



8. Environmental and heritage assets

Blenheim Palace

Our environmental objectives include:

- CO9 Promote inclusive, healthy, safe and crime free communities.
- CO14 Conserve and enhance the character and significance of West Oxfordshire's high quality natural, historic and cultural environment – including its geodiversity, landscape, biodiversity, heritage and arts – recognising and promoting their wider contribution to people's quality of life and social and economic well-being both within the District and beyond.
- CO15 Contribute to reducing the causes and adverse impacts of climate change, especially flood risk.
- CO16 Enable improvements in water and air quality.
- CO17 Minimise the use of non-renewable natural resources and promote more widespread use of renewable energy solutions.

8.1 A key characteristic of West Oxfordshire is the quality and diversity of its natural and historic environment. One of the biggest challenges for the Local Plan is to protect, sustain and enhance this environment, while at the same time accommodating necessary development. This section sets out how this objective will be pursued locally through our approach to the conservation and enhancement of the District's environmental assets - its landscape character, biodiversity, green infrastructure, public realm, natural resources (water, waste, minerals) and the historic environment.

Landscape character

8.2 West Oxfordshire is a predominantly rural district which embraces large areas of relatively unspoilt countryside and a diverse pattern of landscapes, including rolling uplands, river valleys, historic parkland, remnants of ancient forests, low-lying farmland and riverside meadows. The local distinctiveness and intrinsic quality of the landscape helps to define the sense of place, has been instrumental in shaping settlement patterns and provides an important resource, attracting people to live and work in the area, as well as contributing to the tourist economy. West Oxfordshire is renowned for its gentle scenic beauty, about a third of which has national recognition as an Area of Outstanding Natural Beauty (AONB) - part of the Cotswolds AONB.

8.3 Conserving and enhancing the quality of our landscape - whilst supporting suitably located and designed development necessary to promote the economic and social well-being of the area and its communities - are important objectives. Within the Cotswolds, there is an overriding statutory duty on all public bodies to have regard to the purpose of conserving and enhancing the natural beauty of the area; national planning policy complements this by giving great weight to conserving landscape and scenic beauty, not just within the AONB but also within its setting where development would affect the AONB. The statutory Cotswolds AONB Management Plan (endorsed by the District Council as supplementary guidance), the Cotswolds Conservation Board's Landscape Character Assessment, Strategy and Guidelines, Position Statements such as 'Development in the setting of the Cotswolds AONB' and 'Tranquillity and Dark Skies', together with advice from the Board are invaluable. These documents and advice are material considerations which will be taken into account in making decisions on applications affecting the AONB, along with the Council's own landscape and design guidance (see Policy OS4).

8.4 In accordance with national policy and guidance, major developments within the AONB will only be permitted in exceptional circumstances and where it can be demonstrated that they are in the public interest and meet the specific tests set out in policy and guidance. Importantly, there is no singular definition of major development and the Council will consider each case on its merits having regard to relevant factors including location, scale, context and design. In some instances, even relatively small-scale developments will be classed as major development and therefore only permitted in exceptional circumstances and where they can be demonstrated to be in the public interest.

**POLICY EHI:
Cotswolds Area of Outstanding
Natural Beauty**

In determining development proposals within the Cotswolds Area of Outstanding Natural Beauty (AONB) and proposals which would affect its setting, great weight will be given to conserving and enhancing the area's natural beauty, landscape and countryside, including its wildlife and heritage. This will include consideration of any harm to the contribution that the settlement makes to the scenic beauty of the AONB.

The Cotswolds Conservation Board's Management Plan and guidance documents are material considerations in decision making relevant to the AONB.

Major development will not be permitted within the AONB other than in exceptional circumstances, as required by national policy and guidance.

Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes and small scale renewable energy development, will be supported, provided they are consistent with the great weight that must be given to conserving and enhancing the landscape and natural scenic beauty of the area.

8.5 Natural England has undertaken a high-level assessment of the country's landscapes, identifying and describing the distinct areas and highlighting opportunities in useful profile publications. West Oxfordshire falls within two of these National Character Areas: NCA 107 Cotswolds and NCA 108 Upper Thames Clay Vales (latest profiles published March 2015 and June 2014 respectively). Complementing these profiles, a more detailed local character assessment is included in the West Oxfordshire Landscape Assessment (WOLA) which describes the landscape characteristics of different areas within the District, giving guidance on landscape enhancement, planning and development. Figure 8a shows the 13 character areas identified in the assessment.

8.6 The NCA profiles and the West Oxfordshire Landscape Assessment together with guidance in the West Oxfordshire Design Guide SPD, the Cotswolds AONB Landscape Character Assessment, Strategy and Guidelines, detailed appraisals of the landscape setting of the main towns (undertaken to inform strategic site allocations), the Historic Landscape Character Assessment (HLC) for Oxfordshire and the Oxfordshire Wildlife and Landscape Study (OWLS), should be used to inform development proposals and to ensure they respect the distinctive landscape character areas.

