

**SUPPLEMENTARY INFORMATION****Planning Committee****16 June 2022**

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If you need any further information about the meeting please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 16 June 2022 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
8	Development Brief PR7a –	Land at South East Kidlington	Cllr Ian Middleton		
9	21/03177/F	Axis J9 Phase 3 Howes Lane Bicester		Marcus Heath - Local Resident	Emma Lancaster, Agent
10	22/00539/F	94 The Moors Kidlington Oxfordshire OX5 2AG		Stephen Clark – Local resident	Nik Lyzba - Henaud Developments
Page 2	22/00998/F	Land North East of Fringford Study Centre adjoining Rectory Lane, Fringford		Maxine Slater – Local Resident	Sam Peacock - Agent
12	22/00584/DISC	Land Adjacent to the Oxford Canal Spiceball Park Road Banbury			

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

16 June 2022

WRITTEN UPDATES

Agenda Item 8

Development Brief for Local Plan Partial Review site PR7a - Land at South East Kidlington

Additional representations received

Responses (17no) were received to the Let's Talk website that had not been included in the table of comments published with the Planning Committee agenda. These have been reviewed and an addendum table is presented as an appendix to this written update sheet.

Oxfordshire County Council has submitted further comments in response to the extent to which changes have been made to the consultation version of the Development Brief. OCC would like some of its rejected changes to be made to the Development Brief, some of those in amended form. OCC's submission is appended to this written update sheet (Appendix 1).

Officer comments

The majority of the Let's Talk responses make comments the substance and content of which is already reflected in the table of comments published with the Planning Committee agenda, including some instances where changes to the draft Development Brief have been made.

There are some comments among these additional responses which have not been already been made. They principally come from Hill Residential Ltd, one of the two landowners to the PR7a site. For reasons set out in the addendum table, and with one exception which is discussed immediately below, officers do not consider that further amendments need to be made to the Development Brief in response to Hill Residential's consultation response.

Comments are also made in relation to the design of the Kidlington roundabout and the need for alteration, improvement and/or re-design. These comments are noted but fall outside the scope of the Development Brief.

In relation to OCC's comments, we would note that the Development Brief is not a planning policy document itself and does not set out new policies. It will be a material consideration in the submission of planning applications for the site(s).

6.4.6 – officers agree to the addition of the words “applicable at the time” after “the adopted OCC parking standards”. This clarifies the intention of the text; similarly in the second paragraph we agree to the same words being added, and we can agree the addition of the paragraph which begins, “To avoid indiscriminate.”

Officers would not recommend agreement to the change “Regard should be had”. OCC parking standards, Manual for Streets and the Cherwell Residential Design Guide SPD are all material considerations. The latter is an SPD adopted by Cherwell District Council as a guide to developers and there is no good reason to agree a change which would give primacy to an ‘external document’ over a Council-adopted SPD.

6.32 and 6.33 – The Oxfordshire Street Design Guide isn't referenced in the Development Briefs for PR7b and PR9, so the effect of agreeing the change will be that parking has to be in line with the Oxfordshire Street Design Guide in the case of PR7a but not in the case of PR7b or PR9.

Irrespective of whether it is mentioned in the Development Briefs, the Oxfordshire Street Design Guide is/will be a material consideration in the assessment of proposals at PR7b and PR9 despite it not being mentioned in the Development Briefs for those sites, just as it will for proposals at PR7a.

In addition, and perhaps more importantly, Section 6.4.1 of the Development Brief states:

"The design of streets within the site should follow the guidance set out in the Cherwell Residential Design Guide and the Manual for Streets, in a manner which is appropriate to the character and quality of place which is to be created as described below. A standardised highways-led layout is not acceptable: carriageway space and turning radii are to be limited (in line with adopted guidance)."

Recommendation

Amended to include:

- The first sentence of Paragraph 6.4.6 to be amended to add the words "applicable at the time" after "the adopted OCC parking standards".
- The second sentence of Paragraph 6.4.6 to be amended to add the words "applicable at the time." after "cycle parking standards"
- A third sentence to be added at Paragraph 6.4.6 preceding 'Development principles' to state: "To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site."

Agenda Item 9

21/03177/F

Axis J9 Phase 3 Howes Lane, Bicester

Additional representations received

The Committee report referred to a re-consultation underway with the Lead Local Flood Authority (LLFA). The response to that re-consultation has been received, with an Objection continuing to be raised. The issues related to lack of clarity around certain matters and additional information sought.

Cllr Sibley:

"I wish to request that the CDC planning committee at its next meeting on Thursday 16th June 2022 consider and agree to defer the planning application no 21/03177/F - Axis J9 Phase 3, Howes Lane Bicester to allow a formal site visit to be undertaken.

The reasons for deferment and formal site visit:

- *this planning application has a high level of public interest and concern amongst Bicester Residents.*
- *to allow more time to obtain relevant and clarifying information before the planning application report is considered in detail by the CDC Planning Committee*
- *to enable a formal site visit to be undertaken by OCC Highways, CDC Planning Officers & Committee Members for the following reasons:*
 - *Illustrative material is insufficient to convey the issues.*

- *a judgement is required on visual impact.*
- *the impact the development this application will have on the Highway Network.*
- *the setting and surroundings are particularly relevant to the determination and /or conditions being considered.*
- *it is appropriate to make an informed assessment of the proposals which are subject to conflicting claims by applicants and objectors which cannot be adequately expressed in writing, or the proposal is particularly contentious.”*

Officer comments

With respect to the LLFA objection, the response appears to continue to be related to detailed points that are likely to be resolvable. A further re-consultation has commenced following the receipt of a response to the LLFA objection. The recommendation therefore continues to apply in that the application is recommended for approval subject to the removal of the Lead Local Flood Authority objection. In addition, delegation continues to be sought to amend/ delete/ add conditions as necessary and this would include the need to add any conditions recommended by the LLFA and to refer to relevant plans for approval (which are not referred to currently).

Officers identified a further few issues through the report and can update as follows:

- At para 9.110, reference is made to a query regarding whether the area set aside on the roof plans for PV aligns with what is identified as being required via the Sustainability Strategy. Following discussion, Officers consider this matter to be appropriate to resolve via the provision of information to satisfy a planning condition. This is because PV technology evolves rapidly and it would be preferable for the most up to date PV to be used which could require lesser roof coverage to achieve the same level of carbon offset to achieve the True Zero Carbon requirement. It is understood that the Sustainability Statement is being updated therefore delegation is sought to amend the proposed planning condition following further discussion as to the best approach to ensure the development meets the True Zero Carbon requirement but allowing some flexibility to ensure that the most up-to-date technology can be used.
- At para 9.133, reference is made to an air quality assessment not having been received or assessed. The original version of the report (relating to the original scheme) as well as an amended version (relating to the amended scheme) has now been received and a re-consultation is underway with the Environmental Protection Officer. The report recommended a planning condition relating to this matter. The condition has been removed from the list below but as explained below, delegation is sought so in this case, if the Environmental Protection Officer is unsatisfied with the report and advises that the condition is still required, then a relevant condition could be added to suit, which could include an alternative condition to, for example secure mitigation where necessary.
- At para 9.135, Officers identify that the noise assessment had not been updated to relate to the amended scheme and that therefore there was uncertainty that the noise barriers identified in the ES to the east of the site were no longer required. An updated noise assessment has been received and a re-consultation is underway with the Environmental Protection Officer. The condition as worded in the list below requires the imposition of noise barriers only to the western side and not to the east. However as delegation continues to be sought to finalise condition wording, the intention would be that planning conditions would be worded to suit should the Environmental Protection Officer consider the submitted information does not justify the removal of the noise barriers to the east.

- Full Planning Condition wording is now provided as set out below, however, there is still work to be completed to finalise these both in responding to the points above and taking into account comments from the applicant, therefore delegation continues to be sought to amend/ add/ delete conditions as necessary. For example:
 - Condition 8 requires amendment to ensure it is precise in referring to where noise limits apply from. Clarity is sought on this and this matter will be finalised with liaison with the Environmental Protection Officer.
 - Condition 12 relates to on and offsite highway works so may require amendment to ensure that there is no duplication between conditions and the S106.
 - Conditions 17 and 34 may require amendment to ensure that the process for BREEAM accreditation practically works. The wording included would ensure standard 'Very Good' is reached but this may require some negotiation with the applicant's team. Other sustainability criteria will also be considered.
 - There is the possibility that conditions may be overcome by the provision of satisfactory information received post-committee during the S106 negotiation process (should a resolution for approval be made) but prior to the issue of a decision which could therefore result in some conditions being deleted where they are already satisfied.
 - There may be other minor queries that might still be outstanding from the applicant's team to be discussed which could result in further amendments.
- Updated S106 Heads of Terms are provided below which update the requested figures where necessary to reflect the lower floorspace through the amended scheme and provide advice on the trigger points where necessary.
- The applicant has confirmed their agreement to all of the proposed Heads of Terms in principle and they have prepared a Draft S106 which has been provided to Officers but not yet reviewed. Should a resolution for approval be secured, Officers would instruct the Legal Teams on this matter.

Recommendation

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION SUBJECT TO:

- (i) THE REMOVAL OF THE OBJECTION FROM THE LEAD LOCAL FLOOD AUTHORITY,**
- (ii) CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS/ ADDITIONS/ DELETIONS TO THOSE CONDITIONS AS DEEMED NECESSARY); AND**
- (iii) SUBJECT TO THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE INFRASTRUCTURE SET OUT IN APPENDIX 1 (AND ANY AMENDMENTS TO THOSE OBLIGATIONS AS DEEMED NECESSARY)**

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country

Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - 20019-TP-001 Rev F 'Site Location Plan'
 - 20019-TP-002 Rev R 'Proposed Site Plan'
 - 20019-TP-003 Rev L 'Proposed Site Finishes Plan'
 - 20019-TP-005 Rev C 'Units 1-3 Floor Plans'
 - 20019-TP-006 'Units 1-3 Roof Plans'
 - 20019-TP-007 'Units 1-3 Sections'
 - 20019-TP-008 Rev D 'Units 1-3 Elevation'
 - 20019-TP-009 Rev C 'Unit 4 Floor Plans'
 - 20019-TP-010 'Unit 4 Roof Plan'
 - 20019-TP-011 'Unit 4 Sections'
 - 20019-TP-012 Rev D 'Unit 4 Elevations'
 - 20019-TP-013 Rev B 'Unit 5 Floor Plans'
 - 20019-TP-014 'Unit 5 Roof Plan'
 - 20019-TP-015 'Unit 5 Sections'
 - 20019-TP-016 Rev C 'Unit 5 Elevations'
 - 20019-TP-023 'Cycle Shelter Details'
 - 20019-TP-024 'Refuse Enclose Details'
 - 20019-TP-025 'Entrance Canopy Details'
 - 20019-TP-026 'Fencing Details'
 - 20019-TP-027 Rev A 'External Finishes Sample Board'
 - 1746-ESC-00-ZZ-DR-E-2100 Rev P3 'External Lighting Layout'
 - 14042-60-GA Rev N 'Access Road General Arrangement'

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. The development shall be used for uses falling within Classes E(g)(iii), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments), only and shall be used for no other purposes whatsoever.

Reason – In order to retain planning control over the use of the site and to ensure that the impacts of the development are no greater than those considered under this application in accordance with Policies SLE1 and Bicester 1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. All site clearance (including the removal of any vegetation or works to hedgerows) shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site as required.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat, to comply with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. No goods, merchandise, material, scrap, vehicles or vehicle parts shall be stacked or stored above a height of 2.5m above approved ground levels and no installation or storage of machinery or plant nor any repair work shall take place outside the building(s) hereby permitted unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Any operational plant should not exceed 71.5 dB (A) at 1m [distance from what is TBC] or 61.9 dB(A) at 3m [distance from what is TBC] between 07:00-23:00 or 55.1 dB(A) at 1m [distance from what is TBC] or 45.5 dB(A) at 3m [distance from what is TBC] between 23:00-07:00.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise, to accord with the noise limits assessed within the Environmental Statement and in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government Guidance within the National Planning Policy Framework.

9. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence or other means of enclosure shall be erected, constructed or placed on the site (other than those shown on the approved plans or to be approved via planning condition 25) without the express planning consent of the Local Planning Authority.

Reason - To ensure that satisfactory provision for vehicular turning within the site is maintained in the interests of highway safety and to ensure the satisfactory appearance of the development, in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

PRE-COMMENCEMENT CONDITIONS

10. No development shall take place on any phase, until a Construction Method Statement incorporating a Construction Traffic Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The statement shall be appropriately titled (site and planning permission number) and shall provide for at a minimum:

- The parking of vehicles of site operatives and visitors;
- The routing of HGVs to and from the site;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- Delivery, demolition and construction working hours;
- Spoil locations
- Water management
- The measures covered in the Environmental Statement dated September 2021 in paragraphs 6.4.4, 6.8.3, 6.8.5, 6.8.6, 9.5.2, 11.5.1 and 6.12 (of ES Vol 2, Landscape and Visual Assessment)

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

11. No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) Arrangements for a site walkover survey undertaken by a suitably qualified

- Ecologist to ensure that no protected species, which could be harmed by the development have moved onto the site since the previous surveys were carried out. If any protected species are found, details of mitigation measures to prevent their harm shall be required to be submitted;
- b) Risk assessment of potentially damaging construction activities;
 - c) Identification of 'Biodiversity Protection Zones';
 - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - e) Measures to ensure that the risk of harming individual Great Crested Newts is minimised including those set out at paragraph 10.6.12 of the ES;
 - f) Measures specific to the protection of badgers including those set out at paragraph 10.6.16 of the ES;
 - g) Measures to avoid harm to individual reptiles including those set out at paragraph 10.6.22 of the ES;
 - h) Measures to safeguard hedgehogs including those set out at paragraph 10.6.24 of the ES;
 - i) The location and timing of sensitive works to avoid harm to biodiversity features;
 - j) The times during construction when specialist ecologists need to be present on site to oversee works;
 - k) Responsible persons and lines of communication;
 - l) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - m) Best practice with regard to wildlife including use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

12. No development shall commence until full details including lighting, road markings, signal infrastructure, signage and drainage of a segregated pedestrian and cycle path leading from the development directly to Howes Lane and a signalised crossing of Howes Lane have been submitted to and approved in writing by the local planning authority. Thereafter and prior to first occupation the path and crossing shall be delivered in accordance with the approved details.

Reason: In the interests of highway safety and to promote sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

13. No development shall commence until full details of the access to the western parcel including a priority crossing for pedestrians and cyclists accompanied by a Stage 1 Safety Audit have been submitted to and approved in writing by the local planning authority. Thereafter and prior to first occupation the access shall be delivered in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Government advice in the National Planning Policy Framework.

14. Potential need for a pre-commencement drainage condition

15. No development shall take place until any existing trees or vegetation to be retained have been protected in accordance with the approved Tree Protection Plan drawing number 10706_P08 Rev A and Arboricultural Method Statement (TG Report No. 10706_R11a_RA_CW) dated 20 August 2021 unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. The requirement to protect trees/ hedgerows is necessary to be implemented prior to commencement of the development as it is fundamental to the acceptability of the scheme.

16. No development shall commence until details of the route of service connections (both under and over ground) for that phase, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or its successor, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

17. No development shall commence until evidence, produced by a suitably qualified BREEAM Assessor, has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the development shall achieve BREEAM 'Very Good'.

Reason: To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

18. Prior to any development above slab level, details of visibility splays at all vehicle accesses within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all agreed visibility splays shall be provided and kept clear of all vegetation and other obstructions over 0.9m in height from carriageway level.

Reason: To ensure that adequate visibility is retained in the interest of road safety in accordance with Government guidance in Section 12 of the National Planning Policy Framework.

19. Prior to their installation on any building, full details of the solar PV including the quantum to meet the required level of PV to offset carbon to ensure a True Zero Carbon development, as set out by the Sustainability Statement prepared by Engineering Services Consultancy Ltd dated 03/11/2021 shall be submitted to and approved in writing by the Local Planning Authority. The solar PV shall be installed prior to first occupation of the relevant building and retained and maintained in working order thereafter.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

20. Full details of the proposals to enhance biodiversity as referred to within paragraphs 10.6.30, 10.6.31 and 10.6.32 of the Environmental Statement including the position and type of each proposed enhancement measure shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

21. Notwithstanding the submitted landscape scheme and prior to the implementation of any landscaping, a scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

- (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

- (d) full details, locations, specifications and construction methods for all purpose-built tree pits and associated above ground features, to include specifications for the installation of below ground, load bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees,

The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well-planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

22. Notwithstanding the submitted Landscape Management Plan and prior to the first occupation of the development a Landscape Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed and maintained in accordance with the approved LEMP thereafter.

Reason - To ensure the maintenance and management of open space areas, to secure a high standard of amenity for the site and to protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

23. Prior to the occupation of any unit, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Such approved means of enclosure shall be erected prior to the first occupation of any unit.

Reason: To ensure the satisfactory appearance of the completed development, and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

24. Prior to the first occupation of any building to be provided with an air source heat pump, full details shall first be approved in writing by the Local Planning Authority prior to their installation. The air source heat pump shall be retained and maintained in working order thereafter.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

25. Prior to their installation on any building hereby approved, full details of any mechanical ventilation or extraction equipment shall be submitted to and approved by the Local Planning Authority. Thereafter the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Saved Policy ENV1 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

26. Prior to the provision of the acoustic screen shown on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan', full details of the colour finish of the acoustic screens shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screens shall be finished in accordance with the approved colour finish and retained as such thereafter.

Reason: In the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OR AFTER OCCUPATION

27. External lighting shall be provided in accordance with drawing number 1746-ESC-00-ZZ-DR-E-2100 Rev P3: External Lighting Layout. Lighting relating to an individual building shall be installed and made operational before the first occupation of that building and lighting serving the access road shall be installed and made operational prior to the first use of the road infrastructure. Any other external lighting shall first be approved in writing by the local planning authority prior to its installation.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

28. Prior to the first occupation of any building, the provision for EV charging points shown on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan' serving that building shall be installed and made available for use and retained as such thereafter. In addition ducting should be in place to allow for the easy expansion of the EV charging system as demand increases towards the planned phase out of ICE vehicles (ideally ducting should be provided to every parking space to future proof the development).

Reason: To comply with Policies SLE 4, ESD 1, ESD 3, ESD 5 and Bicester 1 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with the National Planning Policy Framework.

29. Prior to the first occupation of any building, cycle parking to serve that building shall be provided in the positions shown for cycle parking on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan' and in accordance with the approved details shown on drawing number 20019-TP-023 titled 'Cycle Shelter Details'. The cycle parking shall be retained and maintained for the parking of cycles in connection with the development thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3, ESD 5 and Bicester 1 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with Government Guidance within the National Planning Policy Framework

30. Prior to the first occupation of the development, acoustic fences as shown on drawing number 20019-TP-003 Rev L titled 'Proposed Site Finishes Plan' shall be installed. The acoustic barriers shall be retained as noise mitigation thereafter.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise and in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government Guidance within the National Planning Policy Framework.

31. No employment building shall be occupied until it has been provided with devices showing real time energy and travel information in accordance with details which shall

first have been submitted to and approved in writing by the local planning authority. The devices shall thereafter be retained in operational condition.

Reason: To support the delivery of modal shift towards sustainable modes and create high quality, inclusive, sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

32. Prior to the first occupation of each unit, details of the measures to be installed in that unit to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.

Reason: The site is located in an area of water stress and to comply with Policies Bicester 1 and ESD3 of the Cherwell Local Plan Part 1 2011-2031 and the NW Bicester SPD.

33. No employment building shall be occupied until it has been provided with service connections capable of supporting the provision of high-speed broadband from the building to the nearest broadband service connection outside the site.

Reason: To facilitate information provision to homes for energy monitoring, travel and home working change in accordance with Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

34. Within 1 month from the receipt of each of a Design Stage Pre-Assessment Certificate to confirm the outcome of the Design Stage Pre-Assessment, and a Post Construction Certificate confirming the outcome of the Post Construction Assessment, which shall confirm that BREEAM 'Very Good' has been achieved, shall each be submitted to and approved in writing by the Local Planning Authority.

Reason: To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031.

35. Notwithstanding the submitted Framework Travel Plan and prior to the occupation of the first employment unit, a Framework Travel Plan, prepared in accordance with the Department for Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the details so approved.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

36. Within three months from the occupation of any employment unit, a Travel Plan for each, prepared in accordance with the Department for Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans and its subsequent amendments', and the Framework Travel Plan, shall be submitted to and

approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the details so approved.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

Planning Notes

1. Before granting this planning permission the Council has taken into account the environmental information relating to the development (within the meaning of the Town and Country Planning (Environmental Assessment) (Regulations) 2017 (as Amended).
2. Attention is drawn to a Legal Agreement related to this development dated **XXX** which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
3. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
4. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
5. The Environment Agency's response of the 02 November 2021 includes links to various publications relating to the duty to ensure that business activities do not cause or allow pollution. The applicant's attention is drawn to this.
6. The applicant is reminded that the Environment Agency have a regulatory role in issuing legally required consents, permits or licences for various activities. The applicant should ensure that any necessary consent, permit or licence is obtained from the Environment Agency should that be required.
7. The response from the Thames Valley Police Design Advisor of the 05 May 2022 includes some guidance relating to Building Security. The applicant's attention is drawn to this.

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Contribution towards Public Art	£21,214.05 index linked from 2Q17.	Pre-occupation of each commercial unit presented as a formula in the same way as that sought on the original permission to secure a level of public art per commercial unit.	<p>Necessary – The NW Bicester SPD includes cultural wellbeing as one of its key development principles. The payment of a public art contribution would ensure that the development contributes to the creation of a culturally vibrant place at NW Bicester.</p> <p>Directly related – The proposal is part of the NW Bicester development. As per the previous S106, the contribution would be specified to be used towards the provision of public art within the NW Bicester development and therefore it would be directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The contribution is based upon the same rate per sqm of commercial development as was used in the previous S106 relating to the wider site which is considered to be fairly and reasonably related in scale and kind to the scale of development proposed.</p>

<p>Biodiversity offset contribution to mitigated for impacts upon farmland birds</p>	<p>£7,988.24 index linked from 2Q17</p>	<p>Prior to the implementation of the development</p>	<p>Necessary – The Masterplan Strategic Environmental Report identified that it would not be possible to compensate for the loss of habitats used by farmland birds as a consequence of the whole development at NW Bicester. It identified that offsite compensation to enhance the value of land for farmland birds would be necessary to mitigate for the impacts. As the development site is part of NW Bicester it is necessary that a contribution is made to account for its proportionate impact upon farmland birds.</p> <p>Directly related – The proposed contribution is directly related to the impacts on farmland birds arising from the development.</p> <p>Fairly and reasonably related in scale and kind – When it was identified that farmland birds could not be mitigated for on site as a consequence of the development, work was undertaken to identify that 200ha of farmland would need to be enhanced for a period of 25 years. An annual cost was proposed and then an additional 15% sum added for staff resource to implement and manage the scheme. This was multiplied by 25 to give a total sum for a 200ha area of land. The contribution was divided by the masterplan site area minus the Exemplar site to give a per hectare figure. This contribution has then been multiplied by the site area in this case of 6ha to give the total amount sought. The contribution</p>
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			sought is therefore fairly and reasonably related in scale and kind to the development.
Training and Employment Plan to secure 3 apprenticeship starts	Nil	TEP to be submitted for approval prior to the implementation of the development. Arrangements to reflect those within the previous S106 agreements for the site.	<p>Necessary – Policy Bicester 1 states that an economic strategy is to be produced to support planning applications demonstrating how access to work will be achieved. The CDC Planning Obligations SPD sets out the type of development and the thresholds on development that will trigger the requirement for the provision of a stated number of apprenticeships as part of an Employment and Skills Training Plan. In order for the development to contribute to this, it is necessary for a Training and Employment Plan to be submitted to secure apprenticeship starts. Whilst the number of apprenticeships is lower than as required by the SPD, the number is proportionate to the number secured by Phases 1 and 2.</p> <p>Directly related – The request is directly related to the development as the development itself is a vehicle to support an on-going programme of skills, training and apprenticeships. The apprenticeship starts would be directly related to the construction of the development itself.</p> <p>Fairly and reasonably related in scale and kind – Notwithstanding that the number of apprenticeships starts is lower than that set out by the SPD, the number is considered proportionate and therefore fairly and reasonably related in scale and kind to</p>

			the development. The requirement for a TEP would also increase the skills opportunities on site.
Requirements to monitor the development through the construction and post occupancy stages	N/A	The requirement to agree a scheme prior to implementation and then ongoing timescales to monitor the development.	<p>Necessary – In order to ensure that the development is meeting the high standards sought across NW Bicester, to learn from the site and to allow improvements to future phases of the development, long term monitoring of the Eco-Town Standards is required. As such, it is necessary to secure a scheme of monitoring from this site.</p> <p>Directly related – The monitoring is directly related to the development itself.</p> <p>Fairly and reasonably related in scale and kind – The monitoring to be undertaken would be proportionate to the development itself and therefore is fairly and reasonably related in scale and kind to the development.</p>
Arrangements to link the proposal to the major infrastructure agreements (comprising a legal charge, an access licence and a contribution agreement) (or an arrangement considered suitable by the Council's Solicitors). The arrangement makes provisions for allowances against the proportionate contribution required from this site where the owner	TBC		<p>Necessary – The development includes land that is required to deliver a strategic link road based upon its currently planned route as shown on the NW Bicester Masterplan. In the same way that arrangements have been secured in the past related to the wider outline site, those same (or as agreed following advice) arrangements should also apply to this site where relevant to ensure that those elements remain secure. The detail of the</p>

<p>delivers part of the SLR themselves and sets out the need for technical approval for this.</p>			<p>element of the strategic link road to be delivered will require technical approval via these agreements to ensure it is constructed to an appropriate standard.</p> <p>Directly related – This requirement is directly related to the development because the land forms part of the application site and nearby and as it is required for strategic purposes, the requirement to secure this is directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The proposals would ensure a fair and reasonably related contribution in scale and kind is made towards the major infrastructure, also taking into account any infrastructure which is directly delivered. The other agreements are proportionate because they relate to the land itself.</p>
<p>A public transport contribution towards bus services serving NW Bicester</p>	<p>£112,540 index linked from 2Q17 (RPI-x)</p>	<p>50% on the first occupation of any unit and 50% on the occupation of the next unit.</p>	<p>Necessary – The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p>Directly related – The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The level of contribution sought is the same as the</p>

			instalment of the agreed bus service contribution that is secured upon occupation of the permitted residential development that this development would replace.
A public transport infrastructure contribution towards bus stop infrastructure at NW Bicester (unless this is dealt with under S278/S38)	£19,460 index linked from April 2017 (Baxter)	Prior to first occupation	<p>Necessary – The contribution is necessary to support the provision of sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p>Directly related - The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. This is infrastructure to support the public transport provision. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The level of contribution sought is the same as the instalment of the agreed bus infrastructure contribution that is secured upon occupation of the permitted residential development that this development would replace.</p>
There may be a need for a Traffic Regulation Order (if the matters are not dealt with under S278/S38 agreement). This is not clear yet.			

<p>Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans</p>	<p>£5,271 index linked from December 2020 (RPI-x)</p>	<p>Prior to first occupation</p>	<p>Necessary – The site will require a framework travel plan and individual travel plans for the two largest units. The fee is required to cover OCCs costs of monitoring the travel plans over their life.</p> <p>Directly related – The contribution is directly related to the required travel plans that relate to this development. Monitoring of the travel plans is critical to ensure their implementation and effectiveness in promoting sustainable transport options and contributing to the aims of Policy Bicester 1.</p> <p>Fairly and reasonably related in scale and kind – The amount is based on standard charging scales which are in turn calculated based on the Officer time required at cost.</p>
<p>Public right of way contribution towards improvements to Bridleway 9 and Bucknell Bridleway 4</p>	<p>£2,384 index linked from April 2017 (Baxter)</p>	<p>Prior to first occupation</p>	<p>Necessary – The contribution is necessary to ensure that the site continues to pay a proportionate contribution to the overall public rights of way improvements required for the NW Bicester policy allocation.</p> <p>Directly related – The overall NW Bicester site would allow greater public access and use of local public rights of way by residents and employees of the development. The contribution is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The contribution is the same as the public rights of</p>

			way contribution that is secured upon occupation of the permitted residential development that this development would replace.
<p>The requirement to enter into a S278 agreement to secure the proposed crossing of Howes Lane with a signalised crossing to the public right of way at Wansbeck Drive</p> <p>This may also include (subject to confirmation from OCC) the identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary.</p>	N/A	<p>The requirement not to implement the development until a S278 has been entered into must be secured by the S106. The trigger by which time S278 works are to be completed (prior to occupation) should also be included in the S106.</p>	<p>Necessary – The proposed offsite highway works are necessary to provide pedestrian and cycle links from the development site to the local area. As the works are necessary to create the opportunities for sustainable travel, their provision must be secured. The requirement is therefore for the S106 to include a process to secure the entering into a S278 prior to the implementation of the development and to include timescales for the works to be completed by.</p> <p>Directly related – The requirement to deliver the offsite highway works is directly related to the development as it is the development that requires these works.</p> <p>Fairly and reasonably related in scale and kind – The requirement is fairly and reasonably related in scale and kind to the development as it has been negotiated and secured as necessary works to make the development acceptable and to provide for a sustainable means of access to the site.</p>
<p>A routing agreement to prevent HGV traffic from using Howes Lane</p>		<p>The requirement not to implement the development until a routeing agreement has</p>	<p>Necessary – The transport impact of the development assumes a certain number of trips that would route North to the Howes Lane/ Bucknell Road/ Lords Lane junction prior to the opening of a realigned SLR. This would rely on a routing</p>

		<p>been entered into must be secured by the S106.</p>	<p>agreement to ensure that any HGV traffic routes south in the same way that routing is secured for the existing site. On this basis, the requirement is necessary to mitigate for the transport impacts of the development.</p> <p>Directly related – The requirement is directly related to the scheme as it relates to vehicular movements related to and from the site only.</p> <p>Fairly and reasonably related in scale and kind – The proposal is fairly related in scale and kind to the development as it relates to vehicular movements related to and from the site only.</p>
CDC and OCC Monitoring fee	<p>CDC: £5,500</p> <p>OCC: TBC</p>	<p>On completion of the S106</p>	<p>The CDC charge is based upon its recently agreed Fees and Charges Schedule which sets out that for developments of between 10,000-75,000sqm floorspace that a bespoke charge will be based upon the number of obligations and triggers with a minimum charge of £5,000. A registration charge of £500 is also applicable. As the development has relatively few obligations and triggers for CDC, the minimum charge plus the registration charge is required. The need for a monitoring fee is to ensure that it can appropriately monitor that the development is complying with its S106 including the high standards sought at the site and taking into account the complex nature of the site.</p>

Agenda Item 10**22/00539/F****94 The Moors, Kidlington****Additional representations received**

An additional objection has been received from the neighbour to the east, 92 The Moors. Additional information has been submitted in terms of the light received currently by this neighbour, including a floor plan of the building and light readings taken from certain rooms throughout the dwelling at certain times of the day. Concerns have been raised about the fact there is already low light to the property and highlights that the sun sets behind number 131 in the winter and behind the Oak tree outside number 96 in spring and autumn.

Cllr Billington

"I feel it is going to be overdeveloped and also have a detrimental effect on light into the neighbouring property".

Officer comments

The rooms along the western boundary do not serve habitable rooms. The only windows that serve habitable rooms are on the front and rear of the neighbouring property. The front of the proposed buildings would not extend past the front of the neighbouring bungalow, and only the single storey element of the proposals would extend past the rear of the neighbour. Given the development is also location approximately 5 metres from the side of this neighbour, it is not considered the impact on light would result in a reason for refusal.

Recommendation

As per the published agenda report.

Agenda Item 11**22/00998/F****Land North East of Fringford Study Centre Adjoining Rectory Lane, Fringford****Additional representations received**

None

Officer comments

Correction to the published report: 16 letters of objection were received rather than 32 letters of objection.

Recommendation

As per the published agenda report.

Agenda Item 12**22/00584/DISC****Land Adjacent to the Oxford Canal Spiceball Park Road Banbury****Additional representations received**

CDC Environmental Protection confirmed on 7 June 2022 that they no longer have any concerns with respect to the cumulative noise impact of the operational plant in light of additional information sought and subsequently provided by Sharps Redmore, dated 27 May 2022, (Ref: 212040 – Banbury: The Light Cinema & Bowl). CDC Environmental Protection are

now satisfied that Condition 22 to 16/02366/OUT, in respect to Block B only, can be discharged.

Officer comments

In light of the fact that the CDC Environmental Protection noise concerns have now been satisfactorily addressed, Condition 22 to 16/02366/OUT (in respect to Block B only) can be discharged.

Recommendation

Accordingly, the recommendation is now changed to one of:

Condition 22 to 16/02366/OUT (in respect to Block B only) be discharged in accordance with the supplementary cumulative noise impact report prepared by Sharps Redmore, dated 27th May 2022 (Ref: 2120140 – Banbury: The Light Cinema and Bowl).

Appendix 1 – OCC Comments

The officer report for the PR7a development brief recommends making some of the changes Oxfordshire County Council requested in its comment of 8th March 2022 which we appreciate. However, it does not recommend some of the changes, and the reasons set out in Appendix 2 to the report indicate that this is in the interests of consistency with the development briefs for PR7b and PR9 which were adopted following comments made in September 2021 and the Planning Committee in December 2021. Given the passage of time, it is important that development briefs reflect the most up to date policy position, which is changing, for example with the County Council’s Street Design Guide adopted in November 2021, and the Local Transport and Connectivity Plan which is being considered by County’s Cabinet this month. It is important to note that Oxfordshire County Council’s parking standards are currently being updated and are scheduled to be brought to County’s Cabinet this autumn and therefore development on all the Partial Review sites will be assessed in relation to those. We sought detailed text in our response to make the changes to the parking standards clear as per the first column below, however, the alternative text in the second column below may be simpler and achieve the same aims.

<p>We seek that the text in 6.4.6 be amended as follows:</p> <p>Car parking provision and design will be in line with the adopted OCC parking standards and low-car principles and therefore limited. Regard should be had to the Cherwell Residential Design Guide SPD Section 5.8 as well as the good practice recommendations in Manual for Streets.</p> <p>Cycle parking will need to be provided generously to encourage and facilitate cycle use. provision is to be in line with OCC’s adopted cycle parking standards.</p> <p>At the time of producing this development brief, Oxfordshire County Council’s standards for car parking and cycle parking are being reviewed. It is expected that the car parking requirements will be lower in this area than currently, and the cycle parking requirements higher. These revised standards are likely to be available when an application on this site is determined, and therefore will need to be followed. To avoid</p>	<p>Alternative text amendment for 6.4.6</p> <p>Car parking provision and design will be in line with the adopted OCC parking standards applicable at the time. Regard should be had to the Cherwell Residential Design Guide SPD Section 5.8 as well as the good practice recommendations in Manual for Streets.</p> <p>Cycle parking provision is to be in line with OCC’s adopted cycle parking standards applicable at the time.</p> <p>To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site.</p> <p>Alternative text amendment for 6.3.2</p> <p>Parking is to be provided on street and on plot utilising a range of parking solutions in line with the guidance provided in the Cherwell</p>
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<p>indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site.</p> <p>The brief should refer to the newly adopted Oxfordshire Street Design Guide^[1]. The document provides guidance relating to parking, including rear parking courts which OCC discourages.</p> <p>We seek amendment to 6.3.2 (repeated twice):</p> <p>‘Parking is to be provided on street (unallocated) and on plot utilising a range of parking solutions in line with the guidance provided in the Cherwell Residential Design Guide and will be in line with the Oxfordshire Street Design Guide.</p> <p>We seek amendment to 6.3.3:</p> <p>On-plot parking should generally be tucked to the side of properties to retain a sense of enclosure to the street and provide space for planted front gardens in line with the Oxfordshire Street Design Guide. On plot parking to the front of properties is not permitted.</p>	<p>Residential Design Guide and in line with the Oxfordshire Street Design Guide.</p> <p>Alternative text amendment for 6.3.3</p> <p>On-plot parking should generally be tucked to the side of properties to retain a sense of enclosure to the street and provide space for planted front gardens in line with the Oxfordshire Street Design Guide. On plot parking to the front of properties is not permitted.</p>
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^[1] [Street Design Guide \(oxfordshire.gov.uk\)](http://oxfordshire.gov.uk)

Appendix 2

Jack Fursdon	Objects in principle to the development of the PR sites; land not in the Green Belt should be preferred and there are many brownfield sites in Oxford; the Council should look at buying land owned by Oxford University without having to provide all of the housing on them that is proposed	This relates to the principle of development, which has been established through the adoption of LPPR.	None
Jack Fursdon	The Council's consultation only allows me to choose one development brief to comment on - the Council is trying to reduce the perceived dislike	This is a function of the Let's Talk website and not intentional on the part of the Council. Those responding to the Development Briefs email address could comment on however many they wished to.	None
Page 30 Jack Fursdon	The proposals would impact on local infrastructure, which is already at capacity	This relates to the principle of development	None
Jack Fursdon	The housing will not be cheap enough for it to be genuinely affordable	This is not within the scope of the Development Brief	None
Helene Axford	The area designated as green space should be conditioned so that it is never built and preserves a barrier between Oxford and Kidlington	Officers agree. The land is retained Green Belt and would be required through conditions and/or legal agreements of any future planning permission to be retained for the purposes required by the planning policy	None

Helene Axford	This area is prone to traffic congestion and new housing will increase pedestrian footfall to the area. Appropriate speed limits/crossings will need to be implemented to prevent accidents.	Noted, though no change required to the Development Brief	None
Helene Axford	The proposals would impact on local infrastructure, which is already at capacity	This relates to the principle of development	None
Ian Busby	This land should be reserved for farming / other things as opposed to housing in my opinion.	This relates to the principle of development	None
Steven Newman	I support the proposal	Noted	None
David Gimson	This is the right kind of place for new housing, and has been really expertly planned	Noted	None
David Gimson	Private parking should be reduced to zero. Kidlington helped pioneer garden city principles when it was constructed, and we still benefit from the imaginative decisions taken many decades ago. The new development should be at the cutting edge of new urban design in the UK, which means designing out the private car and making provision for car clubs etc. and carefully managed vehicle access for deliveries at other times. New residents will love the freedom which drastic traffic reductions create, and build community much more rapidly - as evidence from towns like Delft in the Netherlands shows.	Comments very much noted. The Development Brief seeks to reflect and address these objectives and it is considered that no amendment to the Brief is required in this regard	None
Lauren T Jansen	[No comments made]	n/a	None

Norma Stallard	Objects to the principle of development	This relates to the principle of development	None
Norma Stallard	The proposals would impact on local infrastructure, which is already at capacity	This relates to the principle of development	None
Mark Tilsley	All of the PR site developments will have a considerable effect on traffic and, consequently, extra pollution	This relates to the principle of development	None
Mark Tilsley	The housing will not be cheap enough for it to be genuinely affordable	This is not within the scope of the Development Brief	None
Margaret Boggs	Little or no thought to infrastructure	Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites	None
Margaret Boggs	Will the affordable housing actually be real	This is not within the scope of the Development Brief	None
Christiaan Monden	The Development Brief suggests that there are already good cycling and walking connections from the site, which is not the case.	The Development Brief describes the existing situation and then sets out requirements for the development, including enhanced walking and cycling routes	None
Christiaan Monden	There are considerable design issues with the Kidlington roundabout, which impacts on pedestrian and cyclist safety	Noted, but this is not within the scope of the Development Brief	None

Christiaan Monden	The plans in the Development Brief are sub-optimal with regard to cycling; the connection from this site does not provide for safe and convenient travel on foot or bicycle; para 6.4.1 states that the plans will create excellent pedestrian, cycling and wheelchair links within and beyond the site - this is clearly not the case. The brief has no serious attention at all to options for people using wheelchairs or mobility scooters. Like cyclists and pedestrians, they will be trapped in the new development.	In accord with its purpose, the Development Brief sets out requirements for the development, including enhanced walking and cycling routes. The detailed proposals will come forward as part of planning applications	None
Christiaan Monden	The canal towpath is not a viable option for cycle commuting from Kidlington to Oxford - provides various reasons for this	Comments very much noted. The Development Brief sets out the requirements for walking and cycling routes to and from the development. The canal is mentioned at various points in the Development Brief but the canal is not within or adjacent to the site and the walking and cycling strategy for the site is not dependent on the canal	None
Christiaan Monden	Makes several suggestions for what the Development Brief should include, including design and widths of cycle ways, provision of small bike sheds in front gardens, improvements to Bicester Road junctions, speed limits on roads, and the need for improvements to existing cycleways being funded from PR7a	The Development Brief sets out requirements for the design of cycle ways; speed limits and improvements to junctions it outside the scope of the Development Brief; Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites; the location of bike sheds, which has to balance different competing considerations, will be a matter for the assessment of planning applications at the site	None

<p>Heidi de Wet</p>	<p>The recent death on this road highlights the danger in cycling from Kidlington to Oxford. There have been many near-misses and cyclists knocked off bikes. There must be segregated facilities for cyclists and pedestrians, and Kidlington roundabout must be re-designed</p>	<p>Comments very much noted. The design of Kidlington roundabout is not within the scope of the Development Brief but the Brief seeks to recognise and respond to these issues.</p>	<p>None</p>
<p>Matt Tunley, on behalf of Hill Residential Ltd</p>	<p>Section 6.3.1 Reference is made in the text regarding the treatment of the Bicester Road Frontage to treat the impact of noise from Bicester Road. The text refers to a continuous frontage being suitable to provide such mitigation. Hill does not consider this wholly suitable and would request additional wording be added to provide flexibility in the design solution to achieve such mitigation, through orientation of the homes along this frontage or specific technologies such as glazing</p>	<p>We note the comment made, but this is a key design principle which has been considered in detail and which it is important to change</p>	<p>None</p>

Matt Tunley

Section 6.4 Reference to be made throughout this section, and the whole document, to Oxfordshire County Council (OCC) Highways Standards. As the highway authority OCC will be a decision maker in any application(s) submitted under Policy PR7a and as such the Development Brief needs to make reference to such standards. Where such standards are updated recognition needs to be made in the text at section 6.4 of the Development Brief, that any application(s) made to Policy PR7a can accord with the relevant standards applicable at the time. This will avoid any conflict between the Development Brief and other standards applied to any application(s).

We note the comment made, but would note that OCC is a consultee and provides expert advice but will not be a decision maker on the application(s). The Development Brief sets out the standards expected for the development. Notably, 6.4.1 states: "The design of streets within the site should follow the guidance set out in the Cherwell Residential Design Guide and the Manual for Streets, in a manner which is appropriate to the character and quality of place which is to be created as described below.
A standardised highways-led layout is not acceptable: carriageway space and turning radii are to be limited (in line with adopted guidance)." That said, in response to further comments made by OCC, the words "applicable at the time" will be added at appropriate points in the text.

The words "applicable at the time" to be added at Section 6.4.6.

<p style="text-align: center;">Matt Tunley</p>	<p>Section 6.4.3 Reference is made under the 'Development Principles' in this section to the provision of an access from the site to Beagles Close. Landownership does not allow this route to be provided and other suitable pedestrian and cycle accesses can be provided from the northern part of the site onto Bicester Road and Water Eaton Lane. Such reference to access to Beagles Close be deleted from the Development Brief. Section 6.5.3 Hill supports the reference to drainage attenuation features needing to be agreed in detail with OCC drainage at the application stage.</p>	<p>These comments are very much noted. The land in question has been an undeveloped area of land and is not authorised, for example, for use as residential space. Land ownership should not in principle be a barrier to successfully integrating development with its surroundings. The most appropriate course of action here would be for a future planning application to set out the reasons why that particular pedestrian and cycle link cannot be provided, should that prove to be the case.</p>	<p style="text-align: center;">None</p>
<p style="text-align: center;">Page 36</p> <p style="text-align: center;">Matt Tunley</p>	<p>Section 7.1 - Hill objects to the need for a single comprehensive outline scheme to be submitted for the entire site. As the Council is aware the allocation is controlled by 2 developers, Hill and Barwood. Both developers have supported the allocation. It is considered by Hill that the wording of the local plan allocation and development brief combined provide for sufficient information for more than one application to be submitted on the allocation. Furthermore, these applications could be in the form of a detailed application rather than outline. The wording should be amended to reflect this and acknowledge separate applications may be submitted to deliver the allocation under Policy PR7a.</p>	<p>Both Policy PR7a (at part (8)) and the Development Brief (at Section 7.1) recognise that there may be more than one application for the site. Policy PR7a, now adopted, sets out a requirement for the Development Brief to include "a comprehensive scheme and outline layout for delivery of the residential development..." and the Development Brief confirms this position at the start of Section 7.1. In these circumstances it is not appropriate for the Development Brief to be amended in this way</p>	<p style="text-align: center;">None</p>

<p>Elizabeth Leckie</p>	<p>The Development Brief for PR7a shows housing of '2-3 storeys' all along the whole length of the site's eastern boundary with properties on Water Eaton Lane. Housing backing onto properties on Water Eaton Lane and Beagles Close should be limited to no more than 2 storeys. Furthermore, developers must be held rigorously to the limits set. No semantic wriggling to squeeze in an extra half storey should be allowed.</p>	<p>At the moment there is a 2-3 storey block in the centre of the site which backs onto Water Eaton Lane. There is generally more than sufficient separation distance to properties on Water Eaton Lane to make 3 storey development acceptable in some instances. Where the development block is deeper, and the Water Eaton Lane residential properties shallower, there would be more justification for the heights to be restricted to 2-2.5 storeys</p>	<p>The development brief will be amended accordingly. Figure 15 amended to show 2-2.5 storeys immediately adjacent to Water Eaton Lane. Text at 6.3.2 4th bullet amended to reference 2-2.5 storeys adjacent to Water Eaton Lane where existing plots are shallower.</p>
<p>Page 37 Elizabeth Leckie</p>	<p>It is not stated in the Development Brief for PR7a whether the long expanse of housing bordering the existing properties (including our own) at the south end of Water Eaton Lane is to be detached houses, semis or terraced. There is no terraced housing on Water Eaton Lane or Beagles Close, therefore terraced housing would not be of appropriate character as required on page 19 of the Development Brief – (quoted above at the beginning of this section headed 'Building Heights and Character in the second sentence.). An uninterrupted expanse of terraced housing would intensify the loss of residential amenity, especially if the height were to be above 2 storeys. Balconies increase intrusiveness. The distance should also be increased to leave extra space in case an acoustic bund is wanted later.</p>	<p>These comments are very much noted. Section 6.3.3 of the Development Brief sets out what is expected for the character area at the north-eastern end of the site, including that building heights should generally be two-storey and that a greater proportion of larger homes will be expected here, primarily semi-detached and short runs of terrace (of a similar scale to a semi-detached pair) and occasional detached properties.</p>	<p>None</p>
<p>Elizabeth Leckie</p>	<p>If enlarged a lot, the maps on pages 28 and 34 of the Development Brief show a thin white space between this long stretch of housing and the boundary with our property, the map on page 30 doesn't show any white gap there. There is no indication what this thin white space represents.</p>	<p>The maps on page 28 and 34 (as well as those on pages 32 and 36) are schematic plans of the site to show character areas. The white line here has no significance.</p>	<p>None</p>

<p>Elizabeth Leckie</p>	<p>The Development Brief does not indicate what distance is envisaged between buildings on PR7a and boundaries with existing properties on Water Eaton Lane and Beagles Close. The nearer these buildings on PR7a are to those existing properties the greater the loss of our residential amenity.</p>	<p>We note these comments. The Development Briefs have generally avoided this level of detail, as it is already covered in the Council's adopted SPDs. Distances will generally need to be 22 metres between two principal elevations and 14 metres between a principal elevation and a side elevation, having regard to any differences in site levels and heights of buildings.</p>	<p>None</p>
<p>Page 38 Elizabeth Leckie</p>	<p>The design and layout of the housing on PR7a near our property should not be such that we are asked to cut down or lower existing trees or hedges. They are extremely important for our privacy, for noise abatement, for the absorption of air pollution from the A34 and Bicester Road, for the reduction of exposure to wind and for the flourishing of wildlife.</p>	<p>Noted and agreed. This will be a matter for the detailed design proposals for the site, though, and doesn't require changes to the Development Brief</p>	<p>None</p>
<p>Elizabeth Leckie</p>	<p>It is very important that the boundaries between Water Eaton Lane properties and the development are very secure. They need to be high enough and robust enough to keep dogs from getting into our garden and to deter humans from trespassing. They should be 1.8m high and of robust good quality material and design</p>	<p>Noted and agreed. This will be a matter for the detailed design proposals for the site, though, and doesn't require changes to the Development Brief</p>	<p>None</p>
<p>Elizabeth Leckie</p>	<p>There must be no run-off of toxic chemicals from the site during or after building</p>	<p>Noted and agreed. This will be a matter for the planning application submission(s). No changes required to the Development Brief</p>	<p>None</p>

Elizabeth Leckie	Please bear in mind that release of the green belt has given the owners and / or developers of the PR7a site a very substantial windfall but massively disadvantaged others. Therefore, the owners/developers must be required to mitigate the extensive loss of residential amenity that the change of use from Green Belt to housing development will have on existing properties backing onto PR7a.	Noted. The impact on the amenities of existing neighbours to the site will be a material consideration in the assessment of planning application(s) for the site. Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites	None
Aviril Gupta	Strongly objects to this housing development. Alternative sites should be looked at. Instead of developing housing here, what about a secondary school for Kidlington	This relates to the principle of development	None
Aviril Gupta	The proposals would impact on local infrastructure, which is already at capacity	This relates to the principle of development	None
Aviril Gupta	Impact of traffic; congestion; construction work; impact on amenities of residents	These will be material considerations in the assessment of future planning application(s). No changes required to the Development Brief	None