

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 15 July 2021 at 4.00 pm

Present:

Councillor George Reynolds (Chairman)
Councillor David Hughes (Vice-Chairman)
Councillor Maurice Billington
Councillor Andrew Beere
Councillor John Broad
Councillor Colin Clarke
Councillor Patrick Clarke
Councillor Ian Corkin
Councillor Sandy Dallimore
Councillor Mike Kerford-Byrnes
Councillor Tony Mephram
Councillor Cassi Perry
Councillor Lynn Pratt
Councillor Les Sibley
Councillor Dorothy Walker

Substitute Members:

Councillor Richard Mould (In place of Councillor Hugo Brown)

Apologies for absence:

Councillor Hugo Brown
Councillor Simon Holland
Councillor Sean Woodcock

Officers:

Alex Chrusciak, Senior Manager - Development Management
Andy Bateson, Team Leader – Major Developments
Wayne Campbell, Principal Planning Officer
Caroline Ford, Principal Planning Officer – Major Projects Planning Team
John Gale, Planning Officer
James Kirkham, Principal Planning Officer
Samantha Taylor, Principal Planning Officer
Karen Jordan, Deputy Principal Solicitor
Lesley Farrell, Democratic and Elections Officer
Natasha Clark, Governance and Elections Manager

Declarations of Interest

8. Land Northeast of Oxford Road, West of Oxford Canal & East of Bankside, Banbury.

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

9. Bicester Eco Town Exemplar Site, Banbury Road, Bicester.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council 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.

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

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

11. Land to rear of 160 Bloxham Road, Banbury.

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

12. 14 Beatrice Drive, Banbury, OX16 0DT.

Councillor Andrew Beere, 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 Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of Executive and would leave the meeting for the duration of the item.

13. Former site of The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU.

Councillor Andrew Beere, 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 the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

14. Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (0921).

Councillor Andrew Beere, 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 the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

15. Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (3692).

Councillor Andrew Beere, 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 the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

16. 36-37 Castle Quay, Banbury, OX16 5UN.

Councillor Andrew Beere, 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 the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

17. Land Adjacent to the Oxford Canal Spiceball Park Road Banbury (1292).

Councillor Andrew Beere, 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 the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

32 Requests to Address the Meeting

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

33 Minutes

The Minutes of the meeting held on 17 June 2021 were agreed as a correct record and signed by the Chairman.

34 Chairman's Announcements

There were no Chairman's announcements.

35 Urgent Business

There were no items of urgent business.

36 Proposed Pre-Committee Site Visits (if any)

There were no pre-committee site visits.

37 Land Northeast of Oxford Road, West of Oxford Canal & East of Bankside, Banbury

The Committee considered application 19/01047/OUT, an outline planning application for a residential development of up to 825 dwellings; green infrastructure including formal (playing fields with changing rooms, allotments)

and informal open space; landscaping and associated infrastructure including a balancing pond; on land off the A4260, with access off the existing Longford Park access off the A4260 (Oxford Road), and a new access off the A4260 (Banbury Road) with all matters of detail reserved, save for access at Land Northeast of Oxford Road, West of Oxford Canal and East of Bankside, Banbury for Hallam Land Management Limited.

Lawrence Dungworth, agent for the application, 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 speaker and the written updates.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01047/OUT subject to:
 - (i) The prior provision of a suitable mechanism to secure the land required for the relocation of Banbury United Football Club, to the satisfaction of the Assistant Director for Planning and Development, compliance with Policy Banbury 12;
 - (ii) The prior 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 following Heads of Terms as outlined in the published agenda report and any changes set out in the written update to that agenda (and any amendments as deemed necessary):

S106 Heads of Terms:

- The provision of 30% Affordable Housing on site with the mix made up of 70% affordable rent, 30% comprising social rent and shared ownership;
- Play spaces to include a MUGA, NEAP and 2 LAP/LEAPS with commuted sums for ongoing management and maintenance;
- Open space of around 5.98 hectares with either a transfer to the Council and commuted sum for ongoing maintenance or the developer to use a management company for ongoing maintenance without transfer;
- Allotment site with pathways to and within the site;
- Outdoor sports provision to include the sports pitches and community pavilion/changing rooms constructed to Sport England Standards, & adequate car parking;
- Indoor sports contribution of £688,831.11 (index linked) towards improvements at the Spiceball Leisure Centre and/or the development of a new indoor tennis centre at Banbury;
- Community development worker contribution of £65,941.26 to facilitate the integration of the new community to the application site with the existing community in the local area;