Figure 8a: Landscape character areas

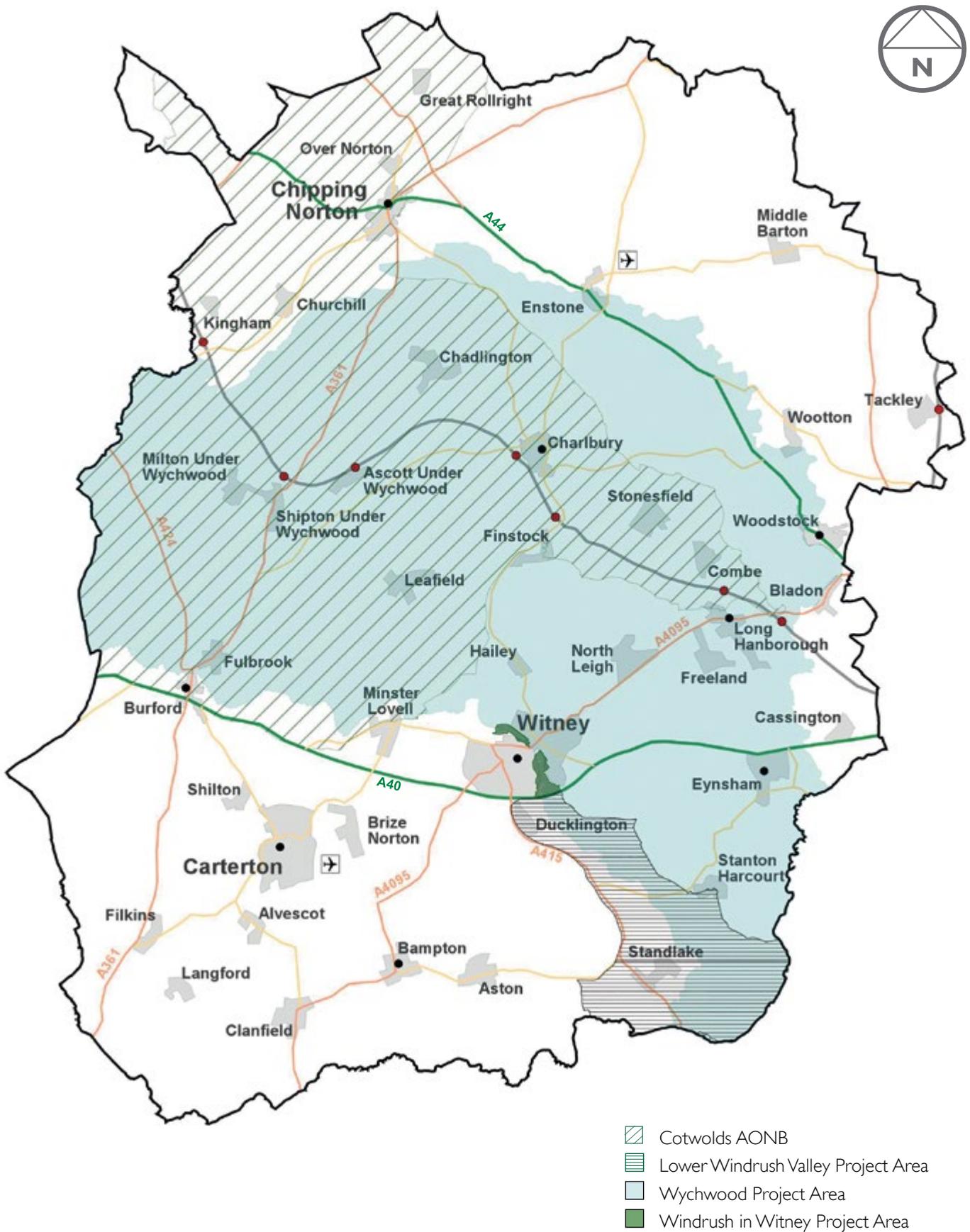


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- 8.7 A fundamental influence upon the landscape is the underlying geology and soil which in turn affect biodiversity, agricultural land quality and productivity and water management. Protecting and enhancing our soil resources is particularly important in a predominantly rural area such as West Oxfordshire, is an essential element of sustainable development and is advocated by Government (for example, in its 'Safeguarding our Soils – A Strategy for England' and through the NPPF). See also Policy OS3 on the Prudent Use of Natural Resources and Policy EH8 on Environmental Protection.
- 8.8 As one of the most wooded areas of Oxfordshire, groups and individual trees (including aged and veteran trees, often associated with historic parkland), hedgerows, coppices and woodlands make a fundamental contribution to the landscape and character of West Oxfordshire, as well as having their own intrinsic beauty and value. They add to the area's biodiversity, provide historic continuity and psychological wellbeing, soften the built environment and perform a useful role for the micro and macro climate and ecosystem, including contributing to the water and carbon cycles.
- 8.9 It is important that these existing natural features and their settings are protected, managed and, where appropriate, supplemented by new planting of local native species, at the individual site-scale through to the wider landscape-scale. As an example of an irreplaceable habitat, ancient woodland, in particular, needs special care with buffers of additional planting of native trees of at least 15 metres between woodland and development²⁷. (Figure 8f shows the distribution of Ancient Woodlands in West Oxfordshire).
- 8.10 It is not just physical features which affect landscape character; large parts of rural West Oxfordshire are noted for their peace and tranquillity. Pollution, especially noise and light, can undermine this 'unspoilt' character. Any development should maintain or improve the existing level of tranquillity. A more detailed assessment of tranquillity will be undertaken as part of the further work on West Oxfordshire's Green Infrastructure resource and will feed into any subsequent review of this Local Plan. In the interim, the CPRE's Tranquillity Map of Oxfordshire is a useful guide in assessing areas of tranquillity, as is the Cotswolds Conservation Board's Position Statement on Tranquillity and Dark Skies which provides guidance that is also applicable to those parts of the District outside of the AONB. The Rollright Stones in the north of the District are part of a network of places recognised as Dark Sky Discovery Sites.
- 8.11 In addition to more general district-wide landscape considerations, there are three areas in West Oxfordshire that are given special policy attention: the Lower Windrush Valley Project Area (an area of major landscape change associated with mineral extraction and after-uses, especially for recreation, tourism and nature conservation); the Windrush in Witney Project Area (a fundamental component of the town's attractive character); and the Wychwood Project Area (a project that aims to restore the landscape character and mix of habitats associated with the Royal Hunting Forest of Wychwood). These three areas will continue to be identified for special landscape protection, conservation and enhancement (see Figure 8b).

²⁷ Natural England Standing Advice on Ancient Woodland 2012

Figure 8b: Special landscape policy areas



POLICY EH2:

Landscape character

The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity, will be conserved and enhanced.

New development should conserve and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features and their settings, such as stone walls, trees, hedges, woodlands, rivers, streams and ponds. Conditions may be imposed on development proposals to ensure every opportunity is made to retain such features and ensure their long-term survival through appropriate management and restoration.

Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures which can be secured to the satisfaction of the Council.

Proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality, reversing existing pollution where possible.

Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project, the Windrush in Witney Project Area and the Wychwood Project Area.

Biodiversity and geodiversity

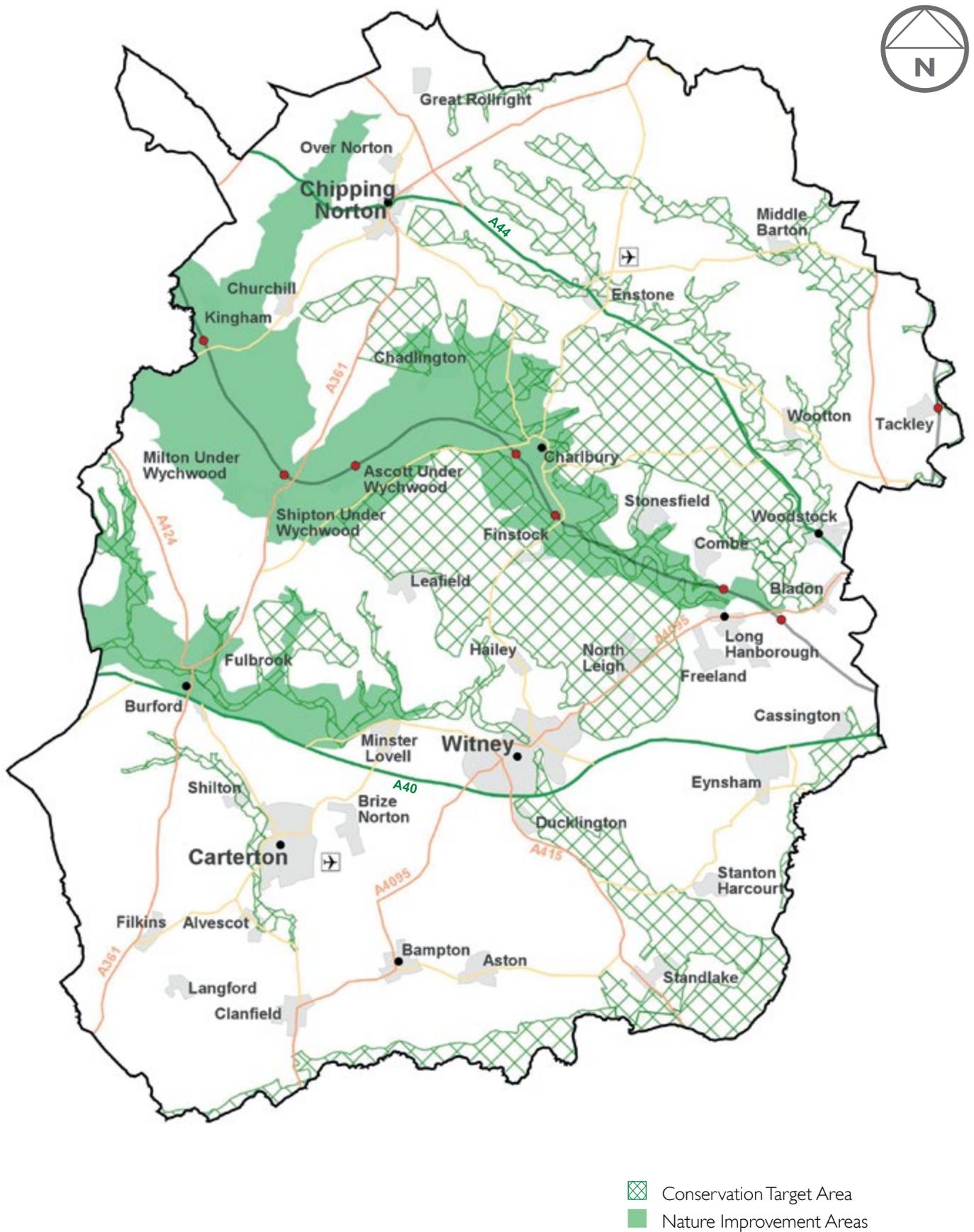
- 8.12 The landscape and biodiversity of an area are inter-related. In the same way as West Oxfordshire has a rich and diverse landscape, so too does it contain a rich variety of habitats, which support a wide range of legally protected species, priority species and other wildlife (including those listed in the NERC Act Section 41 list). Both reflect the underlying soils and geological diversity of the area. About 4% of the District's countryside falls within sites identified for their biodiversity or geological importance, including 29 Sites of Special Scientific Interest and the internationally important Cassington Meadows Special Area of Conservation (SAC), part of the Oxford Meadows SAC²⁸.
- 8.13 However, the bulk of wildlife lives outside nature reserves and specifically protected areas so, in order to meet the Government's aim of minimising impacts on biodiversity and achieving net gains and improvements for nature (helping to meet the international commitment of halting and reversing the decline of biodiversity by 2020), it is important that biodiversity is carefully considered in relation to all development proposals. British Standards BS 42020: 2013 'Biodiversity – Code of practice for planning and development', provides clear guidance on biodiversity conservation and enhancement, which the Council expects will be applied as good practice.

²⁸ The Oxford Meadows Special Area of Conservation (SAC), part of which is within West Oxfordshire's boundary, is designated by the European Commission as being of European importance for its biodiversity interest. A Habitat Regulations Assessment (HRA) concluded that in order to ensure the Local Plan will have no likely significant adverse effect on the integrity of the SAC, a partnership approach should be adopted to monitor air quality and a framework of air quality measures be adopted. The HRA identified air quality and recreational pressure as key issues. Further assessment of these issues will need to be made if more detailed proposals (for example through neighbourhood plans or a planning application) are likely to have a significant impact, in particular to ensure that there will not be any localised adverse effects resultant from construction or increased road trips within 200m of the European sites.

- 8.14 Biodiversity protection and enhancement provides clear benefits to nature but the benefits are far wider than this alone. Nature's services – using the ecosystem services approach advocated by the Government through the Natural Environment White Paper – include: cultural services to people and the economy (such as the role fulfilled by the Wychwood National Nature Reserve in terms of sense of place, recreation, tourism and education); regulating services (e.g. the water meadows along the River Thames and its tributaries providing natural flood relief and water purification and improving water quality); and provisioning services (ranging from wine and cider to food and timber production from our countryside).
- 8.15 In recognition of their wide ranging benefits, the protection of West Oxfordshire's wildlife and the conservation, enhancement and restoration of its biodiversity and geodiversity are promoted. A strategic approach is advocated, giving recognition to the contributions made by sites, areas and features, individually (following the national hierarchical approach to site and species protection²⁹) and in combination to wider ecological networks. Within the NPPF, Section 11 and Paragraph 109 and 118 are of particular relevance, along with the accompanying PPG.
- 8.16 Networks of natural habitats provide a particularly valuable resource and need protection and, where possible, reinforcement, integration and expansion, creating links between fragmented habitats to create greater coherence and resilience, not least because this will increase the opportunity for species and habitats to adapt to climate change and other pressures. Landscape features such as hedgerows, woods, rivers, meadows, ponds and floodplains can be invaluable components of these networks, providing wildlife corridors and stepping-stones in both urban and rural areas. The early identification of features of value is needed in any development proposal to ensure adequate measures are taken for their incorporation, enhancement and protection. In order to identify how such features within a development site form part of a wider ecological network, the landscape context of the site and the habitat connectivity beyond its boundaries should be taken into account.
- 8.17 A partnership of conservation bodies in Oxfordshire (formerly the Oxfordshire Nature Conservation Forum and now Wild Oxfordshire) has assessed the county's key strategic habitats and species and devised Conservation Target Areas (CTA) - see Figure 8c. These are the most important areas for wildlife conservation where targeted conservation action will have the greatest benefit. The main aim within CTAs is to restore biodiversity at a landscape-scale through maintenance, restoration and creation of UK priority habitats and areas for priority species.
- 8.18 In planning terms, CTAs can be considered as potential areas of ecological constraint and, more positively, as areas of ecological opportunity. Development proposed within or close to a CTA should identify the biodiversity constraints and opportunities and show how the proposal will help to achieve the aims of the CTA. West Oxfordshire CTAs include the Upper Windrush and Wychwood Forest.
- 8.19 The creation of coherent and resilient large scale ecological networks is being encouraged by the Government through the establishment of Nature Improvement Areas (NIAs), where the aim is to achieve significant and demonstrable enhancement through partnership working. It is intended that during the Plan period, new, locally determined, NIAs will be identified and established in the county. The CTAs, Strategic Green Infrastructure and Natural Character Areas are likely to form the core of these NIAs. The Cotswolds Ecological Networks Partnership has already identified two Cotswolds NIAs; extensive parts of West Oxfordshire are covered by the Cotswolds Valleys NIA.

