

SUPPLEMENTARY INFORMATION

Planning Committee

27 October 2016

Agenda Item Number	Page	Title
19.	(Pages 1 - 11)	Written Update

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

27 October 2016

WRITTEN UPDATES

Agenda Item 8 16/01000/F Buildings 455 and 457 Heyford Park

- Upper Heyford PC raise no objection
- Conditions proposed as below with authority delegated to officers to make any amendments and finalise.

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

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

- 2 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings numbered: TBC, under delegated authority to officers

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.

- 3 Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roofs of the development hereby approved 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 the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 4 That full design details of the entrance glazing to the canopy link shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan.

- 5 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 seek to minimise the effect on residential

properties 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 with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 6 Notwithstanding the details submitted, prior to the commencement of the development hereby approved, full details of the method of mechanical ventilation of the proposed kitchen's extraction systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 7 All plant, machinery, mechanical ventilation equipment and ducting including air conditioning, other than that shown on the approved plans, shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building without the prior written permission of the Local Planning Authority unless otherwise agreed with the Local Planning Authority.

Reason - In the interest of visual and residential amenity, and in order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 8 No development shall take place until a noise assessment survey of the site has been carried out and a scheme for protecting residential premises from noise from the commercial development is submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before the development is brought into use.

Reason: In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from noise in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

9. 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.

- 10 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.

(d) Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, 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.

(e) That full design details of the railings, means of enclosures, seats, bollards, tree grills, cycle hoops and any other street furniture shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development 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.

- 11 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 - 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.

- 12 a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor

shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of this permission

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.

- 13 Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, 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 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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 14 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.

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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 15 Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy

development of the proposed trees, 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 and specifications.

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.

- 16 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage 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 interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

- 17 Prior to the commencement of the development hereby approved, full details of the 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 any part of the development, 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 0.6m above carriageway level.

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

- 18 Prior to commencement of the development hereby approved, a Delivery and Servicing Plan for all elements of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: To protect the safety and prevent obstruction of highway users and pedestrian and cyclist users of the public areas of the development

- 19 Notwithstanding the details submitted, prior to the commencement of the development hereby approved, a revised plan showing car parking provision for vehicles to be accommodated within the site, 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 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 interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

- 20 Prior to commencement of the development hereby approved, a Car Park Management Plan, including measures to protect the proposed car parking from long stay residential parking, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of road safety and to prevent obstruction of the highway and public areas by inappropriate overspill parking.

- 21 Prior to the commencement of the development hereby approved, a full Construction Traffic Management Plan (CTMP) will be submitted to and approved in writing by the Local Planning Authority, including:
- Routing of construction traffic and delivery vehicles, and details of route signage
 - Details of any road closures and traffic management needed during construction.
 - Details of wheel wash facilities to be provided to prevent migration of mud onto highway
 - Details of appropriate signing for pedestrians during construction works, including any footpath diversions.
 - Details of a regime to inspect and maintain all signing, barriers etc.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - Details of parking of site related vehicles (worker transport etc.) in the vicinity
 - Layout plan of the site that shows structures, roads, site storage, parking, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highway Authority
 - A communications plan for engagement with local residents
 - Any temporary access arrangements as agreed with Highway Authority
 - 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 safeguard the amenities of the occupants of the adjacent dwellings during the construction period and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 22 Prior to the first use or occupation of the development hereby permitted, cycle parking facilities, including covered cycle parking for staff, 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 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, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

- 23 Prior to the first use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be firstly submitted to and approved in writing by the Local Planning Authority.

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

- 24 Unless otherwise agreed in writing by the LPA the development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) OCT 2010 Waterman and update in AUG 2016 Woods Hardwick (Ref: 16871/B4 - REV 3) by and the following mitigation measures detailed within the FRA:
- o Limiting the surface water run-off generated by the 1 in 100 year + 30%

allowance for Climate Change critical storm so that it will not exceed the run-off from the existing site and not increase the risk of flooding off-site.

o Underground Storage Cells and Oversized pipes. (As shown on drawing HEYF-5-219F and para 6.3.1 of the FRA update)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority

Reason - To protect the development and its occupants from the increased risk of flooding and in order to comply with Government guidance contained within the National Planning Policy Framework.

- 25 Prior to occupation of the development the Applicant shall submit to the Local Planning Authority a SUDS Maintenance and Management Plan for the development. This will include:

o A maintenance schedule, A site plan showing location of SUDS features and details, Maintenance areas, and Outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan and a health and safety plan where risks are involved in the maintenance activity will be required.

ER1 Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 26 Prior to occupation of the development the Applicant shall submit to the Local Planning Authority a revised Flood Route and Storage Plan for exceedance flows at the site:

o This will update the existing drawing (Ref: HEY- 5-148D) to reflect any revised microsimulation modelling results, as-built constructed site changes, and storage areas.

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 27 No goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 28 Prior to the commencement of the development hereby approved, full details of any proposed external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.

Reason To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and

Government guidance contained within the National Planning Policy Framework.

- 29 The north-south pedestrian route through the canopy link should be open to the public not less than when the adjacent bar/brasserie in Building 457 is in operation and normally between the hours of 07.00 to 23.00 hours unless otherwise agreed in writing with the Local Planning Authority.

Reason: This route forms an important connection between the Village Green and Camp Road and should be maintained for public access in the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

Reason: This route forms an important connection between the Village Green and Camp Road and should be maintained for public access in the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

- 30 Before any building is brought into use, details of a work of art proposed in the Village Centre shall be submitted to and approved in writing. The details shall be undertaken as approved within 12 months of the first building being brought into use

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Agenda Item 9 16/01119/F Cropredy Marina, Cropredy

- Two additional neighbour objections have been received. In addition to raising the same issues as listed at Paragraph 4.2 of the Committee report, these comments also raise concerns about increased traffic, disturbance to wildlife, and a failure of the applicant to comply with the conditions of the original planning permission. These issues are addressed in the Committee report.

