

## Cherwell District Council

### Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 12 March 2020 at 4.00 pm

Present: Councillor James Macnamara (Chairman)

Councillor Andrew Beere  
Councillor Hugo Brown  
Councillor Colin Clarke  
Councillor Ian Corkin  
Councillor Simon Holland  
Councillor David Hughes  
Councillor Mike Kerford-Byrnes  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor George Reynolds  
Councillor Barry Richards

Substitute Members: Councillor John Broad (In place of Councillor Les Sibley)  
Councillor Douglas Webb (In place of Councillor Phil Chapman)  
Councillor Barry Wood (In place of Councillor Maurice Billington)

Apologies for absence: Councillor Maurice Billington  
Councillor Phil Chapman  
Councillor Conrad Copeland  
Councillor Chris Heath  
Councillor Les Sibley  
Councillor Katherine Tyson

Officers: David Peckford, Assistant Director: Planning and Development  
Sarah Stevens, Interim Senior Manager – Development Management  
Bob Neville, Senior Planning Officer  
Samantha Taylor, Principal Planning Officer  
Jennifer Crouch, Solicitor  
Lesley Farrell, Democratic and Elections Officer

### Declarations of Interest

**8. Land to the east of M40 and south of A4095 Chesterton, Bicester, Oxon.**

Councillor James Macnamara, Non Statutory Interest, as a member of Lower Heyford Parish Council, Mid Cherwell Neighbourhood plan forum and CPRE which had been consulted on the application.

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

**9. Land Adjacent to the M40 South of Overthorpe Road, Banbury.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

**10. Land at Deerfields Farm, Canal Lane, Bodicote.**

Councillor Colin Clarke, Disclosable Pecuniary Interest, as he was related to the applicant and would leave the chamber for the duration of the item.

**11. Car Park, Compton Road, Banbury.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

**12. Land North of Park and Ride Adj to Vendee Drive, Bicester.**

Councillor Barry Wood, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor George Reynolds, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Ian Corkin, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

**15. Unit 2-4 Wildmere Park, Wildmere Road, Banbury, OX16 3JU.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

152 **Requests to Address the Meeting**

The Chairman advised that requests to address the meeting would be dealt with at each item.

153 **Minutes**

The Minutes of the meeting held on 13 February 2020 were agreed as a correct record and signed by the Chairman.

154 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

155 **Urgent Business**

There were no items of urgent business.

156 **Proposed Pre-Committee Site Visits (if any)**

There were no proposed pre-committee site visits.

157 **Land to the east of M40 and south of A4095 Chesterton, Bicester, Oxon**

The Committee considered application 19/02550/F for the redevelopment of part of golf course to provide a new leisure resort (sui generis) incorporating a waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping at land to the east of the M40 and south of the A4095, Chesterton, Bicester, Oxon for Great Lakes UK Limited.

Philip Clarke, Chairman, Chesterton Parish Council addressed the Committee in objection to the application.

Chris Goddard of DP9 Planning and Phil Bell of Motion Transport Consultants addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the addresses of the public speakers and the written update.

### **Resolved**

- (1) That application be refused for the following reasons:
  1. The proposed development by reason of its location would result in the loss of an 18-hole golf course when the Local Planning Authority's evidence indicates the course is not surplus to requirements and there is a need for more provision for golf courses in the Bicester sub-area over the plan period. The evidence and proposals for alternative sports and recreation provision included with the application is not considered sufficient to make the loss of the golf course acceptable. The development is contrary to Policy BSC10 of the Cherwell Local Plan 2011-2031 Part 1 which seeks to protect existing sport and recreation provision and enhance the existing provision. It is also contrary to Government guidance contained within the National Planning Policy Framework.
  2. The proposed development would result in the creation of a substantial leisure and hospitality destination in a geographically unsustainable location on a site largely devoid of built structures and beyond the built limits of the nearest settlement. It has no access via public transport and would not reduce the need to travel or offer a genuine choice of alternative travel modes over the private motor vehicle. Given the predominant guest dynamic (families with children) the majority of trips are likely to be made via private motor vehicle, utilising minor rural roads. Furthermore, the proposal is for retail and leisure development in an out-of-centre location and no impact assessment has been provided as required by Policy SLE2. The Council do not consider that exceptional circumstances have been demonstrated to justify the development in this location, and as such the proposal is contrary to Policies SLE1, SLE2, SLE3, SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policies T5, TR7 and C8 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
  3. The proposed development fails to demonstrate that traffic impacts of the development are, or can be made acceptable, particularly in relation to additional congestion at the Middleton Stoney signalised junction of the B4030 and B430. As such the proposal is contrary to Policy SLE4 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy TR7 of the Cherwell Local Plan 2011-2031 Part 1, Policy 17 of the Oxfordshire Local Transport Plan 4 and Government guidance contained within the National Planning Policy Framework.
  4. The development proposed, by virtue of its considerable size, scale and massing and its location in the open countryside beyond the built limits of the village of Chesterton, along with its institutional

appearance, incongruous design, and associated levels of activity including regular comings and goings, will cause significant urbanisation and unacceptable harm to the character and appearance of the area, including the rural setting of the village and the amenities enjoyed by users of the public right of way, and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. The submitted drainage information is inadequate due to contradictions in the calculations and methodology, lack of robust justification for the use of tanking and buried attenuation in place of preferred SuDS and surface management, and therefore fails to provide sufficient and coherent information to demonstrate that the proposal is acceptable in terms of flood risk and drainage. The proposal is therefore contrary to Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.
6. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure (including highway infrastructure) directly required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies SLE4, INF1, and PSD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government Guidance contained within the National Planning Policy Framework.

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### **Land Adjacent to the M40 South of Overthorpe Road, Banbury**

The Committee considered application 19/00771/F for full planning permission for 27,685 sq.m / 298,000 sq.ft. of logistics floorspace within class B2 or B8 of the town and country planning use classes order 1987, with ancillary class b1(a) offices (units 9 and 10), and ancillary retail and trade showroom (unit 10 only), not to exceed 300 sq.m (excluding convenience goods) together with the extension of Chalker Way, access from Chalker Way, associated site infrastructure including lorry parking, landscaping, amenity open space and sustainable drainage system at Land Adjacent to the M40 South of Overthorpe Road, Banbury for Db9 Symmetry Limited.

Peter Frampton and Nicola Mcguirk Agents to the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the address of the public speakers and the written update.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/00771/F subject to:
- i. The Environment Agency objections being withdrawn.
  - ii. 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 following (and any amendments as deemed necessary) being completed:
    - a) Safeguarding of the land for the South East Relief Road and the Western Link Road.
    - b) Contributions towards the bus service enhancement and travel plan monitoring.
  - iii. the following conditions (and any amendments to those conditions as deemed necessary):

## CONDITIONS

### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from 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.

Submission to/Monitoring/Enforcement: CDC and SNC Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

DRAWINGS:

Site Location Plan dwg. no. 6422-100 Rev F dated 26 April 2019;  
Site Layout Plan dwg. no. 6422-101 Rev. J dated 19 September 2019;  
Site Plan Illustrating Constraints dwg. no. 6422-102 Rev. H dated 19 September 2019;  
Site Layout Plan External Finishes & Fencing dwg. no. 6422-103 Rev. G dated 19 September 2019;  
Unit 10 Proposed Building Plan dwg. no. 6422-104 Rev. C dated 23 April 2019;  
Unit 10 Proposed Ground, First & Second Floor dwg. no. 6422-105 Rev. B dated 23 April 2019;  
Unit 10 Proposed Elevations dwg. no. 6422-106 Rev. D dated 23 April 2019;  
Unit 10 Proposed Roof Plan dwg. no. 6422-107 Rev. B dated 26 March 2019;  
Unit 9 Proposed Building Plan dwg. no. 6422-111 dated 05 April 2019;

Unit 9 Proposed Ground, First & Second Floor dwg. no. 6422-112 dated 08 April 2019;  
Unit 9 Proposed Elevations dwg. no. 6422-113 dated 08 April 2019;  
Unit 9 Proposed Roof Plan dwg. no. 6422-114 dated 08 April 2019;  
Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019;  
Planting Plan overview dwg. no. 6849/ASP.PPDBS9.1.0 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.1 Rev G dated 23 September 2019;  
Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.2 Rev G dated 23 September 2019;  
Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.3 Rev G dated 23 September 2019;  
Drainage Layout Sheet 1 Ref. C08749-HYD-XX-XX-DR-C-0001 Rev. P7 dated 16 September 2019;  
Drainage Layout Sheet 2 Ref. C08749-HYD-XX-XX-DR-C-0002 Rev. P6 dated 16 September 2019;  
Drainage Layout Sheet 3 Ref. C08749-HYD-XX-XX-DR-C-0003 Rev. P6 dated 16 September 2019;  
Drainage Layout Sheet 4 Ref. C08749-HYD-XX-XX-DR-C-0004 Rev. P7 dated 16 September 2019; Standard Details Sheet 1 Ref: C08749-HYD-XX-XX-DR-C-0010 Rev. P2 dated 22 February 2019;  
Standard Details Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0011 Rev. P2 dated 22 February 2019;  
Standard Details Sheet 3 Ref: CM4-HYD-XX-XX-DR-C-0012 Rev. P1 dated 19 February 2019; Catchment Plan Ref. C08749-HYD-XX-XX-DR-C-0005 Rev. P7 dated 16 September 2019;  
External Levels Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0101 Rev. P7 dated 16 September 2019;  
External Levels Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0102 Rev. P8 dated 16 September 2019;  
Cycle Shelter dwg no. 6422-035 dated 15 August 2019; REPORTS:  
Ecological Appraisal dated April 2019, ref. edp1419\_r015d; Reptile Mitigation Strategy dated April 2019, ref. edp1419\_r018b;  
Biodiversity Impact Assessment ref. edp1419\_r014d received 16 May 2019;  
Floodplain Technical Note dated June 2019;  
Flood Risk Assessment dated 15 April 2019;  
Hydraulic Modelling Report by Hydrock Ref: COB-HYD-XX-XX-RP-D-5002 dated 24 September 2019;  
Technical Note - Drainage Statement by Hydrock Ref: C08749-HYD-XX-XX-RP-C001 Rev P5 dated 16 September 2019;  
Technical Design Note by Hydrock in response to Environment Agency comments Ref: 8749-HYD-XX-XX-FR-TN-007 Rev P1-S2 dated 18 February 2020; Transport Assessment dated 29th April 2019;  
Framework Travel Plan dated 29th April 2019; Phase 1 Desk Study dated 29th April 2019;  
Landscape and Visual Impact Assessment dated April 2019 ref. 6489.LVIA.004;  
Landscape Management Plan dated April 2019, ref. 6489.Land.Man.002;  
Arboricultural Impact Assessment Ref. 10057\_AIA.001 Rev. C dated 23 September 2019;

Heritage Assessment dated April 2019, ref. AC947A; External Lighting report Rev. P06 dated 26 April 2019; Odour Assessment dated April 2019; Noise Assessment dated April 2019; Project Specification for an Archaeological Evaluation and Geophysical Survey both dated 13th February 2018; Archaeological Evaluation Report by Thames Valley Archaeological Services dated September 2019;

Reason: To clarify the permission and for the avoidance of doubt.  
Submission to/Monitoring/Enforcement: CDC and SNC Ecology

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Appraisal dated April 2019, ref. edp1419\_r015d; the Reptile Mitigation Strategy dated April 2019, ref. edp1419\_r018b and the Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.  
Submission to/Monitoring/Enforcement:

**CDC and SNC CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

4. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
  - a) The parking of vehicles of site operatives and visitors;
  - b) The routeing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - g) Measures to control the emission of dust and dirt during construction;
  - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - i) Delivery, demolition and construction working hours;
  - j) The ecological mitigation measures to be implemented in accordance with condition 3 of this permission;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 Policy ESD10 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.

Submission to/Monitoring/Enforcement: CDC and SNC

5. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been 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: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with ESD10 of the Cherwell Local Plan and Government guidance contained within Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

6. No development shall take place (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) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) 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);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) 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 and all protective fencing and warning notices shall be erected on the site in accordance with the approved CEMP. All protective fencing and warning signs shall be maintained in accordance with approved details for the entirety of the construction phase.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 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.

Submission to/Monitoring/Enforcement: CDC and SNC

7. No development shall take place until the existing tree(s) to be retained in accordance with Drwg No. 6489.ASP.PPDBS9.1.0\_Rev G dated 23 September have been protected in accordance with an Arboricultural Method Statement to be submitted to and approved in writing by the Local Planning Authority 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 Policies ESD15 of the Cherwell Local Plan 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.  
Submission to/Monitoring/Enforcement: CDC and SNC Archaeology

8. No development shall take place within the area of archaeological interest (as outlined in orange on the County Archaeologist's plan provided with the consultation response dated 15th October 2019) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
- (i) Approval of a Written Scheme of Investigation;
  - (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
  - (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
  - (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, and the results made available, in accordance with NPPF Paragraph 199.

9. No development shall take place above slab level until a detailed scheme for the ownership and maintenance for every element of the

surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policies ESD6 and ESD7 of the Cherwell Local Plan and Government advice in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: SNC

10. Prior to the commencement of the development details of the surface water attenuation shall be submitted to and agreed in writing by the Local Planning Authority. The surface water attenuation shall be implemented in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority prior to its implementation.

Reason: To protect the adjacent railway from the risk of flooding, pollution and soil instability.

Submission to/Monitoring/Enforcement: CDC and SNC Levels details

11. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority. All changes to ground levels, earthworks and excavations close to the railway boundary shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of those works.

Reason: To protect the adjacent railway.

Submission to/Monitoring/Enforcement: CDC and SNC

#### CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

12. 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 in accordance with the approved Landscape Management Plan Ref: 6489.Land.Man.002 dated April 2019. 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 Policies ESD13 and ESD15 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.  
Submission to/Monitoring/Enforcement: CDC and SNC Highways

13. Details of the proposed construction, materials and surfacing of the access road and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the building(s) and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Policy SLE4 of the Cherwell Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.  
Submission to/Monitoring/Enforcement: CDC and SNC Lighting

14. Details of the external lighting/security lighting/floodlighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to comply with Policy ESD15 of the Cherwell Local Plan and Government advice in The National Planning Policy Framework.  
Submission to/Monitoring/Enforcement: CDC and SNC

15. No external lighting shall be installed within the ecological mitigation area as identified on plan no. 6422-115 dated 02/05/2019.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  
Submission to/Monitoring/Enforcement: CDC and SNC Ecology

16. If the development hereby approved does not commence by April 2021. A revised ecological appraisal shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact of protected species. The survey results, together with any necessary changes to the mitigation plan or

method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with ESD10 of the Cherwell Local Plan 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.

Submission to/Monitoring/Enforcement: CDC and SNC Fire Hydrants

17. Full details of the fire hydrants and/or sprinklers to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants and sprinklers shall be provided in accordance with the approved details and retained as such thereafter.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

18. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Technical Note Drainage Statement ref C08749-HYD-XX-XXRP-C-001 issue P5 dated 16 September 2019 prepared by Hydrock have 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 include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Details of the drainage system are to be accompanied by full WinDES modelling or similar with the details on proposed discharge rates, simulating storms through the whole drainage system, with results of critical storms, demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD7 of the Cherwell Local Plan and Government advice in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: SNC

19. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until August inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority.

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 in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

20. Prior to the first occupation of the development, the walls and roofs of the buildings hereby approved shall be finished and thereafter maintained in accordance with the colour scheme approved as set out in drawings ref: Unit 9 Proposed Elevations dwg. no. 6422-113 dated 08 April 2019 and Unit 9 Proposed Roof Plan dwg. no. 6422-114 dated 08 April 2019 unless otherwise agreed in writing by the LPA.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

21. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first use of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason: In the interests of highway safety, to ensure the provision of adequate offstreet car parking and turning/loading/unloading to comply with SLE4 of the Cherwell Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

22. Prior to the first use or occupation of the development hereby permitted, details of a turning area which shall need to be identified and provided within land owned by the development so that buses may turn around, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of buses at all times thereafter.