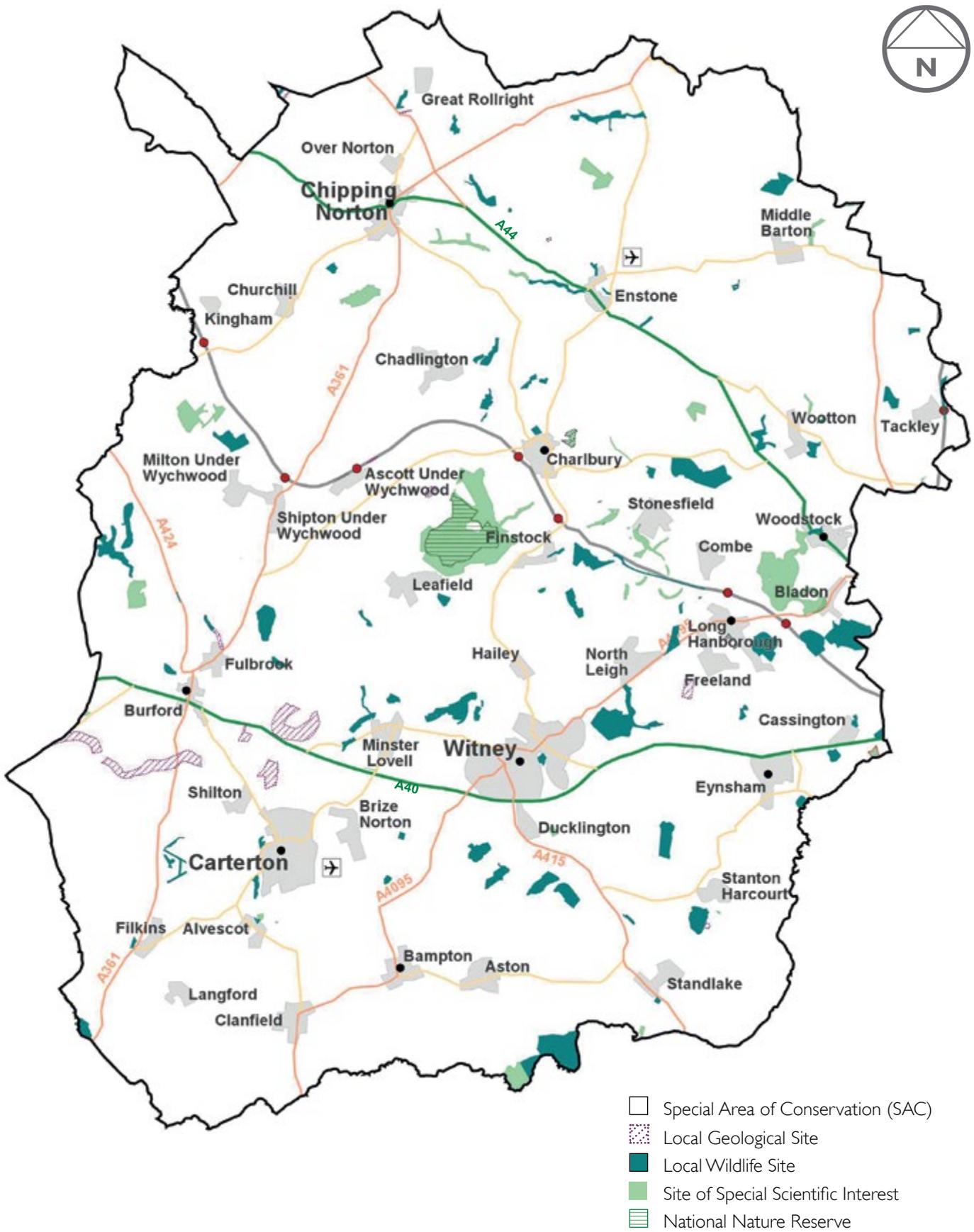
²⁹ Circular 06/2005 provides guidance in respect of statutory obligations for biological conservation and their impact within the planning system. Section 11 of the NPPF is also of particular relevance.

Figure 8c: Conservation Target Area and Nature Improvement Areas



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Figure 8d: Local ecological networks



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- 8.20 Figure 8d shows the key components of the local ecological networks, including: international, national and local sites of importance for biodiversity and geological conservation interest, and areas identified by local partnerships for habitat restoration and creation. In 2015 the important sites in West Oxfordshire included one international site (part of the Oxford Meadows Special Area of Conservation), 31 national sites (two national nature reserves and 29 Sites of Special Scientific Interest) and 123 local sites (16 Local Geological Sites, 2 Local Nature Reserves, 98 Local Wildlife sites (LWSs) and 7 proposed LWSs). The number and location of sites change over time as surveys and re-surveys take place. A living list of Local Wildlife Sites is available on the Thames Valley Environmental Records website³⁰.
- 8.21 A 'State of Nature in Oxfordshire 2017' report has been published which sets out the best information available on the state of the County's natural habitats and species, including long-term trends and more recent losses and gains. This report identifies key actions and encourages a greater collective ambition for increasing the network of wild spaces, reducing pressures on the environment, halting the loss of biodiversity in the county and achieving a clear gain in nature. A more detailed action plan is to follow.
- 8.22 Development proposals directly or indirectly affecting these and other ecologically important areas will need to be appropriately assessed and follow the mitigation hierarchy of avoidance, mitigation and compensation. As such, developments will be expected to ensure that any potential harm is avoided. However in exceptional cases when harm cannot be avoided, then the impact on biodiversity will need to be fully mitigated, and only as a last resort, compensated. Some potential areas of improvement are identified in the Infrastructure Delivery Plan (IDP). In order to ensure there is a net gain in biodiversity, the enhancement of biodiversity within developments will be a requirement, for example, habitat creation and provision of features for species.
- 8.23 Only when all methods of avoidance and on-site mitigation have been fully explored and proven to the LPA that they cannot be satisfactorily achieved on site will biodiversity offsetting be considered for an exceptional development case. Biodiversity offsetting is a mechanism used to secure compensation for the impacts of a development by creating or restoring habitats elsewhere. Not all habitats, however, can be re-created; ancient woodland, for example, is irreplaceable, having evolved over centuries, with a complex interdependency of geology, soils, hydrology, flora and fauna. Development proposals must clearly demonstrate that an overall net gain in biodiversity is being achieved. The established method for measuring this is through the use of a metric (or Biodiversity Impact Assessment calculator) based on that described in DEFRA Biodiversity Offsetting guidance or a suitably amended and recognised version.
- 8.24 In addition to the more strategic approach to habitat enhancement and creation, there are relatively small measures that can be undertaken through the development process that cumulatively will bring benefits for biodiversity, including incorporating integral bird and bat boxes into buildings, such as planting native trees, shrubs and wildflowers, planting ornamental plants with recognised wildlife value and providing wildlife friendly landscaping such as green walls, roofs and balconies. 'Biodiversity and Planning in Oxfordshire' (2014) provides valuable information, guidance and best practice for developers on a range of biodiversity issues.

³⁰ www.tverc.org

POLICY EH3:

Biodiversity and geodiversity

The biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity, including by:

- giving sites and species of international nature conservation importance and nationally important sites of special scientific interest the highest level of protection from any development that will have an adverse impact;
- requiring a Habitats Regulations Assessment to be undertaken of any development proposal that is likely to have a significant adverse effect, either alone or in combination, on the Oxford Meadows SAC, particularly in relation to air quality and nitrogen oxide emissions and deposition;
- protecting and mitigating for impacts on priority habitats, protected species and priority species, both for their importance individually and as part of a wider network;
- avoiding loss, deterioration or harm to locally important wildlife and geological sites and sites supporting irreplaceable habitats (including ancient woodland, Plantations on Ancient Woodland Sites and aged or veteran trees), UK priority habitats and priority species, except in exceptional circumstances where the importance of the development significantly and demonstrably outweighs the harm and the harm can be mitigated through appropriate measures and a net gain in biodiversity is secured;
- ensuring development works towards achieving the aims and objectives of the Conservation Target Areas (CTAs) and Nature Improvement Areas (NIAs);
- promoting the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, particularly within the CTAs and NIAs;
- taking all opportunities to enhance the biodiversity of the site or the locality, especially where this will help deliver networks of biodiversity and green infrastructure and UK priority habitats and species targets and meet the aims of CTAs;
- ensuring that all applications that might adversely affect biodiversity are accompanied by adequate ecological survey information in accordance with BS 42020:2013 unless alternative approaches are agreed as being appropriate with the District Council's ecologist;
- all major and minor applications demonstrating a net gain in biodiversity where possible. For major applications this should be demonstrated in a quantifiable way through the use of a Biodiversity Impact Assessment Calculator (BIAC) based on that described in the DEFRA Biodiversity Offsetting guidance or a suitably amended version. For minor applications a BIAC will not usually be required but might be requested at the Council's discretion;
- all development incorporating biodiversity enhancement features.

All developments will be expected to provide towards the provision of necessary enhancements in areas of biodiversity importance.