Agenda Item 10 16/01468/OUT Land adj Spring Lane/Station Road, Cropredy

- A further response from Oxfordshire County Council has been received. This confirms that based upon the Travel technical note provided and additional information demonstrating that the position of the proposed footpath along Spring Lane falls within the ownership of the landowner, that no objections are raised subject to a number of conditions.

The additional information referred to confirms that a Construction Traffic Management Plan and an updated Travel Plan Statement would be provided to satisfy conditions of this nature, provides further information in

relation to the northern access (essentially showing vehicle footway crossovers with dropped kerbs provided enabling access to the properties to the south of Spring Lane), further information in relation to the southern access (visibility splays identified and a footway provision now proposed along the Western side of Station road from the southern access north to provide continuity for pedestrians accessing the development site and the wider area), provides confirmation that an uncontrolled pedestrian crossing incorporating dropped kerbs and tactile paving between the school car park and the eastern side of Station road is proposed and provides agreement to make a contribution of £5000 towards the maintenance and improvement of Public Rights of Way.

- With regard to drainage, it is understood that Oxfordshire County Council raise no objections and a condition is recommended to require a surface water drainage scheme to be submitted based on sustainable drainage principles and an assessment of hydrological and hydro-geological context of the development. The detailed drainage comments however continue to raise a number of questions that are concerning to Officers in relation to how drainage can be accommodated on the site in terms of its detail, in order to meet OCC guidelines and taking into account the site constraints. Nevertheless, Officers do not consider that a specific reason for refusal in relation to drainage issues could be defended at appeal given the formal response from OCC that no objections are raised subject to a condition. In these circumstances, Officers recommend a planning note be introduced to highlight that drainage issues are not fully resolved and that additional work will be required in relation to this matter. The recommended planning note is as follows:

Planning note

‘The applicant is advised that Oxfordshire County Council Drainage Team raise a number of questions in relation to the detail of how drainage will be accommodated on this site. It is recommended by them that this matter be considered through the imposition of a planning condition on any permission granted to agree a detailed drainage scheme. The applicant is advised that this matter will require further consideration if development on the site is pursued’.

- A letter has been received from the applicant’s agent advising that the committee report does not correctly reflect the position of OCC in relation to drainage. As the formal response is one of no objection, it is considered that further detail would be provided as part of detailed site design and submitted via a condition. It also suggests that the situation with regard to the crossing facilities across Station Road from the school car park as

presented in the committee report is not reflective of the fact that this has been addressed through the technical note submitted, to which OCC consider this to be acceptable. A range of email correspondence between OCC and the applicant's consultants is then provided.

The Officer response to the above is that the committee report was drafted without the benefit of receiving the formal re-consultation response from OCC. This has now been received and is addressed as above in terms of the response. This therefore reflects the fact that there are no further objections in relation to drainage or transport matters and Members are advised of this accordingly.

Agenda Item 12 16/01552/F Swalcliffe Park Equestrian

APPLICATION WITHDRAWN

Agenda Item 13 Muddle Barn Farm, Sibford Gower

- Amended plans

Amended plans have been received which seek to address the Conservation Officer's comments on pages 137-138 of the agenda. The amended plans are "1759.100G", "1759.110B", "1759.111B" and "1759.118B". They were accompanied by a letter from the applicant's planning agent.

The changes made are those referred to in the officer's report at para 7.14 (page 141), and chiefly comprise: re-siting of the single storey side element to provide the kitchen 1.5m further forward; reduction in size of dormers; glazed screen to west elevation of single storey element reduced in height by 0.15m; reduction in height of utility/plant room single storey element by 0.15m to improve its relationship with the kitchen element.

The Conservation Officer has commented on these further amended plans, noting some minor issues with fenestration arising from the changes made to the single storey kitchen element, but officers would prioritise the re-siting of this single storey element over the resulting relationship between different fenestration.

The planning case officer is of the view that these amended plans successfully address the Conservation Officer's concerns and that, subject to conditions, the amended proposal represents a dwelling of high architectural quality.

- Applicant's response to Parish Council comments

The applicant's planning agent has responded to Sibford Gower Parish Council's comments on the application; the response can be summarised as follows:

- The Parish Council appears not to have had regard to the changes made

between the previous proposal (15/01693/F) and the current proposal (16/01563/F), repeating its previous objections and suggesting the application 'remains as before'.

- The Parish Council comments that the proposed dwelling is 5 times the size of the existing dwelling (officer note: more precisely the increase was 557%) whereas it is 1.25 times the size. Officer note: this is incorrect on the part of the applicant's agent – the current proposal has a floor area 410% larger than the existing dwelling, reduced to 200% if factoring in permitted development right allowances to the existing dwelling.
- The Area of High Landscape Value designation no longer applies.
- Although the Parish Council considers the impact on New Barn Farm not to have been addressed, the owners of this property have written in support of the current proposal.
- Disagrees with the Parish Council's suggestion that consideration of the permitted development rights of the existing dwelling is irrelevant.
- Draws attention to the representations of Mr Wass in respect of the Parish Council's response.

The applicant's planning agent has also responded to Sibford Ferris Parish Council's comments on the application; the response can be summarised as follows:

- The inclusion of a third storey in the roof does not add to the overall height of the dwelling.
- The Parish Council appears not to take note of the submitted landscape assessments or the views of the Council's Landscape Officer.
- No explanation as to why the Parish Council feels the proposal's design is inappropriate.

Agenda Item 14 Land adj. Fewcott Road, Fritwell

APPLICATION WITHDRAWN