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

Submission to/Monitoring/Enforcement: CDC and SNC

23. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority based on the approved Technical Note Drainage Statement ref C08749- HYD-XX-XX-RP-C-001 issue P5 dated 16th September 2019 prepared by Hydrock  
The report shall include:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
  - e) Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

Submission to/Monitoring/Enforcement: SNC

24. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - an infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed 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. Submission to/Monitoring/Enforcement: CDC and SNC

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

25. The existing trees and hedge along the northern boundary of the site shall be retained in accordance with the approved landscaping plans (Planting Plan overview dwg. no. 6849/ASP.PPDBS9.1.0 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.1 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.3 Rev G dated 23 September 2019; and the approved Landscape Management Plan Ref: 6489.Land.Man.002 dated April 2019 unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies ESD13 and ESD15 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

26. All species used in the planting proposals associated with the ecological mitigation area as identified in the Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019 shall be native species of UK provenance.

Reason: To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy ESD10 of the Cherwell Local Plan and Government guidance contained within Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

27. 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 Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC BREEAM

28. The development hereby permitted shall be constructed to at least a BREEAM Very Good standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

29. Notwithstanding the provisions of section 55 (2A) of the Town and Country Planning Act 1990 (as amended by Section 49 of the 2004 Act), Part 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no internal operations increasing the floor space available within the building hereby permitted shall be carried out without the prior planning permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the provision of additional floorspace in order to maintain a satisfactory layout and sustain an adequate overall level of parking provision and servicing on the site in accordance with Policy ESD15 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC



30. Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) the approved building shall not be extended without the prior planning permission of the Local Planning Authority.

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 area and to sustain a satisfactory overall level of parking provision and servicing on the site in accordance with Policy ESD15 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

31. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings 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.

Submission to/Monitoring/Enforcement: CDC and SNC

32. The buildings hereby approved shall be used only for purposes falling within Classes B2 and B8 with ancillary office space and a retail use within Unit 10 of no more than 400sqm as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: To ensure that there is adequate on-site parking provision in the interests of highway safety and to protect the vitality and viability of the town centre in accordance with Policies PSD1 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

33. The development hereby approved shall not be allowed to increase working shifts beyond the agreed 3 shifts per day unless notification has been submitted to the Local Planning Authority.

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

Submission to/Monitoring/Enforcement: CDC

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### **Land at Deerfields Farm, Canal Lane, Bodicote**

The Committee considered application 19/02350/OUT an outline application for planning permission for up to 26 dwellings including access at Land at Deerfields Farm, Canal Lane, Bodicote for Mr Nigel Morris.

Wendy Jackson, local resident, addressed the Committee in objection to the application.

Tom Birks, agent for the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation and the addresses of the public speakers.

### **Resolved**

- (1) That authority be delegated to Assistant Director Planning and Development to grant permission for application 19/02350/OUT subject to:
  - i. 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 following (and any amendments as deemed necessary) being completed:
    - a) Provision of 30% affordable housing on site
    - b) Payment of a financial contribution towards public transport of £1000 per dwelling (index linked)
    - c) Payment of a financial contribution towards educational infrastructure serving £14,276 per dwelling (index linked).
  - ii. the following conditions (and any amendments to those conditions as deemed necessary):

### **CONDITIONS**

1. Time limits (including submission of Reserved Matters)
2. Compliance with plans
3. Construction Environment Management Plan
4. Land Contamination and Remediation
5. Lighting Scheme
6. Provision of EV Charging Points
7. Full details of the site access(es)
8. Pedestrian and Cycle Access to Canal Lane
9. Access, driveways and turning areas (Individual Properties)
10. Details of Turning for Service Vehicles
11. Cycle Parking
12. Construction Traffic Management Plan
13. Travel Plan/Information Packs
14. Thames water and upgrade of existing foul water network
15. Surface water drainage strategy and details to be provided as part of reserved matters submission
16. Provision of refuse and recycling bins
17. Contamination
18. SUDS maintenance plan
19. Biodiversity enhancement details to be included in reserved matters submission
20. Finished floor levels and ground levels to be included as part of reserved matters submissions
21. Energy Statement and sustainable construction in accordance with Policy ESD3

160 **Car Park, Compton Road, Banbury**

The Chairman advised the Committee that application 19/02358/M106 had been withdrawn by the applicant.

161 **Land North of Park and Ride Adj to Vendee Drive, Bicester**

The Committee considered application 19/02973/DISC for the discharge of Conditions 7 (proposed means of access), 9 (details of dog & litter bins, and interpretation boards), 10 (details of pedestrian bridges) - change of use from agricultural(arable) to informal recreation with public access – to the previously approved applicaton 19/01351/CDC at Land North of Park and Ride, Adjacent to Vendee Drive, Bicester for Cherwell District Council.

In reaching its decision the Committee considered the officer's report and presentation

**Resolved**

- (1) That the discharge of the following conditions of application 19/02973/DISC be approved:

**Condition 7**

The proposed maintenance and access gates as shown on drawing numbers ES/LS/001 Rev C; ES/LS/002; 03/570 Rev A and gate detail H17 accompanying this application and as clarified by the detail and information in the applicant's Addendum received 10th February 2020.

**Condition 9**

The details and locations of the litter bins, dog bins and interpretation boards as shown on drawing numbers ES/LS/001 Rev C and as clarified and explained in the applicant's written statement accompanying the application.

**Condition 10**

The details and locations of the pedestrian bridges as shown on drawing numbers ES/LS/001 Rev C and as clarified and explained in the applicant's written statement accompanying the application.

162 **Land to the South and Adj to South Side Steeple Aston**

The Committee considered application 19/02948/F for the erection of 10 no. two storey residential dwellings with access off South Side including a new pedestrian footway, parking and garaging, landscaping and all enabling and ancillary works at Land to the South and Adjacent to South Side Steeple Aston for Rectory Homes Limited.

Martin Lipson representing Steeple Aston Parish Council and Steve Kerry the applicant addressed the Committee in support of the application.

It was proposed by Councillor Mike Kerford-Byrnes and seconded by Councillor Hugo Brown, that application 19/02948/F be approved contrary to officer recommendation, subject to suitable conditions and a section 106 agreement, as 2 affordable homes had been offered to be included on this site. Should a greater number of homes be included on this site, it may exclude other sites which come forward, given the upper limit of 20 homes for this Parish, in the Mid Cherwell Neighbourhood Plan.

In reaching its decision the Committee considered the officer's report and presentation, the address of the public speakers and the written update.

**Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 19/02948/F subject to:
  - a) Suitable conditions (the exact wording of those conditions to be delegated to the Assistant Director for Planning and Development in consultation with the Chairman).
  - b) A suitable Section 106 agreement to include the provision of two affordable homes (the exact wording to be delegated to the Assistant Director for Planning and Development in consultation with the Chairman).

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**OS Parcel 4278 North West of Lessor Grange, Milcombe**

The Committee considered application 19/02992/F for the erection of a cattle shed, manure store and associated hardstanding. Application 19/02992/F was an amendment to the approved cattle shed application 18/01724/F at OS Parcel 4278, North West of Lessor Grange, Milcombe for Mr Bertrand Facon.

In reaching its decision the Committee considered the officer's report and presentation.

**Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 19/02992/F subject to the following 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: Supporting Statement dated

December and drawings numbered KCC2395/02A, KCC2395/06A and KCC2395/10 01/20cb.

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

3. Prior to the first use of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning and manoeuvring area which shall be provided within the curtilage of the site so that motor vehicles may enter, turn around and leave in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the development, the turning and manoeuvring area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of motor vehicles at all times thereafter.

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

4. Other than the approved access shown on approved plan KCC2395/02A no other means of access whatsoever shall be formed or used between the land and the adopted highway.

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

5. The vision splays at the access onto the adopted highway shall not be obstructed by any object, structure, planting or other material of a height exceeding 1m measured from the carriageway level.

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

6. Notwithstanding the details submitted, prior to the first use of the development hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
  - (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 surface areas, including construction and drainage.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements of the approved scheme shall be carried out prior to the first use of the development hereby approved and shall be retained as such thereafter.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the 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.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting and 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 current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the 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.

8. Prior to the first use of the development hereby approved, a method statement for enhancing biodiversity on site through the inclusion of integrated features for bats or birds, a planting and management scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason: To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Government guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of the development hereby approved above slab level, a Lighting Strategy including a plan of estimated lux spill shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be installed and retained in accordance with the approved details, unless otherwise agreed in writing by the Local planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of

the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework

10. The development hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act, 1990.

Reason: To ensure that the development is used for agricultural purposes only, in accordance with Government guidance contained within the National Planning Policy Framework.

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### **Unit 2-4 Wildmere Park, Wildmere Road, Banbury, OX16 3JU**

The Committee considered application 19/01774/F for alterations and extensions to Units 2-4, Wildmere Park, Wildmere Road, Banbury, OX16 3JU to create additional industrial office space for Mr David Apperly.

In reaching its decision the Committee considered the officer's report and presentation.

#### **Resolved**

- (1) That authority be delegated to the Assistant Director, Planning and Development to grant permission for application 19/01774/F subject to the following conditions (and any amendments to those conditions as deemed necessary):

#### **CONDITIONS:**

##### **Time Limit**

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.

##### **Compliance with Plans**

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: Flood Risk Assessment & Drainage Strategy Issue 2 prepared by Flow Drainage Design, ref. 1951 and dated 27 January 2020, Design Air Quality Assessment prepared by DustScanAQ dated January 2020, Renewable Energy Feasibility Study prepared by Fenton Energy dated 12th December 2019, Transport Statement Rev. A dated 3rd December 2019, Ecological Appraisal prepared by Tyler Grange dated 23rd September 2018 and drawings numbered: 218772-23A, 218772-24A, 218772-26A, 218772-27 and 0726.1.2.

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

**Ecology and Biodiversity**

3. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity at the shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved biodiversity enhancement measures prior to the first use of the development and shall be retained as such thereafter.

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.

4. The development hereby approved shall be carried out in accordance with the recommendations set out in Section 4: Potential Impacts, Mitigation and Enhancements of the Ecological Appraisal carried out by Tyler Grange on 23rd September 2018.

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.

5. All planting, seeding or turfing comprised in the approved details of landscaping, as detailed on approved drawing number 0726.1.2, shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting and 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 current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the 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.

**Parking and Manoeuvring**

6. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the approved plan 218772-23 Rev. A. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition



and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

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

**Sustainability measures**

7. Prior to the first use/occupation of the development hereby approved, the electrical vehicle charging points to serve the development shall be installed and brought into use prior to the first use of the development and shall be retained as such thereafter.

Reason: To maximise opportunities for sustainable transport in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the first use/occupation of the development hereby approved, the buildings shall be provided with solar PV panels in accordance with a scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. There after the Solar PV panels shall be installed in accordance with the approved scheme and brought into use prior to the first use/occupation of the approved development.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

**Flood-risk and drainage**

9. The development shall be carried out in accordance with the submitted Flood Risk Assessment, prepared by Flow Drainage Design, reference 1951, Issue 2, dated 27 January 2020, and the following mitigation measures it details:

- Flood resilience measures shall be incorporated into the structure to a minimum level of 94.00m AOD. These mitigation measures shall be fully implemented prior to the first use/occupation of the development hereby approved, and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To protect the development and its occupants from the increased risk of flooding and in order to comply Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and with Government guidance contained within the National Planning Policy Framework.

**Contamination**

10. 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

165 **Appeals Progress Report**

The Assistant Director for Planning Policy and Development submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled, or appeal results achieved.

**Resolved**

- (1) That the position statement be accepted.

The meeting ended at 6.10 pm

Chairman:

Date: