

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Planning Committee

28 January 2010

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If you need any further information about the meeting please contact Alexa Coates, Legal and Democratic Services alexa.coates@cherwell-dc.gov.uk (01295) 221591

Agenda Item 20

CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

28 January 2010

WRITTEN UPDATES

Agenda Item 9 **09/01522/F** **10 Strawberry Terrace, Bloxham**

Bloxham Parish Council have no objections to the proposal

Agenda Item 10 **09/01586/F** **Holly Close, Main St. Sibford Gower**

- 1 .A local resident draws attention to an error in the OS base plan on page 42 which shows a spring south of the site. This is actually an emerging piped outlet from the pond in Main Street.
2. Another local resident has provided a diagram comparing the gutter height of nearby dwellings to that of the proposed dwellings, which shows that existing properties have heights to gutter of 3.4 to 4 metres whilst the proposal is at least 25% higher at 5 metres.

Agenda Item 11 **09/01739/CDC** **Land at Colne Close, Bicester**

Additional condition recommended re tree protection as follows

6. No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:
 - a) a plan that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - b) the details of each retained tree as required at paragraph 4.2.6 of BS5837 in a separate schedule.
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).
 - f) the details and positions (shown on the plan at paragraph (a) above) of

the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

- g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).
- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).
- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the Root Protection Areas of retained trees.
- l) the details of the working methods to be employed for the installation of drives and paths within the Root Protection Areas of retained trees in accordance with the principles of "No-Dig" construction.
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any Root Protection Areas (para. 9.2.3 of BS5837).
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

Reason – To ensure the continued health of retained trees and in the interests of the visual amenity of the area, to ensure the integration of the development in to the existing landscape and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

Agenda Item 12**09/01240/CDC****Braithwaite Close, Banbury**

Banbury Town Council wish to make no comment

Agenda Item 13

Countryside Properties have requested that the S106 agreement also be amended with regard to the timing of the submission of the detailed layouts for the play areas (but not to vary the timing of their provision) in accordance with the table set out below. The revised timing for submission of details is considered by your officers to be acceptable as it will ensure they are submitted in good time before development of the relevant area.

It is therefore further RECOMMENDED that this proposed modification to the existing agreement is accepted, subject to it being whichever is the earlier of the trigger dates shown, as part of the variation of the agreement as set out in the agenda.

The recommendation to vary the agreement is subject to satisfactory confirmation that the covenant affecting the parcel of land being offered would not prevent the development of the site for affordable extra care housing.

Type	Section 106 timescale	Current proposed sale program: date by which we expect to reach that number of occupations	Sale Date of Parcel within 30m of that open space	Proposed latest date for submission of the relevant scheme
LEAP 1 (Adjacent KM4)	200 Occupations	May 2012	KM4 – October 2011	By the first occupation, or by April 2011
NEAP/LEAP2 Whitelands Farm	500 Occupations	October 2013	KM14- June 2013 KM12 – January 2012	By 100 th occupation, or October 2011
LEAP 3	500 Occupations	October 2013	KM8 – October 2013 KM13 – February 2015	By 100 th occupation, or October 2011
LEAP 4	1000 Occupations	September 2015	KM18 – July 2015	By 500 th occupation or October 2013