

**Bicester Library Old Place Yard Bicester  
OX26 6AU**

**20/02405/F**

**Case Officer:** Shona King

**Applicant:** Cherwell District Council

**Proposal:** Erection of terrace of 3no affordable housing units on site of dis-used library

**Ward:** Bicester South and Ambrosden

**Councillors:** Cllr Cotter, Cllr Sames and Cllr Wing

**Reason for Referral:** Cherwell District Council application

**Expiry Date:** 13 September 2021

**Committee Date:** 09 September 2021

---

**SUMMARY OF RECOMMENDATION: GRANT PERMISSION, SUBJECT TO CONDITIONS**

**1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is situated within the built-up area of Bicester and has good accessibility to services and facilities and employment opportunities. The site is currently occupied by the former library.

**2. CONSTRAINTS**

- 2.1. The application site is adjacent to Bicester Conservation Area, within the setting of listed buildings and is of high archaeological interest.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The proposal is for the erection of a terrace of 3 dwellings on the site of the now disused library.

**4. RELEVANT PLANNING HISTORY**

- 4.1. The following planning history is considered relevant to the current proposal and the adjacent sites that have already been redeveloped by the applicant:

Application: 99/01260/OCC Permitted 23 September 1999  
Erection of a single storey extension to provide additional reference and children's areas and new front entrance

Application: 16/00325/DISC Permitted 19 July 2016

Discharge of Condition 3 (WSI) of 16/00043/F

Application: 16/00043/F Permitted 13 June 2016

11 self-contained flats for adults with physical disabilities, learning disabilities and autistic spectrum condition. Units single storey with shared landscaped gardens and associated parking areas. Staff accommodation and communal areas to be included

Application: 16/00541/DISC

Permitted 19 December 2016  
Discharge of Conditions 5 (programme of work) and 6 (archaeological scheme of investigation) of 16/00043/F

Application: 17/00023/DISC  
Permitted 8 June 2017  
Discharge of Conditions 11 (brick sample), 12 (roof tile sample) and 14 (door and windows details) of 16/00043/F

Application: 17/00119/NMA  
Permitted 24 November 2017  
To change the approved roof tile and window sill tile on Building B (St Edburgs) from Marley plain clay 'Smooth red' to Marley plain clay 'Smooth Blue' to match Building A (Old Place Yard) (Proposed as non-material amendment to 16/00043/F)

Application: 17/00114/NMA  
Permitted 24 November 2017  
Alterations to external Door ED.A.06 and Window W.A.16 swapped positions as indicated on elevation G to Building A and External cupboards added to courtyard elevations E and F to Building B (Proposed Non-Material Amendment to 16/00043/F)

Application: 17/00554/DISC  
Permitted 23 April 2018  
Discharge of Conditions 10 (surface drainage information), 21 (cycle parking details), 23 (refuse and recycling information) of 16/00043/F

Application: 17/00202/DISC  
Permitted 28 September 2017  
Discharge conditions 9 (site B floor levels), 13 (render sample), 18 (external lighting) and 19 (parking and manoeuvring areas) of 16/00043/F

Application: 17/00287/DISC  
Permitted 28 September 2017  
Discharge of conditions 15 (adjacent railing) and 16 (landscaping scheme) of 16/00043/F

Application: 17/00051/DISC  
Permitted 8 June 2017  
Part discharge of condition 10 (Drainage Scheme) and Discharge of condition 20 (Emergency and refuse vehicle turning on site) of 16/00043/F

Application: 19/01697/NMA  
Permitted 21 October 2019  
Works to Building B 2no. block pavers removed to create planting strip in front of fencing at the front entrance of the building (Elevation A). Fencing material/ type changed to silver/ weathered cedar/ larch of varying panel widths (proposed as non-material amendment to 16/00043/F)

Application: 20/02230/DEM  
Prior Approval Granted 21 September 2020  
Demolition of redundant library building

## **5. PRE-APPLICATION DISCUSSIONS**

- 5.1. The following pre-application discussions have taken place with regard to this proposal.

Application: 18/00321/PREAPP  
Response sent 24 January 2019  
Demolish and replace with housing

Application: 19/02716/PREAPP  
Response Sent 20 January 2020  
Demolish and replace with 3no 3 bed houses

Application: 20/00465/PREAPP  
Response Sent 19 March 2020  
Demolish & replace with 3 x 3 bed houses

- 5.2. The advice given was that the principle of demolition of the former library building and the erection of dwellings on the site was considered acceptable but overall acceptability was dependent upon the design, materials and detailing, the impact on the significance of heritage assets, and highway safety.

## **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by a site notice, advertisement in the Bicester Advertiser and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **14 July 2021**, although comments received after this date and before finalising this report have also been taken into account.

- 6.2. 3 letters commenting on the application have been received. The issues raised by third parties are summarised as follows:

- Car parking
- Ease of wheelie bin collection
- Use of old library as a museum

- 6.4. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## **7. RESPONSE TO CONSULTATION**

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. BICESTER TOWN COUNCIL: **Comments** - Need to ensure more off-street parking than is proposed as 1 space per 3 bed property is insufficient in this location; parking on the corner will cause additional problems; Bicester Town Council urges Cherwell District Council to provide this development as social housing to meet the needs of the local community rather than "affordable housing" which is not affordable to many residents; houses need to fit in with what has already been built in Old Place Yard.

## CONSULTEES

### 7.3. LOCAL HIGHWAY AUTHORITY: **No objection**

- 7.4. ARCHAEOLOGIST (original comments): An archaeological desk based assessment would need to be submitted along with any planning application. The site is located in an area of considerable archaeological interest within the site of the medieval Bicester Priory. Any development on this site has the potential to disturb important archaeological remains related to this significant archaeological site.

The archaeological evidence to date has substantiated the surviving remains of the Priory church, the eastern cloister and the eastern range of buildings consisting of the vestry, chapter house and warming house. Archaeological evaluation and excavation has also identified a number of outbuildings within the wider priory precinct.

A burial was recorded during a watching brief for an extension to the Library which is likely to relate to a lay cemetery west of the Priory Church. It is very likely therefore that further burials and archaeological remains associated with the priory could survive with the proposed development site.

The design and access statement states that the development has taken the existing archaeological understanding of the site into account; however, this makes no reference to the probable Medieval cemetery on the site and only refers to a single burial. The access statement states that this burial is under the garden wall and will not be disturbed by this development. It is, however, extremely unlikely that the lay cemetery, thought to be located at the western end of the Priory Church and within the area of this development, consisted of solely a single burial. It is therefore highly likely that this development could encounter a significant number of burials.

There is, however, no consideration of further burials within the site which would be impacted by this proposed development. The design and access statement proposed that an archaeological watching brief could be undertaken during any development. This would however be a wholly inappropriate method of mitigating the impact on a cemetery.

The design and access statement also does not refer to the important Anglo Saxon deposits recorded immediately west of the proposed site during excavation. It is also likely that further archaeological remains related to this period could also survive on the site as well as further aspects of the medieval priory.

An archaeological desk based assessment will need to be submitted along with any planning application for the site in line with the National Planning Policy Framework (NPPF 2018) paragraph 189. This assessment will need to be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for desk based assessments including the submission of an appropriate written scheme of investigation to agree the scope of the assessment.

A programme of archaeological investigation may be required to assess the significance of any surviving archaeological deposits on the site ahead of the determination of any planning application for the site as set out in the NPPF. This will be determined following the submission of the desk based assessment.

7.5. ARCHAEOLOGIST (final comments): In summary - Shares the concerns of Historic England that there may still be archaeological deposits on the site that require physical preservation and so the foundation design may need to be changed once a full evaluation has been undertaken. It was recommended that this was undertaken following the demolition of the current building that was agreed in a separate permission but the applicant decided not to do this. It is agreed that some development can be undertaken on the site but conditions will be required to ensure that this is assessed before any disturbance is undertaken as follows:

- to ensure that the demolition of the current building does not remove any below ground aspects of the building such as the footings and services so that an archaeological evaluation can be undertaken before the ground is disturbed.
- to ensure that an overarching WSI is agreed setting out the evaluation and general principles of the mitigation before any works are undertaken.
- to agree the foundation design once the evaluation has been reported
- to ensure that the work set out in the WSI is agreed.

7.6. CDC CONSERVATION: The site does not lie within the Bicester Conservation Area, but is in close proximity to the grade II listed dovecot, grade II Old Place Yard House and boundary wall surrounding grade II\* St Edburg's Church. The proposed development is on the site of previously developed land (the former library) and is not considered to cause additional harm to the setting of these listed buildings. It is important, however, to ensure that the development is in-keeping with the surrounding area and that a suitable boundary treatment is utilised. The proposed dwarf stone wall with railings above is considered suitable.

7.7. CDC BUILDING CONTROL: Building Regulations application required

7.8. CDC ENVIRONMENTAL PROTECTION: **Comments:**

- Noise: Satisfied with the contents of the CEMP but requests the proposed working hours are changed to match the councils published recommend construction hours for noisy work which are: Monday to Friday - 7:30am to 6:00pm Saturday - 8:00am to 12:30pm Sunday - No noisy work Public / Bank Holidays - No noisy work
- Contaminated Land: 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.
- Air Quality: Any dwelling(s) 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 that dwelling. Reason – To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

- Odour: No comments
- Light: No comment

7.9. CDC HOUSING STANDARDS: this is an attractive scheme which is sympathetic to, and in keeping with, the local area, and we are therefore supportive of the proposed development

7.10. CDC ECOLOGIST: **No comment to date**

7.11. CDC DRAINAGE: **No comment to date**

7.12. HISTORIC ENGLAND (original comments): **Objection** – In summary - The site of the proposed development lies within what is considered to be the Lay Cemetery for Bicester Priory. The applicant has not submitted a Desk Based Assessment to support the application and has proposed archaeological mitigation which is not satisfactory for the nature of the archaeological remains present. Applicant is urged to commission a Desk Based Assessment which should also contain proposals for acceptable archaeological mitigation. The application should not be determined until such satisfactory documents have been submitted to support the application.

7.13. HISTORIC ENGLAND (final comments): **No objection** subject to conditions but in summary their comments are as follows:

- The submitted evaluation, has identified that remains relating to the priory do survive at shallow depths beneath the library building. It has also demonstrated that where remains are present they are likely to be largely intact.
- No objection to the principle of some form of development within this area. However, due to the sensitivity of the archaeological remains which may be present, conditions are advised:
  1. details of the foundation design of the three units. The remains of Bicester Priory are of high archaeological importance.
  2. programme of archaeological works should take place once the library building and slab has been removed. This programme of archaeological works will aim to fully understand the nature of the resource and will directly inform an acceptable foundation design for the three units.
  3. landscape plan as there will be potential ongoing impacts from the gardens of each of the three units.

7.14. THAMES VALLEY POLICE: **No comment to date**

7.15. BICESTER LOCAL HISTORY SOCIETY: **Objection** - The design is not in keeping with the surroundings and spoils the setting of the listed dovecote. A single storey building would be more appropriate. The front line of the building should be no further forward than the line of the existing single storey buildings. Disappointing that no further use of the old library building has been found or considered. Some sort of community use would be appropriate for residents in the area.

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council in July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the Development Plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD 1: Presumption in Favour of Sustainable Development
- BSC 1: District Wide Housing Distribution
- BSC 2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC 3: Affordable Housing
- BSC 4: Housing Mix
- ESD 1: Mitigating and Adapting to Climate Change
- ESD 2: Energy Hierarchy and Allowable Solutions
- ESD 3: Sustainable Construction
- ESD 5: Renewable Energy
- ESD 7: Sustainable Drainage Systems (SuDS)
- ESD 15: The Character of the Built and Historic Environment
- Bicester 5: Strengthening Bicester Town Centre

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28: Layout, design and external appearance of new development
- C30: Design of new residential development

### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (The Framework)
- Planning Practice Guidance (PPG)
- Bicester Masterplan Draft SPD – This will establish the long term vision for the town and integrate committed and planned schemes with new proposals to contribute to the creation of a sustainable town. This is draft guidance only to which only limited weight can be attached.

## **9. APPRAISAL**

### 9.1. The key issues for consideration in this case are:

- Principle of the development
- Design and impact on visual amenities
- Impact on heritage assets
- Residential amenity
- Highway safety
- Sustainability

### Principle of development

- 9.2. Paragraph 11 of the National Planning Policy Framework (NPPF) states that decisions should apply a presumption of sustainable development. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.
- 9.3. Paragraph 12 of the NPPF notes that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Cherwell District Council has an up-to-date Local Plan which was adopted in July 2015.
- 9.4. Policy PSD1 contained within the CLP 2015 echoes the NPPF's requirements for 'sustainable development' and that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- 9.5. The redevelopment of the site for residential purposes is considered to comply with Policy BSC2 of the CLP 2015, which encourages the re-use of previously developed land in sustainable locations. This policy is supported by the NPPF which states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes.
- 9.6. Bicester Town Council has commented that the units should be provided as social housing to meet the needs of the local community. The design and access statement advises that the dwellings are to be 'affordable family units' but it is not stated whether these are to be provided on the basis of affordable housing. Confirmation has been sought from the applicant on this matter and the units are to be provided as shared ownership properties which could result in the occupiers being able to own the dwellings. The Council's Strategic Housing Team has advised that we would normally expect to see a 70:30 split between rented:shared ownership on qualifying developments. However, on a modest scheme of this type (i.e. no market housing, and under the 11-unit threshold) this scheme falls outside of this requirement. Notwithstanding this, in this sustainable location housing of any tenure is considered to be acceptable in policy terms as set out above.
- 9.7. Therefore, the principle of the development is considered to be acceptable, with overall acceptability subject to other material considerations and these are considered further below.

### Design and impact on visual amenities

- 9.8. Paragraph 126 of the NPPF states that: '*Good design is a key aspect of sustainable development and that it creates better places in which to live and work*'. This is reflected in Policy ESD15 of the CLP 2015, which states that new development proposals should: be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. In addition, Policy ESD15 states new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high design standards.



- 9.9. Saved Policy C28 of the CLP 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.10. The form of the proposed development, laid out as a terrace of 3no two storey dwellings, is considered appropriate in this location. The scale and massing is considered to be acceptable with the gable spans similar to the adjacent dwellings and the height comparable with dwellings in the traditional terrace along Church Lane to the north of the site.
- 9.11. The positioning of the terrace is set back from the frontage of the old library building and front gardens are to be created for the new dwellings. It is considered that this is an improvement over the existing situation where the library building is sited at the back of the footway.
- 9.12. The elevational details are simple and are similar to those in the dwellings in the immediate vicinity. The window and door details have a traditional appearance. The provision of a low wall to the front gardens and wall/railings to the rear garden and would complement the treatment to the communal garden at the adjacent site.
- 9.13. It is proposed to match the brick used at the adjacent single storey development, both in terms of the type and how it is laid (i.e. English Garden Wall bond). This is welcomed and is considered to improve the setting of the Conservation Area and nearby listed buildings over the current situation.

#### Impact on Heritage Assets

- 9.14. The site is located outside but adjacent to the Bicester Conservation Area and in the setting of a number of listed buildings including the Grade I listed St Edberg's church and Grade II listed dovecote immediately to the west of the site and Grade II listed dwellings in Church Lane to the north.
- 9.15. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.16. Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 9.17. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 199 of the NPPF states that: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy ESD15 of the CLP 2015 echoes this guidance.
- 9.18. The proposed development is considered to preserve the character and appearance of the Conservation Area and would not result in any significant harm to the significance of the nearby listed buildings by reason of change to their settings.

- 9.19. The site is located in an area of considerable archaeological interest within the site of the medieval Bicester Priory. Any development on this site has the potential to disturb important archaeological remains related to this significant archaeological site.
- 9.20. The County Archaeologist and Historic England originally objected to the application due to the lack of information submitted and setting out the potential harm to the archaeological significance of the site and any remains. A limited archaeological evaluation of the site has been carried out and it is now considered that some redevelopment of the site is acceptable, but conditions are required to ensure that any archaeological deposits that remain can be preserved. These conditions are set out below.

#### Residential amenity

- 9.21. The development is unlikely to have a detrimental impact on living amenities of adjacent dwellings due to the relationship between the dwellings. The dwellings face onto the side of the dwellings to the north of the site. The distance between the proposed and existing dwellings is approximately 25m and this exceeds the Council's informal standards. The dwellings to the south of the site are located approximately 11.5m from the rear elevation of the nearest dwelling on the application site. Whilst this is below the Council's informal standards the relationship between the dwellings is such that there will not be any direct overlooking of habitable room windows because of the internal layout of the nearest unit and due to the off-set relationship the proposed dwellings will not result in any significant loss of light to the habitable rooms of the existing dwellings. The potential noise and disturbance to the existing properties in Old Place Yard is also considered to be less than when the former library was in use.
- 9.22. It is considered that acceptable standards of amenity can be provided for the new occupiers particularly with the inclusion of the small private courtyard to the rear of the dwellings. Any overlooking from the existing dwellings to the south will be oblique

#### Highway safety

- 9.23. Four parking spaces are to be provided in a private parking area to serve the development. This is considered to be appropriate for the scale of the development and the central, sustainable location. Whilst cycle parking provision is not shown on the plans the dwellings do have secure gardens to the rear of the terrace where cycle parking can be provided.
- 9.24. The LHA originally objected to the application as they considered that the parking provision, within privately owned land, would displace deliveries to No 29 Old Place Yard onto the public highway. The applicant has clarified the matter and has advised that deliveries can access No. 29 through the private car park for the units to the east of the application site. It has also been clarified that the four spaces are to be allocated one to each dwelling and a visitor space.

#### Sustainability

- 9.25. Policy ESD 3 states that as Cherwell District is in an area of water stress the Council will seek a higher level of water efficiency than required under the Building Regulations. As such it is required that the development achieves a limit of 110 litres of water per person per day. A condition to this effect is recommended below.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The overall purpose of the planning system is to seek to achieve sustainable development as set out in the NPPF. The three dimensions of sustainable development must be considered in order to balance the benefits against the harm. Section 38(6) of the Planning and Compulsory Act 2004 requires planning applications to be determined against the provisions of the development plan unless material considerations indicate otherwise.
- 10.2. It is considered that the proposal would not adversely affect the setting of the Conservation Area or nearby listed buildings, nor would it result in any significant detriment to the living amenities of the neighbouring properties or to highway safety.
- 10.3. Therefore, it is recommended that permission is granted, subject to the conditions below.

## **11. RECOMMENDATION**

### **RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW:**

#### **Time Limit**

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

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

#### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, Design and Access Statement, Construction Traffic management Plan prepared by Cumming Anderton and the following plans: 1215/1010/1 rev A, 20-1104-203 rev I, 209 rev K, 210 rev H, 212 rev F, 213 rev A 215 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 comply with Government guidance contained within the National Planning Policy Framework

#### **Materials finishes detailing and design**

3. The elevations of the development hereby approved shall be externally constructed using Northcot Multi Red Rustic and laid in an English Garden Wall Bond and retained as such thereafter.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to safeguard the character and appearance of the area and the significance of heritage assets 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.

4. Prior to the construction of the development above slab level, samples of the tile to be used in the construction of the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to safeguard the character and appearance of the area and the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, and saved Policy C28 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the construction of the development above slab level, full details of the doors and windows and their surrounds hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows and their surrounds shall be installed within the building in accordance with the approved details.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to safeguard the character and appearance of the area and the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, and saved Policy C28 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Landscaping**

6. Prior to the construction of the development above slab level, 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, and the locations, specifications and construction methods for all tree pits, together with grass seeded/turfed areas,
  - (b) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps,
  - (c) details of the refuse bin storage for the dwellings, including location and compound enclosure details

Thereafter the development shall be carried out in accordance with the approved landscaping scheme. The hard landscape elements and bin storage shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason - In the interests of the archaeological remains on the site, to ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

## **Archaeology**

7. Prior to the removal of the building slab, existing foundations or services, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

8. Following the approval of the Written Scheme of Investigation referred to in condition 9 and prior to the removal of the building slab, existing foundations or services, a programme of archaeological evaluation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation and on completion of the archaeological evaluation, a report of the archaeological evidence found on the application site shall be submitted to and agreed in writing by the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with Government guidance contained within the National Planning Policy Framework

9. Prior to the construction of any foundations full details of the foundation design shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the foundations shall be constructed in strict accordance with the approved details.

Reason - To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF

10. Following the approval of the foundation design a second stage written scheme of investigation setting out a programme of archaeological mitigation, including physical preservation of any significant remains where necessary, shall be submitted to and approved in writing by the Local Planning Authority. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork. Thereafter the development should be undertaken in strict accordance with the approved second stage WSI.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2019).

### **EV Charging**

11. Any 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 that dwelling.

Reason - To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Construction Environmental Management Plan**

12. Notwithstanding the details set out in the Construction Environmental Management Plan prepared by Cumming Anderton the working hours shall be restricted to:

Monday to Friday - 7:30am to 6:00pm  
Saturday - 8:00am to 12:30pm  
Sunday - No noisy work  
Public / Bank Holidays - No noisy work.

The approved CEMP 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 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.

### **Contamination**

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

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

14. Prior to the first occupation of the development hereby permitted 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 impact of climate change and in the interest of sustainability and to comply with Policies ESD1

and ESD3 of the adopted Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.