

SUPPLEMENTARY INFORMATION

Planning Committee

13 December 2018

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

13 December 2018

WRITTEN UPDATES

Agenda Item 7

18/01333/F – Bicester Heritage, Buckingham Road, Bicester

Additional Representations received

(responding to the amended plans and information submitted, which has been referred to and assessed by the planning officer in the committee report)

CDC LANDSCAPE SERVICES: Comments. More detail and accurate tree planting plan is required that shows existing trees to be retained and more appropriate proposed landscaping as what is currently shown is not sufficient in terms of appropriate species, densities, sizes, locations etc. Better landscaping is proposed to the vehicle parking areas to the south of unit C and along the southern boundary with Skimmingdish Lane.

CDC ARBORICULTURE: Comments. More detail is required for the tree pit details and the planting plan will also require greater detail than those that have been submitted with the amended plans and additional information.

[Officer comment: Given the comments above by Landscape Services and Arboriculture, conditions will continue to be imposed regarding a tree planting plan and tree pit details as the details submitted with the application at this stage are not yet sufficient to negate the need for the conditions].

BICESTER DELIVERY TEAM: Comments. The Energy Statement submitted now goes some way towards demonstrating compliance with the ESD policies but there are still some areas lacking in detail. Also as the internal fit out will be down to end users, conditions may need to be imposed to ensure implementation by them of some of the proposed measures.

[Officer Comment: A condition will continue to be imposed regarding the Energy Statement and for this to be amended to ensure fully compliance with the ESD policies and to ensure that end users will implement the proposals].

OCC HIGHWAYS: Objections withdrawn. The reduced amount of car parking now proposed (from 125 to 84 spaces) is in line with the anticipated breakdown of floor area being proposed. Is agreeable to an approach where should the quantum of development change, then additional car parking could be required to avoid overspill parking beyond the site and/or inappropriate parking with the site. The car parking layout is now acceptable with spaces appropriately located and easily accessible.

[Officer comment: Revised car parking condition to be imposed and an additional condition allowing flexibility for additional car parking should the quantum of uses change.]

OCC DRAINAGE: Objection withdrawn. A surface water drainage scheme is still required by condition to ensure that the design of the drainage scheme is appropriate and is not affected by the level of the ground water at the site and the presence of contamination in the ground, or that the infiltration devices will not mobilize contamination. Flood exceedance routes may also require additional detailed design after final site levels are determined.

[Officer comment: Amended planning condition to be imposed]

CDC ECOLOGY: Concerns addressed. The additional information supplied by Ecological Solutions provides sufficient justification to support their conclusions regarding Great Crested Newts and based on their assessment it is agreed that a Great Crested Newt survey is no longer required. Amendments made to the site layout, including the retention of one of the waterbodies and the creation of another larger pond is welcomed. The newly created pond can provide a biodiversity enhancement by being designed to provide suitable conditions for wildlife such as shallow sloping sides, varying depths and native vegetation encouraged either naturally or via planting. Conditions originally recommended should still be imposed, apart from the Great Crested Newt Mitigation Strategy.

CDC DESIGN AND CONSERVATION: Concerns addressed. The amended designs are considered to constitute less than substantial harm to the character and setting of heritage assets. This harm will be outweighed by the public benefits of developing the technical site and its wider value in contributing to the ongoing conservation costs of the historic airfield into the future is also an important consideration. Additional fine tuning of the design remains possible so as to make best use of brickwork elevations where these are visible. Additional details concerning unit eaves and verge treatments, external signage, lighting and other fixtures would be valuable to confirm how elevations would be animated, especially where extensive planes of corrugated metal clad walling would be visible.

[Officer comment: A condition is recommended to be imposed regarding architectural detail, signage and lighting and the precise wording of these will be agreed with the applicant if delegated authority is granted]

THIRD PARTY LETTERS: 1 letter of comment: Members to be aware that the areas of the application site in between the trees were stripped of vegetation and the top soil piled up in August this year, obliterating the ecology and raising concerns about the impact on resident animals. Note the mitigation is required for the Great Crested Newts and that the Council's Ecology officer recommends a precautionary approach to be taken by retaining the ponds and surrounding terrestrial habitat and conditioning a Great Crested Newt survey. Is concerned that a precautionary approach cannot be taken if the land has already been cleared and some of the habitat has therefore been destroyed.

[Officer comment: The site clearance has been noted by the Ecology Officer and Planning Officer, however, applicants are permitted to clear the site without requiring planning permission so long as they carry out the works in accordance with the relevant wildlife legislations. In this case, site clearance was carried out under the supervision of a qualified Ecologist, who did recommend some areas to be left untouched. Therefore in assessing the application, ecological opportunities have to consider the site as it is, after site clearance in this case. It should also be noted however that whilst the site clearance creates a loss of some ecological opportunities, the proposals will create an enhancement to the biodiversity at the site with the planting of new trees and the creation of a new large waterbody and the Council's Ecology Officer is satisfied with these proposals].

Officer Comment

The comments by the above consultees are noted and the removal of the objections from OCC Highways and Drainage are welcomed. Where necessary, revised conditions will be imposed, the precise wording of these is requested to be delegated to officers. There are now no outstanding issues to be considered by any other consultees, so that aspect of the original recommendation can be removed and it can be revised to as set out below:

Change to Recommendation

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

1. continuing negotiations in respect of the highways infrastructure, in particular the strategic transport contribution and other public transport and pedestrian/cycling infrastructure;
2. in the event that the highways infrastructure contributions are not resolved satisfactorily then the application will be reported back to committee with a revised recommendation;
3. Conditions relating to the matters detailed in the committee report and these written updates (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).
4. 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, in accordance with the summary of the Heads of Terms set out below;
 - Strategic Transport Contribution in connection with Policy BIC 1 of the Local Transport Plan 4 in respect of the dualling of the eastern perimeter route and Skimmingdish Lane section (amount to be agreed);
 - £24,284 for Public Transport Infrastructure – for a north bound bus shelter and 2 x real-time information systems (to be agreed);
 - £2,600 for an amendment to the Traffic Regulation Order for a reduction in the speed limit on Buckingham Road;
 - £2,040 for Travel Plan monitoring
 - An obligation to enter into a S278 agreement with Highways
 - S106 Monitoring fees

Conditions

Notwithstanding the reference in the committee report to providing full conditions in the written updates, as discussed at Chairman's Briefing, these will continue to be formalised post-committee.

The following amendments to the draft conditions are required following the consultee comments above:

- A revised Energy Statement to be submitted – to ensure full compliance with the policies and ensure implementation by end users (additional condition);
- Car park surfacing details to be submitted – to replace condition 17 which referred to the amount of car parking relating to a breakdown of uses (revised condition);
- Car parking review required should the quantum of uses at the site change (additional condition);
- Surface Water Drainage Strategy (revised condition);
- Great Crested Newt Mitigation Strategy (condition to be removed);

Agenda Item 8

18/01881/F - Land East Of Jersey Cottages, Station Road, Ardley

Additional Representations received

One additional letter of objection

Impact on highway safety – the B430 is already a very busy road and increasingly so since the building of the Incinerator and the continuing housing development at Heyford Park. Vehicles regularly exceed the 40mph limit and frequently drive at dangerous speeds through this section of the village. Adding a further turning will only increase the danger and risk to drivers and pedestrians on what is already a difficult road to turn onto with limited visibility in places. Driver and pedestrian safety should be of paramount concern.

Insufficient parking – the B430 is not an option nor is Church Road; other new developments in the village struggle with limited parking availability which means that grassy areas and pavements are regularly used.

Overlooking – the current proposals would result in direct overlooking of existing neighbours on Station Road and loss of the privacy these residents have enjoyed to date

MID CHERWELL NEIGHBOURHOOD PLAN FORUM: **Objects**, summary of comments below:

No objection to principle of affordable housing provision (cf. Policy PH2 of the Draft Neighbourhood Plan).

However, the Draft Neighbourhood Plan ('DNP') is a material consideration to which 'moderate weight' must be attached. The officer's report fails to consider the DNP policies.

The current proposal conflicts with DNP Policy PD5 – Building and Site Design, which requires housing proposals of this scale to provide new or improve existing footpaths and cycle ways to ensure new residents of all ages and mobility have safe access to village amenities.

It is understood that the Parish Council approached the applicant to request that a new footpath be proposed, from the development to St Mary's Walk. However, it is noted that the local highway authority ('LHA') comments that the LHA does not own all of the land necessary to construct such a footpath. This issue needs to be clarified before any permission is granted. DNP Policy PD5 was written to address exactly this problem.

Noise Risk – the submitted noise risk assessment states that the sound level from traffic on the B430 is 'high' and would be 'noticeable and disruptive' and 'risks development refusal on noise grounds'. The report proposes that special windows would need to be installed on three of the four elevations of all the dwellings, and that these windows "will need to remain closed". While this may be a sensible measure to combat expected high levels of air pollution generated by the traffic, the proposed mitigation is likely to create an unacceptably poor quality of life for the future residents. Contrary to NPPF para 123 in this respect. Disappointed that CDC appears to accept the developers' proposals to mitigate noise.

Consultation – (a) CDC Conservation team not consulted. (b) The consultation period does not expire until 20th December. Not appropriate for Committee to consider the application on 13th December before the end of the statutory consultation period.

Officer comment: CDC Conservation was consulted as part of the pre-application enquiry which preceded this planning application. They commented on the pre-application enquiry, and their comments are reflected in the officer assessment of the impact on heritage assets as set in the report to Members.

OCC HIGHWAYS: Objects, summary of comments below

Lack of provision for safe pedestrian access, contrary to NPPF paras 108b and 100b – No safe link to existing footway and crossing facilities. Pedestrian access to/from the development is unacceptable without a footway link along the east side of Station Road, to the signal-controlled crossing. Station Road is a busy road, with a high proportion of HGVs and will be getting busier in the near future due to the extra traffic generated by development at Heyford. The amount of traffic using the road is not suitable for an uncontrolled crossing / would be unsafe for pedestrians. A footway link (min 1.5m length) would need to be provided to make the development

acceptable, northwards from the site to St Mary's Walk. The highway boundary is close to the carriageway at this point and therefore additional land may needed to provide this facility.

Environmentally unsustainable location for new housing – Ardley has no public transport service providing links to essential services, which together with the lack of suitable access available on foot or by cycle means it does not provide safe and suitable access for all people and future residents would be entirely reliant on use of private car, contrary to NPPF para 108b and 110b (as well as CLP 2031 Policy ESD1). Also contrary to Local Transport Plan 4 Policy 17.

Also comments that a visibility splay of 2.4m x 120m would be adequate for vehicle speeds of 40mph

Other concerns, re lack of information to demonstrate that the site can be accessed efficiently and safely by service vehicles, have been addressed through the submission of additional information

OCC adds that its objection on highway safety grounds cannot be overcome by a condition, as there is no certainty that a footway could be delivered, since it does not appear possible to accommodate one within the highway boundary.

OCC DRAINAGE: **No objection**, Originally objected on the basis of the proposal to connect the surface water drainage to an existing adopted foul sewer, but this has now been addressed through confirmation from the sewerage undertaker that they are content with the proposals.

OCC EDUCATION: **No objection**, there is currently sufficient capacity at early years, primary, secondary and special needs education in the area to accommodate the predicted pupil generation from this proposed development.

OCC ARCHAEOLOGY: **Objects**. The submitted desk based assessment contains a number of serious omissions and as such is not an appropriate assessment of the historic environment potential of the site. An appropriate desk based assessment will need to be submitted in line with the National Planning Policy Framework (2018) paragraph 189.

OCC MINERALS AND WASTE: **No objection**.

CDC ENVIRONMENTAL PROTECTION: **No objections**

Noise: The Noise Risk Assessment & Acoustic Design Statement has been submitted and reviewed. Due to the potential for noise nuisance from Station Road, the recommendations made in this report should be implemented to ensure that internal noise levels meet the criteria for residential dwellings specified in British Standard BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

Contaminated Land: As this is a change of use from agricultural to residential, I would recommend that the full contaminated land conditions J12 – J16 are placed on any permission granted.

Air Quality: No comments

Odour: No comments

Light: No comments

CDC ARBORICULTURE: **Objects.** With several omissions of required detail preventing assessment of the scheme, I have no option but to object due to insufficient detail given with regard to trees on, or adjacent to the site. If these are resubmitted I will happily comment on them again. An arboricultural impact assessment and method statement are required before detailed assessment can be made of the proposal's acceptability.

The arboricultural impact assessment, which needs to be specific to the proposals, will need to include:

- Tree removal plan, including number and meterage of hedge to be removed to allow access.
- Tree pruning to enable vision splays, and symbiosis between plots/trees.
- This plan needs to be dedicated to the impact assessment, and accurate.
- Shading assessment.
- Detailed plan showing RPAS
- Detail given to ground protection, protective fencing etc.
- Potential conflicts between required RPA/site access and construction. How these will be overcome.

The method statement is inadequate in that the plans therein are not correctly scaled. It should detail exact dimensions of the proposed development, allowing exact dimensions of plotted trees/RPAs to be included.

Mitigation planting

The tree report details an opportunity for the development to secure planting to replace lower quality, or removed trees. As such I would request a detailed landscaping plan evidencing this prior to approving removal of any trees on site be submitted.

APPLICANT'S RESPONSE:

Correct that this was a basic pre development tree survey to BS5837:2012 carried out before the development proposals were finalised rather than a detailed Arboricultural Impact Assessment and Method Statement which is now being requested.

This can be provided and the issues raised can be addressed. Would be happy with a condition being imposed for these to be provided prior to the commencement of development, and in the meantime will initiate the preparation of an Arboricultural

Impact Assessment and Method Statement, which can be submitted to you as soon as available.

Additional Information received

APPLICANT: Monday 10th December

Happy for the application to be deferred until the 17th January 2019 Planning Committee to allow the issue regarding a footpath link to be fully investigated.

Provides a vehicle tracking drawing ref. '7397/110 P0'. *Officer comment: OCC Highways advises this has addressed its concerns on this matter.*

Re the suitability of the access road for adoption, comments that, "with the exception of the new bell mouth that falls with the extent of the adopted highway (which form part of a Section 278 agreement), the new road access within the site and the two private drives at the northern and southern ends will remain private under the ownership of Waterloo Housing"

Re the potential for a pedestrian footpath link to the signal controlled crossing to the north of the site, the applicant advises it will investigate this further, would be happy to provide the footpath, but would need to confirm whether or not third party land is required.

APPLICANT: Wednesday 12th December

Applicant's response to questions raised by planning officers:

Have other sites been explored? Why were other sites discounted?

The applicant was not involved in the site selection process and understands the site selection process was undertaken by CDC in 2012.

What mitigation measures are proposed in in respect of noise and airborne particulates?

Noise Risk Assessment and Acoustic Design Statement were submitted with the application. Section 10 of the report details the proposed mitigation and this includes a proposed glazing specification and the use of a specific trickle ventilator to the affected front and side facades to provide the acoustic attenuation required.

An air quality survey was not requested, and it is assumed that the site falls outside any CDC air quality monitoring areas. CDC's EHO has no objections in this regard.

Whilst the location of the road is a factor there are many residential properties along the road, including the reasonably recent development at The Crossways to the north, and as the site is in a non-built up rural location, the impact of the adjacent road should be limited with good dispersal of any

airborne particulates. The item below regarding speed reduction would also have a positive impact on pollution and the reduction of airborne particulates.

Would you be happy to consider proposing / being party to a Traffic Regulation Order to reduce the speed restriction from 40mph to 30mph in the vicinity of the site?

The applicant would support the reduction of the speed limit on the Station Road to 30mph as we feel that this would not only be a significant benefit to this site but also to all the other residential developments on Station Road through the village.

At present the speed reduces from national speed limit to 40mph at the village signs which lie to the north of Ardley Road at the northern end of the village and approximately 120m to the south of the site at the southern end of the village.

If the speed through the village was reduced to 30mph this would no-doubt have a number of very positive effects including:

- Increase highway safety due to lower traffic speeds.
- Mitigate some of the concerns raised about the proposed informal pedestrian crossing at the site entrance.
- Reduce the traffic noise due to the lower speed.
- Reduce the level of pollution and airborne particulates due to the lower speed.

We would, however, request further detail and clarification from CDC as to how this would be implemented and assurances that this would not impact on the overall delivery or the project which, as you are aware is linked to the Oxfordshire Growth Point Funding.

Officer Comment

Officers are satisfied that a solution can be found to the pedestrian access issues facing the development and are exploring this with OCC and the applicant, such as provision of a pavement and/or the reduction of the speed limit to 30mph. Matters with the access and archaeology can be dealt with by condition.

Change to recommendation

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

- a) No significant objections being received within the statutory consultation period;
- b) Overcoming the concerns of safe pedestrian access to the satisfaction of the Assistant Director in consultation with OCC

- c) The completed planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991
- d) Conditions relating to the matters detailed in the committee report and below (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development)

Additional conditions:

Trees

13. Prior to the commencement of the development hereby approved, an Arboricultural Impact Assessment (AIA), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by 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 built environment and to comply with Policy ESD15 of the Cherwell Local Plan Part 1 (2011-2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

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 built environment and to comply with Policy ESD15 of the Cherwell Local Plan Part 1 (2011-2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Regarding condition 13, the arboricultural impact assessment, which needs to be specific to the proposals, will need to include:

- Tree removal plan, including number and meterage of hedge to be removed to allow access.
- Tree pruning to enable vision splays, and symbiosis between plots/trees.
- This plan needs to be dedicated to the impact assessment, and accurate.
- Shading assessment.
- Detailed plan showing RPAS
- Detail given to ground protection, protective fencing etc.

- Potential conflicts between required RPA/site access and construction. How these will be overcome

Contaminated land

15. 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 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.

16. If a potential risk from contamination is identified as a result of the work carried out under condition 15, 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 saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. If contamination is found by undertaking the work carried out under condition 16, 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 saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. If remedial works have been identified in condition 17, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 17. 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 saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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 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.

Amended condition:

Condition 8 (Access details)

Amended to add “and notwithstanding the details submitted” after ‘approved’

And therefore to read:

Prior to the commencement of the development hereby approved and notwithstanding the details submitted, full details of the means of access between

the land and the highway and the parking and manoeuvring areas (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 Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

Agenda Items 9 and 10

18/01114/F and 18/01115/LB - Land North West Of Fabis House, Rattlecombe Road, Shenington

Additional Representations received

CDC CONSERVATION OFFICER: raises **no objections** to the proposals, stating the following:

- The alterations are considered to be sympathetic and as a result are acceptable.
- Care should be taken with materials and joinery to ensure the character of the building and the conservation area are retained. The roof lights should be conservation roof lights and it is suggested that any consent should be conditioned to ensure that this is the case.

Two further letters of objection have been received. The neighbouring property objects on the fenestration on Rattlecombe Road and the impact on residential amenity of the courtyard in close proximity to their dining room. This letter suggested a condition relating to the use of the courtyard to safeguard the amenity of the neighbours. The other objection is on the basis of the fenestration appearing too domestic.

Additional Information received

None

Officer Comment

The suggested condition from the neighbouring property is considered to be reasonable and shall be included, as shall the condition from the conservation officer regarding conservation rooflights.

The comments regarding the fenestration is noted, however these matters have been covered in the case officer's report and the design of the scheme is now similar to the approved scheme and as a result is acceptable.

Change to recommendation

Addition of two conditions:

The area labelled 'Courtyard' on drawing number P751-022V to the northeast of the 2m high stone wall shall not be used for the storage of domestic waste or the stationing of any domestic waste receptacle.

Reason - To safeguard the amenities of the occupants of the adjoining dwelling in accordance 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.

The rooflights hereby approved shall be flush fitting, conservation grade rooflights.

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 (18/01114/F).

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework (18/01115/LB).

Agenda Item 11

18/01814/CM – Land East Of Grimsbury Reservoir, Water Works Road, Banbury

Additional Representations received

BANBURY TOWN COUNCIL AND BANBURY TRAFFIC ADVISORY COMMITTEE formally **object** to the application based on a likely unacceptable increase in HGV traffic (an additional 300 movements a day) along Hennef Way and a likely increase in air pollution from increased HGV and freight traffic. Should the application be permitted, strict controls on HGV movements such as restricting them to later in the evening and strict air and noise pollution mitigation strategies.

Additional Information received

None

Officer Comment

The Comments of Banbury Town Council and Banbury Traffic Advisory Committee have been provided to the Case Officer at Oxfordshire County Council to take into account in the consideration of the application.

Change to recommendation

Due to the number of serious concerns set out in the report, Officers consider the recommendation should be changed to one of **Objection** for the reasons set out in the report. It is also recommended that an additional bullet point be added to the list of concerns under Environmental Impact as follows:

- Cherwell District Council considers that a planning condition should be imposed to restrict working hours at the site and for there to be a safeguard in place to deal with any potential noise complaints. This should align with conditions relating to working on hours on the existing adjacent site (to which CDC object to the removal of the condition relating to working hours and the removal of the safeguards regarding what should happen if there are noise complaints as set out in the response to OCC reference MW.0117/18 – CDC reference 18/01826/CM)

Agenda item 12

18/01826/CM - Land Adjacent Railways Lines East Of Reservoir, Grimsbury Green, Banbury

Additional Representations received

BANBURY TOWN COUNCIL AND BANBURY TRAFFIC ADVISORY COMMITTEE formally **object** to the application based on a likely unacceptable increase in HGV traffic (an additional 300 movements a day) along Hennef Way and a likely increase in air pollution from increased HGV and freight traffic. Should the application be permitted, strict controls on HGV movements such as restricting them to later in the evening and strict air and noise pollution mitigation strategies.

Additional Information received

None

Officer Comment

The Comments of Banbury Town Council and Banbury Traffic Advisory Committee have been provided to the Case Officer at Oxfordshire County Council to take into account in the consideration of the application.

Change to recommendation

Due to the number of serious concerns set out in the report, Officers consider the recommendation should be changed to one of **Objection** for the reasons set out in the report, with bullet points one and three changed to:

- Policy ENV1 of the Cherwell Local Plan 1996 confirms that development that is likely to cause materially detrimental levels of noise, vibration, smell, smoke; fumes or other types of environmental pollution should not normally be permitted. In addition, Policy SLE5 of the Cherwell Local Plan Part 1, relating to HS2, requires that the design and construction of the HS2 Rail Link

must minimise adverse links on the environment, local economy and communities. Policy SLE5 also requires the construction of HS2 to be managed to minimise the impacts on communities and the environment. In respect of operating hours, CDC object to removing conditions controlling working hours which would allow 24/7 operating. This is due to the potential for objections to be raised by local residents in respect of environmental matters. The District Council's Environmental Protection Officer has requested further information with regard to the proposed direction of travel of the trains, where the locomotive will be when the unloading is carried out and whether the engine needs to be running or whether it can be turned off. The concern is that if the locomotive is idling to the south of the drop off site, then this will increase noise levels for residents near the line south of Hennef Way.

- CDC object to the removal of condition 5 and would recommend that there must be a process in place to deal with any complaints received. This should involve overnight operations ceasing during night time hours until the mitigation is put in place. It is recommended that condition 5 be retained in its current form, or an alternative be imposed with similar wording to the current planning condition 5 to achieve the same safeguards.
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Agenda item 13

18/01651/F – Hethecote, 6 Hardwick Road, Hethe, Bicester

The application has been withdrawn.

Agenda item 14

18/01857/F – Heyford Manor, 18 Church Lane, Lower Heyford, Bicester

Additional Representations received

LOWER HEYFORD PARISH COUNCIL: No objection.

Change to recommendation

None.

Agenda item 15

18/01589/F – Cherwell District Council, Bodicote House, White Post Road, Bodicote, Banbury

No update

Agenda item 16
18/00434/DISC – Woodpiece Road, Upper Arncott

No update

Agenda item 17
18/00453/DISC - Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury

Additional Representations received

- Re conditions 13 and 14 – Ecologists comments still awaited
- Condition 15 – Council's landscape architect has concerns about plant mix proposed; discussions continue
- Condition 18 – Arboricultural officers confirms method statement acceptable
- Condition 26 – Awaiting comments from OCC re drainage arrangements
- Condition 32 - Revised CTMP awaited following comments from OCC and EPO

Officer Comment

Condition 18 can be added to that recommended for approval in Recommendation 8 (A)

Change to recommendation

- a) That conditions 18 and 26 be discharged
 - b) That delegated authority be given to discharge conditions 13,14,15 and 32 upon the satisfactory conclusion of discussions and re-submitted details
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Agenda item 18
18/00454/DISC - Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury

No update

Agenda item 19
18/00142/NMA - Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury

No update