



SUPPLEMENTARY INFORMATION

Planning Committee

13 February 2020

Agenda Item Number	Page	Title
20	(Pages 1 - 9)	Written Updates

If you need any further information about the meeting please contact Lesley Farrell, Democratic and Elections democracy@cherwellandsouthnorthants.gov.uk, 01295 221591

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

13 February 2020

WRITTEN UPDATES

Agenda Item 7

Proposed Pre-Committee Site Visits

Officers would like to recommend that the Committee agrees to hold pre-committee site visits for the following applications which are expected to be brought before the Committee for determination at the next meeting:

a) 19/02708/F: Bicester Heritage, Buckingham Road, Bicester

OUTLINE Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and D1 (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access.

b) 19/2550/F: Land to the east of M40 and south of A4095, Chesterton, Bicester

Redevelopment of part of golf course to provide new leisure resort (sui generis) incorporating waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping

Agenda Item 8

18/01721/OUT Land West of Oxford Road and South of Newton Close, Bicester

No update but full wording of proposed conditions set out below

1. No development shall commence until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (General Development Procedure) Order 2015 (as amended)

2. In the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: The permission is in outline only.

3. The development to which this permission relates shall be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason: this application is in outline.

4. Except where otherwise stipulated by condition, the development shall be carried out, strictly in accordance with the following plans and documents: (to be added)

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

5. That prior to the commencement of any development on the site, and prior to the submission of any reserved matters, notwithstanding the design code submitted with the application, a design code shall be submitted and approved in writing by the Local Planning Authority. The design code shall include: character area details; densities across the site, general scale, massing, height, design and form of buildings; street form and frontages; movement hierarchy and public realm strategy; public open space/play space/ landscaping and green infrastructure links, materials; servicing; parking strategies and sustainability features, including renewable energy. Thereafter, any reserved matters application shall be submitted in accordance with the approved design code.

Reason: To ensure a high quality development in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

6. No development may be occupied until written confirmation is received by the Local Planning Authority that a six month extension to the existing bus service agreement (for services between south-west Bicester and the town centre) has been secured. Such confirmation must include the original and new dates of service expiration, and must be jointly signed by the applicant and service provider.

Reason: To ensure the development can be served effectively by sustainable transport as required by paragraph 108 of the National Planning Policy Framework.

7. Prior to first occupation, a Travel Plan Statement should be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

8. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of the development hereby approved, full details of the pedestrian and cycle access points linking the development with the adjacent highway and off highway pedestrian and cycle network, including a temporary route across the safeguarded land, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways, parking and turning areas to serve the dwellings, which shall include construction, layout surfacing, drainage and parking restrictions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to

first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance within the National Planning Policy Framework.

11. The development shall be implemented in accordance with the approved residential travel plan for Kingsmere (to be added)

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

12. Prior to the commencement of the residential development hereby approved, full details of secure, covered cycle parking for residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of each dwelling, the cycle parking shall be provided in accordance with the approved details.

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

13. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of construction access route, delivery hours avoiding network peak and school arrival/departure times, site compound including parking and turning, provision for making good any damage to the highway resulting from construction of the development, and wheel washing arrangements.

Reason: To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

14. Development shall not begin until a detailed surface water drainage scheme for the site, which shall be provided as part of any reserved matters submission, in accordance with the approved Create Flood Risk Assessment TF/CS/P15-874/13/Revision D and Drainage Strategy drawing 02/703 Rev C, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- a compliance report to demonstrate how the scheme complies with the agreed drainage strategy for the site and the local and national surface water drainage standards
- full microdrainage calculations for all events up to and including the 1 in 100 year plus climate change
- a Flood Exceedance Conveyance Plan
- Detailed drainage design layout drawings of the SUDs proposals including cross section details
- detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be maintained during construction

Reason: To ensure satisfactory drainage of the site and in accordance with Government guidance within the National Planning Policy Framework.

15. No properties shall be occupied until confirmation has been provided that either: a) that all water upgrades required to accommodate the additional flows from the development have been completed, or, b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

16. No dwelling shall be occupied on the site until 3 bins for the purposes of recycling, residual and garden waste have been provided for that dwelling in accordance with the following specification:

- one 240 litre blue wheeled bin for the collection of dry recyclable material
- one 240 litre green wheeled bin for the collection of residual waste
- one 240 litre brown bin for the collection of garden waste material

Reason: To ensure that new residents have access to waste storage facilities that encourage recycling and to reduce the risk of unsightly bin waste storage affecting street scenes in accordance with the requirements of Policy ESD1, ESD2 and ESD15 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

17. All applications for approval of reserved matters shall include an energy statement demonstrating how all the dwellings will achieve a 19% reduction in carbon emissions above 2013 building regulations and a water efficiency of not more than 110 litres/person/day. The development shall be carried out in accordance with the approved statement.

Reason: In the interests of creating sustainable new development in accordance with the requirements of Policy ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

18. No development shall take place, nor shall any reserved matter be submitted until an arboricultural survey undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions is carried out, submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting any trees/hedges of importance in accordance with Policy ESD15 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. Prior to the commencement of the development hereby permitted, a desk study and site walk over to identify all potential contamination on the site, and to inform the conceptual site model, to be carried out by a competent person and in accordance with DEFRA and Environment agency's Model Procedures for the Management of Land Contamination, CLR11, and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure the risks from contamination to future residents is minimised in accordance with Government guidance within the National Planning Policy Framework.

20. Prior to the commencement of the development hereby approved, A Landscape and Ecological Management Plan (LEMP) to include a full biodiversity enhancement scheme to demonstrate net biodiversity gain of 10%, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the LEMP shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

21. Prior to the commencement of any development and prior to the submission of any reserved matters, a noise assessment together with details of any necessary mitigation measures in respect of the adjacent Esso petrol station and activities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the findings and necessary agreed mitigation measures.

Reason: to protect the new residents from adverse noise and disturbance and to accord with Government guidance within the National Planning Policy Framework.

22. Prior to the commencement of any development on the site, full details of the existing and proposed site and floor levels shall be submitted to and approved in writing by the Local planning authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure the satisfactory functioning and visual appearance of the development, in accordance with the requirements of Policy ESD15 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

23. Prior to the first occupation of the development hereby approved, a landscape and SUDS Management Plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting of all landscaped areas, other than for privately owned, domestic gardens shall be submitted to and approved in writing by the Local Planning Authority. thereafter the Landscape Management Plan shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development in accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan and Government guidance within the National Planning Policy Framework

Agenda Item 9

19/00465/F Motor Fuel Ltd Bloxham Service Station, Bloxham

No update

Agenda Item 10

19/02444/OUT Land South of Home Farm House, Clifton Road, Deddington

Since the publication of the agenda consultee comments have been received on the amended plans showing the provision of a new footpath along Earls Lane, a crossing point and widening of the footpath along the Clifton Road, alongside additional drainage information.

The Local Highway Authority (LHA) have now removed its objection. The additional information demonstrates adequate visibility splays can be provided from the access for vehicles taking into account the actual recorded vehicle speeds along Clifton Road. The LHA also wishes to see traffic calming measures to slow vehicles and consider this to be necessary to protect the safety of pedestrians crossing the B4031 in combination with an extension to the 30mph limit. This would need to be secured through a legal agreement.

In regard to the proposed pedestrian links the LHA considers this can be provided within the adopted highway and a safe crossing point can be provided between Clifton Road the new footpath along Earls Lane using the existing splitter island. This would provide a safe walking route to the school, health centre and bus stops. They do, however, request a contribution of £1,000 per dwelling for improved public transport to support plans to increase the bus service serving the village from an hourly to half-hourly service to make public transport a more attractive alternative. This would need to be secured through a S106 agreement

The County Council has also requested a contribution of £4,166 (index linked) towards the internal works and book stock at Deddington Library and states that the existing library is under-size in relation to its catchment population. Given the recommendation for refusal officers have not advanced discussions on this with the applicant.

The Lead Local Flood Authority (LLFA) has also reviewed the additional drainage information that has been submitted in relation to the application. The LLFA has now withdrawn its objection to the scheme subject to a condition requiring a detailed drainage scheme being submitted at reserved matters stage.

The County Archaeologist has now reviewed the findings of the field evaluation that has been undertaken on the site. They have confirmed that below ground archaeological remains do not survive on this site and therefore is not a constraint to this proposal. They have supported Historic England's conclusion that the development would impact on the setting of the scheduled monument and that this impact would be less than substantial and that this harm to the scheduled monument and conservation area would need to be fully justified and balanced as set out in the National Planning Policy Framework (2019).

The Conservation Officer has also commented on the proposal. These comments are largely similar to the earlier application and the views of Historic England. They conclude that the proposal would result in less than substantial harm to the significance of the eastern part of the conservation area through development within its setting. They also agree with the comments received from Historic England in that this harm less than substantial harm. The NPPF paragraph 196 states that this harm should be weighed against the public benefit. In relation to the works proposed within the village and its Conservation Area to improve the site's connectivity to the village, the Conservation Officer comments:

The works to the highway and footpath within the conservation area as a result of works associated with the development will alter the appearance and therefore the character of the conservation area in this location therefore contributing to the cumulative impacts of the development. However, it may be possible for the necessary works to be rethought to reduce any negative impacts. It is for the officer to weigh these impacts in the planning balance when concluding on the overall acceptability of the proposed development

Officer comment

In light of the LHA's comments stating the access and pedestrian connection improvements are deliverable it is considered that the second reason for refusal in relation to the poor accessibility of the site to services and facilities of the village has been addressed and this reason for refusal can be removed from the recommendation. The relevant works and contributions would need to be secured through a legal agreement. It is acknowledged that Deddington has a wider range of facilities than many category A settlements.

The concerns of the Lead Local Flood Authority and County Archaeologist have been adequately addressed through the provision of additional information and no objection is made from officers in these respects. These matters weigh neutrally in the planning balance.

The Conservation Officer's comments are noted and largely concur with Officers' views outlined within the Committee report.

It has also been highlighted that paragraph 9.63 of the report refers to The Fishers being located to the east of the site. It should instead state that The Fishers is located to the west of the site.

Change to recommendation

It is recommended that the second reason for refusal be removed, and that the first refusal reason be amended. It is therefore recommended the scheme be refused for the following reasons:

1. By virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village and its scale and location, the proposed development would cause significant and demonstrable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. For the same reasons the proposal would also result in 'less than substantial' harm to the setting of the nearby Scheduled Ancient Monument and Conservation Area and the harm stemming from the proposals is considered not to be outweighed by any public benefits. The impact on the character and appearance of the Conservation Area of the works required outside of the site to improve connections from the site to the village also weighs against the development. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C28 and C33 of the Cherwell Local Plan 1996, Cherwell Residential Design Guide SPD (2018) and Government guidance contained within the National Planning Policy Framework.
2. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure (including education, open space, sports facilities, community facilities, highway infrastructure and affordable housing) directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, mix and balanced communities, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, BSC3, BSC10 and BSC11 of the Cherwell Local Plan (2011-2031) Part 1, the Developer Contributions SPD (2018) and Government guidance contained within the National Planning Policy Framework.

Agenda Item 11

18/02160/F Part of OS Parcel0 083 North of 89 Cassington Road, Yarnton

No update

Agenda Item 12

19/02279/F Portway Cottage, Ardley Road, Somerton

It has been brought to officers' attention that the Mid Cherwell Neighbourhood Plan Forum (MCNPF) was not consulted on the planning application. This consultation has since been sent out. The last date for the MCNPF to comment is 2 March 2020 and this necessitates a change to the recommendation.

Change to recommendation

RECOMMENDATION – REFUSAL FOR THE REASONS SET OUT BELOW UPON THE EXPIRY OF THE CONSULTATION PERIOD, THAT IS 2ND MARCH 2020 AND SUBJECT TO NO NEW ISSUES HAVING BEEN RAISED BY THAT DATE:

1. The proposed dwelling constitutes unsustainable residential development in the countryside beyond the built-up limits, remote from services and facilities, without adequate justification that the new dwelling would be essential to the operations of the cattery business. The proposal therefore conflicts with the Council's rural housing strategy outlined in Policy ESD1 and Policy Villages 1 of the Cherwell Local Plan Part 1 and Saved Policy H18 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework, in particular paragraph 79.
2. The proposed development, by virtue of its appearance and introduction of a further residential dwelling in the open countryside, would have a detrimental impact on the rural character and appearance of the area. The proposed development is therefore contrary to saved policies C8, C28 and C30 of the Page 119 Cherwell Local Plan (1996), policies ESD13 and ESD 15 of the Cherwell Local Plan Part 1 (2015) and Government guidance contained within in the National Planning Policy Framework, in particular chapter 12

Agenda Item 13

19/02668/F Holly Tree Cottages, Earls Lane, Deddington

No update

Agenda Item 14

19/01289/F Windmill Nurseries, London Road, Bicester

No update

Agenda Items 15 and 16

19/02772/F and 19/02774/LB East Wing, Kirtlington Park House, Kirtlington

Additional information received and officer comment

The identification map in the agenda incorrectly includes all of the application building, whereas it should only enclose the southern half of the building. The plan is for identification purposes only and so has no effect on the planning application submission or its assessment.

The applicant has advised that the report contains an inaccuracy as it states that the building is covered with natural stone slates. The building is in fact roofed with imitation stone slates. As only half of the building is to be converted under this application and no works are to be carried out to the roof apart from strengthening/supporting the existing structure and the insertion of rooflights it would be inappropriate to require the re-roofing of the part of the building with natural stone slates as indicated on the elevation plan. In addition, the applicant has advised that the cost of re-roofing the building with natural stone slate would be prohibitive.

It is therefore recommended that the application is approved subject to the receipt of an amended elevation plan showing the retention of imitation stone slates. The Conservation Officer has no objections to this.

Change to recommendation

No change to the recommendation is required, as this already allows for any amendments to the named conditions as necessary.

Agenda Item 17

19/02936/NMA Land adj to the Oxford Canal, Spiceball Park Road, Banbury

No update

Agenda Item 18

19/02937/CDC Land adj to the Oxford Canal, Spiceball Park Road, Banbury

No update