

**URGENT BUSINESS AND SUPPLEMENTARY INFORMATION**

**Planning Committee**

**5 January 2012**

| Page          | Title          |
|---------------|----------------|
| (Pages 1 - 5) | Written Update |

*If you need any further information about the meeting please contact* Natasha Clark, Law and Governance [natasha.clark@cherwell-dc.gov.uk](mailto:natasha.clark@cherwell-dc.gov.uk), 01295 221589

# Agenda Item 17

## CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

5 January 2012

### WRITTEN UPDATES

#### Agenda Item 6 11/01069/F

#### Land Off School Lane, Cropredy

- **Comment received from local boat owner**
  1. Every year my boat rests on the bottom of the Oxford Canal in Cropredy as there is insufficient water in the canal system to cope with the number of boat movements currently occurring in the summer months. This happens irrespective of the weather, year after year.
  2. The number of locks and the distance between them make a back pumping system such as that at Stoke Bruerne unfeasible. The cost of the Stoke Bruerne system was very high but nothing compared to what would be needed for the same on the South Oxford.
  3. The nomination process for positions on the governing body for the new Canals and Rivers Trust is underway at present and it is sensible to wait until the process is complete before making a decision which will have such a serious and costly effect on the South Oxford Canal.

#### Agenda Item 7 11/01255/F

#### Land off Claydon Rd , N of Cropredy

- **English Heritage** has confirmed that the proposal does not appear to have any impact upon the significance of the registered battlefield.
- The **Council's Ecologist** has considered the recently submitted mitigation method statement which deals specifically with great crested newts and reptiles. Subject to the inclusion of planning conditions the Council's Ecologist is satisfied that if newts and or reptiles are found to be present on the site they can be appropriately dealt with.
- The **Council's Landscape Officer** has carried out a desk top study and concludes that from the design and access statement and the aerial photography that there appears to be no major long range landscape impacts due to existing topography and established hedgerow vegetation. Therefore visual impact will be localised to the canal area, but will be mitigated over time by the planting proposed as part of the Landscape Masterplan. Detailed landscape proposals will still need to be submitted and approved by condition.
- The comments of the **Environment Agency** are still awaited
- **Comment received from local boat owner**
  1. Every year my boat rests on the bottom of the Oxford Canal in Cropredy as there is insufficient water in the canal system to cope with the number of boat movements currently occurring in the summer months. This happens irrespective of the weather, year after year.

2. The number of locks and the distance between them make a back pumping system such as that at Stoke Bruerne unfeasible. The cost of the Stoke Bruerne system was very high but nothing compared to what would be needed for the same on the South Oxford.
  3. The nomination process for positions on the governing body for the new Canals and Rivers Trust is underway at present and it is sensible to wait until the process is complete before making a decision which will have such a serious and costly effect on the South Oxford Canal.
- Comments received from the **applicant** in response to the report
 

Paras 1.4 & 5.9.1 - we will provide free loan bicycles, not just spaces for bikes!

3.11 - I know you are simply reporting others' observations here, but I do hope the Committee will fully understand that no spoil is to be taken off the site.

5.3.3 - I suspect there is a typo here, and the third sentence should read "... but is NOT considered to have a significant impact on the wider open countryside..."  
(this is confirmed by HPP and DM)

5.6.1 - The marina is designed for 249 boats and we are happy to have a condition imposed that this figure not be exceeded.
  - Correspondence has been exchanged between the applicant's consultants and our landscape/arboriculturists and remaining issues with regards to tree removal (none are now to be removed) and access road construction have been resolved in principle. **Additional conditions will be required ( in addition to those set out below)**

#### **Additional conditions**

- The development hereby permitted shall be carried out in accordance with the recommendations and the habitat enhancement strategy set out in the mitigation strategy detailed in the 'Ecological Method Statement for the Protection of Recognised Species' by Reports 4 Planning received in the department on 16 December 2011.
- In the event of water voles being found to be present on site prior to commencement or during the development process, work on site shall cease until a method statement detailing how harm to the species and their burrows will be avoided has been submitted to and approved in writing by the Local Planning Authority.

- **Ecology**  
Following further discussions between the agent's ecology consultants and the Council's Ecologist, the Council's Ecologist is now satisfied with the proposals in terms of their impact upon ecology and biodiversity subject to conditions relating to bat protection, mitigation in relation to reptiles and habitat enhancement.
  
- **Drainage**  
In relation to the amended plans, OCC (Drainage) states that the design shows a substantial reduction in the surface water discharging from the existing situation and therefore the drainage proposals are acceptable.
  
- **Trees**  
In response to the amended plans for the repositioning of the service road, the Council's Arboriculturalist has some reservations about the impact of its layout on the root protection area of a beech tree (T23 as indicated on plans). The impact can however be avoided by repositioning the beginning of the new service road further to the west. The agent for the application is agreeable to this and for this reason it is considered appropriate to condition that notwithstanding the submitted plans, full details of the layout of the service road be submitted and agreed.
  
- **Additional Conditions**  
11.I That prior to the commencement of the development and notwithstanding the approved plans, full details of the layout and construction method of the new service road to the east of the buildings shall be submitted to and agreed in writing by the Local Planning Authority. The service road shall be laid out and constructed in accordance with the approved details.

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.

12. Prior to the commencement of any works of demolition to building D, a bat inspection and emergence survey shall be carried out, submitted to and agreed in writing by the Local Planning Authority. If a bat roost is identified, the report shall include details of an appropriate mitigation strategy. Thereafter the development shall proceed in accordance with the approved report and mitigation.

Reason - To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity, Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan.

13. Prior to the commencement of the development, a habitat enhancement scheme to include details of the location of bat and swift boxes within the proposed new development, new planting and the management of any open spaces for the benefit of biodiversity 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 report.

Reason - To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity, Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan.

14. Prior to the commencement of the development, a reptile mitigation scheme shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved report.

Reason - To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity, Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan.

- **Additional Planning Note**

No removal of trees or scrub to take place between March to August inclusive, unless checked immediately beforehand by a suitably qualified ecologist. If nesting birds are found to be present, no work is to take place in that area until the chicks have fledged.

**Agenda Item 9      11/01484/F      Phase 3 Oxford Spires Business Park**

- Environment Agency - comments still not received
- In response to the comments from the Design and Conservation Team Leader the applicants have responded as follows
  1. The elevation is drawn without the trees in front of it for clarity. In reality that elevation is seen through the trunks and foliage of the existing bank of trees along that frontage. Our intention was that our building would provide a back-drop for the trees and we consider the earthy colour and scale of terracotta tiles to be ideal for this purpose with the greens of the trees being seen against the terracotta red of the cladding. We think this will work very well.
  2. The stair towers which link each block actually protrude nearly 3m from the general line of the façade. This means that the elevation is already heavily modelled and will appear as such even when viewed square-on with outline of the towers breaking the sky-line of the façade when viewed normally from the ground. We consider that any further modelling would be un-necessary.
  3. The terracotta tiles come in several sizes and a range of shades from creamy through to dark red. We would be happy to bear the Design Officers comments in mind when we are making and submitting the final material choice for approval. At that point we will consider whether it would be appropriate for the stair towers to be in a different shade of terracotta tile from the main north façade.

So our conclusion is that we would prefer, for the above reasons, to stay with the north elevation design as submitted but we are happy to

consider the points raised when dealing with the approval of materials under the normal condition

**Agenda Item10    11/01497/F            Seven Springs, Southside, Steeple Aston**

- **Additional comments for report**

The application has been advertised as affecting the setting of the adjacent Grade II Listed Building namely Brunstone. Comments have been received from the occupier of this property raising concerns that they will suffer adversely from noise to their bedroom which overlooks the siting of the proposed panels from their construction. They are also concerned that the panels will be detrimental to the appearance of the area and to any wildlife which may reside in the gardens adjacent to the panels.

The panels are some distance away from the rear of Brunstone, with an intervening rear garden of Stavinspole between it and the panels, and although the pv cells will be seen in the same view as the roof of the listed building when viewed from the public footpath along the drive to Seven Springs it is not considered to be any serious adverse impact caused to the Listed Building or to its setting.