Public realm and green infrastructure

- 8.25 Green infrastructure consists of green areas in both rural and urban settings and fulfils a wide variety of environmental, social and economic functions. Green infrastructure can include nature reserves, designated sites, recreation grounds, parks and open spaces, public rights of way, allotments, cemeteries and many other green areas. Good quality, accessible space is highly valued by the public. The condition of the public realm (which includes areas as diverse as Burford High Street, Woodstock's Market Square and Langel Common in Witney) has a significant impact on the street scene and quality of life and is an important component of the visual, spatial and historic qualities that make an area special and bring neighbourhoods together, contributing to the economic and social wellbeing of an area. Often no single authority, agency or owner has control over – or responsibility for – the management of such areas. Their provision, maintenance and enhancement forms a fundamental aspect of good design (see also Policy OS4). Such areas can be further enhanced by the provision of public art projects (usually created by visual artists and craftspeople for a specific site).
- 8.26 Protecting and securing improvements to the public realm is an important component to achieving sustainable communities. The NPPF emphasises that development should promote a network of public places and green spaces which are attractive, accessible, safe, uncluttered, work effectively for all users and provide a high quality landscape/townscape. (The design section of PPG provides useful additional guidance.³¹) Further benefits come from these areas being integrated through walkways, cycleways, rights of way, open spaces and natural and green corridors.
- 8.27 Many areas within the public realm perform a wide variety of functions. This multi-functionality of space occurs especially with green space: for example by providing a wide range of ecosystem services, helping to enhance biodiversity through improved connectivity, linking urban areas to their rural hinterlands, contributing to water management, creating a sense of place, providing opportunities for exercise, active recreation and healthy living, enhancing image, and creating places where people want to invest, generating jobs and businesses. It therefore has economic and social benefits and mitigates the impact of climate change.
- 8.28 As a predominantly rural district, it is not surprising that West Oxfordshire has a wide variety of green space, albeit not all publicly accessible or only accessible along public rights of way. In order to achieve the widest range of linked environmental and social benefits, green infrastructure networks need to be planned and managed – More, Bigger, Better Managed and Joined. This will be particularly important for those areas of greatest potential change, e.g. the main towns and villages (where an accessible, green infrastructure network, close to where people live, needs to be treated as integral to the design and planning of new development) and where existing projects are already underway or emerging, e.g. the Lower Windrush Valley Project, the Cotswolds Save Our Magnificent Meadows Campaign, BBOWT's Upper Thames Living Landscape Project, RSPB's Futurescapes Initiatives, the River Windrush and Evenlode Catchment Partnership Projects and Conservation Target Areas. A Green Infrastructure Study (2011) has been undertaken for West Oxfordshire and further guidance on green infrastructure will be published, including identifying opportunities for partnership working, strengthening and reinforcing networks, enhancing connectivity (for example through the creation, restoration and enhancement of linking habitats and 'stepping stones' through the landscape) and achieving long term management. The role street trees, gardens, waterways, public parks and open space can play as part of urban green infrastructure needs to be recognised.

31 <http://planningguidance.planningportal.gov.uk/>

8.29 Given the valuable contribution trees and woodland make to the character of West Oxfordshire, tree planting and woodland creation should be an important component in protecting, reinforcing and expanding the green infrastructure network. Woodland can deliver multiple benefits, including for landscape and biodiversity, quality of life, climate change and for the local economy (timber and wood fuel markets). Tree and woodland planting should be considered in locations where in keeping with the landscape character.

8.30 The Infrastructure Delivery Plan (IDP) identifies some potential improvements to the District's network of Green Infrastructure and where appropriate, development will be required to provide or contribute towards the provision of necessary improvements.

**POLICY EH4:
Public realm and green infrastructure**

The existing areas of public space and green infrastructure of West Oxfordshire will be protected and enhanced for their multi-functional role, including their biodiversity, recreational, accessibility, health and landscape value and for the contribution they make towards combating climate change.

Public realm and publicly accessible green infrastructure network considerations should be integral to the planning of new development.

New development should:

- avoid the loss, fragmentation loss of functionality of the existing green infrastructure network, including within the built environment, such as access to waterways, unless it can be demonstrated that replacement provision can be provided which will improve the green infrastructure network in terms of its quantity, quality, accessibility and management arrangements
- provide opportunities for walking and cycling within the built-up areas and connecting settlements to the countryside through a network of footpaths, bridleways and cycle routes
- maximise opportunities for urban greening such as through appropriate landscaping schemes and the planting of street trees

- provide opportunities for improvements to the District's multi-functional network of green infrastructure (including Conservation Target Areas) and open space, (through for example extending spaces and connections and/or better management), particularly in areas of new development and/or where stakeholder/partnership projects already exist or are emerging, in accordance with the Council's Green Infrastructure Plan, its Open Spaces Strategy, Playing Pitch Strategy, Living Landscape Schemes, locally identified Nature Improvement Areas and any future relevant plans (such as Neighbourhood Plans) and programmes as appropriate
- consider the integration of green infrastructure into proposals as an alternative or to complement 'grey infrastructure' (such as manmade ditches and detention ponds and new roads)
- demonstrate how lighting will not adversely impact on green infrastructure that functions as nocturnal wildlife movement and foraging corridors.

Contributions towards local green infrastructure projects will be sought where appropriate. If providing green infrastructure as part of a development, applicants should demonstrate how it will be maintained in the long term.

Sport, recreation and children's play

- 8.31 Play parks, playing fields, country parks, sailing lakes, golf courses, allotments and the like, while primarily designed for formal and/or informal recreation purposes, all contribute to the District's open space provision and fulfil the multi-functionality of green infrastructure. Recreational open space and built facilities, such as the Carterton Leisure Centre, are also fundamental to the quality of life and wellbeing of West Oxfordshire's residents, contributing to community-life and bringing health and social benefits.
- 8.32 Local assessments of recreation provision show some inconsistency in the quantity and quality of facilities within West Oxfordshire. Given the aim of raising recreation participation levels, especially amongst young people, combined with a growing population, there is likely to be greater demand and pressure on existing facilities, giving added emphasis to the need for their retention. The general principle of protecting existing facilities is especially relevant for open spaces with recreational value in built-up areas, where demand is greatest and replacement space can be difficult to provide (see Policy EH5 Sport, Recreation and Children's Play and Policy OS5 - Supporting Infrastructure).
- 8.33 Additional provision will need to be made, both through new facilities and maximising the use of existing facilities such as in schools and village halls. We will work in partnership with schools and other organisations to make facilities available to the wider community by maximising the range, quality and effectiveness of joint use provision. The Infrastructure Delivery Plan (IDP) identifies a number of necessary improvements to sport, recreation and play facilities across the District. New development will be expected to provide or contribute towards the provision of enhancements where appropriate, having regard to the West Oxfordshire Open Space Study (2013) and Playing Pitch Strategy (2014).

POLICY EH5:

Sport, recreation and children's play

New development should not result in the loss of open space, sports and recreational buildings and land unless up to date assessment shows the asset is surplus to requirements or the need for and benefits of the alternative land use clearly outweigh the loss and equivalent replacement provision is made. Where appropriate, development will be expected to provide or contribute towards the provision of necessary improvements to open space, sports and recreational buildings and land*.

* Regard will be had to the Open Space Study (2013) and Playing Pitch Strategy (2014) for West Oxfordshire.

Decentralised, renewable and low carbon energy development

- 8.34 We have already explained how as part of the overall strategy all development will be expected to give explicit consideration to the efficient, prudent use and management of natural resources including the use of sustainable construction, minimisation of waste and recycling of waste (see Policy OS3). In line with the three-step 'energy hierarchy' (lean, clean, green) we also need to give consideration to specific proposals relating to decentralised energy supply and the use of renewable and low carbon energy. An assessment of renewable and low carbon energy for West Oxfordshire (LDA 2016) concluded that, in the short term at least, the District has the potential to deliver greater carbon savings through new renewable energy infrastructure than can be achieved through the development of new low carbon buildings.

- 8.35 As part of its response to the challenges of both climate change and the security of energy supply, the Government remains committed to increasing the use and supply of renewable and low-carbon energy, emphasising the responsibility on all communities to contribute towards energy generation from such sources. Community-led initiatives have begun to emerge locally, for example Southill Solar Community Energy, Charlbury (currently under construction) the Community Renewable Energy Strategy for Chipping Norton and Eynsham's People Power Station Project. The Council encourages and supports such schemes.
- 8.36 Community energy has the potential to deliver significant long term benefits to local communities including reduced energy bills and increased energy sustainability and security. Community energy can also help foster greater support and acceptance of renewable energy development. Developments that are genuinely led by or meet the needs of local communities will be encouraged and supported. The neighbourhood planning process provides a good opportunity for the detailed consideration of community energy schemes.
- 8.37 In addition to community energy, there are also three commercial solar farms in the District (with a combined installed capacity of 62.7 megawatt), an anaerobic digestion facility and a wide range of domestic and non-domestic, small to medium scale installations generating solar, wind, hydro and biomass renewable energy.
- 8.38 In 2016 a study was undertaken to assess the potential for further renewable and low carbon energy development in West Oxfordshire (LDA Study 2016). The study concluded that the area has capacity to deploy further renewable generation facilities but that it is important to avoid significant adverse impact upon the intrinsic character of the District, to maintain an attractive and biodiversity rich environment and to protect the distinctive qualities of the District's town and villages. The study contains detailed guidance, together with suitability maps for wind power and solar farms, which can be used to help achieve this.
- 8.39 Renewable and low carbon technologies occur at a wide range of scales with different characteristics affecting the relative impacts upon amenity and the natural and historic environments. Given the rich natural and historic environment of West Oxfordshire, the effect on landscape, visual, heritage and biodiversity are important considerations and need to be considered alongside the potential local economic and community benefits. The study found that environmental constraints on large-scale wind and technical constraints on district heating and energy from waste mean that to achieve significant levels of renewable energy generation, the focus will need to be on small to medium scale technologies. The use of energy storage should also be considered favourably given that it will facilitate the development of renewable energy technology across the wider electricity distribution network.
- 8.40 In 2015 a Written Ministerial Statement (WMS) 'Local Planning' makes clear that for wind energy proposals, involving one or more wind turbines, planning permission should only be granted if:
- the development site is an area identified as suitable in a Local or Neighbourhood Plan; and
 - following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.' (WMS, HCWS42).

- 8.41 Also in 2015, a WMS (HCWS488) included a statement about solar energy, stating that ‘any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence.
- 8.42 The LDA Study uses a Landscape Character Assessment as the basis for identifying areas that are ‘more suitable’ and ‘less suitable’ for wind and also for solar power and concludes that, while there are areas of the District that potentially may be suitable (subject to a finer grain analysis, for example, considering scale, design and micro-siting), no work has been undertaken to demonstrate an assessment of impact upon local communities or to establish local backing. In addition, due to lack of information on Grade 3a/b agricultural land classification, further detailed assessments of agricultural land quality will be required. The Local Plan does not, therefore, identify suitable sites for wind or solar energy. The LDA Study provides useful guidance, especially for local communities wishing to investigate suitable sites for renewable energy through neighbourhood planning. Further guidance on solar energy is also available in Oxfordshire County Council’s Position Statement on Proposals for Solar PV Arrays which seeks to ensure that such proposals are appropriately sited, respect local landscape, heritage and visual amenity, mitigate transport impacts and take account of opportunities to enhance biodiversity.
- 8.43 When assessing proposals for renewable energy the cumulative impacts of existing operational consented and proposed developments will need to be considered and, if necessary, suitable mitigation measures proposed, to minimise impacts on biodiversity and landscape character and quality. Applicants will need to demonstrate that cumulative effects do not become a significant or defining characteristic of the wider landscape. Special attention and protection will, in particular, need to be given to the landscape and biodiversity of the Cotswolds AONB, the Lower Windrush Valley Project, the Windrush in Witney Project and the Wychwood Project Area.
- 8.44 In the Cotswolds AONB small scale renewable energy development is encouraged both by the Council and by the Cotswolds Conservation Board, provided it is consistent with the great weight that should be given to conserving and enhancing the landscape and scenic beauty of the area. In 2014 the Board published a Renewable Energy Position Statement which expands upon policies in the Cotswolds AONB Management Plan 2012-18 and includes guidance on where renewable energy developments should be located.
- 8.45 The Board recognises that different forms of renewables require different infrastructure, which in turn has different landscape and other implications; what might be appropriate development within the AONB and its setting must be based on full account being taken of the likely impacts, through the production of thorough landscape and visual impact assessments and environmental impact assessments, as necessary. In addition, applications should include an assessment of:
- The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.
 - The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way.
 - Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 8.46 In West Oxfordshire there has been a high take up of the Government’s financial incentives for renewable heat installations. This may be a reflection of the environmental and technical constraints on larger scale renewable developments in the District and that 15-30% of households are not connected to the gas network. Proposals for small scale renewable heat installations, particularly those making use of local biomass fuel source, will continue to be supported.

8.47 The County has a large number of small woodlands. These, together with larger woodlands and estates in West Oxfordshire and the growing of short rotation coppice, should be capable of supplying enough biomass to expand the existing but small local wood fuel industry. Not only will this provide renewable, low carbon energy, there will also be local environmental and economic benefits. Further work is underway to stimulate demand and develop local, sustainable supply chains through a West Oxfordshire Woodfuel Network and a countywide Community Woodfuel Programme.

8.48 Biomass might be used in small scale power stations or District Energy Schemes. The LDA Study concluded that, whilst retrofitting a network is currently unviable, there may be opportunities for district heating in new development, where the necessary infrastructure such as underground pipework can be laid whilst major construction is underway. A study by CAG into renewable energy in West Oxfordshire and Cherwell (the CAG Study 2009) concluded that decentralised energy systems are likely to become increasingly important, especially within the larger allocated strategic sites. They recommend that feasibility assessments should be undertaken for larger sites in the Districts to encourage the provision of decentralised energy systems, as allowed for by Section 1(a) and (b) of the Planning and Energy Act 2008. Given the wider local benefits, the use of woody biomass should, in particular, be investigated. The Cherwell Local Plan 2011-2031 adopted CAG's recommended policy approach in 2015, including in relation to decentralised energy; Policy EH6 provides a consistent approach between neighbouring authorities.

POLICY EH6: Decentralised and renewable or low carbon energy development (excepting wind turbines)

In principle, renewable and low-carbon energy developments, especially run-of-river hydropower and the use of biomass will be supported. Battery energy storage developments that aid the deployment of renewable and low carbon development across the wider electricity network will generally also be supported.

Renewable or low-carbon energy development should be located and designed to minimise any adverse impacts, with particular regard to conserving the District's high valued landscape and historic environment. In assessing proposals, the following local issues will need to be considered and satisfactorily addressed:

- impacts on landscape, biodiversity, historic environment, agricultural land, residential amenity, aviation activities, highway safety and fuel/energy security, including their cumulative and visual impacts;
- opportunities for environmental enhancement. Environmental enhancements, in addition to those required to mitigate and compensate any adverse impacts, will be sought, especially where they will contribute to Conservation Target Areas and Nature Improvement Areas;
- potential benefits to host communities (including job creation and income generation).

Any proposals for a solar farm involving best and most versatile agricultural land would need to be justified by the most compelling evidence which demonstrates why poorer quality land has not been used in preference to best and most versatile agricultural land.

Developments that are led by or meet the needs of local communities will receive particular support when considering the merits of renewable energy developments. Applicants should submit a written agreement between the applicant and a community energy enterprise demonstrating that the benefits of all or part of the project will flow to the community for the lifetime of the project.

The use of decentralised energy systems, including Combined Heat and Power (CHP) and District Heating (DH), especially woody biomass fuelled, will be encouraged in all developments.

An energy feasibility assessment or strategy which assesses viability and practicability for decentralised energy systems, including consideration of the use of local wood fuel biomass and other renewable energy initiatives will be required for:

- proposals on strategic development areas (SDAs)
- all residential development for 100 dwellings or more
- all residential developments in off-gas areas for 50 dwellings or more.
- all non-domestic developments above 1000m² floorspace

Where feasibility assessments demonstrate that decentralised energy systems are practicable and viable, such systems will be required as part of the development, unless an alternative solution would deliver the same or increased energy benefits.

Detailed guidance on renewable and low carbon energy technologies in West Oxfordshire, which includes information on submission requirements, national policy considerations and good practice, is published in a West Oxfordshire Renewable and Low Carbon Energy Guidance and Landscape Capacity Study.

Water and flood risk

- 8.49 Water is a precious and finite resource. There is a need to protect not only the sources of water (both surface and underground) and the quality of water, but also the general environment associated with the water system.
- 8.50 The use of policies in this Local Plan (e.g. on environmental protection, green infrastructure, biodiversity and sustainable construction) and adherence to national guidance and policy will assist in achieving the objectives of the Water Framework Directive and actions of the Thames River Basin Management Plan, particularly the requirement to protect and improve the status of water bodies, including their ecological value.
- 8.51 The Council is working with other partners as part of Defra's catchment based approach to improving the quality of the water environment. West Oxfordshire falls within two catchment areas: the Evenlode and the Windrush.
- 8.52 The River Thames and its tributaries contribute to the character and local distinctiveness of the District and provide a valuable resource for wildlife, fisheries, landscape, tourism, public access and water related activities. Development that would have an adverse impact on this resource will be resisted.
- 8.53 Historically, settlements have tended to locate within river corridors, using the river as a source of water, food, transport and energy (the River Windrush, for example, was fundamental to Witney's blanket industry). After heavy rain, however, many of these water courses flood. Flooding from surface water drainage, ground water and sewers also occurs. A Level 1 Strategic Flood Risk Assessment (SFRA) was produced in 2009, in conjunction with the Environment Agency, to provide information on flooding in West Oxfordshire and include an assessment of the likelihood of additional flooding as a result of climate change. There have since been a number of changes to planning guidance, updates in flood information and new risk data. In 2016 the Level 1 SFRA was revisited.

- 8.54 A Level 2 SFRA for Witney has been produced in relation to the north Witney Strategic Development Area (SDA) and West End Link providing further detail on flood risk in the town. A countywide study has also been undertaken into flooding from surface runoff, groundwater and ordinary watercourses: the Oxfordshire Preliminary Flood Risk Assessment. This has fed into the Oxford Local Risk Management Strategy.
- 8.55 In terms of development in flood risk areas, a sequential, risk-based approach will be followed, steering vulnerable development to areas at lower risk of flooding taking account of climate change. (The Government has published technical guidance, alongside the NPPF, giving further advice on flood risk. Much of this is summarised in the West Oxfordshire Level 1 SFRA 2016.) Inappropriate development will not be allocated or permitted in flood risk zones 2 and 3 (which have higher probability of flooding), areas at risk of surface water flooding or areas with a history of groundwater flooding, or where it would increase flood risk elsewhere, unless there is over-riding need (that cannot be met in any other way), an absence of suitable alternatives and flood risk can be satisfactorily addressed.
- 8.56 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding³². Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.
- 8.57 For the Exception Test to be passed:
- a) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by the Strategic Flood Risk Assessment; and
 - b) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.58 Both elements of the test will have to be passed for development to be allocated or permitted.
- 8.59 All development at risk of flooding will require a flood risk assessment and must be designed to be flood resilient and resistant, for example, through raising floor levels, designing buildings to withstand the effects of flooding and achieve safe access and escape routes. Section 7 of the 2016 SFRA contains a useful Flood Risk Assessment Checklist and Section 8 addresses managing and mitigating flood risk.
- 8.60 Development should not result in an increase in surface-water run-off and, where possible, should demonstrate betterment in terms of rate and volumes of surface water. National advice, the SFRA and the West Oxfordshire Design Guide provide guidance on the use of Sustainable Drainage Systems (SuDS): drainage systems that mimic natural patterns and can ease surface water run-off, helping to avoid soil erosion, control pollution, improve water quality, reduce pressures on sewer infrastructure and enhance biodiversity. In 2014 the Government made clear that it expected SuDS to be provided in all new development, being given particular priority for developments in areas at risk of flooding.

32 The procedure for applying the sequential test to individual applications is set out in the Environment Agency's publication 'Demonstrating the Flood Risk Sequential Test for Planning Applications', April 2012

8.61 The use of SuDS will be required as part of all major development, unless demonstrated to be inappropriate. An important consideration in the provision and design of SuDS is that there are clear arrangements in place for ongoing maintenance. Advice should be sought from Oxfordshire County Council, the relevant lead local flood authority.

8.62 The need for water management is especially relevant for West Oxfordshire, not just associated with the issue of flood risk (as exemplified by the summer floods of 2007) but equally water scarcity at times of drought. The District lies within an area of 'serious' water stress where there are limited water resources and yet a high and growing demand for water. This has been confirmed in evidence prepared in support of the Local Plan³³. Policy OS3 - Prudent Use of Natural Resources seeks to maximise the efficient use of water including application of the optional building regulation regarding water efficiency. The implementation of this requirement is supported by the Environment Agency.

POLICY EH7:

Flood risk

Flood risk will be managed using the sequential, risk-based approach, set out in the National Planning Policy Framework, of avoiding flood risk to people and property where possible and managing any residual risk (taking account of the impacts of climate change).

In assessing proposals for development:

- the Sequential Test and, if necessary, the Exception Test will be applied;
- all sources of flooding (including sewer flooding and surface water flooding) will need to be addressed and measures to manage or reduce their impacts, onsite and elsewhere, incorporated into the development proposal;
- appropriate flood resilient and resistant measures should be used;
- sustainable drainage systems to manage run-off and support improvements in water quality and pressures on sewer infrastructure will be integrated into the site design, maximising their habitat value and ensuring their long term maintenance;
- a site-specific flood risk assessment will be required for all proposals of 1ha or more and for any proposal in Flood Zone 2 and 3 and Critical Drainage Areas;
- only water compatible uses and essential infrastructure will be allowed in a functional flood plain (Flood Zone 3b);
- land required for flood management will be safeguarded from development and, where applicable, managed as part of the green infrastructure network, including maximising its biodiversity value.

³³ West Oxfordshire Water Cycle: Phase 1 Scoping Study (AECOM 2016)

Environmental protection

8.63 Protection of the area's high environmental quality is an important objective of the Local Plan. Overall, air and water quality are generally good in West Oxfordshire and land contamination limited. In addition, the rural nature of the District means there are still areas of relative tranquillity and low levels of light pollution. Development has, however, the potential to affect the quality of land, soil health, air and water which, in turn, can impact upon public health and quality of life. New development, therefore, needs to be appropriate for its location and take into account known risks and the effects of pollution on health, the natural environment and general amenity.

Air quality

8.64 While in general West Oxfordshire's air quality is good, there are specific areas experiencing problems, mainly attributable to road transport. Addressing air quality issues is, therefore, complementary to the aim of reducing the need to travel, achieving a modal shift towards walking and cycling (with added physical and mental health benefits), a reduction in transport emissions and addressing climate change. Poor air quality is linked to respiratory illness, heart disease and asthma.

8.65 When assessing development proposals, consideration will be given to the impact of the development on the air quality by both the operational characteristics of the development (industrial, commercial and domestic) and the traffic generated by it. The cumulative impact of development will also need to be assessed. Regard will be had to the National Air Quality Strategy objectives. Local air quality reviews have resulted in the designation of two Air Quality Management Areas in the District, each with an Action Plan: one at Chipping Norton and one at Witney. The Habitats Regulation assessment for the Local Plan has identified air quality as a significant issue in relation to the internationally important Oxford Meadows Special Area of Conservation (see also Policy EH3 - Biodiversity).

8.66 The Council is committed to working with other local authorities, land managers, and strategic highway authorities to develop a framework by which air quality measures can be linked to monitoring of the air quality in the Oxford Meadows SAC before, and for a number of years after, introduction of the measures, such that further measures can be devised if the air quality does not improve.

Contaminated land

8.67 As West Oxfordshire was not an area of widespread heavy industry, contamination of land is not a major issue. In the few areas where contamination has occurred (for example associated with the former blanket industry and landfill sites), it could pose a threat both to the health of future users of the site and to the surrounding environment, especially if redevelopment takes place. Few sites are so badly contaminated that they cannot be reused. The level of remedial action required for such sites needs to be sufficient to overcome any acceptable risks to health or the environment, taking into account the actual or intended use of the site.

8.68 Contamination of land can also have an impact on water quality. The Environment Agency will seek appropriate controls to protect the water environment, in particular with the Source Protection Zone for Chipping Norton. Where development is proposed on contaminated land, the Agency will expect the developer to undertake site investigations to assess the nature and extent of contamination and cover the costs of any appropriate sustainable mitigation or remedial measures.

Soil

8.69 As a largely rural district, the sustainable management of our soils is especially pertinent. Soil is a fundamental natural resource, providing many essential services, including food production, water management and support for valuable biodiversity and ecosystems. It also plays a vital role in climate change, storing carbon. The NPPF and Policy OS3 advocate the prudent use of natural resources including soils. (Defra's Code of practice on

the sustainable use of soils provides advice to the construction sector on the protection of soil resources.) In addition, Policy EH8, in addressing pollution, also relates to the need to consider soil pollution. New and existing development should not contribute to or be put at unacceptable risk from, or be adversely affected by, unacceptable levels of soil pollution.

Hazardous substances, installations and airfields

- 8.70 West Oxfordshire has a number of installations handling notifiable substances, including high-pressure natural gas transmission pipelines. They are subject to stringent controls under Health and Safety legislation. New development will be carefully controlled in the vicinity of these installations, taking full consideration of advice from the Health and Safety Executive.
- 8.71 There are a number of existing airfields within and adjoining West Oxfordshire. The Civil Aviation Authority (for Oxford Airfield at Kidlington) and the Ministry of Defence (for RAF Brize Norton) have identified safeguarding areas around the airfields and provide advice on the types of development which might have an adverse effect upon aviation operations, such as wind turbines (an Airport Wind Turbine Safeguarding Zone covers the whole of West Oxfordshire), high buildings, increased lighting and developments which have the potential to increase the bird hazard risk.

Artificial light

- 8.72 External lighting can perform a wide variety of functions ranging from floodlighting of sporting activities, to illuminating important buildings, to improving highway safety. These needs for lighting should be balanced, particularly in rural areas, against any adverse impact lights might have on the visual character of the area, the 'night sky', nature conservation or the reasonable living conditions of local residents. This is an important consideration for the Chipping Norton area due to the designation of the Rollright Stones as a Dark Sky Discovery Site. (See also Policy EH2).

Noise

- 8.73 Noise can have an adverse effect on the environment and on the health and quality of life enjoyed by individuals and communities. Although West Oxfordshire is a largely rural area, noise pollution is still an issue locally. For example, the active military airport of RAF Brize Norton and busy roads, such as the A40, are two sources of significant noise disturbance. Wherever possible, significant and intrusive sources of noise should be kept away from property and areas sensitive to noise. Where segregation is not possible, noise nuisance can be reduced through mitigation measures (eg. bunding).

Water resources

- 8.74 Rivers, lakes and ponds are sources of water supply but also important resources for nature conservation, fisheries, navigation, amenity and leisure. All these uses can be seriously affected by pollution. The environment associated with water bodies can be a sensitive area where the harmful effects of development are usually irreversible. In such areas, development which would have an adverse impact upon the environment will not be acceptable.
- 8.75 The geology of West Oxfordshire means that, in addition to surface water bodies, large areas of the District contain aquifers which are especially important in terms of groundwater as a source of drinking water, but also for their role in supporting surface water flows and wetland ecosystems. The threats to groundwater can be particularly severe. The Environment Agency publishes maps showing the Aquifer and Groundwater Protection areas and their vulnerability to contamination. The protection of these sensitive aquifers, and in particular the Source Protection Zone for Chipping Norton potable water abstraction, needs to be achieved at all times. The West Oxfordshire Level 1 Updated Strategic Flood Risk Assessment (AECOM2016) and the West Oxfordshire Water Cycle Study: Phase 1 scoping study (AECOM 2016) provide further information and guidance in relation to the water environment.

POLICY EH8: **Environmental protection**

Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

Air quality

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton. Where appropriate, developments will need to be supported by an air quality assessment.

Contaminated land

Proposals for development of land which may be contaminated must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

Hazardous substances, installations and airfields

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

Artificial light

The installation of external lighting and lighting proposals for new buildings, particularly those in remote rural locations, will only be permitted where:

- the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- the elevations of buildings, particularly roofs, are designed to limit light spill;
- the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.

Noise

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

Water resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features.

Waste

Proposals for development that make provision for the management and treatment of waste will need to be in accordance with the Oxfordshire Minerals and Waste Local Plan.

Minerals

- 8.76 The Upper Thames Valley and its tributaries, particularly the Lower Windrush Valley, has been a major producer of sharp sand and gravel. Elsewhere in the District quarrying of rock takes place. Extensive areas of sand and gravel remain but, as a finite resource, it is essential these minerals are used efficiently, especially as, lying within historically important and biodiversity rich areas their exploitation has a major impact upon the quality of life of local communities and the environment in general and in particular on the water environment with regard to loss due to evaporation. Increased emphasis must be placed upon more sustainable construction methods including the use of alternatives to primary land-won aggregates.
- 8.77 The future minerals strategy for Oxfordshire is being pursued by the County Council through its Minerals and Waste Local Plan. We will continue to engage with the County Council in relation to this issue. In accordance with national policy, we will consult Oxfordshire County Council in relation to development proposals within the defined 'Mineral Consultation Area' that runs across the south of the District. This is shown on the Key Diagram and Proposals Map.

Waste

- 8.78 Oxfordshire County Council is the Mineral and Waste Planning Authority. Planning control over waste management development is a County Council function with such developments covered by the Minerals and Waste Local Plan. The national strategy for waste management is that, in order of preference, waste should be reduced, re-used, recycled, recovered and lastly disposed of through landfill. As part of sustainable construction, considerations should be given to the waste hierarchy during the design and construction of new development, for example, waste minimisation and re-use and recycling of waste materials, and when the site is occupied, making space available for home-composting and storage of recycling bins (Policy OS3).
- 8.79 There is a significant need for expanded reuse, recycling and composting facilities to reduce the quantities of waste disposed through landfill. Waste management facilities outside the main landfill site in the District (Dix Pit) and the anaerobic digestion facility at Cassington (where bacteria breaks down organic material, such as householder food waste, into constituent parts, the gaseous component of which is captured and burnt for energy, whilst the remaining solid organics are utilised as fertiliser) are expected to be small-medium in scale providing local facilities only. There is an identified need for a non-strategic waste management facility in or close to Witney and a small scale facility in or close to Chipping Norton.
- 8.80 The need for and location of new waste management facilities will be addressed through the County Council's Minerals and Waste Local Plan. Some new facilities may be satisfactorily accommodated on existing employment sites.

Historic environment

8.81 West Oxfordshire is fortunate to benefit from an extremely rich and varied historic environment. This plays a key role in defining the distinctive character of the District and the individuality of its settlements, contributing greatly to the area’s culture, economy and tourism and to the overall quality of life enjoyed by current and future generations. The historic environment is not limited to the built environment and archaeological sites, but includes landscapes, both rural and urban, identified as having a degree of significance by virtue of their historic, archaeological, architectural, cultural or artistic interest: all contribute to local identity.

Heritage assets

8.82 Features of heritage interest including buildings, monuments, sites, places, areas and landscapes and their settings are referred to as ‘heritage assets’. The heritage assets of West Oxfordshire are highly distinctive, possessing characteristics deriving from the history, geology and landform of the District, and together contributing to a strong and tangible sense of place. The assets take many forms: buildings and areas of built development, constructed of local limestone or ironstone and following local vernacular traditions; Conservation Areas, from well-preserved ‘wool’ market towns to small, dispersed villages; historic parks and gardens including nationally important 18th-century landscapes; and both above and below ground archaeological remains. The West Oxfordshire Design Guide, Landscape Assessment, Conservation Area Appraisals and Historic Landscape Characterisation studies provide further analysis of the District’s character.

8.83 Heritage assets may be classed as ‘designated’ or ‘non-designated’. Designated heritage assets have statutory protection and/or are a material planning consideration when determining planning applications. These include Conservation Areas, Scheduled Monuments, Listed Buildings and World Heritage Sites.

8.84 Designated heritage assets in West Oxfordshire include the Blenheim World Heritage Site, almost 3,200 Listed Buildings (2934 of Grades II interest, 211 Grade II* and 43 Grade I), 50 Conservation Areas, 149 Scheduled Monuments and 12 Registered Historic Parks and Gardens (see Figure 8e). The importance of these assets is inherent in their designation, and some features of the assets form part of the designation record. Figure 8f shows the distribution of designated heritage assets within West Oxfordshire (but excludes listed buildings). These are all listed in the Oxfordshire Historic Environment Record (HER).

Figure 8e: Registered Parks and Gardens of special historic interest

Blenheim Palace	I
Chastleton House	II*
Cornbury	II*
Cornwell Manor	II
Ditchley	II*
Eynsham Hall	II
Great Tew	II
Heythrop	II*
Kelmscott Manor	II
Kiddington Hall	II
Rousham	I
Sandford Park	II
Sarsden House	II*
Shipton Court	II
Swerford	II
Tackley	II*

Figure 8f: Designated heritage assets in West Oxfordshire



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8.85 Non-designated heritage assets do not have statutory protection, but nonetheless represent a crucially important aspect of the District's heritage, and play a defining role in the local character of an area. Those non-designated heritage assets of particular local importance, e.g. those that make a fundamental contribution, both individually and collectively, to the distinctive and special character and appearance of the area in which they are located (in terms of their siting, design and use of materials) are known as 'locally listed buildings'. Many of these buildings have been identified within conservation areas as part of Conservation Area Appraisals, taking account of a range of criteria, such as age, historic interest, building materials, architectural quality, original features of note and the contribution they make to their immediate and wider setting.

8.86 The Council's rolling programme of undertaking further appraisals, along with for example those that come to light through planning applications, is likely to increase the number of locally listed buildings in the District. Details of non-designated assets, including non-scheduled archaeological sites, non-nationally important archaeological remains, non-listed buildings and non-Registered Historic Parks and Gardens, are held on the Oxfordshire Historic Environment Record (HER).

Conserving and enhancing the historic environment in West Oxfordshire

8.87 Conserving and enhancing the historic environment is a critically important part of sustainable development and a key element of this Local Plan. Heritage assets whether designated or non-designated are irreplaceable features of the historic environment, whose effective conservation and enhancement delivers a wide range of social, cultural, economic and environmental benefits. At the national level there is a presumption that heritage assets will be conserved and enhanced in a manner that is appropriate to their significance and also enjoyed for the quality of life they bring to current and future generations³⁴.

8.88 This general principle of conservation and enhancement will apply in West Oxfordshire. When considering development proposals there will therefore be a strong presumption in favour of protecting, sustaining and enhancing the significance of our heritage assets and their settings. The weight to be attached to that presumption, when assessed against meeting other needs, will be dependent on a variety of factors, including:

- The significance of the heritage asset: whether it is a designated heritage asset (and its position in the hierarchy of designated assets) or a non-designated heritage asset; and
- The contribution of that part of the asset to be affected by the proposed development to the significance of the heritage interest, appearance and setting of the asset as a whole.

34 Section 12 of the NPPF and national guidance, for example, from Historic England, Natural England and the Commission for Architecture and the Built Environment, are particularly relevant.

The importance of setting

8.89 The setting of a heritage asset, i.e. the surroundings within which it is experienced, can be an important element of its significance. Views of and from an asset will contribute to this but setting is also influenced by other environmental factors such as noise, vibration, smell and lighting from other nearby land uses. The historic relationship between places can also influence the setting. For example, the buildings in Witney associated with the blanket industry and wool trade are not all visible from each other yet nonetheless have a historic connection that affects the significance of each. When assessing development proposals within the setting of a heritage asset, careful consideration must be given to the effect on the significance of the asset(s), including the implications of cumulative change.

Determination of planning applications involving heritage assets

8.90 In order to enable the Council to positively manage change by determining the appropriate balance between the need for any proposed development and the need to safeguard the heritage asset and its setting, developers will be required to analyse the significance of the asset, and of that part to be affected, and to provide detailed evidence to show that:

- The proposals have been formulated and any works designed with a full and proper understanding of the significance of the heritage asset and its setting and the effect of the proposals on that significance;
- The heritage asset is being put to the optimum viable use consistent with its physical conservation, and the conservation of its character and setting;
- Opportunities to sustain, enhance, to better reveal or avoid or minimise harm to the significance of the asset have been taken; and
- The need to be met by the development could not be met in a more beneficial or less harmful way.

8.91 As a general principle, in assessing the impact of a proposed development on the significance of a heritage asset, the more important the asset, the greater the weight given to its conservation. The optimum situation is for proposed development not to cause any harm to the significance of a heritage asset. For designated heritage assets, all levels of harm, including total destruction, minor physical harm, and harm through change to setting should be avoided. Harm to designated heritage assets should only be permitted where there is clear and convincing justification for that harm on the grounds of public benefits that outweigh that harm. Planning judgements related to designated and non-designated assets will be made in accordance with national planning policy as set out in paragraphs 128 - 140 of the NPPF. In the event of an unavoidable conflict between development and harm, there will need to be a balancing exercise, assessing public benefits against harm. Even in these circumstances, the presumption is in favour of avoidance of harm to the asset.

8.92 Substantial harm to, or total loss of, the significance of a designated asset would only be approved in exceptional circumstances (or wholly exceptional circumstances in the case of higher grade assets), and if substantial public benefits can be demonstrated that outweigh the harm or loss or all four tests set out in the NPPF can be met, namely:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

- 8.93 A key factor in determining what constitutes substantial harm is if the adverse impact goes to the heart of why an asset is worthy of designation and, thus, special protection.
- 8.94 Information submitted in support of development proposals affecting heritage assets in West Oxfordshire should include reference, where available, to the 'historic environment record' including: National Lists of designated assets and their descriptions; the Council's Conservation Area Appraisals and the West Oxfordshire Design Guide; the County Historic Landscape Character Area Assessment; known archaeological sites and monuments kept by the Oxfordshire County Council; local consultations, and detailed exploratory and survey work, including archaeological field evaluations and building recording, as appropriate. The amount of information to be provided should be proportionate to the significance of the asset and the degree of impact of the proposed development on that significance.
- 8.95 Where permission is granted for development that would affect a heritage asset, conditions may be imposed to require a record to be made of the part of the asset to be affected, and of any archaeology or historic fabric revealed in the course of development. The record and any recovered archaeological artefacts will need to be maintained to contribute to knowledge and understanding of the asset.

Stewardship of heritage assets – securing their upkeep

- 8.96 In 2016 there were 12 higher grade heritage assets (2 place of worship and 10 archaeology entries) within the District identified on the Historic England Heritage at Risk Register as being at risk of being lost through neglect, decay or other threats (a reduction from 23 on the register in 2014). The Council will monitor buildings or other heritage assets at risk and proactively seek solutions.
- 8.97 Sustainable development means safeguarding and seeking improvements to the quality of this historic environment and its heritage assets for this and future generations. One of the best ways to secure the upkeep of many heritage assets is to keep them in active, viable and appropriate use, where this can be achieved without causing harm to the character, fabric or setting of the heritage asset, and where a positive contribution to local character and distinctiveness can be successfully maintained. This 'constructive conservation approach' requires a thorough understanding of what makes a site important, and collaborative working between the local authority, owners, local community, developers, architects and other specialists (such as Historic England), in order to manage change in the most appropriate way.

8.98 Given the District's rich historic environment, the Council has had many years of experience working positively and constructively with key partners, ranging from integrating major new development into environmentally sensitive sites (such as The Woolgate and Marriott's Walk in Witney), through to guiding homeowners on alterations to their historic buildings. Early discussions at pre-application stage or in site allocation are an important component of this constructive approach and also help in identifying any information likely to be required in support of a proposal, including the preparation of a heritage statement.

8.99 Policy EH9 sets out the Council's overall approach to the District's historic environment. Policies EH10-EH16 relate to specific aspects and/or heritage assets of this environment. For each of these aspects or assets, development proposals will need to be considered against Policy EH9 as well as the relevant specific policy. (Policies for the sub-areas also identify relevant heritage consideration where appropriate.)

The Council's aim to conserve and enhance the historic environment and local distinctiveness, and to positively manage change, will be delivered through a range of proactive measures to improve the understanding of the District's historic environment, including:

- a programme of Conservation Area Appraisals, reviews and management plans
- designating new Conservation Areas where appropriate
- finding solutions for those heritage assets at risk and reducing the number on the 'Heritage at Risk' Register
- identifying further non-designated heritage assets, publishing local lists and keeping them under review
- making information about the significance of the historic environment more publicly accessible
- monitoring and updating the West Oxfordshire Design Guide SPD
- making use of Article 4 Directions to protect areas where there is clear justification to introduce stricter controls
- assisting in the implementation and monitoring of the Blenheim Palace World Heritage Site Management Plan

POLICY EH9: **Historic environment**

All development proposals should conserve and/or enhance the special character, appearance and distinctiveness of West Oxfordshire's historic environment, including the significance of the District's heritage assets, in a manner appropriate to their historic character and significance and in a viable use that is consistent with their conservation, in accordance with national legislation, policy and guidance for the historic environment.

In determining applications, great weight and importance will be given to conserving and/or enhancing the significance of designated heritage assets, including:

- the outstanding universal values for which Blenheim Palace and Park is inscribed as a World Heritage Site (WHS), as guided by its WHS Management Plan (see also Policy EW9);
- the special architectural and historic interest of Listed Buildings, with regard to their character, fabric and their settings;
- the special architectural and historic interest, character and/or appearance of the District's Conservation Areas and their settings, including the contribution their surroundings make to their physical, visual and historic significance;
- the special archaeological and historic interest of nationally important monuments (whether Scheduled or not), both with regard to their fabric and their settings;
- the special cultural, architectural and historic interest of Registered Parks and Gardens, including the contribution their surroundings make to their physical, visual and historical significance.

Significant weight will also be given to the local and regional value of non-designated heritage assets, including non-listed vernacular buildings (such as traditional agricultural buildings, chapels and mills), together with archaeological monuments that make a significant contribution to the District's historic environment.

All applications which affect, or have the potential to affect, heritage assets will be expected to:

- a) use appropriate expertise to describe the significance of the assets, their setting and historic landscape context of the application site, at a level of detail proportionate to the historic significance of the asset or area, using recognised methodologies and, if necessary, original survey. This shall be sufficient to understand the potential impact of the proposal on the asset's historic, architectural and archaeological features, significance and character;
- b) demonstrate that the proposal would, in order of preference:
 - avoid adverse impacts on the significance of the asset(s) (including those arising from changes to their settings) and, wherever possible, enhance or better reveal the significance of the asset(s);
 - minimise any unavoidable and justified (by the public benefits that would accrue from the proposed development – see below) adverse impacts and mitigate those impacts in a manner proportionate to the significance of the asset(s) and the nature and level of the impact, investigate and record changes to or loss of physical fabric, features, objects or other remains and make the results publicly available.
- c) demonstrate that any new development that would result in the unavoidable and justified loss of all or part of a heritage asset would proceed within a reasonable and agreed timetable that makes allowance for all necessary safeguarding and recording of fabric and other remains, including contingencies for unexpected discoveries.

Designated assets

Proposals which would harm the significance of a designated asset will not be approved, unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.

Non-designated heritage assets

When considering proposals that affect, directly or indirectly, the significance of non-designated heritage assets, a balanced judgement will be made having regard to:

- the scale of any harm or loss;
- the significance of the heritage asset; and
- the public benefits of the development. If it is determined through the relevant evidence that currently non-designated buildings, structures, historic landscapes or archaeology are of national significance, those elements of this policy for designated heritage assets will apply.

Record and advance understanding

Where development that would result in substantial harm to or loss of the significance of a heritage asset is permitted, developers will be required to record and advance understanding of the significance of that asset, in a manner appropriate to the nature of the asset, its importance and the impact, and publish that evidence and make it publicly accessible.*

*(For the avoidance of doubt, the ability to mitigate loss of significance through investigation and recording will not contribute to the balancing judgement of whether such a loss is justifiable under this policy.)

POLICY EH10:

Conservation areas

Proposals for development in a Conservation Area or affecting the setting of a Conservation Area will be permitted where it can be shown to conserve or enhance the special interest, character, appearance and setting, specifically provided that:

- the location, form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic or architectural interest, character and appearance of the Conservation Area;
- the development conserves or enhances the setting of the Conservation Area and is not detrimental to views within, into or out of the Area;
- the proposals are sympathetic to the original curtilage and pattern of development and to important green spaces, such as paddocks, greens and gardens, and other gaps or spaces between buildings and the historic street pattern which make a positive contribution to the character in the Conservation Area;
- the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the Conservation Area; and
- there would be no loss of, or harm to, any feature that makes a positive contribution to the special interest, character or appearance of the Conservation Area, unless the development would make an equal or greater contribution.

Applications for the demolition of a building in a Conservation Area will only be permitted where it has been demonstrated that:

- the building detracts from or does not make a positive contribution to the special interest, character or appearance of the Conservation Area; or
- the building is of no historic or architectural interest or is wholly beyond repair and is not capable of beneficial use; and
- any proposed replacement building makes an equal or greater contribution to the special interest, character or appearance of the Conservation Area.

Wherever possible the sympathetic restoration and re-use of buildings that make a positive contribution to the special interest, character and appearance of a Conservation Area will be encouraged, thereby preventing harm through the cumulative loss of features which are an asset to the Conservation Area.

POLICY EH11:

Listed buildings

Proposals for additions or alterations to, or change of use of, a Listed Building (including partial demolition) or for development within the curtilage of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to:

- conserve or enhance the special architectural or historic interest of the building's fabric, detailed features, appearance or character and setting;
- respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context; and
- retain the special interest that justifies its designation through appropriate design that is sympathetic both to the Listed Building and its setting and that of any adjacent heritage assets in terms of siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form.

POLICY EH12:

Traditional Buildings

In determining applications that involve the conversion, extension or alteration of traditional buildings, proposals will not normally be permitted where this would:

- extensively alter the existing structure or remove features of interest;
- include extensions or alterations which would obscure or compromise the form or character of the original building.

POLICY EH13:

Historic landscape character

In determining applications that affect the historic character of the landscape or townscape, particular attention will be paid to the following:

- the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected
- the extent to which key historic features resonant of the area's character, such as hedgerows, watercourses and woodland, will be retained or replicated
- the degree to which the form and layout of the development will respect and build on the pre-existing historic character (including e.g. street and building layouts)
- the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings.

**POLICY EH14:
Registered historic parks
and gardens**

Proposals for development that would affect, directly or indirectly, the significance of a Historic Park or Garden on Historic England's Register of Historic Parks and Gardens will be permitted where the proposals:

- conserve or enhance those features which form an integral part of the special character, design or appearance of the Historic Park or Garden; and
- ensure that development does not detract from the special historic interest, enjoyment, layout, design, character, appearance or setting of the Historic Park or Garden, key views within, into and out from the Historic Park or Garden, or does not result in the loss of, or damage to, their form or features nor prejudice its future restoration.

Proposals that would enable the restoration of original layout and features where this is appropriate, based upon thorough research and understanding of the historical form and development, will be supported.

**POLICY EH15:
Scheduled monuments and other nationally
important archaeological remains**

Proposals for development that would affect, directly or indirectly, the significance of Scheduled Monuments or non-scheduled archaeological remains of demonstrably equal significance will be permitted where the proposals would conserve or enhance the significance of the Monument or remains, including the contribution to that significance of the setting of the Monument or remains. Nationally important archaeological remains (whether scheduled or demonstrably of equivalent significance) should be preserved in situ.

Any unavoidable harm to or loss of Scheduled Monuments or nationally important archaeological remains (justified in accordance with the principles set out in national planning policy and Policy EH9), should be:

- minimised through: careful design, including modifying building footprints; the use of appropriate construction methods and temporary works; avoiding damaging landscaping proposals; seeking engineering design solutions; and
- mitigated by a programme of archaeological investigation, recording and analysis.

**POLICY EH16:
Non-designated heritage assets**

When considering proposals that would affect, directly or indirectly, non-listed buildings, nonscheduled, non-nationally important archaeological remains or non-Registered Historic Parks and Gardens, as such assets are also irreplaceable, the presumption will be in favour of the avoidance of harm or loss. A balanced judgement will be made having regard to this presumption, the significance of the heritage asset, the scale of any harm or loss, and the benefits of the development. Proposals will be assessed using the principles set out for listed buildings, scheduled monuments and Registered Historic Parks and Gardens in Policies EH11, EH15 and EH14.