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Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 March 2015 at 4.00 pm

Present: Councillor Colin Clarke (Vice-Chairman, in the Chair)

Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Alastair Milne Home
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Douglas Williamson

Substitute Members: Councillor D M Pickford (In place of Councillor Rose Stratford)
Councillor Barry Wood (In place of Councillor Trevor Stevens)

Apologies for absence: Councillor Rose Stratford
Councillor Matt Johnstone
Councillor Trevor Stevens

Officers: Jonathan Westerman, Development Services Manager
Bob Duxbury, Development Control Team Leader
Stuart Howden, Assistant Planning Officer
Bob Neville, Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Team Leader Democratic and Elections

195 **Declarations of Interest**

Declarations were declared in the following agenda items:

7. Bicester Eco Town, Banbury Road, B4100.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the room for the duration of the meeting.

9. Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington.

Jonathan Westerman, Declaration, as he was previously employed by Rural Solutions Limited who acted on behalf of the agents for the application.

10. Swalcliffe Park Equestrian, Grange Lane, Swalcliffe.

Councillor G A Reynolds, Declaration, as the applicants Father was known to him and would leave the room for the duration of the item.

13. Easington Sports and Social Club, Addison Road, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

15. Kelberg Trailers and Trucks Ltd., Northampton Road, Weston-on-the-Green.

Councillor David Hughes, Declaration, declared a non prejudicial interest as he was late arriving to the meeting.

16. 55 Churchill Road, Bicester.

Councillor Russell Hurle, Declaration, as the applicant was known to him.

18. Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington.

Jonathan Westerman, Declaration, as he was previously employed by Rural Solutions Limited who acted on behalf of the agents for the application.

19. Former Ambulance Station, Cope Road, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Nigel Randall, Declaration, as a member on the Board of the Bill project and Cherwell Community Land Trust.

20. Hanwell Fields Community Centre, Rotary Way, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

21. Bicester and Ploughley Sports Centre, Queens Avenue, Bicester, OX26 2NR.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

22. 43 Churchill Road, Bicester, OX26 4UW.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

196 **Requests to Address the Meeting**

The Chairman advised that requests to address the meeting would be dealt with at each item.

197 **Urgent Business**

There were no items of urgent business.

198 **Minutes**

The Minutes of the meeting held on 19 February 2015 were agreed as a correct record and signed by the Chairman.

199 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

200 **Bicester Eco Town, Banbury Road, B4100**

The committee considered agenda item 14/01384/OUT for the development comprising redevelopment to provide up to 2600 residential dwellings (Class C3), commercial floorspace (Class A1 – A5, B1 and B2), social and community facilities (Class D1), land to accommodate one energy centre, land to accommodate one new primary school (up to 2FE) (Class D1) and land to accommodate the extension of the primary school permitted pursuant to application [ref 10/01780/HYBRID]. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations.

Ian Painting, the applicant's agent, spoke in support of the application.

In reaching their decision, the Committee considered the officers report, presentation, written update and presentation of the public speaker.

Resolved

That application 14/01384/OUT be approved subject to:

1. delegation of the negotiation of the S106 agreement to officers in accordance with the summary of the Heads of Terms (annex to the Minutes as set out in the Minute Book) and subsequent completion of S106 agreements

2. delegation of final changes to conditions to officers of the conditions (annex to the Minutes as set out in the Minute Book).

201 **Manor End House, Manor Road, Adderbury**

The Committee considered application 14/01454/F for the change of use of land from agricultural to a mixed use of agriculture and equine, erection of stabling and installation of manege for personal use.

Pinder Hugjan, the applicant, spoke in support to the application.

In reaching their decision, the Committee considered the officers' report and presentation.

Resolved

That application 14/01454/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Flood Risk Assessment Report (dated December 2014), 14-006-02 Rev E, 14-006-03 Rev A.
3. 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 surfaced areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps
4. 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.

5. 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 the development the 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.
6. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.
7. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas 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 and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
8. 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.
9. No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.
10. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.
11. No construction/demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right/make good to a standard required by the Countryside Access Team.

12. Prior to commencement of development, a Construction Traffic Management Plan must be submitted for consideration and approval.
13. Prior to the commencement of the development hereby approved, full details of the location, method of storage and disposal of all manure and waste from the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
14. The stables and land hereby permitted shall be used for private use only relating to the occupants of Manor End House and no commercial use including riding lessons, tuition, livery or competitions shall take place at any time.
15. No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

202

Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington

The Committee considered application 14/01531/OUT an outline application for the demolition of existing bungalow and agricultural buildings and residential development of up to 95 dwellings including highway works, landscaping and public open space. The application was subject to an appeal against non-determination.

Councillor Simon Holland addressed the committee as Ward member.

David Pratt, Kirtlington Parish Council Chairman addressed the committee in objection

In reaching their decision, the committee considered the officers' report, presentation and written update and the address of the public speakers.

Resolved

That consideration of application 14/01531/OUT be refused,

1. Notwithstanding the Council's present inability to demonstrate that it has a five year housing land supply as required by paragraph 47 of the NPPF, the development of this site as proposed cannot be justified on the basis of the land supply shortfall alone. The proposal constitutes development which by virtue of its scale, size and form fails to respect the traditional settlement pattern of Kirtlington, extending beyond its built up limits into the open countryside, resulting in an incongruous, unsustainable and inappropriate form of development which pays little regard to the traditional settlement pattern and which would relate poorly to the remainder of the village, and cause demonstrable harm to the character of the village and visual amenities of the immediate locality, contrary to Policies H18, C8, C27, C28 and C30 of the adopted Cherwell Local Plan and Policies ESD13 and ESD16 of the Submission

Cherwell Local Plan and Central government advice within the National Planning Policy Framework.

2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the adopted Cherwell Local Plan and Policy INF1 of the Submission Local Plan and Central government guidance within the national Planning policy Framework.

203

Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington

The Committee considered application 14/02139/OUT for an outline application for the demolition of existing bungalow and agricultural buildings and residential development of up to 75 dwellings including highway works, landscaping and public open space.

Councillor Simon Holland addressed the committee as Ward member.

Councillor Helen Macbeth, Vice Chairman of Kirtlington Parish Council spoke in objection to the application.

James Podesta, the applicant, addressed the committee in support of the application.

Councillor Macnamara proposed that application 14/02139/OUT be refused. Councillor Kerford-Byrnes seconded the proposal.

In reaching their decision, the Committee considered the officers' report, presentation, written update and the address of the Ward member and public speakers.

Resolved

That application 14/02139/OUT be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a five year housing land supply as required by paragraph 47 of the National Planning Policy Framework, the development of this site as proposed cannot be justified on the basis of the land supply shortfall alone. The proposal constitutes development which by virtue of its scale, size and form fails to respect the traditional settlement pattern of Kirtlington, extending beyond its built up limits into the open countryside, resulting in an incongruous, unsustainable and inappropriate form of development which pays little regard to the traditional settlement pattern and which would relate poorly to the remainder of the Village, and cause demonstrable harm to the character of the Village and visual amenities of the immediate locality, contrary to Policies H18, C8, C27, C28 and C30 of the Adopted Cherwell Local Plan Policies ESD13 and ESD15 of the Submission

Cherwell Local Plan and Central Government advice within the National Planning Policy Framework.

2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the Adopted Cherwell Local Plan and Policy INF1 of the Submission Local Plan and Central Government advice within the National Planning Policy Framework.

204

Swalcliffe Park Equestrian, Grange Lane, Swalcliffe

The Committee considered application 14/01762/F for the use of land at Grange Farm for mixed use comprising part agricultural, part equestrian training and competitions (Use Class D2); retention of 1no. access and relocation of 1no. access on to the road leading from the B4035 to Sibford Ferris; retention of, and extension to, existing parking area and retention of equestrian jumps and obstacles; as detailed in the agent's letter dated 22 December 2014.