- Community development fund contribution of £400 towards supporting the activities of the Community Development Worker;
- Waste and recycling contribution of £111 per dwelling towards the provision of waste receptacles plus the provision of land for and the provision of a recycling bank;
- Cemetery contributions of £xx (tbc) per dwelling;
- Strategic Transport contributions of £121,476 towards BAN1 Hennef Way improvements;
- Strategic Transport contribution of £215,537.12 towards Ban 2 Tramway Road improvements;
- Bridge Street junction improvement contributions of £150,750 towards improvements to the public transport access at this junction;
- Oxford Road Cycleway contributions of £47,466 towards the provision of a shared use cycleway between the southern site access and Cotefield Drive. This is sought as part of the contribution towards the funding of the secondary school;
- Oxford Canal Pedestrian and Cycle Route contribution of £610,000 towards BAN 4 scheme, to provide a high-quality walking and cycling route along the Oxford Canal towards the town centre and employment areas;
- Public Transport Service contributions of £770,000 towards the cost of pump-priming a public transport service;
- Traffic Regulation Order (if not dealt with under s.278/s.38 agreement of £6,380 towards extending the 40mph speed restriction beyond the southern access and to enable on-street parking restrictions along the bus route within Longford Park;
- Travel Plan Monitoring contribution of £2,346 to enable the Residential travel Plan to be monitored for 5byears following occupation;
- Public Rights of Way contribution of £90,000 towards the enhancement of the Public Rights of Way network in the vicinity of the development;
- Nursery and Primary Education contributions of £2,776,896 towards the expansion of primary and nursery capacity serving the site;
- Secondary Education contributions of £6,050,576 towards a new secondary school in Banbury;
- SEN contributions of £411,345 towards the expansion of SEN capacity serving the site;
- Land reservation of 4.88ha to supply a 600-place secondary school, to be provided at no cost to the County Council;
- Land option of 1.89ha for a potential future expansion to accept a further 2 forms of entry if required; and
- Monitoring Fees for both Cherwell District Council and Oxfordshire County Council to be agreed whilst drafting the s106.

(iii) The following conditions set out in the published agenda report and any changes set out in the written update to that agenda (and any amendments to those conditions as deemed necessary):

Planning Conditions:

Time Limits and General Implementation Conditions

1. Application for approval of all reserved matters for a first-phase development of a minimum of 200 dwellings shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The construction of that first-phase development subsequently approved shall be begun before the expiration of four years from the date of this permission. Subsequent applications for approval of all reserved matters for all the remaining phases of development hereby approved shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. Any development subsequently approved in relation to these later phases shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: 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 Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: 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 Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

3. Except where otherwise stipulated by conditions attached to the Reserved Matters Permission(s), the development shall be carried out strictly in accordance with the following plans and documents:

Site Location Plan 6392-P-08 Rev I dated 22 March 2021

Parameters Plan 6394-P-01 REV AW dated 22 March 2021

Proposed Southern Access, 16052-01-124 Rev B

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 and Planning Practice Guidance.

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. Except to allow for the creation of means of access with associated vision splays hereby approved, the existing hedgerows along the boundaries of the site shall be retained and properly maintained from the date of this planning permission (unless otherwise approved as part of the approval of reserved matters submitted in requirement of Condition 2), and if any hedgerow plant/tree dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

Reason: In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. 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.

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. All applications for approval of reserved matters relating to an approved phase shall be accompanied by details of the existing ground levels

together with proposed finished floor levels of all buildings within that phase. Development in that phase shall thereafter be undertaken in accordance with the ground/floor levels approved as part of the grant of reserved matters approval.

Reason: To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. All applications for approval of reserved matters relating to an approved phase shall be accompanied by details of the proposed ecological enhancement measures to be incorporated within that phase in line with the recommendations at Section 5 of the Environmental Statement. All proposed ecological enhancement measures shall thereafter be installed in accordance with the details approved as part of the grant of reserved matters approval.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage and to enhance ecological opportunities at the site 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. All applications for approval of reserved matters relating to an approved phase shall be accompanied by an Energy Statement that demonstrates which sustainable design measures, including the provision of on-site renewable energy technologies, will be incorporated into that phase. The sustainable design measures shall thereafter be fully incorporated into the development of each phase and no occupation of development within the relevant phase shall take place until the approved sustainable design measures have been provided and, for on-site renewable energy provision, until such measures are fully installed and operational.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with Policies Bicester 10, ESD3, ESD4 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

11. Construction related vehicle are to be prohibited from accessing the development site via the existing Longford Park Phase 1 residential development. All construction related traffic is to access the development site via a temporary construction haul road to the south of the development site.

Reason: In the interest of highway safety.

12. All applications for reserved matters approval relating to a phase (as approved under a phasing condition) shall include details of the alignment and specification of any and all new and / or enhanced footpaths, bridleways and cycle tracks to be provided within / through that phase together with a timetable for their provision / completion.

These routes shall be in accordance with an approved access parameter plan, masterplan and design code. Thereafter and prior to first occupation of that phase, the new footpaths, cycle tracks and bridleways shall be provided in accordance with the details approved as part of the grant of reserved matters approval for that phase.

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 and

13. Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place within 10m of an existing Public Right of Way until the affected Public Right of Way is protected during development to accommodate a width of a minimum of 5m in accordance with details to be first submitted to and approved in writing by the Local Planning Authority except where the affected public right of way has the prior authorisation of the Local Planning (or Highway) Authority to be diverted or extinguished. Thereafter, the Public Right of Way shall remain protected and available for use at all times in accordance with the approved details throughout the construction of the development unless otherwise agreed in writing by the Local Planning Authority.

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

14. No works shall be undertaken that results in the temporary or permanent need to divert an existing Public Right of Way that runs through the site until details of a satisfactory alternative route have first been submitted to and approved in writing by the Local Planning Authority. The existing Public Right of Way shall not be stopped up or obstructed in any way (save for any temporary arrangement that has the prior written agreement of the local planning authority), until the new diverted route has been provided in accordance with the approved details and is fully available for public use.

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

Pre-Commencement Conditions

15. No development shall take place until a phasing plan covering the entire application site has been submitted to and approved in writing by the Local Planning Authority identifying the phases by which development will take place. Thereafter the development shall be carried out in accordance with the approved phasing plan and applications for approval of reserved matters shall be submitted in accordance with the terms of the approved phasing plan and refer to the phase (or phases) to which they relate.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Policies

ESD15, Banbury 4 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development on the appropriate phase as it is fundamental to the acceptability of the scheme.

16. No development shall take place on any phase, 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 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 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.

17. 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) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- i) Best practice with regard to wildlife including use of protective fences, exclusion barriers and warning signs.

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.

18. 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.

19. No development shall take place on any phase until an Arboricultural Method Statement for that phase, undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions to include a plan identifying which trees are to be retained and details of how they will be protected, is submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS and any tree protection measures 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.

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 built environment and to comply with Policy C28 of the adopted 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.

20. No construction shall take place until a Training and Employment Plan for the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum this Plan shall include the arrangements by which the applicant (or other specified persons) will provide construction (and related trades) apprenticeship starts during construction of the development hereby approved. Construction shall take place in accordance with the agreed Plan.

Reason: Paragraphs 80 and 81 of the National Planning Policy Framework support and encourage sustainable economic growth. Para B14 of the adopted Cherwell Local Plan 2011- 2031 recognises that it is important to ensure the population is sufficiently skilled to attract companies and investment to Cherwell and supports proposals to strengthen the skills base of the local economy. Strategic Objective 3 of the adopted Cherwell Local Plan seeks to support an increase in skills.

21. No development shall take place until a Detailed Design, Surface Water Management Strategy, Drainage Strategy (including calculations, ground levels and plans), associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods and details of the phasing of its provision has been submitted to and approved in writing by the Local Planning Authority.

- 10327 Technical Note 05 Technical Note: Outline Drainage Strategy, 17th June 2020
- Technical Note: Response to Oxfordshire County Council's (Drainage) Comments dated 12th May 2020 for Application 19/01047/OUT-2, 22nd May 2020

The scheme shall include:

- Details of how the drainage scheme has been designed to incorporate SuDS techniques to manage water quantity and maintain water quality as set out in the FRA, and in accordance with adopted policy and best practice guidance including the SuDS Manual C753;
- Detailed drainage plan showing the location of the proposed SuDS features;
- Detailed cross sections and construction details of the proposed SuDS measures;
- Details of how the scheme shall be maintained and managed after completion;
- Details of how water quality shall be maintained during and after construction;
- Detailed drainage calculations, using FEH methodology, for all rainfall events up to and including the 1 in 100 year plus climate change event to demonstrate that all SuDS features can cater for the critical storm event for its lifetime;
- The submission of evidence relating to accepted outfalls from the site, particularly from any third-party network owners;
- Sequencing for implementation; and

- The scheme shall be implemented in accordance with the approved details and timetable.

The approved Sustainable Drainage System shall be implemented in accordance with the approved Detailed Design and prior to the first occupation of the development in that phase. The Sustainable Drainage Scheme shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy ESD8 of the Cherwell Local Plan 2011-2031 Part 1 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.

22. If a potential risk from contamination has been identified as a result of the work carried out or any subsequent investigative study, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is 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 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.

23. If contamination is found, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and 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 of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is 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 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.

24. 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, vision splays and vehicle tracking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retain 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 contained within the National Planning Policy Framework.

25. Prior to the commencement of each phase of the development hereby approved, full specification details of the site's roads, turning areas and car parking to serve that part of the development, which shall include construction, layout, surfacing, lighting drainage and the location and layout of car parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of each phase of the development, the site roads and turning areas for that phase shall be constructed in accordance with the approved details. All car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority,

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 contained within the National Planning Policy Framework.

26. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2019).

27. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through

publication and dissemination of the evidence in accordance with the NPPF (2019).

28. Prior to the commencement of any development, drainage or any other works, including the removal of top soil, a detailed method statement for the preservation and protection of the Neolithic Cursus and Roman Temple/Shrine during the construction of the playing fields, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved method statement.

Reason: To ensure that the archaeological features identified within the area of the proposed playing fields are preserved in situ and not impacted by any drainage or landscaping works associated with the construction of the playing fields.

Conditions requiring approval or compliance before specific construction works take place

29. No development above slab level on any building proposed to contain residential units shall take place until a scheme for protecting the proposed dwellings from noise has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall achieve internal levels that shall not normally exceed 30dB LAeq (8 hour) and 45dB L_{AmaxF} in all sleeping areas between 2300 hours and 0700 hours. An internal level of 40dB LAeq 1 hour shall be achieved in all other areas of the building. An external level of 55dB LAeq (16 hours) shall be achieved in garden areas and balconies unless a higher level has been demonstrated as being acceptable through noise modelling. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

Conditions requiring approval or compliance before occupation

30. No part of the development shall be occupied until confirmation has been provided that either:
- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
 - 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: 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. Any

necessary reinforcement works will be necessary in order to avoid low / no water pressure issues. In order to comply with Policy ESD8 of the Cherwell Local Plan 2011 - 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

31. If remedial works have been identified in condition 22, the relevant part of the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 22. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is 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 within the National Planning Policy Framework.

32. Prior to the first occupation of the development hereby approved, a Residential Travel Plan, prepared in accordance with Oxfordshire County Council's approved Travel Plan guidance shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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.

33. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) 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: 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.

34. The development hereby permitted shall not be occupied until it has been provided with a system of electrical vehicle charging to serve the development. 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 and ESD 5 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.

35. Details of external lighting 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 prior to the first occupation of the development and operated in accordance with the approved details at all times thereafter.

Reason: In order to safeguard the visual amenities of the area and to achieve a suitable lighting scheme which would minimise the impact to ecology and biodiversity in accordance with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

36. No development shall be occupied until a scheme for the commissioning and provision of public art to be accommodated within the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details prior to the occupation of 300 residential units.

Reason: To create an attractive and distinctive development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Policy C28 of the adopted Cherwell Local Plan and Government guidance within the National Planning Policy Framework.

37. The dwelling(s) hereby approved shall not be occupied until bins for the purposes of refuse, food waste, recycling and green waste have been provided for use by each of the approved dwellings, in accordance with the Council's current bin specifications and requirements.

Reason: To provide appropriate and essential infrastructure for domestic waste management in accordance with the provisions of Policy INF1 of the Cherwell Local Plan 2011 - 2031.

38. The development shall be constructed so as to meet as a minimum the higher Building Regulation standard for water consumption limited to 110 litres per person per day.

Reason: The site is located in an area of water stress and therefore reaching a higher level of water efficiency is required to comply with Policy ESD3 of the Cherwell Local Plan 2011-2031.

39. Prior to occupation, a record of the approved SuDS details shall be submitted to and approved in writing by the Local Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include:

- As built plans in both .pdf and .shp file format;
- Photographs to document each key stage of the drainage system when installed on site;
- Photographs to document the completed installation of the drainage structures on site.

Reason: In accordance with section 21 of the Flood and Water Management Act 2010.

Bicester Eco Town Exemplar Site, Banbury Road, Bicester

The Committee considered application 21/01227/F, a full planning application for 57 dwellings and associated infrastructure at Bicester Eco Town Exemplar Site, Banbury Road, Bicester for Crest Nicholson Operations Limited.

Nicholas Daruwalla, 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, the address of the public speaker and the written update.

Resolved

(1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01227/F subject to:

(i) 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 link the site to the S106 for the wider Exemplar site S106 (10/01780/HYBRID) to ensure the site remains bound to those requirements and to secure the following:

- A contribution towards enhanced community sporting facilities at Bicester Leisure Centre, based upon a per dwelling figure of £493.00 per dwelling index linked from the 2nd Quarter of 2017. This gives a total contribution of £1,494.00 index linked from 2Q17.
- A contribution towards the provision of a burial site as part of the NW Bicester development based upon a per dwelling contribution of £10.06 per dwelling index linked from 2Q17. This gives a total contribution of £30.18 index linked from 2Q17.
- A contribution towards the build and fit out cost of a community hall to the north of the railway line on the wider NW Bicester site based upon a per dwelling contribution of £1050.94 index linked from 2Q17. This gives a total contribution of £3,152.82 index linked from 2Q17.
- A contribution towards the build cost of a health facility at NW Bicester or an alternative facility to meet the needs of the increased population, based upon a per dwelling figure of £259.46 index linked from 2Q17. This gives a total contribution of £778.38 index linked from 2Q17.
- A contribution towards the increase in capital costs of providing neighbourhood policing required pursuant to the wider NW Bicester development, based upon a per dwelling figure of £151.30 index linked from 2Q17. This gives a total contribution of £453.90 index linked from 2Q17.
- A contribution towards the capital cost of providing permanent sports pitches as part of the NW Bicester development, based upon a per dwelling contribution of £227.68 index linked from 2Q17. This gives a total contribution of £683.04 index linked from 2Q17.

- A contribution towards the costs of maintaining the permanent sports pitches as part of the NW Bicester development, based upon a per dwelling contribution of £250.35 index linked from 2Q17. This gives a total contribution of £751.05 index linked from 2Q17.
- A contribution towards the provision of refuse and recycling receptacles for each dwelling and towards collection vehicle provision and recycling banks, based upon a contribution of £111 per dwelling. This gives a total contribution of £333.00.
- CDC request a monitoring fee of £500 to monitor and administer the S10 and to support for any reasonable request from OCC to seek a fee to monitor and administer the S106.

(ii) The following conditions (and any amendments to those conditions 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:

20380/1002 'Site Location Plan'
20380/5001 Rev H 'Planning Layout'
20380/6001.1 Rev A 'Romsey Floor Layouts'
20380/6001.2 Rev D 'Romsey Elevations Type 1'
20380/6001.3 Rev D 'Romsey Elevations Type 2'
20380/6001.4 Rev A 'Romsey Elevations Type 3'
20380/6002.1 'Dorking Floor Layouts'
20380/6002.3 Rev A 'Dorking Elevations Type 2'
20380/6003.1 Rev A 'Dartford Floor Layouts'
20380/6003.2 Rev C 'Dartford Elevations Type 1'
20380/6003.3 Rev C 'Dartford Elevations Type 2'
20380/6003.4 Rev C 'Dartford Elevations Type 3'
20380/6004.1 Rev B 'Cromer Floor Layouts'
20380/6004.2 Rev C 'Cromer Elevations Type 1'
20380/6004.3 'Cromer Elevations Type 2'
20380/6005.1 Rev A 'Evesham Floor Layouts'
20380/6005.2 Rev C 'Evesham Elevations Type 1'
20380/6005.3 'Evesham Elevations Type 2'
20380/6006.1 Rev A 'Windsor Floor Layouts'
20380/6006.2 Rev C 'Windsor Elevations Type 1'
20380/6007.1 Rev A 'Roydon Floor Layouts'

20380/6007.3 'Roydon Elevations Type 2'
20380/6007.4 'Roydon Elevations Type 3'
20380/6008.1 Rev B 'Buckingham Floor Layouts'
20380/6008.2 Rev C 'Buckingham Elevations Type 1'
20380/6008.3 Rev C 'Buckingham Elevations Type 2'
20380/6010.1 Rev A 'Marlborough Floor Layouts'
20380/6010.2 Rev D 'Marlborough Elevations Type 1'
20380/6010.3 'Marlborough Elevations Type 2'
AA2699C(3)/2100 Rev A '2B4P Private V1 & V2 House Types and
2B4P Affordable V1 House Types' – Plots 7 and 8 Floorplans and
Elevations (now plots 10 and 11)
AA2699C(3)/2103 Rev A '3B5P Private & Affordable – V1 House
Types' – Plots 6 and 9 Floor Plans and Elevations (now plots 9 and
12)
AA2699(3)/2004 'Material Locations' – Plots 6-9 (now Plots 9-12)
AA2699(3)/2006 'Roof materials' – Plots 6-9 (now Plots 9-12)
AA2699(3)/2007 Rev A 'Gable window locations' – Plots 6-9 (now
Plots 9-12)
20380/6050.1 'Garage Types'
20380/6050.2 'Garage Types'
20380/6051 'Cycle Store'
20380/3175 Rev B 'Street Hierarchy Strategy'
20380/3171 Rev B 'Roof Materials Strategy'
20380/3174 Rev C 'Boundary Materials Strategy'
20380/3173 Rev B 'Storey Heights Strategy'
20380/3177 Rev B 'Refuse Strategy'
20380/3170 Rev B 'Facing Materials Strategy'
20380/3172 Rev B 'Affordable Strategy'
20380/3176 Rev B 'Parking & Cycle Strategy'
14790TA-P-3300 Rev P2 'Planning Levels Layout Sheet 1 of 2'
14790TA-P-3303 Rev P2 'Planning Levels Layout Sheet 2 of 2'
13741-1-1 'Horizontal Illuminance – Elmsbrook Bicester Phase 4'
14790TA-P-3260 Rev P3 'Planning Drainage Layout Sheet 1 of 2'
14790TA-P-3263 Rev P3 'Planning Drainage Layout Sheet 2 of 2'
14790TA-3240 Rev P1 'Swale Layout and Typical Construction Detail
2 of 2'
14790TA-3209 Rev C2 'Swale Layout and Typical Construction Detail
1 of 2'
DR-5000 S4-P3 'Landscape Layout'
DR-5001 S4-P3 'Planting Plan 1 of 3'
DR-5002 S4-P3 'Planting Plan 2 of 3'
DR-5003 S4-P3 'Planting Plan 3 of 3'
DR-5004 S4-P3 'Hard Surfaces and Boundary Treatments – 1 of 4'
DR-5005 S4-P3 'Hard Surfaces and Boundary Treatments – 2 of 4'
DR-5006 S4-P3 'Hard Surfaces and Boundary Treatments – 3 of 4'
DR-5008 S4-P3 'Hard Surfaces and Boundary Treatments – 4 of 4'
DR-5007 S4-P3 'Homezone 1 Proposals and LAP'
DR-5500 S4-P1 'Typical Tree Planting Details'
Technical Briefing Note: Faunal Enhancement Scheme dated 8 March
2021 prepared by Aspect Ecology including drawing number

5192/EN1 Rev D and document titled 'Faunal Enhancement Scheme' dated November 2017 prepared by Aspect Ecology.
External Materials Schedule 'Bicester Re-plan' dated 16/03/2021

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. The development shall be carried out strictly in accordance with the details contained within the document titled 'Construction Environmental Management Plan (Ecological Protection) dated November 2017 prepared by Aspect Ecology.

Reason: To protect biodiversity on the site and to contribute to the delivery of biodiversity net gain in accordance with Policies ESD10 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

4. The development shall be carried out strictly in accordance with the mitigation and safeguarding measures set out within the document titled 'Ecology Pre-construction survey and Mitigation Scheme' dated February 2021 prepared by Aspect Ecology, the attached drawing number 5192/SMS1 Rev A and the precautionary works identified within the attached document titled 'Ecological Mitigation Plan' dated January 2017 prepared by ACD Environmental.

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.

5. The drainage arrangements for the site shall be constructed in accordance with the details hereby approved and shall be implemented in accordance with these details prior to the first occupation of the development.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

6. The development shall be constructed in accordance with the details set out within the Construction Environment Management Plan reference DTR 18507 Rev 03 prepared by Dunton Engineering dated January 2019 (as approved by 18/00080/DISC). The Construction Environment Management Plan 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.

7. The development shall be constructed in accordance with the details set out in the Elmsbrook: Phases 3 and 4 Construction Traffic Management Plan Version 02 prepared by Arcadis dated July 2018 (as approved by 18/00039/DISC). The Construction Traffic Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety and to mitigate the impacts of the development during the construction phase and to protect the amenities of the neighbouring residents during the construction period and to comply with Policy ENV1 of the adopted Cherwell Local Plan.

8. The development shall be constructed in accordance with the details set out in the Site Waste Management Strategy for Elmsbrook NW Bicester and Appendix A Site Waste Management Plan reference 1557 prepared by Reconomy received in the department on the 12 December 2018 (as approved by 18/00080/DISC). The Site Waste Management Plan shall be adhered to throughout the construction phase of the development.

Reason: To ensure no waste is sent to landfill to meet the requirements of Policy Bicester 1 of the Cherwell Local Plan 2011-2031 Part 1.

9. The development shall be constructed in accordance with the document titled 'Submission to Cherwell District Council of Training and Employment Management Plan (ETMP) dated September 2014 produced by A2 Dominion and Appendix A – Simplified Process to sign-post candidates that complete an employment registration form to access opportunities on site and Appendix B – monitoring method and frequency schedule (as approved by 14/00311/DISC). The Plan shall be adhered to throughout the construction phase of the development.

Reason: To ensure the creation of employment to achieve the requirements of Policy Bicester 1 of the Cherwell Local Plan 2011-2031 Part 1.

10. The development shall be carried out in accordance with the recommendations identified in the document titled 'Arboricultural Method Statement' and its appendices dated March 2021 prepared by SJA Trees. Tree Protection Fencing shall be maintained on site until the works are completed.

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 ESD13 of the Cherwell Local Plan Part 1 2011-2031, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

11. The development shall be carried out in accordance with the mitigation measures identified in the document titled 'Environmental Noise Assessment' dated 26 February 2021 prepared by noise.co.uk.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996.

12. The properties shall be marketed with regard to home working and sustainable transport in accordance with the details approved by application 15/00229/DISC unless otherwise approved in writing by the Local Planning Authority.

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

PRE-COMMENCEMENT CONDITIONS

13. No development shall commence until the development site has been checked by a suitably qualified ecologist to ensure that there is no presence of protected species that have moved on to the site since previous surveys have taken place and which could be harmed by the development. Should protected species be found details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme.

Reason: To ensure the protection of protected species in accordance with Policies ESD10 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

14. No development shall commence until full details of the measures to achieve zero carbon energy use, as defined by Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031, through on site solutions, have been submitted to and approved in writing by the Local Planning Authority. Should it be demonstrated to the satisfaction of the local planning authority that it is not possible to achieve zero carbon on site, a scheme for off site mitigation in Bicester shall be provided, prior to the first residential occupation, for that portion of the energy use that cannot be met on site.

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 Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to the commencement of any development as it is fundamental to the acceptability of the scheme.

15. No development shall commence until details of how each dwelling within that phase achieves good day lighting by achieving at least 2 points of the former Code for Sustainable Homes level 5 for day lighting shall be submitted to and approved in writing by the Local Planning

Authority. The development shall thereafter be carried out in accordance with the approved details such that each dwelling achieves good day lighting.

Reason: To prevent increased energy use and to enable zero carbon development to be achieved in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to the commencement of any development as it is fundamental to the acceptability of the scheme.

16. No development shall take place until a report outlining how carbon emissions from the construction process and embodied carbon have been minimised has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the recommendations contained in the approved report.

Reason: To ensure that the development achieves a reduced carbon footprint in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to the commencement of any development as it is fundamental to the acceptability of the scheme.

17. No development shall take place until a study, by a suitably qualified person, has been submitted to and approved in writing by the local planning authority, demonstrating that the design of the dwellings within that phase is such that overheating will not occur and that heat island effects have been minimised. The development shall thereafter be carried out in accordance with the agreed details.

Reason: To address the impacts of climate change in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to the commencement of any development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

18. Plots 18 and 32 shall be constructed with passive ventilation and thermally massive floors to reduce heat gain and loss in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority prior to the construction of Plots 18 and 32 above slab level. Plots 18 and 32 shall be constructed in accordance with the approved details.

Reason: To test the delivery of innovative energy efficient houses in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

19. Prior to the commencement of the development above slab level, details of the fenestration, roof verge and eaves, cills and lintels for each house type, shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the buildings shall be constructed in accordance with the approved details.

Reason: To ensure a high quality development in accordance Policies ESD15 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Policies C28 and C30 of the adopted Cherwell Local Plan.

20. Prior to the commencement of development to provide the garages identified to include a green roof, full details of the construction and planting of the green roofs together with details of the maintenance programme that will ensure the delivery and long term maintenance of the roofs shall be submitted to and approved in writing by the Local Planning Authority. The green roof shall then be constructed and maintained in accordance with the approved details.

Reason: To ensure the delivery on green infrastructure and biodiversity gain in accordance with Policies ESD15 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Policies C28 and C30 of the adopted Cherwell Local Plan.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

21. No development shall be occupied until confirmation has been provided that either:
- Foul water infrastructure capacity exists off site to serve the development, or
 - A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or;
 - All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents to comply with Policy ESD8 of the Cherwell Local Plan Part 1 2011-2031.

22. Prior to the occupation of the development, the parking and manoeuvring areas shall be constructed, laid out, surfaced, drained and completed in accordance with the details hereby approved. The parking and manoeuvring areas shall be retained unobstructed expect for the parking and manoeuvring of 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.

23. Electric Vehicle Charging Points shall be installed and made available for use in the positions shown on drawing number 20380/3176 Rev B

prior to the first occupation of each dwelling to which the Electric Vehicle Charging Points relate. The electric vehicle charging infrastructure shall thereafter be retained and made available for use. In addition, ducting shall be provided to allow for the easy expansion of the EV Charging system to those dwellings not served by EV points as demand increases towards the planned phase out of ICE vehicles (with ducting provided to every parking space to future proof the development).

Reason: To comply with Policies SLE4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with Government guidance contained within the National Planning Policy Framework.

24. Prior to the first occupation of each individual dwelling, the dwelling shall be provided with solar PV in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To deliver zero carbon development in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

25. The relevant services to deliver the district heating system shall be provided to each dwelling prior to occupation of that dwelling.

Reason: To deliver zero carbon development in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

26. Prior to the occupation of any residential dwelling hereby permitted, it shall be provided with a 'real time information' system providing at a minimum real time travel and energy information.

Reason: To facilitate information delivery and travel information in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

27. The residential development shall be constructed so as to meet as a minimum the higher Building Regulation standard for water consumption limited to 110 litres per person per day.

Reason: The site is located in an area of water stress and to comply with Policies ESD3 and ESD8 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

28. All properties shall be provided with a system for rainwater harvesting in accordance with details to be submitted to an approved in writing prior to the first occupation of any dwelling. The rainwater harvesting system shall be implemented in accordance with the approved details.

Reason: To reduce the use of water in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

29. No building hereby permitted shall be occupied until each residential or non-residential unit has been provided with service connections capable

of supporting the provision of super-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 in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 Government guidance contained within the National Planning Policy Framework.

30. The bicycle and bin stores and boundary enclosures, shown on the plans hereby approved shall be provided prior to the first occupation of each dwelling to which they relate.

Reason: To ensure the satisfactory appearance of the completed development, to ensure convenient bicycle and bin stores are provided, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies ESD15 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Policies C28 and C30 of the adopted Cherwell Local Plan.

31. Prior to the first occupation the development, fire hydrants shall be provided or enhanced in the phase in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sufficient access to water in the event of fire in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 Government guidance contained within the National Planning Policy Framework.

32. Prior to the first occupation of a residential dwelling, each new resident shall be given the opportunity to choose a fruit tree for their garden or to be provided elsewhere on the site in accordance with the details set out in the 'NW Bicester Fruit Tree Scheme' prepared by A2 Dominion dated 21 May 2015 (as approved by 15/00292/DISC). The scheme shall be implemented in accordance with the details hereby approved.

Reason: To mitigate the impact of the development and provide biodiversity gain in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

33. 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 Section 15 of the National Planning Policy Framework.

34. All dwellings shall be constructed to meet Joseph Rowntree Foundation Life Time Homes standard.

Reason: To deliver flexible housing to meet the diverse and changing needs of the population and in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and the North West Bicester Supplementary Planning Document February 2016.

35. 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.

36. All services serving the proposed development shall be provided underground unless details have first been submitted to and approved in writing by the Local Planning Authority. Details of any necessary above ground service infrastructure, whether or not permitted by the Town and Country Planning (General Permitted Development Order) 2015 (as amended) shall be submitted concurrently with the details of the development they serve.

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.

37. All properties shall be constructed to meet Secured by Design standards unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development in accordance with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

38. The existing trees and hedges shown to be retained on drawing number SJA TPP 21057-041a (Phase 4) shall be retained and properly maintained with hedges at a height of not less than 2 metres, and that any hedgerow/tree which may die within five years from the completion

of the development shall be replaced during the next planting season and thereafter be maintained in accordance with this condition.

Reason: In the interests of the visual amenities of the area, to provide an effective screen to the proposed 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.

39. The applicant shall give written notice to the Local Planning Authority of 7 working days prior to carrying out the approved tree works and any operations that present a particular risk to trees (e.g. demolition within or close to a Root Protection Area (RPA), excavations within or close to a RPA, piling, etc.).

Reason: To ensure that no proposed operations impair the health of any retained trees in the interests of the visual amenity of the area, to ensure the integration of the development in to 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.

40. No service trenches, pipe runs or drains or any other excavation, earth movement or mounding shall be constructed within a root protection area of a tree identified for retention on drawings SJA TPP 21057-041a (Phase 4) on the site, without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the tree/trees is/are retained in a safe and healthy condition and is/are not adversely affected by construction works, in the interests of visual amenity 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.

39 The Firs Garage, Tadmarton Heath Road, Hook Norton, OX15 5DD

The Committee considered application 21/00955/F for the demolition of an existing car sales showroom, petrol filling station and servicing/repair garage and erection of a new showroom for car sales including preparation and storage and administration areas with landscaping, access and associated works at The Firs Garage, Tadmarton Heath Road, Hook Norton, OX15 5DD for Tom Hartley Jnr Limited.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/00955/F subject to

the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit

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.

Compliance with Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans reference 18169 -Pe0010, 18169 -Pp0032, 18169 -Ps0010, 1690.I.1 Rev A, 18169 -Pp0010, 18169 -Pp0030, 18169 -Pp0031, 18169 -Pp0011, 18169 -L001, 18169 -Pe0011, 36197 all received 18/03/2021 and LVIA, Transport Statement, Preliminary Ecological Appraisal, received 18/03/2021 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).

Reason: To clarify the permission and for the avoidance of doubt.

Materials

3. A schedule of materials and finishes to be used in the external walls and roof(s) of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and 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.

Ecology

4. The development hereby permitted shall be carried out in accordance with the recommendations set out in Preliminary Ecological Appraisal of The Firs Garage, Whichford Road, Hook Norton, Oxfordshire by Windrush Ecology Limited dated September 2020 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 Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Sustainable Construction

5. (a) Prior to the commencement of development above slab level, a design stage BREEAM certificate confirming that the development shall be constructed to at least a BREEAM Very Good standard shall be submitted to and approved in writing by the Local Planning Authority.

(b) Within 6 months of the occupation of the development hereby permitted, a final BREEAM certificate shall be submitted confirming that the development has achieved BREEAM Very Good standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with Policy ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1, and the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

Landscaping

6. 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 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.

7. A schedule of landscape maintenance for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

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.

Drainage

8. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning

authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Section 14 of the National Planning Policy Framework, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

Construction Method Statement

9. 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 routing 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;

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.

Alterations and Extensions

10. 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 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996

11. 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 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. Details of the external lighting/security/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 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 advice in The National Planning Policy Framework.

Highways

13. Prior to the first use of the building hereby approved, the means of access between the site and the highway shall be constructed in full

accordance with details to be submitted and approved in writing by the Local Planning Authority. The details submitted shall include position, layout, construction, drainage and vision splays associated with the access. Once constructed the means of access shall be 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

14. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m 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

15. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

16. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

40

Land to rear of 160 Bloxham Road, Banbury

The Committee considered application 21/01578/F for the erection of a new dwelling to the rear of 160 Bloxham Road, Banbury for Mr Adrian Mitson.

Prior to the officer's report and presentation and the public speaking, it was proposed by Councillor Colin Clarke and seconded by Councillor Mephram that application 21/01578/F be deferred to allow for a site visit.

Resolved

- (1) That consideration of application 21/01578/F be deferred to allow for a site visit and, subject to Covid 19 regulations, this to be ahead of the next scheduled Planning Committee meeting.

41

14 Beatrice Drive, Banbury, OX16 0DT

The Committee considered application 21/01852/F for the remodelling/enlarging of a single storey rear extension at 14 Beatrice Drive, Banbury, OX16 0DT for Mr Imran Khan.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01852/F subject to the following conditions (and any amendments to those conditions as deemed necessary):

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 application form and the following plans P.01 and SLP1.

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.

42

Former site of The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU

The Committee considered application 21/00827/DISC for the discharge of Condition 11 (Landscaping Scheme) of application 18/01591/CDC, former site of The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU for Mr Peter Meadows.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/00827/DISC (Discharge of Condition 11 (Landscaping Scheme) of 18/01591/CDC) subject to the following:

1. As shown on Drawing number LANDP001 Rev 13. The hard landscape shall be carried out in accordance with the approved details prior to the first occupation of the development. 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.

43 **Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (0921)**

The Committee considered application 21/00921/DISC for the discharge of conditions 3 (External Lighting), 7 (Landscape Management Plan), 10 (Flood Management Plan) and 12 (Shopping Trolley Parking) of application 17/00284/REM at land adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/00921/DISC the discharge of conditions;
- Condition 3 (External Lighting)
2099-20-RP01 Soft Landscape Works Maintenance and Management Proposal
 - Condition 10 (Flood Action/Evacuation)
Flood Management Plan
 - Condition 12 (Shopping Trolley Parking); and

- Condition 7 (Landscape Management Plan), subject to the receipt of further information on the Landscape Management Plan to the satisfaction of the Council's Landscape Officer

44 **Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (3692)**

The Committee considered application 20/03692/DISC for the discharge of Condition 9 (Car Park Payment Strategy) for Block B of application 17/00284/REM at land adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Ian Wallace.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 20/03692/DISC subject to the following;

1. That planning condition 9 of 17/00284/REM be discharged based upon the following information pack:

Condition 9 – Car Parking Payment Strategy, Skidata Car Parking System Tech Sub Proposal, dated 23.10.20

45 **36-37 Castle Quay, Banbury, OX16 5UN**

The Committee considered application 21/02162/NMA, an amendment to Lock 29 canal front elevation to replace two existing windows with bi-folding doors (proposed as non-material amendment to 19/01478/CDC) at 36- 37 Castle Quay, Banbury, OX16 5UN for Cherwell District Council.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/02162/NMA in accordance with Banbury CQ1 Lock 28 Bifolding door proposal – Proposed Plan and Elevation, 3787 AP(01) 001 Revision P01

46 **Land Adjacent to the Oxford Canal Spiceball Park Road Banbury (1292)**

The Committee considered application 21/01292/NMA for design amendments relating to: the addition of access stairs and handrails by the substation (Block C); the erection of a fence and gate to enclose the

substation (Block C); additional louvres on the Block C elevation; the addition of a staircase located near to Block A to provide access to the canal (proposed as non-material amendment to 17/00284/REM) at land adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01292/NMA in accordance with drawing numbers:

Block C Foodstore General Arrangement Level 00 407-RM-C-P-000-Rev 5

Block C Foodstore General Arrangement Level 00 (2of2) 407-RM-C-P-002-Rev 6

Block C Foodstore General Arrangement Level 01 407-RM-C-P-100 Rev 6

Block C Foodstore General Arrangement Level 01 (Sheet 2 of 2) 407-RM-C-P-102-Rev 6

Block C Foodstore General Arrangement Level 01 (Sheet 2 of 2) 407-RM-C-P-200-Rev2

Block C Foodstore General Arrangement Roof Plan 407-RM-C-P-300-Rev 6

Block C Foodstore Elevations 407-RM-C-E-110-Rev 6

South East and North West Cladding Elevations-GL C01 to C09/GL C08 to C09 C)-00-DR-A-20634_Rev C4

Block A Hotel Proposed Ground Floor/Level 01 Plan 407-RM-A-P-100-Rev 5

Option drawing for stair to canal level CQ2-LIA-D0-00-DR-A-01085
Technical Submission – Kingfisher Ventilation Louvres

47 **Appeals Progress Report**

The Assistant Director Planning 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 7.35 pm

Chairman:

Date: