

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 13 January 2022 at 4.00 pm

Present:

Councillor George Reynolds (Chairman)
Councillor David Hughes (Vice-Chairman)
Councillor Maurice Billington
Councillor Andrew Beere
Councillor John Broad
Councillor Hugo Brown
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 Sean Woodcock

Substitute Members:

Councillor Richard Mould (In place of Councillor Simon Holland)

Apologies for absence:

Councillor Simon Holland
Councillor Dorothy Walker

Officers:

Alex Chrusciak, Senior Manager - Development Management
Andy Bateson, Team Leader – Major Developments
Wayne Campbell, Principal Planning Officer
Sarah Greenall, Planning Officer – Householder Plus Team
David Lowin, Principal Planning Officer (Major Projects Team)
Rebekah Morgan, Principal Planning Officer
Nat Stock, Minors Team Leader
Samantha Taylor, Principal Planning Officer
Emma Whitley, Planning Officer
Karen Jordan, Deputy Principal Solicitor
Lesley Farrell, Democratic and Elections Officer
Aaron Hetherington, Democratic and Elections Team Leader

Declarations of Interest

9. Land at former RAF Bicester, Bicester, Oxfordshire OX26 5HA.

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.

10. Former Rodney House, Private Drive off Graven Hill Road, Ambrosden.

Councillor Ian Corkin, Non Statutory Interest, as a Non-Executive Director of Graven Village Holding Company and would leave the meeting for the duration of the item.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a separate declaration advising that he would leave the room for the discussion on deferral/site visit as he had lobbied the Committee regarding these subjects.

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. Pakefield House, St Johns Street, Bicester, OX26 6SL.

Councillor David Hughes, Declaration, as the applicant was known to him.

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.

12. 7 Churchill Road, Kidlington, OX5 1BN.

Councillor Maurice Billington, Declaration, as he was an acquaintance of a neighbour to the application site and would speak as ward member and then leave the meeting so would not participate in the debate or vote on the item.

14. 32 Orchard Way, Bicester, OX26 2EJ.

Councillor David Hughes, Non Statutory Interest, as a neighbour of the application site was known to him.

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.

15. Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS.

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.

16. Calthorpe Street West Short Stay Car Park, Calthorpe Street, Banbury, OX16 5EX.

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.

17. Claremont Car Park, Land at Victoria Road, Bicester OX26 6PH.

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 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 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.

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

18. Kidlington Centre Car Park, High Street, Kidlington, OX5 2DL.

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.

19. The Light Cinema, Spiceball Park Road, Banbury, OX16 2PQ.

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.

112 **Requests to Address the Meeting**

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

113 **Minutes**

The Minutes of the meeting held on 2 December 2021 were agreed as a correct record and signed by the Chairman.

114 **Chairman's Announcements**

There were no Chairman's announcements.

115 **Urgent Business**

There were no items of urgent business.

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

Application 21/00549/F, The Foscote Clinic, 2 Foscote Rise, Banbury. OX16 9XP.

It was proposed by Councillor Reynolds and seconded by Councillor C Clarke that a site visit take place at The Foscote Clinic, 2 Foscote Rise, Banbury, OX16 9XP as the ground level between the hospital site and residential properties in Foscote Rise was not evident from the plans and could only be appreciated when viewed from the hospital site and the rear of the residential properties.

Resolved

- (1) That a site visit take place prior to the meeting at which application 21/00549/F, The Foscote Clinic, 2 Foscote Rise, Banbury. OX16 9XP will be considered by the Planning Committee.

117 **Land East of Larsen Road, Heyford Park**

The Committee considered application 15/01357/F for the erection of 89 dwellings, creation of new access arrangement from Camp Road, creation of open space, hard and soft landscaping, associated ancillary works and infrastructure at Land East of Larsen Road, Heyford Park for Pye Homes Limited.

Nigel Pugsley, 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 written updates and the address of the public speaker.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 15/01357/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 secure the following (and any amendments as deemed necessary):

Affordable Housing:

- 27 units to be delivered
- Affordable mix to be agreed with CDC
- 50% of the affordable rented units must meet the Building Regulations Requirement M4(2) Category 2: Accessible and Adaptable Dwellings requirement. Additionally, 100% of the affordable housing units are to be built the government's Nationally Described Space Standard (Technical Housing Standards). The wheelchair unit should conform to M4 (2) Category 3 of building regs accessibility requirement.
- The selection of the RP who will take on the affordable units should be agreed with the Council.
- The Council are currently reviewing its Affordable Housing Policies following the Governments initiative on First Homes and the Ministerial Statement On 24th May 2021.

Household Waste Recycling Centres

- Expansion and efficiency of Household Waste Recycling Centres (HWRC)- a contribution of £8,362

Apprenticeships & Skills

- The submission of an Employment Skills and Training Plan which would state the target number of apprenticeships within it and will require that it also sets out the arrangements through which the apprenticeships will be provided.
- Provision of 4 apprenticeships

Conservation of heritage interests - financial contribution in the region of £300,000

Biodiversity enhancement towards and/or provision of off-site ecological mitigation measures to an agreed specification and quantum;-Financial contribution in the region of £225,000

Support Improvement of local primary care infrastructure (OCCG) based on OCCGs adopted policy to use a calculation of 2.4 x number of dwellings x £360 for contributions to health infrastructure. -£76,896.

Contributions towards community infrastructure and open space:

- Indoor Sports Provision-£73,414.96
- Outdoor Sport Provision-£179,515.67
- Community Hall Facilities-£118,260
- Public Art/Public Realm-£19,936
- Community Development Worker-£6,243.38.
- Allotments-£64,856 capital sum to build out allotments and £4,888.00 maintenance sum
- Cemetery Provision - tbc
- POS-maintenance for 15 years at £20.49 m2
- Tree/hedgerow maintenance for 15 years-£198.82 per tree/£20.49m2 hedge (to be measured)
- Combined LAP/LEAP with 3 pieces of equipment provided. Commuted maintenance/inspection sum for 15 years-contribution of £138,352.65
- Commuted sum for maintenance of watercourse and swales (for 15 years)- Total length of watercourse to be measured and multiplied by £116.98/m2/Swales £97.71 per m2
- Attenuation Pond-To be measured - £50.98 m2

Library-Funding of Bicester library-financial contribution-£9,559

Education:

- Primary and nursery education serving the development- £639,375
- Primary school land contribution-£60,158
- Secondary education capacity serving the development-£281,860
- SEN capacity serving the development-£37,757

Traffic and Transport

- Contributions towards public transport provision in the form of a bus service contribution and bus infrastructure to agreed amounts;
- Undertaking Travel Planning initiatives;
- Contributions towards off site highway works to improve highway junctions,
- including safety improvements contribution to A4260/B4027; Middleton Stony junction improvements; Ardley/Bucknell junction improvements; B430/minor road junction improvements; Chilgrove Drive S278 scheme; M40 Junction 10 improvements;
- Contributions towards rural traffic calming schemes, including Lower Heyford, Ardley, Somerton, North Aston, Chesterton, Kirtlington and Fritwell;

An obligation to enter into an S278 Agreement to secure highway works including site access onto Camp Road and a footway/cycleway connection to Chilgrove Drive.

CDC S106 Monitoring fee – TBC

OCC S106 Monitoring fee – TBC

- ii) The following conditions (and any amendments to those conditions as deemed necessary)-:

CONDITIONS

Statutory Time Limit (full)

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.

Approved Documents

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents:

- Application forms,
- Planning Statement and Addendum including Heritage Statement Update and Affordable Housing Statement Update
- Landscape and Visual Impact Assessment and Addendum,
- Geophysical Survey,
- Transport assessment and Appraisal
- Design and Access Statement and Addendum,
- Update Ecology Appraisal
- Flood Risk Assessment (FRA) and Drainage Statement and drawings numbered:
 - Location Plan 2105 – 001
 - Proposed Site Plan 2105- 002 D
 - House Types Plan 2105- 004 D
 - Building Heights Plan 2105- 005 D
 - Parking, Cycle Store & Refuse Management 2105- 006 D
 - Frontages & Surveillance Plan 2105- 007 D
 - Affordable House Plan 2105 – 009 B
 - BBHouse Type Floor Plans 2105 – 015
 - BBHouse Type Elevations 2105 – 016
 - BBHouse Type Roof Plan & Section 2105- 017
 - BR House Type Floor Plans 2105- 018
 - BR House Type Elevations 2105- 019
 - BR House Roof Plan & Section 2105- 020
 - BBR House Type Floor Plans 2105- 021
 - BBR House Type Elevations 2105- 022
 - BBR House Type Roof Plan & Section 2105- 023
 - BKK HouseType Floor Plans 2105- 024
 - BKK HouseType Elevations 2105- 025
 - BKK HouseType Roof Plan & Section 2105- 026
 - BK2K2B House Type Floor Plans 2105- 030
 - BK2K2B House Type Elevations 2105- 031
 - BK2K2B House Type Roof Plan & Section 2105- 032

- BKKR House Type Floor Plan 2105- 033
- BKKR House Type Elevations 2105- 034
- BKKR House Type Roof Plan & Section 2105- 035
- 6XF (flats)House Type Ground Floor Plan 2105- 043 A
- 6XF (flats)House Type First Floor Plan 2105- 044
- 6XF (flats)House Type Elevations 2105- 045
- 6XF (flats)Roof Plans& Section 2105- 046
- Dashwood House Type Floor Plan 2105- 047
- Dashwood House Type Elevations 2105- 048
- Dashwood House Type Roof Plan & Section 2105- 049
- Winnersh House Type Floor Plans 2105- 050
- Winnersh House Type Elevations 2105- 051
- Winnersh House Type Roof Plan & Section 2105- 052
- Richmond House Type Floor Plans 2105- 053
- Richmond House Type Elevations 2105- 054
- Richmond House Type Floor Plan & Section 2105- 055
- BR2 House Type Floor Plans 2105- 056
- BR2 House Type Elevations 2105- 057
- BR2 House Type Roof Plan & Section 2105- 058
- 8KB House Type Floor Plans 2105- 059
- 8KB House Type Elevations 2105- 060
- 8KB House Type Roof Plan & Section 2105- 061
- BKKKKB House Type Floor Plans 2105- 065
- BKKKKB House Type Elevations 2105- 066
- BKKKKB House Types Roof Plan & Section 2105- 067
- KeKeBB House Type Floor Plans 2105- 068
- KeKeBB House Type Elevations 2105- 069
- KeKeBB House Type Roof Plan & Section 2105- 070
- KeKeKK House Type Floor Plans 2105- 071
- KeKeKK House Type Elevations 2105- 072
- KeKeKK House Type Roof Plan & Section 2105- 073
- BuBu House Type Ground Floor Plan 2105- 074 A
- BuBu House Type Elevations 2105- 075
- BuBu House Type Roof Plan & Section 2105- 076
- Dashwood 2 House Type Floor Plans 2105- 077 A
- Dashwood 2 House Type Elevations 2105- 078 A
- Dashwood 2 House Type Roof Plan & Section 2105- 079 A
- Hard Landscape Plan 9712L.HLP.004 Rev A
- Proposed Site Access [within Transport Appraisal] 16413-01 C
- Drainage Strategy Plan 4388-LETC-ICS-XX-RP-C-07.001 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.

Submission of further matters-prior to commencement (CPDA required)

3. The development permitted shall not be begun until details of the following additional matters have been submitted to, and approved in writing by, the Local Planning Authority:

- The siting, layout and design of the proposed treatment plant
- A proposed scheme of access for pedestrians and cyclists to Larsen Road
- An energy statement demonstrating how all the dwellings will achieve a 19% reduction in carbon emissions above Part G of the building regulations and a water efficiency of not more than 110 litres/person/day.

Reason: - For the avoidance of doubt, to enable the Local Planning Authority to give further consideration to these matters, to ensure that the development is carried out only as approved by the Local Planning Authority. In the interests of creating sustainable new development in accordance with the requirement of policies ESD1, ESD2, ESD3, ESD4, and ESD5 of the Cherwell Local Plan 2011-2031 and to achieve a comprehensive integrated form of development in compliance with Policy Villages 5 of the adopted Cherwell Local Plan and to comply with Government guidance contained within the National Planning Policy Framework.

Schedule of Materials-prior to commencement

4. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved together with samples of all bricks, render, paviers and slates shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.

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

Landscaping Scheme-prior to commencement

5. This permission shall specifically exclude the planting details shown on Planting Plan ref 9712L.PP.001-Rev A and prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
 - a. details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - b. details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - c. details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Maintenance of planting

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason: 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.

Landscape Management Plan-prior to occupation

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

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Open Space and Play Areas-prior to commencement

8. Prior to the commencement of the development hereby approved full details of the provision, landscaping and treatment of the open space and play space within the site including the LAP and LEAP together with a timeframe for its provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space and play space shall be landscaped, laid out and completed in accordance

with the approved details and retained at all times as open space and play space.

Reason: In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space/play space and to comply with Policy BSC11 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Boundary Enclosures-prior to commencement

9. This permission shall specifically exclude the details of the boundary treatment and full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and such means of enclosure shall be erected prior to the first occupation of the dwelling.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Landscape and Ecological Management Plan (LEMP)-prior to occupation

10. 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.

Construction of roads and paths-prior to commencement

11. Prior to the commencement of the development hereby approved, full specification details of the roads, footpaths and cycle paths including construction, surfacing, layout, drainage, and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the first house the development shall be constructed in accordance with the approved details.

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

- Construction of access and driveways-prior to commencement**
12. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

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

- Standard of Construction - prior to occupation**
13. Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.

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.

- Parking and manoeuvring specification-prior to commencement**
14. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except 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

- Access Details-Prior to commencement**
15. Prior to the commencement of the development hereby approved, full details of the main access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the main access the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1m above carriageway level.

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

Travel Information Pack-prior to occupation

16. Prior to first occupation of any dwelling, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

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

Sustainable Drainage Details Required (SUDS)-prior to commencement

17. Prior to first occupation of any dwelling, the approved drainage system shall be implemented in accordance with the approved Detailed Design as set out in the Flood Risk Assessment and Drainage Statement Letchmere Green, Heyford Park, Upper Heyford - Doc Ref: 4388-LETCH-ICS-XX-RP-C-07.001_Rev_B Date: July 2021.

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.

Sustainable Drainage Management-prior to first occupation

18. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- (a) As built plans in both .pdf and .shp file format;
 - (b) Photographs to document each key stage of the drainage system when installed on site;
 - (c) Photographs to document the completed installation of the drainage structures on site;
 - (d) The name and contact details of any appointed management company information.

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 Environmental Management Plan (CEMP) –prior to commencement

19. 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.

Construction Environmental Management Plan (CEMP) for Biodiversity – Prior to commencement

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

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs

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

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.

Badgers Mitigation – Prior to commencement

21. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

Details of Lighting – prior to commencement (CPDA/ecologist)

22. Details of the 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 and operated in accordance with the approved scheme at all times thereafter.

Reason : To protect the amenities of nearby residents and light sensitive ecology, in the interest of public safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996.

Biodiversity Enhancement – prior to development commencing

23. A method statement for enhancing the bat/bird/invertebrate provision per dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

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

Cherwell Local Plan 2011 – 2031 Part 1 y and Government guidance contained within Section 15 of the National Planning Policy Framework.

NSP licence required conditions

24. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR94) and with the proposals detailed on plan 'Larsen Road Phase 1 and 2 combined: Impact Plan for great crested newt district licensing' Version 3 dated 19th October 2021.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR94.

25. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR94), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

26. No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR94 and in addition in compliance with the following: - Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians. - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). - Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to adequately mitigate impacts on great crested newts.

Land Contamination Desk Study / Site Walkover-prior to commencement

27. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out 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 shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place

until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure 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 and 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.

Land Contamination Intrusive Investigation-prior to commencement

28. If a potential risk from contamination is identified as a result of the work carried out under condition 27, 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Land Contamination Remediation Scheme-prior to commencement

29. If contamination is found by undertaking the work carried out under condition 28, 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Land Contamination Remediation Scheme

30. If remedial works have been identified in condition 29, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 29. 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Land Contamination Remediation Scheme (EA recommendation)

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

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

TWU water infrastructure-prior to occupation

32. No 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 development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. 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.

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

118

Land at former RAF Bicester, Bicester, Oxfordshire OX26 5HA

The Committee considered application 21/01224/OUT an outline planning application for Automotive Experience Quarter comprising Commercial, Business and Services uses (Class E), Light Industrial (Class B2), Local Community and Learning Uses (Class F) and vehicle circuits (Sui Generis) with all matters reserved aside from that of access) at Land at former RAF Bicester, Bicester, Oxfordshire. OX26 5HA for Bicester Motion.

It was proposed by Councillor Broad and seconded by Councillor Sibley that consideration of application 21/01224/OUT be deferred to allow for a full environmental impact assessment of the whole site to take place.

On being put to the vote the proposal was lost and the motion subsequently fell.

The Committee was advised that Councillor Wood had registered to speak on this application as ward member but since the agenda was published and as reported in the written update, the District Wards covered by the application were amended to Launton and Otmoor only. As Councillor Wood was ward member for Fringford and Heyfords, he was no longer entitled to speak on the application as ward member.

Martin Arroyo representing Stratton Audley Parish Council addressed the Committee in objection to the application.

Dan Geoghegan, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Broad that application 21/01224/OUT be refused as English Heritage had made a very serious objection and that the reserved matters condition should be removed. There was no seconder to this proposal and the motion fell.

It was proposed by Councillor Reynolds and seconded by Councillor C Clarke that application 21/01224/OUT be approved in line with the officer recommendation but subject to an additional condition for the final wording of conditions 24 and 25 to be agreed in consultation with the Chairman of Planning Committee prior to any planning consent being issued.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01224/OUT subject to:
- i) The completion of archaeological trial trenching and recording.
 - ii) Public transport matters (including ensuring required connectivity of services)
 - iii) The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
 - Highway works 1 (Upgrade to the B4100 Banbury Road / A4095 Southwold Lane / A4095 Lords Lane roundabout junction) – TBC
 - Highway works 2 – (Improved connections between the site, Bicester’s train stations and the town centre) - £386,098
 - Strategic Transport Contribution – (Dualling of eastern perimeter route, Skimmingdish Lane section) - £283,201
 - Public Transport services – (Bus failure payment) – TBC (following further negotiations)
 - Traffic Regulation Order (if not dealt with under S278/S38 agreement) - £6,380
 - Travel Plan Monitoring Fee - £2,379
 - CDC S106 monitoring fee - £1,000
 - OCC S106 monitoring fee – TBC
 - S278 works
 - iv) The following conditions, (the final wording for conditions 24 and 25 to be agreed in consultation with the Chairman of Planning Committee prior to any planning consent being issued.) (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit and Plans

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

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 this permission, the development shall be carried out strictly in accordance with the following plans and documents:

Plans

- 5002854-RDG-Z01-ST-PL-A-0010 Rev D – Site Location Plan
- 5002854-RDG-Z01-ST-PL-A-0015 – Topographical Survey 1
- 5002854-RDG-Z01-ST-PL-A-0016 – Topographical Survey 2
- 5002854-RDG-Z01-ST-PL-A-0030 Rev N – Indicative Layout Plan
- 5002854-RDG-Z01-ST-PL-A-0011 – Experience Quarter Site Area
- 5002854-RDG-Z01-ST-PL-A-0092 Rev L – Parameters Plan – Proposed Developable Area
- 5002854-RDG-Z01-ST-PL-A-0090 Rev J – Parameters Plan – Proposed Land Use
- 5002854-RDG-Z01-ST-PL-A-0098 Rev D – Parameters Plan – Access & Movement Plan
- 5002854-RDG-Z01-ST-PL-A-0094 Rev K – Parameters Plan – Existing/Proposed Heights

Documents

- Updated Planning Statement – Edgards – April 2021
- Heritage Report – Worlledge Associates – December 2020
- Archaeological Desk-Based Assessment – Oxford Archaeology – September 2018
- Contamination & Ground Condition Report – Crestwood Environmental – 3 July 2018
- Aviation Impact Assessment – Air Motive – December 2020
- Transport Statement – Mode Transport Planning – December 2020
- Framework Travel Plan – Mode Transport Planning – December 2020
- Arboricultural Implications Assessment – Higginson Associates – February 2019
- Flood Risk & Drainage Assessment – Ridge – 3 December 2021
- Ecological Assessment Part 1 – Ecology Solutions – December 2020

- Energy & Sustainability Design Strategy – Ridge – 18 December 2020
- Landscape & Visual Impact Assessment – ASA Landscape Architects – 17 December 2020
- Noise Impact Assessment – SPL Track Environmental – 26 March 2021
- Design & Access Statement – Ridge / Edgars
- Design Code – Ridge – 15 December 2020
- Design Strategy Report – Driven International – 26 November 2020
- Walking & Cycling Technical Report – Mode Transport Planning – 3 September 2021
- Public Transport Contributions Technical Note – Mode Transport Planning – 3 September 2021
- Biodiversity Impact Assessment Calculator Update – Ecology Solutions – November 2021
- Biodiversity Metric Calculator – Experience Quarter – Ecology Solutions – November 2021
- Biodiversity Metric Calculator – Experience Quarter & Innovation Quarter – Ecology Solutions – November 2021
- Ecology Note – Ecology Solutions – December 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.

Design

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

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.

5. A Signage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external signage (either free-standing or on buildings). The signage shall be installed in accordance with the approved scheme thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area and to comply with Policy

ESD15 and Bicester 8 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

6. Full details of the refuse/recycling bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work. Thereafter and prior to the first occupation of the development, the refuse/recycling bin storage area(s) shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse/recycling bins.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

Landscaping

7. A schedule of landscape maintenance for a minimum period of 10 years starting from first occupation or completion of the development (whichever is sooner) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Thereafter the approved landscaping shall be maintained in accordance with the approved schedule.

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.

Highways

8. No development shall take place until a Construction Travel Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include the following:
 - The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary

standards/requirements, for pedestrians during construction works, including any footpath diversions.

- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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

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

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved, full details of the secondary 'emergency and servicing' access from Bicester Road between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to

and approved in writing by the Local Planning Authority. Any fencing, gates or barriers must be sufficiently set back from the carriageway to ensure that the largest vehicles anticipated to require access can wait for the gates or barriers to open without obstructing the highway. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

11. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning areas which shall be provided within the curtilage of the site so that motor vehicles, including HGVs, refuse vehicles and fire tenders may enter, can turn and leave the site in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall always be retained for the manoeuvring of motor vehicles thereafter.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

12. Prior to the commencement of the development hereby approved, a plan showing a car parking provision for an agreed number of spaces to be accommodated within the site to include layout, surface details, and drainage, shall be submitted to and approved in writing by the Local Planning Authority. The number of spaces to be provide shall be based on an indicative breakdown of the GFA between the proposed land uses and in line with the County Council's car parking standards. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

13. 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 which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability and to ensure a satisfactory

form of development, in accordance with the Government guidance contained within the National Planning Policy Framework.

14. Notwithstanding the framework travel plan with the application, prior to the first use or occupation of any element of the development hereby permitted a revised framework travel plan shall be submitted to, and be approved in writing by the Local Planning Authority. The provisions of the framework travel plan shall thereafter be implemented and maintained in accordance with approved details unless and until any variations are approved.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and the Government guidance contained within the National Planning Policy Framework.

15. Prior to the commencement of the development hereby approved, details of public access routes within and across the development site must be provided to and agreed in writing by the Local Planning Authority. Details must include how public access is to be managed, the routing of paths, connections with existing Public Rights of Way at the north and north western edges of the site and safe public access between the Buckingham Road and lakeside area of the development site.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework. To provide safe and suitable access to all users.

16. Prior to the commencement of the development hereby approved, details, including the routing, layout, width, surfacing and lighting of a direct and continuous pedestrian and cycle access route between the Hotel access junction on the Buckingham Road and the development site shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework. To provide safe and suitable access to all users.

Drainage

17. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - a) A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water

Drainage on Major Development in Oxfordshire”

- b) Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- c) A Flood Exceedance Conveyance Plan;
- d) Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- e) Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- f) Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and details of how water quality will be managed during construction and post development in perpetuity;
- g) Confirmation of any outfall details;
- h) Consent for any connections into third party drainage systems.

Reason: To ensure that the development 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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

18. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: To ensure that the development 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.

Contaminated Land

19. 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.

Ecology

20. No development shall take place until a Landscape and Ecology Management Plan (LEMP) including a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with 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.

21. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Noise

23. Prior to the first use of any building hereby permitted, all mechanical

plant or machinery to be installed within the relevant building shall be identified and assessed in accordance with BS4142:2014 and the report, along with any mitigation or acoustic enclosure required, submitted to and approved in writing by the Local Planning Authority. Where the approved assessment identifies the need for any mitigation or acoustic enclosure, these measures shall be put in place prior to the first occupation of any building.

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 and Government guidance contained in the National Planning Policy Framework.

Noise monitoring/management plan

24. Precise wording to be agreed in consultation with the Planning Committee Chairman.

A noise management plan should be agreed with LPA prior to the first use of the development and this should be such that it can be continually reviewed and updated with Environmental Health Officers as the need arises. The plan should include (but not be limited to) such matters as numbers of days allowed for noisier vehicles use, hours of use, absolute noise limits set, actions taken when these are exceeded and communication with the local community.

SPL Track Drive By System

25. Precise wording to be agreed in consultation with the Planning Committee Chairman.

No use of the track will be allowed without the SPL Track Drive By System being in place. Should there be a need/wish to change supplier then any new monitoring system should be agreed with the LPA prior to its installation.

Construction Environment Management Plan (CEMP)

26. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance.

Air Quality

27. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include damage cost calculations where applicable along with a proposal for abatement measures that will be undertaken in addition to those

already required from the developer. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Electric Vehicle Charging

28. Prior to the commencement of the development of any phase, full details of Electric Vehicle Charging (EVC) points and EVC infrastructure to be provided in that phase shall be submitted to and approved in writing by the Local Planning Authority. The Electric Vehicle Charging (EVC) points and EVC infrastructure shall be installed and operational prior to the first use or occupation of any building within that phase of the development hereby permitted and retained thereafter.

Reason: To ensure energy and resource efficiency practices are incorporated into the development and sustainable modes of transport encouraged in accordance with Policies SLE4 and ESD 1 - 5 of the Cherwell Local Plan 2011-2031 Part 1 and the Government's aim to achieve sustainable development as set out within the National Planning Policy Framework.

Lighting

29. Details of all external lighting including the design, position, orientation, illumination and its intensity together with 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, operated and retained in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area, to accord with the findings of the ecological survey and to comply with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

BREEAM

30. The development hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' standard.

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

Use

31. Notwithstanding the provisions of the Town and County Planning

(General Permitted Development) (England) Order 2015 and subsequent amendments, the buildings hereby approved shall be used only for purposes falling within Class B1 (c), B2, B8 and/or D1 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: In accordance with Policy Bicester 8 of the Cherwell Local Plan 2011 – 2031 Part 1.

- (2) It was also resolved that as the statutory determination period for application 21/01224/OUT expired on 31 January 2022, if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by that date and no extension of time had been agreed between the parties, that authority be delegated to the Assistant Director for Planning and Development to refuse application 21/01224/OUT for the following reason:
1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate highway mitigation works required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, contrary to Government Guidance contained within the National Planning Policy Framework.

119

Former Rodney House, Private Drive off Graven Hill Road, Ambrosden

The Committee considered application 21/01454/F for a proposed Bicester Health and Wellbeing Hub at Former Rodney House, Private Drive off Graven Hill Road, Ambrosden for Mr Richard Drew.

The Senior Manager - Development Management explained that Councillor Sibley had corresponded with all members of Planning Committee in advance of the Committee requesting that they support his proposal that consideration of application 21/01454/F be deferred to allow for a site visit. The Solicitor had interpreted this as lobbying and Councillor Sibley had made a declaration accordingly and would leave the room while the Chairman asked if any member of the Committee wanted to propose a deferral or site visit. Should the Committee continue to consider application 21/01454/F Councillor Sibley would be able to participate in the debate and vote on the application as he had not expressed a view on the application itself.

It was proposed by Councillor Broad and seconded by Councillor Dallimore that consideration of application 21/01454/F be deferred to allow for a site visit.

On being put to the vote the proposal was lost and the motion subsequently fell. As the application would be considered by the Committee, Councillor Sibley re-joined the meeting.

Paul Troop of Bicester Bike Users' Group addressed the Committee in objection to the application.

Dan Sames, local resident, addressed the Committee in support of the application.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01454/F subject to:
 - i) Re-consultation on an amended redline boundary plan and there being no further comments received which raise new issues not before the committee in their decision making by the expiry of the public consultation period;
 - ii) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):

S106 Heads of Terms

- a) £320,000 - Payment of a contribution to improve public transport (bus) provision to the site -
 - b) £TBC - Footway upgrade
 - c) £2,300 – OCC Travel Plan Monitoring Fee
 - d) £1,000 – CDC S106 monitoring fee
- iii) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - IBI-AR-XX-XX-PL-100-004 Rev 17 – Proposed Site Masterplan
 - WIE11386-HHA-05-001 Rev A01 – Health Hub & Western Spine Road Vis.
 - 16470-WIE-100-74-XX-ZZ-110 Rev P01 – Biodiversity Net Gain Offset Plan
 - 122447-IBI-XX-WS-PL-A-100-005 Rev 7 – Existing Site Location Plan
 - IBI-XX-XX-PL-A-200-005 Rev 18 – Proposed Site Plan
 - 16470-WIE-100-74-XX-ZZ-000 Rev A – Colour Masterplan
 - 122447-IBI-XX-XX-PL-A-200-5010 Rev P4 – Ground Floor Plan
 - 122447-IBI-XX-XX-PL-A-200-5011 Rev P4 – First Floor Plan
 - 122447-IBI-XX-XX-PL-A-200-5012 Rev P4 – Second Floor Plan
 - 122447-IBI-XX-XX-PL-A-200-5013 Rev P1 – Roof Plan
 - 122447-IBI-XX-XX-EL-A-200-5020 Rev P1 – North & West Elevations
 - 122447-IBI-XX-XX-EL-A-200-5021 Rev P1 – East & South Elevations
 - 122447-IBI-XX-XX-EL-A-200-5022 Rev P1 – Courtyard Elevations
 - 8757-MCP-V1-XX-DR-E-9000 Rev P01 – External Lighting Strat. & PV Plan
 - 16470-WIE-100-74-XX-ZZ-100 Rev P03 – Illustrative Landscape Plan Design & Access Statement, March 2021
 - Planning Statement, April 2021
 - WSI for Archaeological Investigation, February 2021
 - Technical Note – Biodiversity Net Gain Assessment, April 2021
 - Supplemental Tech. Note – Biodiversity Net Gain Assessment, August 2021
 - Ecological Impact Assessment, March 2021
 - Building Regs Part L Compliance Report, March 2021
 - Geotechnical Desk-Study Report – Part 1, February 2021
 - Geotechnical Desk-Study Report – Part 2, February 2021
 - Geotechnical Site Investigation Report, June 2021
 - Arboricultural Impact Assessment, April 2021
 - Arboricultural Survey Schedule, August 2020
 - Arboricultural Briefing Note, December 2021
 - Flood Risk Assessment & S/W Drainage Strategy, March 2021
 - Travel Plan, March 2021
 - Transport Assessment – Part 1, April 2021
 - Transport Assessment – Part 2, April 2021
 - Transport Assessment – Part 3, April 2021
 - Supplemental TRICS data for GP Surgeries with Pharmacies
 - Transport Tech. Note – Primary Health Care Hub proposals, July 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. Samples of all the external materials to be used in the construction 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 be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 [C18] of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

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

5. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:

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

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

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

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

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

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,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] 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. The existing hedge(s) along the north west boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996

8. No development shall take place until the existing tree T13 to be retained on the south east boundary (shown on approved plan 16470-WIE-100-74-XX-ZZ-100 P03) has been protected in accordance with the approved Tree Protection Plan and Arboricultural Briefing Note dated December 2021 unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the

integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

9. The approved parking and turning/loading/unloading facilities (shown on approved plan IBI-XX-XX-PL-A-200-005 Rev18) shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking and turning/loading/unloading spaces shall be retained for the parking and turning/loading/unloading of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking [and turning/loading/unloading] and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

10. Before any above ground works commence a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved.

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 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.

11. 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.

12. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason: In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996.

13. Prior to the first use of the business hereby approved, suitably located waste bins shall be provided outside the premises and retained for public use in accordance with details to be firstly submitted to an approved in writing by the Local Planning Authority.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of odour/flies/vermin/smoke/litter in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. 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.

15. The development hereby permitted shall be carried out in accordance with the recommendations set out in Written Scheme of Investigation of the Health Hub site by Waterman Infrastructure & Environment Ltd

dated February 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

16. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 15 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

17. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Impact Assessment by Waterman Infrastructure & Environment Ltd dated March 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

18. The development hereby permitted shall be constructed to BREEAM 'Excellent' standard.

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

19. Prior to construction 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.

20. Prior to any occupation of the building it shall be provided with a minimum of 48 solar PV panels in accordance with the details set out in

the Building Regs. Part L Compliance Report by McCann & Partners, dated March 2021, which demonstrates significant exceedance of the minimum Part L target values and shall be maintained thereafter unless otherwise approved in writing by the Local Planning Authority.

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

21. The Health Hub building hereby permitted shall be used for medical or health services only (Use Class E(e)) and notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended including the update of 1 September 2020) for no other purpose falling within Class E unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the delivery and maintenance of medical and health services to Graven Hill residents and the surrounding Bicester population that it will serve

120

Pakefield House, St Johns Street, Bicester, OX26 6SL

The Committee considered application 21/01818/F for the redevelopment of the site to form 38no retirement apartments including communal facilities, access, car parking and landscaping at Pakefield House, St Johns Street, Bicester, OX26 6SL for Churchill Retirement Living.

Alison Frecknall, local resident, addressed the Committee in objection to the application.

Paul Beaumont, local resident, addressed the Committee in objection to the application.

Laura Baker, 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 addresses of the public speakers and the written updates.

Resolved

- (1) That it be confirmed that, had the power to determine application 21/01818/F continued to rest with the Committee, the Committee would have refused application 21/01818/F for the following reasons:
 1. The proposed access into and out of the site and onto the private service road fails to provide adequate and necessary vision splays to the south of the access. The proposed development therefore fails to provide a safe access to and from

the site contrary to Policy ESD 15 of the Cherwell Local Plan 2011-2031 as well as paragraph 110 of the National Planning Policy Framework.

2. The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. Car parks are classed as Less Vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted. In addition, the submitted Flood Risk Assessment (FRA) identifies a flood level for a 1% annual probability flood event with the appropriate allowance for climate change of 71.06m AOD. When compared to the topography of the site, the proposed development will result in a loss of flood storage at this level. The FRA proposes no mitigation for this and as such the development as proposed will increase the risk of flooding elsewhere. The proposed development is therefore contrary to paragraph 167 in the National Planning Policy Framework and its associated planning practice guidance and Policy ESD 6 of the Cherwell Local Plan 2011-2031.
3. The submitted Flood Risk Assessment does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The Flood Risk Assessment does not therefore adequately assess the development's flood risks. In particular, the FRA fails to take the impacts of climate change into account. The development provides inadequate mitigation to address flood risk for the lifetime of the development. The floodplain has not been safeguarded or compensation for lost flood storage provided. The proposed development is therefore contrary to paragraph 167 in the National Planning Policy Framework and its associated planning practice guidance and Policy ESD 6 of the Cherwell Local Plan 2011-2031.
4. The ecological report submitted with the application does not adequately assess the importance of the river Bure, nor the developments impact on the river's ecology. The ecological report also refers to the loss of a small watercourse but the impact of this has not been robustly assessed. There is insufficient detail on the management of the river corridor and how the development would deliver net biodiversity gain and how the development can contribute towards extending the connectivity of habitats up and downstream. The proposed development therefore fails to comply with Policy ESD 10 of the Cherwell Local Plan 2011 – 2031 and paragraphs 170 and 175 of the National Planning Policy Framework.

121 **7 Churchill Road, Kidlington, OX5 1BN**

The Committee considered application 21/03444/F for the demolition of an existing dilapidated and fire damaged single level dwelling - Class C3(a) - and erection of 4 No. flats in single, two level building - Class C3(a) at 7 Churchill Road, Kidlington, OX5 1BN for Mr Jack Piccaver. This was a resubmission of application 21/01212/F.

Councillor Billington, local ward member, addressed the Committee in objection to the application.

Councillor Middleton, local ward member, addressed the Committee in objection to the application.

Jack Piccaver, the applicant, addressed the Committee in support of the application.

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

Resolved

- (1) That application 21/03444/F be refused for the following reason:
1. By virtue of its size and massing, the proposed development would have an overbearing impact on number 9 Churchill Road that would be detrimental to the living conditions of the neighbouring occupier through loss of light and outlook. The proposal is therefore contrary to Saved Policy C30 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained with the National Planning Policy Framework.

122 **Green Oak Barn, School Lane, North Newington, OX15 6AQ**

The Chairman advised the Committee that application 21/03468/F, had been withdrawn by the applicant.

123 **32 Orchard Way, Bicester, OX26 2EJ**

The Committee considered application 21/03565/F for the conversion / extension of a garage to form a 1-bed single storey dwelling at 32 Orchard Way, Bicester, OX26 2EJ for Mr Adrian White. This was a resubmission of application 21/00790/F.

Mr Stephen Jeacock, neighbour to the application address, addressed the Committee in objection to the application.

Mr Adrian White, the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Sibley and seconded by Councillor Broad that application 21/03565/F be refused as it would have an adverse impact on the street scene as the loss of vegetation to the front of the building would have a detrimental impact to the character of the area. The width of the access to the entrance of the building and the height of the boundary with the neighbour were also brought into question.

The Planning Officer clarified the plans and the Senior Manager Development Management Manager suggested that if a greater level of control were required to overcome the concerns of the Committee additional conditions regarding Boundary Treatment and distance between the access door and boundary could be added.

The proposal for refusal was subsequently withdrawn.

It was proposed by Councillor Sibley and seconded by Councillor Broad that application 21/03565/F be approved subject to additional conditions to address the boundary with the neighbouring property, 34 Orchard Way, being at least 1.8 metre in height and the access to be no less than 1 metre from the shared boundary.

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

Resolved

- (1) That permission be granted for application 21/03565/F subject to the following conditions and the addition of two further conditions relating to (with the exact wording delegated to officers):
 - Boundary treatment on the south west boundary shared with 34 Orchard Way: and
 - A compliance condition to ensure that the west facing elevation of the dwelling at the location of the front door was no less than 1 metre from the shared boundary line.

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site Location Plan, Block Plan and Drawing Numbers 01998/21/10 (Proposed Elevations) and 01998/21/11 (Proposed Plan).

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 materials to be used for the external walls and roof of the development hereby permitted shall match in terms of colour, type and texture those used on the adjoining building, number 32 Orchard Way, Bicester.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the first use of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. 01998/21/11 – Proposed Plan) and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. The parking and manoeuvring areas shall be retained as such thereafter and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason - In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities, to serve the dwelling hereby permitted, 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.

6. Prior to the commencement of works above slab level in respect of the development the development hereby approved, a scheme for

landscaping the site shall be submitted to and approved in writing by the Local Planning Authority which shall include:

- a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation. All planting, seeding or turfing included 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. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and 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. The dwelling hereby permitted shall not be occupied until it has been provided with a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve the dwelling.

Reason: To maximise opportunities for sustainable transport modes and to comply with Policies SLE 4, ESD1, ESD3 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the first use of the dwelling hereby approved, full details of the bin storage area(s) to serve both the dwelling hereby permitted and 32 Orchard Way, Bicester shall be submitted to and approved in writing by the Local Planning Authority. The agreed bin storage area(s) shall be fully installed prior to the first occupation of the dwelling hereby approved, and shall thereafter be retained.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996

and Government guidance contained within the National Planning Policy Framework.

9. Prior to the first occupation of the dwelling hereby approved, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason - Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework

124 **Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS**

The Committee considered application 21/02857/F for the installation of a solar thermal water heating system to the roof of the building at Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS for Cherwell District Council.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/02857/F subject to:
 - i) The expiry of the public consultation period, and there being no further comments received which raise new issues not before the committee in their decision making: and
 - ii) The following conditions (and any amendments to those conditions deemed necessary):

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: NTBS3540 T15/WLC/108

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

125

Calthorpe Street West Short Stay Car Park, Calthorpe Street, Banbury, OX16 5EX

The Committee considered application 21/04037/F for an electricity kiosk and 6no charging stations for Electric Vehicle Charging at Calthorpe Street West Short Stay Car Park, Calthorpe Street, Banbury, OX16 5EX for EZ Charge Limited.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/04037/F subject to:
 - i) The expiry of the public consultation period and there being no further comments received which raise new issues not before the committee in their decision making: and
 - ii) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing numbers OPAC-SSE-CM-XX-DR-E-0001 Rev 06, ACR-O-VOWH-LE-1400_01 D, ACR-O-VOWH-LE-1400_02 D, ACR-O-VOWH-LE-1400_03 D, ACR-O-VOWH-

LE-1400_04 D and ACR-O-VOWH-LE-1400_05 D, and image showing the 'EZC-_CPC1_SYSTEM_SPECIFICATION'.

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.

Contaminated Land

3. 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.

4. Notwithstanding the submitted details, no development shall commence in respect of the kiosk unless and until full design details of a mitigation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include alternative externally facing materials and landscaping details. The development shall be carried out in accordance with the approved details prior to the first use of the development and shall be retained as such thereafter.

126

Claremont Car Park, Land at Victoria Road, Bicester OX26 6PH

The Committee considered application 21/04039/F for an electricity kiosk and 8no charging stations for Electric Vehicle Charging at Claremont Car Park, Land at Victoria Road, Bicester, OX26 6PH for EZ Charging Limited.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/04039/F subject to:
 - i) The expiry of the public consultation period and there being no further comments received which raise new issues not before the committee in their decision making; and

- ii) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing numbers OPAC-SSE-CM-XX-DR-E-0001 Rev 06, ACR-O-VOWH-LE-1400_01 D, ACR-O-VOWH-LE-1400_02 D, ACR-O-VOWH-LE-1400_03 D, ACR-O-VOWH-LE-1400_04 D and ACR-O-VOWH-LE-1400_05 D, and image showing the 'EZC-_CPC1_SYSTEM_SPECIFICATION'.

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

127

Kidlington Centre Car Park, High Street, Kidlington, OX5 2DL

The Committee considered application 21/04040/F for an electricity kiosk and 6no charging stations for Electric Vehicle Charging at Kidlington Centre Car Park, High Street, Kidlington, OX5 2DL for EZ Charge Limited.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/04040/F subject to:
 - i) The expiry of the public consultation period and there being no further comments received which raise new issues not before the committee in their decision making; and
 - ii) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing numbers ACR-O-CTPC-LE-1300_01 C, ACR-O-VOWH-LE-1400_01 D, ACR-O-VOWH-LE-1400_02 D, ACR-O-VOWH-LE-1400_03 D, ACR-O-VOWH-LE-1400_04 D and ACR-O-VOWH-LE-1400_05 D, and image showing the 'EZC-_CPC1_SYSTEM_SPECIFICATION'.

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

128

The Light Cinema, Spiceball Park Road, Banbury, OX16 2PQ

The Committee considered application 21/04089/F for the erection of an enclosure area including full height glazed windows and retractable fabric roof and two green wall features in CQ2 Block B Terrace area at The Light Cinema, Spiceball Park Road, Banbury, OX16 2PQ for The Light Cinemas.

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

Resolved

- (1) The permission be granted for application 21/04089/F subject to the following conditions:

CONDITIONS

Time Limit

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following Plans and documents:

Terrace boundary plan 1049-LDA-B0-02-DR-A-08001
Existing Terrace Floor Plan 1049-LDA-B0-02-DR-A-08050
Proposed Terrace Floor Plan 1049-LDA-B0-02-DR-A-08002
Green Wall Feature 1049-LDA-B0-02-DR-A-08006
Terrace Roof Plan 1049-LDA-B0-XX-DR-A-08003
Existing Terrace Sections 1049-LDA-B0-02-DR-A-08052
Proposed Terrace Sections 1049-LDA-B0-XX-DR-A-08004
Existing Terrace Elevations 1049-LDA-B0-02-DR-A-08051
Proposed Terrace Elevations 1049-LDA-B0-XX-DR-A-08005
View 1 1049-LDA-B0-XX-DR-A-08010
View 2 1049-LDA-B0-XX-DR-A-08011
View 3 1049-LDA-B0-XX-DR-A-08012
View 4 1049-LDA-B0-XX-DR-A-08013

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

129

Appeals Progress Report

The Assistant Director for Planning and Development submitted a report which informed Members about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 8.50 pm

Chairman:

Date: