

# Strategic Planning & the Economy

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Dear Mr Day

## **Proposed Submission Minerals and Waste Local Plan (Part 1)**

Thank you for consulting Cherwell District Council on the Proposed Submission Minerals and Waste Local Plan (Part 1) (letter dated 12 August 2015). It is understood that the consultation is being undertaken under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prior to 'Submission' to the Secretary of State for Communities and Local Government. The following officer comments are provided.

### **Duty to Cooperate**

You will be aware that an officer response was provided to your last consultation in 2014. The County Council is engaged in joint countywide working on strategic planning through the Oxfordshire Growth Board. It is noted that section 2 of the Local Plan refers to the growth context in which the minerals and waste plan is prepared, particularly the need for housing as identified in the Oxfordshire SHMA 2014. Cherwell's new Local Plan was adopted on 20 July 2015. It provides to fully meet the need identified for Cherwell and commits to continue to engage in countywide work which seeks to address unmet need from elsewhere in the housing market area. The latter will inform a Partial Review of Local Plan Part 1. The outcome of the countywide working will need to be considered in due course.

### **Vision for Minerals**

As advised in April 2014, the vision of providing minerals to meet development needs; minimising the distance minerals are transported by road to reduce impacts on the environment; and restoration of mineral workings to enhance the natural environment and the quality of life for Oxfordshire's residents is supported. It is considered that the vision adequately reflects sustainable development principles. The priority to make more use of secondary and recycled aggregates is and also supported, particularly in minimising the impact of primary extraction. The

safeguarding of known mineral resources and associated infrastructure such as railhead sites and aggregates depots is important and also supported in principle.

Officers previously suggested that safeguarding maps and consultation areas might be provided to determine whether there is likely to be any conflict with district local plan policies (previously draft policy M7, now M8). It is noted that this has been deferred to Local Plan Part 2 with Minerals Consultation Areas to be defined in AMRs. The County Council as Minerals and Waste Planning Authority is best placed to judge the appropriateness of this approach having regard to how other sound Minerals Plans have been prepared.

### **Figure 2 – Key Growth Areas**

Further to previous comments, officers can confirm that the adopted Cherwell Local Plan 2011-2031 contains the following approved proposals for strategic growth:

Housing (2011-2031):

Bicester	- 10,129 homes
Banbury	- 7,319 homes
Rest of Cherwell	- 5,392 homes (including 2,361 at Former RAF Upper Heyford)

Employment Land (2011-2031):

Bicester	- 138.5 ha
Banbury	- 48 ha (plus 13 ha at an existing site)

### **Para' 2.31**

It would be helpful if the Local Plan table were to be updated reflecting the current position in Cherwell, particularly the adoption of the Cherwell Local Plan 2011-2031 on 20 July 2015. The district continues to have some saved policies from the 1996 adopted Cherwell Local Plan. At present, the Non-Statutory Cherwell Local Plan 2011 can still be a material consideration in the determination of applications for planning permission, notwithstanding the limited weight that can be attributed.

### **Para' 4.41 & 4.42 (formerly para'4.31)**

Officers have previously supported the retention of wording about ironstone working in the north of the county, agreeing that the resource is 'less well located relative to strategic routes and market areas' and noting that 'better quality aggregate is generally available from within the limestone deposits...'. These references are retained and supported as is the additional clarification regarding the planning history of mineral resources in Cherwell. A change of emphasis is noted in that the previous reference to 'Any additional provision should preferably be made through extensions to existing quarries rather than from new quarries...' has been replaced with, 'Permission for new areas of ironstone working will ....not be granted unless the applicant is willing to give up an equivalent existing permitted area, and this can be ensured through revocation of the permission or other appropriate mechanism without payment of compensation, and where there would be an overall environmental benefit'. Officers would stress the importance of the final criterion that there should be an overall environmental benefit and would emphasise that residential amenity should be included in that judgement.

### **Policy M3**

Officers previously expressed some concerns regarding the uncertainty of the exact location of future quarry works in view of Policy M3's permissive approach for the working of aggregate

minerals (crushed rock) in the area to the north west of Bicester (in the context of the growth proposals in the Cherwell Local Plan). It is noted that a Minerals Key Diagram has now been included as Figure 9 showing the strategic resource area under Policy M3 and confirming that this does not include land to the east of the M40 motorway near to the site of the North West Bicester Eco-Town. It is also understood that specific sites would be identified in Minerals and Waste Local Plan Part 2. The revised criteria approach in policy M4 which seeks to control development under policy M3 is supported.

The retention of the previously expressed preference (formerly para. 4.28) for the extension of soft stone working rather than opening new quarries to minimise environmental impacts is supported, but the addition of the word 'generally' at para. 4.38 is noted. There is no objection to this slight change of emphasis provided it is only to allow for exceptional circumstances and those circumstances produce the least environmentally damaging option, having also considered residential amenity.

#### **Policy M4 (formerly M3) & Para's. 4.30 & 4.44**

We repeat our obvious support for the protection of the Oxford Meadows SAC, note the extended criteria for controlling development through Policy M4, and support the strategic approach at para. 4.30 to change 'the balance of production capacity between the strategic resource areas in western Oxfordshire (mainly in West Oxfordshire District) and southern Oxfordshire (in South Oxfordshire and Vale of White Horse Districts)...'. The 'relatively high level of existing permitted reserves in the northern part of Oxfordshire (mainly in West Oxfordshire)' is noted.

Avoiding further working within the AONBs is again supported (para. 4.44) as is the widening of the parameters of this paragraph to include important heritage assets.

#### **Policy M5 (formerly Policy M4)**

The proposed 'permission exchange' condition for ironstone aggregate working is again supported and the addition of flexibility regarding other appropriate mechanisms is understood. Again, it is expected 'overall environmental benefit' will include consideration of local residential amenity.

#### **Policy M6 (formerly M5)**

The safeguarding of existing rail depots particularly at Hennef Way, Banbury, Kidlington and Shipton-on-Cherwell is noted

Officers would raise a potential contradiction in that Policy M6 seeks to safeguard specific sites but yet states that safeguarded sites will be identified in Local Plan Part 2. Any detailed proposals for buffer zones or similar would need to take account of District Local Plan policies.

#### **Policy M7**

The reference to supporting extensions to existing quarries and new quarries for the extraction of building stone where need has been demonstrated and the quarrying is small scale (emphasis added) is supported.

#### **Waste Planning**

The revised waste planning vision to shift away from disposal by landfilling to increased re-use, recycling and composting would of course help in the move towards a more sustainable approach to waste management, and is welcomed. The general principle of self-sufficiency where possible is also supported. The addition of Oxford to the approach to the distribution of waste management

facilities is noted and supported particularly in view of Oxford's need to meet its SHMA requirements.

#### **Policy W4, Figure 12 (formerly Figures 15 & 16)**

Officers would repeat the comment made previously that Banbury is a key growth location as demonstrated by the adopted Cherwell Local Plan 2011-2031 (see details above).

Officers previously suggested that consideration should be given to the feasibility of identifying specific, deliverable sites through the Core Strategy to provide certainty for the waste and development industries and for other local planning authorities. It is understood that that this will now be pursued through a Local Plan Part 2.

Providing appropriate facilities at Bicester was previously supported in view of the growth planned for the town, including the North West Bicester Eco-Town. As previously advised, it will be necessary to take account of newly adopted Local Plan policies and the masterplan for the eco-development where appropriate.

There is again support for the proposal for non-strategic waste management facilities to be located close to Banbury and Bicester and other Oxfordshire towns, near to the source of waste arising. Officers note that a Local Plan Part 2 will now identify appropriate non-strategic sites and this is supported. As previously advised, restricting the scale of facilities in more remote, rural areas is also supported. Development proposals and policies contained in District Local Plans will of course need to be considered.


#### **Policy W10**

Officers previously advised that it was important that the strategic sewage treatment works have enough capacity to accommodate proposed growth in the district. This is now even more important as in April 2014 the new Oxfordshire SHMA identified a much higher level of housing need for the county. The adopted Cherwell Local Plan's annualised housing requirement is now 1,142 dwellings per annum, compared to a working requirement of 670 dwellings per annum at the time of the last Minerals and Waste Local Plan consultation. The change of emphasis in Policy W10 to a permissive approach is welcomed in principle to support the growth agenda. However, addition of locational criteria may help provide certainty on potentially appropriate / inappropriate locations.

I trust these comments are of assistance. I can confirm that this Council would like to be notified i) when the Plan is formally submitted for independent examination; ii) when the recommendations of the Inspector appointed to carry out the examination are published and iii) when the Local Plan is adopted. However, I do not envisage that it will be necessary for this Council to formally participate at the Examination Hearings.

Thank you for consulting this Council.

Yours sincerely

  
David Peckford  
Planning Policy Team Leader