unacceptable risk to surface or groundwater resources will not be permitted.

POLICY DC12

DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD ADVERSELY AFFECT THE QUALITY OF WATER RESOURCES, INCLUDING GROUNDWATER, RIVERS AND LAKES, AS A RESULT OF ABSTRACTION, OR THE NATURE OF RELATED SURFACE OR WASTE WATER DISCHARGE, OR THE DISTURBANCE OF CONTAMINATED LAND.

Flood Risk and Water Run-Off

- 4.39 The Vale has a long frontage to the River Thames as well as much of the valley of the River Ock and its tributaries including the Letcombe Brook. It is important that the floodplains of these rivers are protected from the effects of development. Developers are advised to check with the Council for the most up-to-date information on floodplains. To assist members of the public, the Council has prepared Supplementary Planning Guidance to show those areas which the Environment Agency has identified as indicative floodplain. The Environment Agency should be consulted by developers before submitting an application to establish whether the development is likely to be affected by flooding or whether it could contribute to flooding problems elsewhere. In such instances, applications must be accompanied by an appropriate flood risk assessment.
- 4.40 The Council will only permit development where it is satisfied that, amongst other things, the development itself will not be at risk from flooding and any increased risk of flooding arising from the development will be successfully managed with the minimum environmental effect to ensure the site can be developed and occupied safely. Provision must be made for the long-term maintenance and management of any mitigation measures required, such as balancing ponds, for example.
- 4.41 Government guidance on flooding in Planning Policy Guidance Note 25: *Development and Flood Risk* (PPG25) explains the sequential test for development in various categories of flood risk and sets out the appropriate planning response. Development will be heavily restricted in high risk areas, particularly in functional floodplains and in undeveloped or sparsely developed areas. In high risk areas which are already developed, there may be more scope for new development provided the minimum standard of flood defence can be maintained for the lifetime of the development. In areas of lower risk the opportunities for development are greater but may still require measures to mitigate potential flood risk problems, including the use of suitable drainage systems.
- 4.42 The ecological, geomorphological, archaeological, landscape and recreational value of water courses and floodplains can be significant and the effect of increased flood risk or flood defence engineering on such features of interest should be taken into account. For example, certain mitigation measures could adversely affect the natural or current hydrological regime of a water course, remove waterside habitats or alter the water flow.
- 4.43 It is important for developers to discuss their proposals with both the Council and the Environment Agency at the earliest practical opportunity to identify flood risks and, in appropriate cases, to establish appropriate measures to mitigate these risks. Ideally, these discussions should take place before any planning application is made in order that the relevant matters can be resolved provisionally so that once the application is submitted any delay in finalising these matters can be kept to a minimum.

- 4.44 Where technical assessments, additional flood defences, other mitigation measures or warning measures are required in connection with new development, developers cannot rely on public resources to provide them. These will normally be fully funded by the developer, including adequate provision for on-going maintenance over a number of years.
- 4.45 Failure to submit a flood risk assessment, or to demonstrate that the development is acceptable in relation to flood risk, could result in the precautionary principle being used as a reason to refuse planning permission.

POLICY DC13

WHERE A RISK FROM FLOODING IS IDENTIFIED, NEW DEVELOPMENT, INCLUDING THE INTENSIFICATION OF EXISTING DEVELOPMENT OR PROPOSALS TO RAISE THE LEVEL OF THE LAND, WILL NOT BE PERMITTED UNLESS:

- i) AN ADEQUATE ASSESSMENT HAS BEEN MADE OF THAT RISK INCLUDING WHETHER THE PROPOSED DEVELOPMENT WOULD INCREASE THE RISK OF FLOODING ELSEWHERE; AND**
- ii) THE FLOOD RISK TO THE DEVELOPMENT AND ITS POSSIBLE EFFECTS ON FLOOD RISKS ELSEWHERE IN TERMS OF FLOOD FLOWS, FLOOD STORAGE CAPACITY AND RUN-OFF IMPLICATIONS ARE ACCEPTABLE; AND**
- iii) ANY MITIGATION MEASURES PROPOSED TO DEAL WITH THESE EFFECTS AND RISKS ARE ADEQUATE, EFFECTIVE AND ACCEPTABLE AND, AS APPROPRIATE, MAINTAIN OR ENHANCE THE BIODIVERSITY VALUE OF ANY ASSOCIATED LAND.**

WHERE DEVELOPMENT IS PERMITTED UNDER THIS POLICY, THE NATURE AND TIMING OF ANY ASSOCIATED MITIGATION MEASURES MUST BE AGREED BEFORE PLANNING PERMISSION IS GRANTED.

POLICY DC14

DEVELOPMENT GENERATING SURFACE WATER RUN-OFF LIKELY TO RESULT IN ADVERSE EFFECTS, SUCH AS AN INCREASED RISK OF FLOODING, CHANGES IN GROUND WATER LEVELS, AND RIVER CHANNEL INSTABILITY OR DAMAGE TO HABITATS, WILL NOT BE PERMITTED UNLESS:

- i) THE DEVELOPMENT'S SURFACE WATER MANAGEMENT SYSTEM ACCORDS WITH SUSTAINABLE DRAINAGE PRINCIPLES AND HAS BEEN DESIGNED AS AN INTEGRAL PART OF THE DEVELOPMENT LAYOUT; AND**
- ii) THE SYSTEM WILL EFFECTIVELY CONTROL AND ADEQUATELY MITIGATE OR ATTENUATE ANY ADVERSE EFFECTS FROM SURFACE WATER RUN-OFF ON PEOPLE, HABITATS OF ACKNOWLEDGED IMPORTANCE AND PROPERTY.**

WHERE DEVELOPMENT IS PERMITTED UNDER THIS POLICY, THE ASSOCIATED APPROPRIATE ATTENUATION MEASURES MUST BE IN PLACE BEFORE THE DEVELOPMENT COMMENCES.

Environmental Impact Assessments

- 4.46 Environmental impact assessment (EIA) is the whole process by which information on the environmental effects of certain types of development is taken into account as set out in Schedules 1 and 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, as amended.
- 4.47 'Schedule 1' projects for which an EIA is required in every case would include, for example, major chemical and steel works, water reservoirs and quarries.
- 4.48 'Schedule 2' projects for which an EIA is required are listed in the regulations and the basic question is whether a particular development is likely to have significant effects on the environment. An EIA is likely to be required for developments in three main types of case:
- i) major developments of more than local significance;
 - ii) developments in environmentally sensitive locations; and
 - iii) developments which are complex or hazardous.
- 4.49 National research suggests that a high percentage of EIAs submitted are inadequate and fail to address satisfactorily all the relevant issues and impacts. In response, local authorities have found it increasingly necessary to carry out their own environmental assessments of projects in order to check the findings of the deposited EIA and this can lead to delay. It is therefore of benefit to all concerned that an EIA adequately addresses all the potential impacts of a scheme, makes use of recognised methodology and is objectively produced and presented.
- 4.50 To this end, the Council will welcome pre-application discussions on what the EIA should address so that all the fundamental aspects of the scheme can be considered at an early stage. If a draft planning obligation, detailing how any problems identified in the EIA will be resolved, is submitted with an application, any delay in determining it can be kept to a minimum.

Control of Specific Types of Development

- 4.51 The types of development covered in this section include advertising, shopfronts and external lighting.

Advertisements and Signs

- 4.52 Advertisements can take many different forms. They can for example include fascia signs on shops, poster hoardings, advance signs alongside the highway and pole signs at petrol stations. Many are displayed on or close to buildings. Some are illuminated. Advertisement signs can often make an important contribution to the commercial viability of local businesses. In some locations advertisements can enliven and enhance a building or a street scene. Conversely, unsympathetic, badly-positioned or intrusively illuminated signs can harm the appearance of a building or area and may also be dangerously distracting to road users. Signs acceptable in a modern shopping precinct or an industrial development may be quite out of character on a listed building, in a conservation area or in the open countryside. Additionally, the design or position of signs may be a hazard to people with sensory or mobility impairments.
- 4.53 For these reasons, the Council considers it appropriate to set out specific policies for the control of advertisements including those proposed on listed buildings, in conservation areas, within the AONB, as part of shopfronts and those which are to be illuminated.
- 4.54 The display of advertisements is controlled under the Town and Country Planning (Control of Advertisements Regulations 1992) to protect amenity and public safety. Under the regulations some signs may be displayed without the express consent of the Council provided that they comply with conditions set out in the regulations. Government advice on outdoor advertisements is set out in Planning Policy Guidance Note19: *Outdoor Advertisement Control* (PPG19).
- 4.55 As a general principle the Council considers that the protection of local amenity and public safety can be best achieved by resisting advertisements which are garish, unduly prominent, badly sited or over-numerous. It also recognises that a balance needs to be struck between the requirements of local businesses and amenity and public safety considerations. The policies and guidance in the Plan seek to achieve this balance.
- 4.56 The policies are concerned not only with advertisements on buildings but also with roadside advertisements which can look unsightly and confuse road users. Signs on the public highway may only be displayed with the agreement of the County Highway Authority. In such circumstances the consent of the District Council is not always required. However, signs which are on private land beside the highway will require the consent of the District Council. Signs on roadsides can only be justified

where a business takes direct access from a road and where highway safety would be improved by clear warning of the entrance. Signs which are remote from the premises to which they refer are unlikely to be granted consent.

Outdoor Advertisements

- 4.57 Where advertisements are proposed they should be carefully designed and positioned, with particular attention being paid to their size, colour, materials and detailing. The advertisement or the exact location for its display should not be so distracting or confusing that it creates a hazard to highway safety.

POLICY DC15

EXPRESS CONSENT FOR AN OUTDOOR ADVERTISEMENT WILL ONLY BE GIVEN WHERE IT, TOGETHER WITH OTHER EXISTING OR PROPOSED ADVERTISEMENTS IN THE VICINITY, WOULD NOT HARM THE CHARACTER OR APPEARANCE OF THE AREA OR CAUSE A HAZARD TO HIGHWAY SAFETY.

Illuminated Advertisements

- 4.58 Advertisements are essential to commercial activity in the district and as the range of premises with flexible opening hours expands, the demand for illuminated advertisements has increased. The Council considers that illuminated signs can, if carefully designed, be appropriate in commercial areas where they can provide visual interest and vitality. Care must also be taken to ensure that no harm is caused by the cumulative effects of illuminated advertisements associated with commercial property. In residential areas they are likely to be visually intrusive and spoil the appearance of the neighbourhood. Considerable care needs to be taken over the design, size, choice of materials and degree of illumination to ensure they are not visually intrusive.
- 4.59 The Council is more likely to give favourable consideration to traditional painted signs and fascias using external illumination, so long as the illumination can be provided by discreet and unobtrusive fittings. Further advice on acceptable means of illumination can be obtained from the Council's planning service area. A proliferation of individually acceptable advertisements may not be acceptable where together they spoil the appearance of a town centre or the open countryside. Wherever possible businesses in the same general location should be encouraged to combine their essential advertising needs for this reason. Standard internally illuminated box signs and lettering are often bulky and poorly designed and use reflective synthetic materials which make them more difficult to integrate with the character of an area or an individual building. In some locations the illumination of

signs in connection with business premises may be limited by condition to the hours of operation of the business in order to minimise their impact.

- 4.60 In assessing proposals for the illumination of advertisements, reference will also be made to policy DC20.

POLICY DC16

CONSENT FOR AN ILLUMINATED ADVERTISEMENT WILL ONLY BE GIVEN IN PREDOMINANTLY COMMERCIAL AREAS OR WHERE IT IS NECESSARY FOR A BUSINESS OPERATING IN THE EVENINGS OR AT NIGHT PROVIDED THAT IT, TOGETHER WITH OTHER EXISTING OR PROPOSED ILLUMINATED ADVERTISEMENTS IN THE VICINITY, WOULD NOT HARM THE VISUAL AMENITY OF THE AREA OR CAUSE A HAZARD TO HIGHWAY SAFETY.

Advertisements on Listed Buildings

- 4.61 The display of signs and advertisements on or near a listed building can damage the character and appearance of the building or its setting. Signs and advertisements covered by this policy include those on blinds, canopies, awnings, shop windows and shutters, lettering, fascia boards and hanging signs and also those not fixed directly to the building but which would affect its setting. Listed building consent will be required for any signs which affect the character of a listed building whether or not consent is needed under the advertisement regulations. To display an advertisement or sign on a listed building, the position, size, colour, materials and detailing, including lettering and logos, should all be chosen to complement the building's character. Architectural features of the building should not be removed or obscured when an advertisement is installed. Standard company signs or logos may be inappropriate to local building styles or to the character of the area and may need to be modified. Non-illuminated hand-painted fascias and signs will be preferred. Shopfronts can raise particular issues and reference should also be made to policy DC19.

POLICY DC17

THE ERECTION OR DISPLAY OF ADVERTISEMENTS WHICH WOULD HARM THE CHARACTER AND APPEARANCE OR SETTING OF A LISTED BUILDING WILL NOT BE GRANTED CONSENT OR PERMITTED. THE USE OF SYNTHETIC MATERIALS AND/OR ILLUMINATION WILL NOT BE PERMITTED IF IT WOULD DETRACT FROM THE CHARACTER OF A LISTED BUILDING.

Advertisements in Conservation Areas and the North Wessex Downs Area of Outstanding Natural Beauty

- 4.62 In conservation areas and the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the Council's main consideration will be the preservation and enhancement of the character or appearance of the area. Poorly designed signs or a proliferation of signs can be unsightly, detracting from and damaging to the appearance of an area or the countryside. Advertisements should therefore be designed and located so that they do not adversely affect an area's special designation. Signing should be discreet and illumination kept to a minimum or avoided altogether. Large brightly illuminated signs are unlikely to be acceptable. Shopfronts can raise particular issues and reference should also be made to policy DC19 below.

POLICY DC18

IN CONSERVATION AREAS AND THE NORTH WESSEX DOWNS AREA OF OUTSTANDING NATURAL BEAUTY, AN ADVERTISEMENT WILL NOT BE GIVEN CONSENT IF IT, TOGETHER WITH OTHER EXISTING OR PROPOSED ADVERTISEMENTS IN THE VICINITY, WOULD FAIL TO PRESERVE OR ENHANCE THE SPECIAL CHARACTER OR APPEARANCE OF THE AREA.

Display of Advertisements without Express Consent

- 4.63 Anyone who displays an advertisement without the consent required is acting illegally. In such circumstances it is open to the Council to bring a prosecution in the magistrates Court for an offence under Section 224 of the Town and Country Planning Act 1990.

Shopfronts

- 4.64 A careful balance has to be drawn between the needs of commercial enterprises to advertise and display their goods and services and the protection of the environment of our towns and villages.
- 4.65 Changes in the retail sector and the greater use of automatic teller machines can have an impact upon the design of shopfronts. In general, the Council looks for shopfront design which relates well to the building and area concerned. In particular, automatic teller machines may become crime generators and need to be sited in locations which combine security and safety with good design. The need for increased security is a current concern. While respecting the need for security the Council will not normally grant consent in conservation areas and on listed buildings for schemes for the introduction of solid shutters in unsympathetic materials and colours, or for freestanding security devices such as bollards and railings which might be a hazard to people with sensory or mobility impairments and affect access for all. The introduction of closed circuit television (CCTV)

schemes has helped to reduce crime. Within conservation areas or on listed buildings the siting and appearance of CCTV cameras needs special consideration. More detailed guidance on the design of shopfronts and advertisements is available from the District Council.

POLICY DC19

PROPOSALS FOR NEW SHOPFRONTS, OR FOR THE ALTERATION OF EXISTING SHOPFRONTS, WILL BE PERMITTED PROVIDED THAT THE PROPOSAL:

- i) VISUALLY RESPECTS THE DESIGN, SIZE, MATERIALS AND COLOUR OF THE BUILDING OR BUILDINGS CONCERNED;**
- ii) INTEGRATES INTO THE OVERALL DESIGN OF SHOPFRONTS ANY AWNINGS, BLINDS AND CANOPIES;**
- iii) IS CAPABLE OF ACCOMMODATING IMPROVED SECURITY WITHOUT RESULTING IN A DEAD APPEARANCE AFTER TRADING HOURS OR UNNECESSARY CLUTTER IN THE STREET SCENE; AND**
- iv) WILL NOT ADVERSELY AFFECT HIGHWAY AND PEDESTRIAN SAFETY.**

SCHEMES WHICH INVOLVE THE REMOVAL OF INAPPROPRIATE SHOPFRONTS AND THEIR REINSTATEMENT WITH WELL-DESIGNED SHOPFRONTS USING SYMPATHETIC MATERIALS AND COLOURS WILL BE PERMITTED.

External Lighting

- 4.66 In recent years there has been an increasing demand for all types of outdoor lighting. Illuminated advertisements, security floodlights for commercial and residential premises, street lighting and floodlights for outdoor sports and recreational facilities can all have a significant impact on the amenity of the surrounding area. Light can be seen as a form of pollution, where it impedes a view of the night sky or causes sky glow in the countryside and reference will also be found to this in policy DC9.
- 4.67 In addition the actual light fittings can affect the visual amenity of an area. Inappropriately designed and sited spotlights illuminating a listed building can be detrimental to the character of that building. Pole-mounted light fittings are often required for many sport and recreational areas, and the height and number of fittings can be obtrusive, particularly in the open countryside or in a conservation area. Many light fittings are permitted development but the Council, when considering any applications involving lighting, will take particular account of the position, number and design of the light fittings, the mounting height of pole-

mounted fittings, the possible effects of light pollution and the need to restrict the hours in which the lighting may be used.

POLICY DC20

APPLICATIONS FOR PLANNING PERMISSION, OR FOR CONSENT FOR THE DISPLAY OF ADVERTISEMENTS, WHICH INVOLVE EXTERNAL LIGHTING WILL BE PERMITTED PROVIDED THAT:

- i) THERE WILL BE NO ADVERSE EFFECT ON THE CHARACTER OF THE AREA OR THE AMENITY OF NEIGHBOURING PROPERTIES;**
- ii) THE LIGHTING PROPOSED IS THE MINIMUM NECESSARY TO UNDERTAKE THE TASK FOR WHICH IT IS REQUIRED;**
- iii) THE POTENTIAL LIGHT POLLUTION FROM GLARE AND SPILLAGE IS MINIMISED; AND**
- iv) THERE WILL NOT BE A HAZARD TO HIGHWAY SAFETY.**

WHERE PERMISSION OR CONSENT IS GRANTED FOR EXTERNAL LIGHTING CONDITIONS MAY BE IMPOSED REQUIRING A LIGHT SPILLAGE TEST PRIOR TO ITS FIRST USE AND, WHERE NECESSARY, THE FITTING OF DEVICES TO REDUCE GLARE AND LIGHT SPILLAGE AND/OR TO RESTRICT THE HOURS DURING WHICH THE LIGHTING MAY BE USED.