In reaching their decision, the committee considered the officers report and presentation, written update and the address of the public speakers.

Resolved

That application 14/01762/F be approved subject to the receipt of an approved Noise Management Plan and the following conditions:

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.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Planning Statement (dated October 2014), DTPC Transport Statement (dated October 2014), Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment (dated November 2014), Course Jump Details contained in agent's letter dated 22 December 2014 and drawings numbered: 13_002_01 Rev. C, 13_002_02 and J251.
3. Events with greater than 50 competing horses shall be limited to take place on no more than 28 days (including days required for the setting up and taking down of any associated equipment and structures) in any one calendar year.
4. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with details within the Event Management Plan (EMP) dated October 2014, ref. J251/EMP rev A.
No operational changes shall be made in relation to the details of the EMP without prior written approval by the Local Planning Authority through the

submission of a further 'approval of details reserved by condition' application.

5. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with, the Noise Management Plan (NMP) dated [DATE], ref. [REFERENCE], detailing the methods to be employed to achieve compliance with a noise limit of at 45 dB LA eq (15mins), when measured free field at noise sensitive locations adjacent the residential properties of Partway House, Elm Farm, Swalcliffe House and Wykham, shown on the attached plan ref. CDC-01.
No operational changes shall be made in relation to noise management without prior written approval by the Local Planning Authority in which case a revised NMP shall be submitted approved through the submission of a further 'approval of details reserved by condition' application.
6. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with the 'Swalcliffe Park Equestrian - Calendar of Events (of more than 50 horses) 2015' document; received 05/03/2015. Thereafter, prior to 31 of December of each year a calendar of events for the following year shall be submitted to and approved in writing by the Local Planning Authority.
7. Swalcliffe Park Equestrian shall keep a log of all equestrian users visiting the site in connection with day-to-day equestrian activities taking place at the site; excluding events of greater than 50 competing horses. As a minimum the log shall include:
 - i. The date;
 - ii. Arrival and departure times;
 - iii. The number of attendees;
 - iv. The number horses;The log shall be maintained and made available for inspection by the Local Authority upon request.
8. Notwithstanding the details submitted, within 3 months of the date of the permission 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:-
 - i. Details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
 - ii. Details of any existing trees and hedgerows to be retained as well as any to be felled.
9. 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 approval of the landscaping scheme. 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.

10. 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 the permission hereby approved.

11. The existing hedgerows along the boundaries of the site along Grange Lane and the street leading to Sibford Ferris from the B4035 shall be retained, and if any hedgerow plant dies within five years from the date of this decision it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
12. No removal of hedgerows, trees or shrubs shall take place between the 1 March and 31 August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
13. Notwithstanding the details submitted, within 3 months of the date of the permission hereby granted, specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months from the date of the approval of the specification, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
14. No equipment or structures associated with the equestrian use other than equipment and structures associated with a current course configuration shall remain on site outside of the storage area shown on approved drawing 13_002_01 Rev. C.
15. The use of the site for equestrian training and schooling shall be restricted to the hours of operation between 08:00 and 20:00.
16. No external lights/floodlights shall be erected on the land without the prior express planning consent of the Local Planning Authority.

205

OS Parcel 6680 North of Hook Norton Primary School and South of Redland Farm, Sibford Road, Hook Norton

The Committee considered application 14/01825/OUT for an outline application for the erection of 54 dwellings, Landscape, Public Open Space and Associated Works.

In reaching their decision, the committee considered the officers' report, presentation.

Resolved

That application 14/01825/OUT be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a 5 year housing land supply as required by paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of the land supply shortfall alone. The applicant has failed to adequately demonstrate that the proposed development would not be adversely affected by odour and insects associated with the Intensive Dairy Unit at Redlands Farm immediately to the north, resulting in an unacceptable living environment for the occupiers of the new dwellings. As such the development is considered to be unsustainable and the proposed would be contrary to the thrust of Policy ENV1 of the adopted Cherwell Local Plan and Government advice within the National Planning Policy Framework which seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the adopted Cherwell Local Plan, Policy INF1 of the Submission Local Plan and government guidance within the National Planning Policy Framework.

206

Land Formerly Part Of Old Ironstone At Apollo Office Park, Ironstone Lane, Wroxton

The Committee considered application 14/01898/F for the provision of 10 no. employment units (Classes B1, B2 & B8), car parking and associated landscaping (revised scheme following approval of 11/00473/F).

In reaching their decision, the committee considered the officers report and presentation.

Resolved

That application 14/01898/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, Reptile Mitigation Strategy by Philip Irving dated August 2014, Badger Survey and Method Statement by Philip Irving dated August 2014, and drawings numbered: 2975/13 dated 3/14, 2975/13 dated 02/15, 2975/11 G dated 3/14, 2318-04 Rev. B, 2318-05 Rev. A, 10016/01, 2442/01
3. The premises shall be used only for purposes falling within Classes B1, B2 and B8 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
4. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, a revised schedule of the materials and finishes for the external walls and roof(s) of the development, including samples where appropriate, 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 materials.
5. Prior to the commencement of development a construction phase traffic management plan shall be submitted to and approved by the Local Planning Authority. The approved plan shall be implemented and operated in accordance with the approved details.
6. Prior to the commencement of development a scheme of drainage shall be submitted to and approved by the Local Planning Authority. The approved plan shall be implemented and operated in accordance with the approved details.
7. Prior to the first occupation of the development, the proposed widening of Ironstone Lane and associated access works shall be completed in accordance with the details provided within the Revised Transport Assessment number 2352/03 dated March 2011 and Drawing No. 2442/01A approved as part of Application: 11/00473/F unless otherwise agreed with the Local Planning Authority.
8. Prior to the first occupation of the development the access road, parking and manoeuvring areas shall be provided in accordance with the plans hereby approved and shall be constructed, laid out, surfaced, drained (SUDS) and completed, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.
9. An amended Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

10. If, during development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
11. The development hereby approved shall be carried out strictly in accordance with the details set out in the Summary and Recommendations page 6 of the Badger Survey and Method Statement submitted with the application, which was prepared by Philip Irving dated August 2014.
12. The development hereby approved shall be carried out strictly in accordance with the details set out in the first six bullet points within Summary and Mitigation Strategy on pages 4 and 5 of the Reptiles Mitigation Strategy submitted with the application, which was prepared by Philip Irving dated August 2014.
13. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement to include plans, locations and on-going management for enhancing the site for reptiles, in accordance with the details contained within Summary and Mitigation Strategy on page 5 of the Reptiles Mitigation Strategy submitted with the application, which was prepared by Philip Irving dated August 2014, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the enhancement measures shall be carried out and retained in accordance with the approved details.
14. 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.
15. 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.

16. 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 the first occupation of the development.

17. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, 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.
18. That full details of any lighting to be fixed on the buildings and on the ground 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 and retained as such thereafter.
19. Prior to the commencement of the development, full details of the commemorative display, including details of the mining truck and length of track to be removed from the former locomotive shed for use in the display, shall be submitted to and approved in writing by the Local Planning Authority. The approved display shall be erected within six months of the date of the first occupation of the development and retained in accordance with the approved details at all times thereafter.
20. Notwithstanding the provisions of Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 1995 and its subsequent amendments,

the approved building shall not be extended or altered without the prior express planning consent of the Local Planning Authority.

21. That 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.

207 **Easington Sports and Social Club, Addison Road, Banbury**

The Committee considered application 14/01911/F for the Installation of 6 floodlight columns and 16 1500mw lights.

Councillor Blackwell proposed that consideration of the application be deferred to allow further correspondence with the residents of Addison Road to make them fully aware of the proposed changes. Councillor Clarke seconded the proposal.

Resolved

That consideration of application 14/01911/F be deferred to allow further correspondence with the residents of Addison Road to make them fully aware of the proposed changes.

208 **Glebe Leisure Caravan Park, Glebe Court, Fringford**

The Committee considered application 14/01953/F for the erection of a permanent Warden's dwelling. The application was a re-submission of application 14/00698/F.

Ann Herring, the applicant, addressed the committee in support of the application.

In reaching their decision, the committee considered the officers' report, presentation, written update and the address of the public speaker.

Resolved

That application 14/01953/F be refused for the following reasons:

1. The applicant has failed to establish that the dwelling is essential for the proper functioning of Glebe Leisure Caravan Park and that a warden needs to live permanently on site. The proposal therefore fails to meet the requirements of the National Planning Policy Framework and saved Policy H18 of the adopted Cherwell Local Plan 1996.
2. The proposal represents sporadic development in the open countryside that would be detrimental to the open rural character and appearance of the area and the environment within the designated Area of High Landscape Value, contrary to Government guidance contained within the National Planning Policy Framework, saved Policies C7, C8, C9,

C13 and C28 of the adopted Cherwell Local Plan 1996 and Policies ESD13 and ESD16 of the Submission Cherwell Local Plan.

209

Kelberg Trailers and Trucks Ltd., Northampton Road, Weston-on-the-Green

The Committee considered application 14/02019/F for the extension to existing Workshop Including Enclosure of Vehicle Wash Bay.

In reaching their decision, the committee considered the officers' report and presentation.

Resolved

That application 14/02019/F be approved, subject to the following conditions:

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.
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: Design and Access Statement, Site Location Plan, 14/11/01 and 14/11/02.
3. The materials to be used for the external surfaces of the development hereby approved shall match in terms of colour, type and texture those used on the existing building.
4. The operational use of the workshop hereby approved shall be restricted to the following times:-

Monday-Friday – 8.00am to 6.00pm
Saturday – 8.00am to 1.00pm
and no time on Sundays or Public Holidays
5. Assembly operations inside the building hereby approved shall be carried out with the workshop main doors and pedestrian access doors closed except when vehicles or personnel are moving in and out of the building.
6. The workshop shall be provided with sufficient silenced mechanical extract ventilation so as to permit working within the extended workshop during hot weather with all external doors closed.
7. 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.

55 Churchill Road, Bicester

The Committee considered application 14/02104/F for a side extension to create a new dwelling.

Simon Roe, the applicant, addressed the committee in support of the application.

Councillor Lawrie Stratford proposed that application 14/02104/F be refused. Councillor Reynolds seconded the proposed. The motion was voted on and duly lost.

Councillor Pickford proposed that application 14/02104/F be approved. Councillor Randall seconded the proposal.

In reaching their decision, the committee considered the officers' report and presentation and the address of the public speaker.

Resolved

That application 14/02104/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application form, Design and Access Statement and drawings numbered: 100, 104A, 105A, 106A
3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) 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.
4. Prior to the first occupation of the dwelling hereby approved, the existing means of access between the land and the highway shall be widened to geometry as submitted and formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
5. Prior to the commencement of the development hereby approved, a plan showing a car parking provision for three spaces to be accommodated within the site to include layout, surface details, and drainage, 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.
6. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted

Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

211 **Land adj to Cotswold Country Club and South of Properties on Bunkers Hill, Kidlington**

The Committee considered application 15/02132/OUT for an outline application for the development of eight houses and access improvements.

Councillor Simon Holland addressed the committee as Ward member.

Mike Gilbert, agent and John Linforth, local resident, addressed the committee in support of the application.

Councillor Pickford proposed that application 15/02132/OUT be deferred to allow officers to consider how possible plans could be delivered. Councillor Hurle seconded the proposal.

In reaching their decision, the committee considered the officers report, presentation, written update and the address of the Ward member and public speakers.

Resolved

That application 15/02132/OUT be deferred to allow officers to consider how possible plans could be delivered.

212 **43 Churchill Road, Bicester, OX26 4UW**

The Committee considered application 15/00155/F for a single storey extension.

Councillor Lawrie Stratford proposed that application 15/00155/F be refused, the proposal was not seconded.

Councillor Pickford proposed that application 15/00155/F be approved. Councillor Randall seconded the proposal.

In reaching their decision, the committee considered the officers' report and presentation.

Resolved

That application 15/00155/F be approved, subject to the following conditions:

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.

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 Drawing No's: P100, P103 and P105 submitted with the application and E-mail from the applicant's agent received on 3 March 2015.

213

Former Ambulance Station, Cope Road, Banbury

The Committee considered application 14/02149/CDC for the redevelopment of a former Banbury ambulance station site to provide 6 dwellings of shared accommodation including 2 self-contained units for staff and all associated parking and amenity space.

In reaching their decision, the committee considered the officers' report and presentation.

Resolved

That application 14/02149/CDC be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement, Phase 1 Geo-environmental Desk Study dated 05/09/2014, Extended Phase 1 Habitat Survey dated 21st July 2014 and drawings numbered: C23-PL-01B, C23-PL-02B, C23-PL-03A, C23-PL-04B, C23-PL-05A and C23-PL-06B
3. Prior to the commencement of the development hereby approved, samples of the brick to be used in the construction of the external walls 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.
4. Prior to the commencement of the development hereby approved, 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.
5. Prior to the commencement of the development hereby approved, details of the external render, including type, texture and colour finish shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the render shall be finished and maintained in accordance with the approved scheme.

6. Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved details, prior to the first occupation of those dwellings.
7. Prior to the construction of the dwellings hereby approved, the proposed means of access between the land and the highway shall be improved to geometry as plans submitted, formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
8. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas 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 and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
9.
 - 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 the decision.
10. 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.
11. Prior to the commencement of the development hereby approved, a mitigation strategy for swifts, which shall include details of the location and design of alternative nest sites to be provided, shall be submitted

to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the alternative nesting sites shall be provided in accordance with the approved document.

12. When the proposed imported clean cover material is identified and prior to occupation, an assessment of the risk from arsenic and scheme of remediation 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.
13. The development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 12 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.
14. 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.

214

Hanwell Fields Community Centre, Rotary Way, Banbury

The Committee considered application 15/00015/CLUE for the Certificate of Lawful Use Existing for a photovoltaic array installation on south west facing roof.

In reaching their decision, the committee considered officers report, presentation and written update.

Resolved

That application 15/00015/CLUE be approved, subject to the following conditions:

FIRST SCHEDULE

Installation of a photovoltaic array on the south west facing roof slope

SECOND SCHEDULE

Hanwell Fields Community Centre, Rotary Way, Banbury. OX16 1ER

THIRD SCHEDULE

Having regard to the information submitted by the applicant, the planning application records and information held by the Local Planning Authority, the

Local Planning Authority is satisfied that the works described in the first schedule benefit from a deemed grant of planning permission pursuant to Part 43, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

215 **Bicester and Ploughley Sports Centre, Queens Avenue, Bicester, OX26 2NR**

The Committee considered application 15/00021/CDC for the Material Amendment to 13/01598/CDC – Extension of the chimney flue by 600mm.

In reaching their decision, the committee considered the officers' report and presentation.

Resolved

That application 15/00021/CDC be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application Forms, Site Plan and Drawing No's: Bicester 003, Bicester 008, Bicester 013 and Bicester 014 submitted with the application.

216 **Franklins Yard, St Johns Street, Bicester**

The Committee considered application 15/00180/F for the variation of Conditions 2, 3, 15 and 18 of 14/00403/F

In reaching their decision, the committee considered the officers report and presentation.

Resolved

That application 15/00180/F be approved subject to the following conditions:

1. That the development to which this permission relates shall be begun not later than 31 December 2017 being the date of the expiration of 14/00403/F.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing nos. P-001 and P-303A (proposed materials) received with the application and nos. 003C, 100B, 101B, 102B, 103B, 104B, 105B, 200B, 201B, 300B, 301B, 302B and 304C received on 12th November 2014 and the amended

Mayer Brown drawings LSHBICESTER.1/05 Rev B &
TCRBICESTER2.2/04 Rev M.

3. Prior to the first occupation of the development hereby approved, full details of the 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.
4. Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
5. 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 hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
6. 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.
7. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a plan for enhancing biodiversity on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
8. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the

site shall each be submitted to and approved, in writing, by the local planning authority:

- (1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

9. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
11. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

12. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
13. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan (CTMP) 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 CTMP.
14. Prior to the first use or occupation of the development hereby permitted, cycle parking facilities 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.
15. Prior to the first use of the development hereby approved, full design and operational details of the method of the air conditioning, extract ventilation and refrigeration systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the building, the systems shall be installed, brought into use and retained and maintained in accordance with the approved details.
16. That prior to the commencement of the development, the provision of a suitable scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed prior to the occupation of the development and thereafter retained in accordance with the approved details.
17. No external lights shall be erected on the land without the prior express consent of the Local Planning Authority.
18. Prior to the first occupation of the development hereby approved, details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved will be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The development shall be carried out in accordance with the approved details, and shall not be occupied until confirmation has been sent in writing to the Local Planning Authority the SBD accreditation has been received, unless otherwise agreed in writing.

217 **Decisions Subject to Various Requirements**

The Head of Development Management submitted a report which informed Members upon applications which they had authorised decisions upon subject to various requirements which must be complied with prior to the issue of decisions.

Resolved

- (1) That the position statement be accepted.

218 **Appeals Progress Report**

The Head of Development Management submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled or appeal results achieved.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 9.45 pm

Chairman:

Date:

Minute Item 200

NW Phase 1 14/01384/OUT

Conditions

Time Limits	
1	A1 Approval of Reserved Matter Details No development shall commence on any phase until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority. Reason AR1
2	In the case of the reserved matters, application for approval shall be made for the first residential phase of development not later than the expiration of two years beginning with the date of this permission. Reason AR1
3	In the case of all other reserved matters, in respect of subsequent phases, application for approval shall be made not later than the expiration of Seven years beginning with the date of this permission. Reason AR1
4	The development to which this permission relates shall be begun not later than the expiration of two years from the approval of the first residential phase and for all other matters two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved. Reason AR1
5	A6 Plans Condition Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms [, Design and Access Statement] and drawings numbered: [insert] Reason AR4
6	Not to commence of development hereby approved, until a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the approved phasing plan and development shall proceed in accordance with the approved phasing. Reason AR5
7	No more than 2600 dwellings shall be constructed on the site. Reason: To ensure that the significant environmental effects arising from the development are mitigated, as set out in the Environmental Statement, and sustainable development is achieved in accordance with Government guidance contained within the National Planning Policy Framework.
Design	
8	Not to Commence development until an Urban Design Framework has been submitted to the local planning authority for its written approval. The Urban Design Framework shall set out the urban design approach for the site to include a regulating plan and supporting information to include; <ul style="list-style-type: none"> • Key approaches to deliver sustainable development that as a minimum meets the Eco Town PPS standards • Landscape buffer and transition to open countryside (reflecting the approach set out on page 18 of the Addendum to the DAS dated Sept 2014) • Character areas for built form and green spaces and their key features • Indicative block size, structure and permeability • Movement network and streetscape including bus routes and stop locations • Public realm • Density and open space • Building heights • Key views, vista, landmarks, landscape character • Legibility and diversity of built form and landscape

	<ul style="list-style-type: none"> • Adaptability • Play provision in accordance with CSLP Bic 11 <p>No reserved matters shall be submitted until the urban design framework has been approved in writing by the Local Planning Authority. All reserved matters applications and development shall thereafter be in accordance with the approved Urban Design Frame Work.</p> <p>Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.</p>
9	<p>Not to commence development until a detailed masterplan for the area between Lords Lane, the railway and the stream corridor, incorporating the mixed use local centre, has been submitted to and approved in writing by the Local Planning Authority. The area shall then be developed in accordance with the approved masterplan and phasing plan. The masterplan shall show the location of each of the land uses, access and parking locations, key frontage and public space conditions and landscape principles.</p> <p>Reason: To ensure the creation of a high quality design for the local centre in accordance with Government guidance in the NPPF</p>
10	<p>Prior to the submission of the first reserved matter in each of the character areas containing built form, identified in the approved Urban Design Framework, a design code shall be provided for the whole of that character area which shall include;</p> <ul style="list-style-type: none"> • Street types, materials and details • Block Principles • Landscape, materials and details • Boundary treatments • Building types and Uses • Building heights • SUDS, parks and open spaces • Building Materials and Details • Highway design details • Parking Strategy <p>No reserved matters shall be submitted [for that character area] until the design code has been approved in writing by the Local Planning Authority. The development in the character area shall thereafter be in accordance with the approved design code.</p> <p>Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.</p>
11	<p>Each reserved matter submission shall be accompanied by a details showing how Building for Life 12 has been used to inform the design process and that the scheme achieves Built for Life™.</p> <p>Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.</p>
	Dwellings
12	<p>Affordable Housing & Extra Care?</p>
13	<p>Not to submit a reserved matters application for residential development until a schedule of the market housing, to be provided to meet local housing needs, in each phase of the development has been submitted to and approved in writing by the local planning authority. The market housing shall thereafter be provided in accordance with the approved schedule (and detailed reserved matter approval) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason To secure the delivery of high quality housing to meet local needs in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
14	<p>The dwellings shall be constructed to BRE Code for Sustainable Homes Level 5, or equivalent. Pre assessment reports showing compliance with the level 5 shall be submitted with the submission of relevant reserved matters and final certificates demonstrating compliance shall be provided prior to the occupation of each building.</p> <p>Reason: To secure the delivery of high quality sustainable development in accordance with</p>

Comment [JB1]: Housing to advise

	Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
15	All dwellings shall be constructed to the Life Time Homes standard set by the Joseph Rowntree foundation unless agreed in writing by the Local Planning Authority. Reason: To secure the delivery of high quality, inclusive, sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
16	All dwellings shall be provided with real time energy and travel information unless otherwise agreed in writing by the Local Planning Authority. Reason: To support the delivery of modal shift towards sustainable modes and create high quality, inclusive, sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
17	Each reserved matter application submission shall be accompanied by a statement setting out how the design has taken account of future climate impacts, as identified in TSB research 'Future Climate Change Risks for NW Bicester', or any more recent assessment that has been published, and how the proposed development will be resilient to over heating, changing rainfall patterns and higher intensity storm events. Reason: To address the impacts of climate change in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
18	Each reserved matter application submission shall be accompanied by a statement setting out how the Secured By Design has informed the design and how the proposed development will create a safe and secure community. Reason: To ensure the safety and well being of the community and in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
19	Prior to the commencement of each phase, those areas of the site that are subject to elevated levels of noise, principally from road traffic sources as set out in the Environmental Statement, shall be identified and the dwellings that are constructed in these areas must be designed and constructed in such a manner that they contain elements of sound insulation that will ensure that the internal noise levels contained within BS 8233:2014 Table 4 can be achieved. Reason: To ensure that properties are not subject to high levels of noise in accordance with Government guidance contained within the National Planning Policy Framework.
	Phase conditions
20	No development shall be commenced on any reserved matter that includes the construction of buildings until a plan has been submitted showing the location and the phasing of provision of fire hydrants, to meet the requirements of the fire and rescue service, and that plan has been approved in writing by the Local Planning Authority . The fire hydrants shall thereafter be provided in accordance with the approved plan. Reason: To ensure the safety and well being of the community change in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
21	Prior to the submission of reserved matters for each phase a statement will be submitted to the Local Planning Authority showing how the proposed development will deliver true zero carbon development in accordance with the Energy Plan for the site. The statement will be expected to show that where reasonably feasible to connect to an existing energy centre, buildings will be true zero carbon from first occupation and where no existing energy centre is present that the homes will reach true zero carbon prior to the occupation of the 400 th dwelling or 50% of non residential parcels. No development shall commence on the phase until the Energy Plan has been approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved plan. Reason: To deliver a reduction in carbon in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
22	All phases of development shall be provided with high speed broad band (not less than 100mbs), such that on occupation of each building on the phase the occupiers can secure a high speed broad band connection.

Comment [JB2]: ASB Manager to advise

	Reason: To facilitate information provision to homes for energy monitoring, travel and home working change in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
23	No development shall commence on any reserved matter until a report has been submitted outlining how carbon emissions from the construction process and embodied carbon have been minimised. No work shall commence until the report has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the plan. Reason: To ensure the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns
	Transport
24	Not to occupy or permit the occupation of more than 900 homes residential units until the Caversfield junction safety improvements have been completed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Reason: To mitigate the impact of traffic from the development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
25	Not to occupy or permit the occupation of more than 1800 homes until the t exemplar southern access junction improvements has been completed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority Reason: To mitigate the impact of traffic from the development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
26	Not to occupy or permit the occupation of more than 1500 homes until the Banbury Road/ A4095 roundabout improvements has been completed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority Reason: To mitigate the impact of traffic from the development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
27	Not to occupy or permit the occupation of more than 1000 homes until the Bucknell Road realignment has been completed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority Reason: To mitigate the impact of traffic from the development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.
28	Prior to the commencement of any phase of the development hereby approved, full details of the means of vehicular accesses 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.
29	Prior to the first use of a new access from the A4095 to serve the development, the existing field accesses onto the A4095 and B4100 shall be permanently stopped up by means of full face kerbing, planting, and the reinstatement of the highway verge and shall not be used by any vehicular traffic whatsoever. Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.
30	Not to commence development on any phase until full details of the means of footway and cycleway links between the land and the local highway network, including, position, layout, construction, drainage and street lighting have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the footway and cycleway links 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.
31	The pedestrian and cycle routes shall be signed in accordance with details to be submitted to and agreed in writing by the local planning authority prior to the first occupation of any dwellings. The signage shall then be provided for each route prior to its first use. Reason To support sustainable travel in accordance with Government guidance contained within the

Comment [JB3]: HA to confirm if conditions required or if these will be covered in Legal Agreements

	Eco Towns PPS and National Planning Policy
32	<p>No development shall commence on a phase until a Construction Traffic Management Plan providing full details of the phasing of the construction of that phase has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods and an agreed route for HGV traffic to the development site. The approved Plan shall be implemented in full during the entire construction period of the phase.</p> <p>Reason – In the interests of highway safety and to safeguard the residential amenities of local residents in accordance with Government Guidance in the NPPF</p>
33	<p>Not to occupy or permit more than 500 residential units to be occupied until details of links to facilitate connectivity from the NW stream corridor to the Bure Park open space and Local Nature Reserve, and the phasing of their provision, are submitted to and approved in writing by the local planning authority. The approved links shall be provided in accordance with the approved details and phasing.</p> <p>Reason: To facilitate connectivity in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy</p>
34	<p>No more than 1600 dwellings shall be constructed until the pedestrian/cycle tunnel under the railway has been provided and is available for public use.</p> <p>Reason: to ensure access to local facilities and reduce the need to travel by private car in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
35	<p>Each reserved matter application submission shall be accompanied by a Travel Plan setting out how the development will enable at least 50 per cent of trips originating within the development to be made by non-car means, with the potential for this to increase over time to at least 60 per cent, in accordance with the Eco Towns PPS ET 11.2 (a). The Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to any occupations and the development shall thereafter be delivered in accordance with the Travel Plan.</p> <p>Reason: To ensure sustainable travel in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
	Contamination
36	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy has been submitted to the local planning authority for its written approval. The remediation strategy shall include details how this unsuspected contamination shall be dealt with. The remediation strategy shall thereafter be implemented as approved.</p> <p>Reasons: To ensure that any unexpected contamination encountered is dealt with, such that it does not pose an unacceptable risk to ground or surface water quality as required by PPS1 Policy ET17 and the NPPF.</p>
	Biodiversity
37	<p>No development shall commence on a phase unless or until an up to date ecological survey has been undertaken to establish changes in the presence, abundance and impact on bio diversity. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.</p> <p>Reason KR1</p>
38	<p>The retained hedges shall have a buffer a minimum of 20m in width, the streams shall have a minimum buffer of 60m in width and the woodlands shall have a buffer a minimum of 10m in width. The hedge, stream and woodland buffers shall be maintained as public open space and managed to maintain and create bio diversity.</p> <p>Reason: To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
39	<p>No development shall commence on any phase until details of any existing hedgerow, or part</p>

	<p>thereof, to be removed, and proposals for creation of new compensatory hedgerow, have been submitted to and approved in writing by the Local Planning Authority. The compensatory hedgerow shall be provided in accordance with the approved details.</p> <p>Reason: To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
40	<p>No development shall commence on any phase until a scheme for the provision of protective fencing, to prevent damage during construction, for the retained hedgerows, trees, woodlands, the stream corridor, ponds and areas of green space, shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed in accordance with the approved plans prior to work commencing on site.</p> <p>Reason : To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
41	<p>Each reserved matter application submission shall be accompanied by a statement setting out how the proposed development will contribute to achieving net biodiversity gain, in accordance with the Biodiversity Strategy accompanying this application , or any more recent Strategy that has been approved. The development shall be carried out in accordance with the biodiversity statement.</p> <p>Reason: To secure net biodiversity gain in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
42	<p>No development shall commence on any phase until a Landscape & Habitat Management Plan (LHMP) detailing both management and monitoring proposals for green space (excluding building curtilages) has been submitted to and approved in writing by the Local Planning Authority and thereafter the LHMP shall be implemented in accordance with the approved details.</p> <p>Reason:To secure net biodiversity gain in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
43	<p>No development shall commence on any phase until a Construction Environment Management Plan (CEMP), which shall include details of the measures, including as set out at 6.5.1.38, 7.5.1.1, 8.5.1.1, 9.5.1.1, 11.5.1, 13.5.2.1, 14.5.2.1 of the Environmental Statement accompanying the application, to be taken to ensure construction works do not adversely affect the existing biodiversity of the site and residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.</p> <p>Reason JR7</p>
44	<p>No development shall commence on any phase until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse, shall be submitted to and approved in writing by the local planning authority and thereafter the development shall be carried out in accordance with the approved plan.</p> <p>Reason: To ensure the soil resource is managed on site in accordance with CSLP policy Bicester 1</p>
45	<p>No development shall commence on any phase until details of existing and proposed levels for that phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved levels.</p> <p>Reason: To ensure high quality design and sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
Archaeology	
46	<p>Not to carry out any works of demolition on the site, commence the development and or carry out any works of any archaeological investigation until, a professional archaeological organisation acceptable to the Local Planning Authority has prepared a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>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</p>
47	<p>Prior to any Following the approval of the first stage Written Scheme of Investigation referred to in condition [a], not to carry out any works of demolition on the site and the commencement</p>

	<p>commence of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [a], until a programme of archaeological evaluation, investigation and recording of the application area shall have been carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.</p> <p>Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and 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.</p>
	Outdoor Sport
48	<p>No development shall commence until details for the phasing of the provision of sports pitches has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The development hereby permitted shall not be carried out other than in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory quantity, quality and accessibility of sports facility provision for the occupiers of the proposed development and to accord with Cherwell Local Plan Policy R12 and Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.</p>
49	<p>No development shall commence on a phase until details of the design and layout of the sports facilities serving that phase have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The sports facilities shall not be constructed other than substantially in accordance with the approved details.</p> <p>Reason: To ensure the development is fit for purpose and sustainable and to accord with Cherwell Local Plan Policy R12 and with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework</p>
50	<p>The playing field/s and pitch/es shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with the agreed phasing.</p> <p>Reason: To ensure the quality of pitches is satisfactory and they are available for use and to accord with Cherwell Local Plan Policy R12 and with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework</p>
	Drainage
51	<p>Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.</p> <p>Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.</p>
52	<p>Development shall not commence until a foul drainage strategy for conveyance and treatment, detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. No dwelling shall be occupied until the foul drainage has been provided in accordance with the approved strategy.</p> <p>Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to treat and convey foul flows from the new development; and in order to avoid adverse environmental impact upon the community and water environment (as required by ET17 of PPS1).</p>
53	<p>Not to submit any applications for reserved matters until a full surface water strategy for the application site, in accordance with the Flood Risk Assessment accompanying this application, has been submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Councils Drainage Team & Natural England). The Strategy shall;</p> <ul style="list-style-type: none"> • Demonstrate control of surface water runoff to the Greenfield runoff rate is achievable as detailed in the Masterplan SWDS

	<ul style="list-style-type: none"> • Review and amend the indicative storage volumes in para 5.2, Table 5-1 of the Application 1 FRA and SWDS in line with detailed design. Indicative storage volumes are based on an estimation of 60% impermeable and 40% permeable area post development. These should be reviewed and amended to reflect the exact development area draining into the surface water system • Be informed by a detailed assessment of the post-development surface water overland flow routes as recommend in para 5.2.1 and section 7 of the Application 1 FRA and SWDS • Be informed by site wide soakaway testing to confirm the ground infiltration rates and feasibility of infiltration SUDS measures as recommended in para 5.2.1 of the Application 1 FRA and SWDS and para 4.2.1 and section 5 of the Masterplan SWDS. The drainage strategy should favour infiltration SUDS where shown to be feasible • Provide the detailed design of all regional SUDS not provided within a development parcel including swales and detention basins (primary and secondary SUDS) to demonstrate their flood risk, water quality, green infrastructure and biodiversity functions • Demonstrate the use of adequate pollution prevention measures within the SUDS provision to ensure no risks to groundwater or surface water quality • Demonstrate that exceedence flood flow routes (for rainfall events above the design event) can be safely routed away from buildings and into SUDS as recommended in para 5.2.1 of the 1 FRA and SWDS. • Demonstrate the protection of downstream SSSIs during construction and • the phasing of delivery of the strategy as recommended in para 5.2.1 of the Application 1 FRA and SWDS which demonstrates that regional/site wide SUDS (primary and secondary SUDS) are provided ahead of site construction. <p>The development shall be carried out in accordance with the approved Drainage Strategy. Reason - To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework</p>
54	<p>In addition to the site wide detailed surface water drainage strategy, each Reserved Matters application shall be accompanied by a detailed surface water drainage scheme, to meet the flood risk, water quality, green infrastructure and biodiversity requirements of the site . The detailed surface water drainage scheme shall be in compliance with the approved Flood Risk Assessment, Surface Water Drainage Strategy and the Masterplan Surface Water Drainage Strategy and the approved site wide detailed surface water drainage strategy and shall:</p> <ul style="list-style-type: none"> • Demonstrate 20% of the required attenuation storage for the Application 1 site will be provided by individual developers using source and site control SUDS measures at their individual development plots (as stated at para 5.2.1 of the Application 1 FRA and SWDS). The SUDS Management Train approach detailed in Figure 5-2 of the Application 1 FRA and SWDS shall be taken and it shall be demonstrated how these SUDS contribute to flood risk, water quality, green infrastructure and biodiversity requirements of the site • As per the Masterplan SWDS at section 5, Reserved Matters applications shall include further assessment of individual parcels and communal areas to assess if infiltration is possible. Reserved Matters applications should have a detailed surface water drainage scheme which favour infiltration SUDS where feasible, demonstrating that groundwater and surface water quality will be protected through adequate pollution prevention measures • Provide the detailed drainage layout and detailed design of SUDS of the individual parcel and communal areas including detailed drainage calculations for the 1 in 2, 1 in 30 and 1 in 100 year plus an allowance for climate change storm events • Demonstrate control of surface water runoff to the Greenfield runoff rate as detailed in the Masterplan SWDS • Demonstrate that the regional/site wide SUDS the parcel relies upon for surface water attenuation will be available in line with the phasing of development to ensure they are available to perform their flood risk function in a timely manner to prevent an increase in flood risk during construction

	<p>No development shall commence until the detailed reserved matter surface water drainage scheme has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.</p> <p>Reason: To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework</p>
55	<p>There shall be no built development (buildings) within Flood Zone 2 & 3 as defined in Appendix 6 plans – modelled flood extents for the 100 year and 1000 year events (Flood Zone 2 & 3) of the Outline Application NW Bicester Planning Application 1 Flood Risk Assessment and Surface Water Drainage Strategy –Hyder, ref 5040-UA005241-BM-01, Aug 2014 (Appendix 7a of the Outline Application North West Bicester Planning Application 1 Environmental Statement: Volume 1: Main Text, Hyder (ref 5050-UA005241-UE31R- 01, Aug 2014)</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure flood risk is not increased elsewhere. This is a requirement of Policy ET18 of PPS1 and para 103 of the NPPF.</p>
56	<p>No watercourse crossings shall be constructed until the detailed design has been agreed in writing with the Local Planning Authority. The design shall be informed by para 5.1 and section 7 of the approved Flood Risk Assessment - Outline Application NW Bicester Planning Application 1 Flood Risk Assessment and Surface Water Drainage Strategy – Hyder, ref 5040-UA005241-BM-01, Aug 2014 (Appendix 7a of the Outline Application North West Bicester Planning Application 1 Environmental Statement: Volume 1: Main Text, Hyder (ref 5050-UA005241-UE31R- 01, Aug 2014). The design shall demonstrate that flood risk will not be increased or biodiversity negatively impacted as a result of any watercourse crossing.</p> <p>Reason: To ensure watercourse crossings do not increase the risk of flooding on or off site. This is a requirement of Policy ET18 of PPS1 and para 103 of the NPPF. To ensure watercourse crossings do not negatively impact on biodiversity as required by para 109 and 118 of the NPPF and ET16 of PPS1.</p>
57	<p>Prior to the commencement of development on any phase a detailed strategy to achieve the 80l/p/d potable water per capita consumption design standard in homes and non-residential buildings shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason To ensure that the design standard is understood ahead of construction, and the scheme is in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework</p>
58	<p>Prior to the commencement of development, details of the strategy to reach the aspiration of water neutrality, in accordance with para 6.2 of the Application 1 Water Cycle Study and the Eco Towns PPS shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall thereafter be carried out in accordance with the approved strategy.</p> <p>Reason: The site is located in an area of water stress and to comply with Government guidance contained within the Eco Town PPS.</p>
Employment	
59	<p>All non residential buildings shall be constructed to BREEAM Excellent.</p> <p>Reason: To ensure sustainable buildings in accordance with Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.</p>
60	<p>No individual retail unit shall exceed 500m2 in gross floor internal area. Thereafter retail units shall not be amalgamated such that any individual unit exceeds 500m2.</p> <p>Reason: To ensure the scheme meets local retail needs in accordance with Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.</p>
Network Rail	
61	<p>Prior to the occupation of any dwellings or the first use of public open space within 50m of the railway boundary, the developer shall provide a suitable trespass proof fence adjacent to the boundary with the railway. Details of the fencing shall be submitted to be approved by the LPA and Network Rail.</p> <p>Reason: To protect the adjacent railway from unauthorised access</p>

62	Prior to any vibro-impact works on site, a risk assessment and method statement of such construction methods shall first be approved by the LPA and Network Rail.” Reason – to prevent any piling works and vibration from de-stabilising or impacting the railway.
63	“Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority and Network Rail.” Reason: To protect the adjacent railway.
Waste	
64	Prior to the commencement of a phase a Site Waste Management Plan, targeting zero waste to landfill, shall be submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Management Plan shall thereafter be implemented in accordance with the approved details. Reason to ensure the appropriate management of waste in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework
Notes to Applicants	
1	Informative: The applicant is advised that the design and layout of the sports facilities should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and the National Governing Bodies for Sport. Further information can be found at: http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/
2	Informative: The off-site works will require a S278 Agreement with Oxfordshire County Council (OCC). If the proposed development is to be offered for adoption to the Local Highway Authority (LHA) a S38 Agreement will be required, alternatively if the development is to remain private a Private Road Agreement will be required between the developer and OCC. For guidance and information on road adoptions and S278 Agreement works please contact the County's Road Agreements Team on 01865815700 or email Road.Agreements@oxfordshire.gov.uk . All the associated off-site highway works with NW Bicester will have to go through OCC's Direct Delivery process (attached) – if triggered. The submitted Travel Plan for the site is to be included within the S106 Agreement for this planning application. A planning condition is not appropriate to secure monitoring fees etc.
3	Run off from roads and areas associated with lorry and car parking areas could contain elevated levels of contaminants. Drainage from these areas could contaminate surface and groundwater unless adequate pollution prevention measures are provided. There must be a sufficient unsaturated zone beneath any infiltration SUDS. As a minimum there should be 1m unsaturated zone between the base of any SUDS feature and winter groundwater levels. There can be some flexibility on the 1m requirement for minor estate roads and very small areas of car parking/driveways. However, some unsaturated zone (c50cm) should always be provided for infiltration SUDS from these areas.
4	Advice – watercourse crossings As set out in para 5.1 and section 7 of the Application 1 FRA and SWDS the following should be considered for the watercourse crossing design: - Setting the soffit level to a minimum of 600mm above the modelled 1 in 100 plus climate change level - A clear spanning crossing - Setting the crossing abutments outside the modelled 1 in 100 plus climate change level
5	Advice – consent requirements Erection of flow control structures or any culverting of the ordinary watercourses on site require consent from Oxfordshire County Council as Lead Local Flood Authority. We recommend that the applicant discusses proposals for any works with them at an early stage.
6	Advice – residual flood risks We note and support at para 5.5 of the Application 1 FRA and SWDS the recommendation to mitigate residual flood risk to buildings within the site by setting finished flood levels of buildings 300mm above ground level of the surrounding area to protect against any surface water ponding. Such ponding may occur during a storm event that generates runoff which exceeds the design capacity of the drainage system.

7	<p>Advice – groundwater flood risk</p> <p>Para 4.2.4 of the Application 1 FRA and SWDS identifies potential risk to the site from groundwater flooding and states that a specific ground investigation will be undertaken to inform the detailed design process. Para 5.2.1 and section 7 of the Application 1 FRA and SWDS recommends further investigation into the potential for shallow groundwater flooding during detailed design. The results of this further work could impact the layout of the development if locations are identified that are susceptible to groundwater flooding. Oxfordshire County Council are the Lead Local Flood Authority and have responsibility for groundwater flood risk under the Flood and Water Management Act. Oxfordshire County Council should therefore be satisfied with this approach.</p>
8	<p>Advice – re-use of grey water</p> <p>Although we have no in principle objection to the use of grey water for non-mains drainage activities which have been highlighted in the Masterplan WCS (such as garden and communal area irrigation), more details are required to ensure there are no risks to surface water and groundwater quality.</p>
9	<p>Advice to LPA and applicant</p> <p>Site investigations to date, which have been supplied with earlier pre-application consultations on the proposed North West Bicester site, have not identified many potential sources of contamination within the current Outline planning application area. The main potential source identified within this area (Application 1) is a small quarry in the south of the site. This has been considered as part of Chapter 11 'Contaminated Land' (and its Appendices) of the Outline Application North West Bicester Planning Application 1 Environmental Statement: Volume 1: Main Text, Hyder (ref 5050-UA005241-UE31R- 01, Aug 2014). This investigation did not identify any evidence of contaminating materials/soils or groundwater within the area of the quarry. However, the supplied investigation only considers the fields containing the small quarry.</p>
10	<p>As part of any planning application submitted for a burial ground in the identified location, we would require a detailed risk assessment which includes groundwater level and quality monitoring. Guidance on carrying out such a risk assessment can be found in the following publication: Assessing the Groundwater Pollution Potential of Cemetery Developments, Environment Agency, April 2004 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290462/scho0404bglae-e.pdf</p>
11	<p>There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.</p>
12	<p>There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p>
13	<p>There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p>
14	<p>Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems</p>
15	<p>PN9 Content of Consultee Letter</p> <p>Your attention is drawn to the content of the letter from Network Rail in respect of the application, a copy of which can be found via the Council's website www.cherwell-dc.gov.uk</p>

Appendix B

SUMMARY HEADS of TERMS

Committee 19 March 2015

Framework S106

1	Eco Town Quality Standards That development will be to eco town standards or other higher standards, relevant at the time, and the "quality" of the development shall be supported through assessment s of schemes by an independent expert panel which shall consider the schemes approach and compliance with: (a) the proposed Masterplan; (b) the design standards; (c) the sustainability standards; (d) the proposed governance arrangements; (e) the proposed maintenance arrangements; (f) the proposed "Panel" arrangement for resolving issues and dealing with changes in standard; (g) measures to ensure delivery of panel decisions	
2	Site Wide Infrastructure Provision and Connections The following site wide infrastructure is required to serve more than one part of the site: Key Infrastructure 1. Road tunnel under Railway 2. Pedestrian/Cycle tunnel under Railway 3. Howes Lane, Lords Lane realignment 4. Works to Existing Roundabout 5. Primary Substation 6. Sewage Treatment Plant/Rising Main Community Infrastructure 7. Primary School sites; 8. Secondary School site; 9. GP's surgery site; 10. Sports Fields & Changing Pavilion; 11. Community Halls 12. Heat network That part of the site wide infrastructure provision in control of the developer/landowner shall be provided to an agreed programme and once provided shall be made available for the benefit of the whole NW site, subject to the payment of any reasonable connection charge that reflects the cost of providing the infrastructure. The Framework Agreement will set out a mechanism for determining the total cost of the site wide infrastructure and the apportionment of the costs to individual sites as they are brought forward for development. The costs and apportionment will be determined consultatively on a fair and equitable basis. Development will be restricted on an individual site unless and until the contribution towards the site wide infrastructure (apportioned for each individual site) has been paid. A2Dominion will use reasonable endeavours to secure the co-ordinated and effective	

	<p>delivery of the site wide infrastructure.</p> <p>Appropriate security provisions will be required in relation to the delivery of the site wide infrastructure.</p>	
3	Comprehensive Development	
	<p>As each site comes forward the Councils will seek agreement with each landowner/developer to enter into the framework agreement and/or for the details agreed within the framework agreement to be replicated within the individual site S106 Agreement to ensure consistency of approach across the wider site, including obligations to ensure the equalisation of contributions (of land and infrastructure) across the development area.</p> <p>A phasing programme will be agreed that will outline the sequence of development tied to the required on site and off site infrastructure.</p>	

Application Phase S106

1	Affordable Housing	
	<p>Provide 30% affordable housing in accordance with an agreed phasing and mix. Affordable housing to be provided by a Registered Provider.</p> <p>Affordable Housing scheme to be submitted and approved prior to submission of first residential reserved matter submission identifying the distribution of the affordable housing.</p> <p>Affordable housing to be delivered in clusters of no more than 15 affordable housing units unless agreed .</p> <p>Nomination agreement</p>	
2	Bicester Library	
	Provide a financial contribution to the re provision of Bicester library	
3	Library Book Stock	
	Provide a financial contribution to the provision of book stock to the library	
4	Central Library	
	Provide a financial contribution for the remodelling of Oxford Central Library	
5	Resource Centre	
	Provide financial contribution for the expansion of day care facilities at Bicester Health & Wellbeing Resource Centre.	
6	GP Surgery	
	Provide financial contribution to the provision of a new GP Surgery	
7	Thames Valley Police	
	Provide financial contribution to the policing	
8	Community Hall	
	Provide and equip community hall/visitor centre with garden and car parking, to community hall/visitor centre specification	

	Hall to be provided in accordance with agreed phasing	
9	Community & Cultural Provision at St Lawrence Church	
	Provide a financial contribution to the remodelling of Church to accommodate community use	
10	Community Development Worker	
	Fund the provision of a community development worker(s) to deliver the creation of the new community during the build out of the site.	
11	Community Development Fund	
	Provide fund to deliver community development	
12	Employment and Training	
	Provide employment and training action plan to include measures to ensure opportunities for local labour and businesses through the development, measures to support home working and to work with the local job club to advertise jobs created through construction on the site. Provide apprenticeships through construction work on the site, in accordance with the number of opportunities identified through the CITB, through the Bicester ATA or other agreed provider. Make available the employment land south of the realigned Howes Lane in accordance with agreed phasing. Market the employment space to be provided on the site in accordance with an agreed scheme until 2100 dwellings have been occupied.	
13	Site for a Place of Worship	
	Provide 0.5ha of land for a place of worship with service connections in accordance with an agreed plan and phasing.	
14	Exemplar Primary School (a)	
	Provide funding for the provision of primary places at the exemplar school prior to the occupation of 200 dwellings	
15	Exemplar Primary School (b)	
	Provide funding for the expansion of the exemplar primary school in accordance with an agreed timetable.	
16	New Primary School	
	Provide a site of 2.2ha for a primary school in accordance with an agreed plan and phasing. Provide school or pay for the provision of primary school.	
17	Secondary School	
	Provide site of 10.45ha for secondary school in accordance with agreed plan and phasing. Provide school or pay for the provision of secondary school.	
18	SEN	
	Provide contribution for the provision of SEN places	
19	Temporary Sports Pitch	
	Fund the laying out of temporary sports pitches Provide for maintenance of the temporary pitches	
20	Permanent Sport Pitches	
	Fund the laying out of sports pitches	

	Provide for maintenance of the pitches	
21	Country Park	
	Layout or fund the laying out of the Country Park and transfer it to CDC in accordance with an agreed plan and phasing. Provide a commuted sum for maintenance	
22	Allotments	
	Layout or fund the laying out of the allotments and transfer them to CDC in accordance with an agreed plan and phasing.	
23	Play Areas	
	Layout or fund the laying out of the NEAPs and LEAPS and transfer to CDC in accordance with an agreed plan and phasing. Provide commuted sum for maintenance. Provide local areas of play within the residential parcels so every dwelling is within 400m of play provision. Make provision for secure long term ownership and management.	
24	Community Farm	
	Layout or fund the laying out of the community farm and transfer to CDC in accordance with an agreed plan and phasing. Provide a commuted sum for maintenance	
25	Indoor Sport	
	Provide funding for the expansion of the Bicester Sports Centre	
26	Green Space that could be used for a Burial Ground	
	Provide 4ha of green space that could be used as a burial ground/green space in accordance with an agreed plan and phasing. Provide commuted sum for green space maintenance unless or until COU to burial ground implemented	
27	Bio Diversity Off Sett	
	Provide funding for off site bio diversity mitigation, to be used for off setting grant scheme or land purchase for bio diversity.	
28	Cultural & Wellbeing Strategy	
	Provide a cultural and wellbeing strategy and action plan for delivery across the site	
29	Local Management Organisation	
	Work with CDC to establish the LMO Provide funding for the establishment of the LMO and its activities	
30	Waste Collection & Recycling	
	Provide an action plan to deliver waste reduction Provide funding for the provision of domestic bins for waste and recycling Provide locations for bring back sites in accordance with an agreed plan and phasing Provide funding for the provision of bring bank sites	
31	Strategic Waste Management	
	Provide funding for the expansion of Strategic Waste Management provision to serve Bicester	
32	Bus Provision	
	Provide funding for the provision of the bus service to serve the site in accordance with agreed phasing	

33	Bus Access Scheme	
	Provide or provide funding for the improvement of Bucknell Road and Field Street to facilitate bus access	
34	Off Site Cycle Way Improvements	
	Provide or provide funding for the following improvements; <ul style="list-style-type: none"> • upgrade of the public footpath between Lords Lane and Banbury Road adjacent to the railway • upgrade of the Banbury Road between the railway and the town centre • Link to Bure Park open space 	
35	Bucknell Traffic Calming	
	Provide a scheme and work with the Parish Council to provide traffic calming in Bucknell prior to the realignment of Bucknell Road	
36	Field Path Improvements	
	Provide new footpath link to Bucknell in accordance with an agreed scheme and phasing. Provide for its long term availability. Provide funding to enhance and connect to the existing rights of way, footpath 148/9, 148/2, 148/7 and create new route to Bucknell.	
37	Highway Works	
	Provide the following highway works in accordance with an agreed programme and phasing ; Howes Lane strategic realignment related to the site Banbury Road B4100 improvement Caversfield B4100 improvement Exemplar southern access improvement Bucknell Road realignment	
38	Travel Plan	
	Provide and agree a travel plan Provide funding for travel plan monitoring	
39	SUDs	
	Agree details of secure long term maintenance of SUDs	
40	Monitoring	
	Provide scheme of monitoring eco town standards	
41	Local Centre & Employment Space	
	Marketing of local centre in accordance with an agreed scheme until developed or 2100 dwellings have been occupied. Marketing of employment site in accordance with an agreed scheme until developed or 2100 dwellings have been occupied. Marketing to include measures to attract green businesses to the site and target this sector.	
42	Bond/Guarantee	
	Provide bond or guarantee for the delivery of the infrastructure	
43	HGV Routing Agreement	
	Agreed routing for construction traffic and commercial traffic serving the proposed business units.	
44	Development Monitoring	
	Agree programme of monitoring and carry it out.	
45	Monitoring fees	
	Provide a fee for monitoring of legal agreements	