

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 29 October 2015 at 4.00 pm

- Present: Councillor Colin Clarke (Chairman)
Councillor Fred Blackwell (Vice-Chairman)
- Councillor Andrew Beere
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Matt Johnstone
Councillor Mike Kerford-Byrnes
Councillor Alastair Milne Home
Councillor Richard Mould
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Rose Stratford
- Substitute Members: Councillor Barry Wood (In place of Councillor James Macnamara)
- Also Present: Councillor Les Sibley, local ward member for Bicester West, for agenda item 7
- Apologies for absence: Councillor James Macnamara
Councillor Sean Woodcock
- Officers: Bob Duxbury, Development Control Team Leader
Jenny Barker, Bicester Delivery Manager
Caroline Ford, Principal Planning Officer
Alex Keen, Team Leader (Minors)
James Kirkham, Senior Planning Officer
Nat Stock, Team Leader (Others)
Ross Chambers, Solicitor
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

7. Land Adj To Bicester Road And South West Of Avonbury Business Park, Howes Lane, Bicester.

Councillor Lawrie Stratford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

9. Land adjacent Hardwick Hill cemetery, Southam Rd. Banbury.

Councillor Alastair Milne Home, Conflict of Interest, as a member of Banbury Town Council, which had been consulted on the application and left the chamber for the duration of the item.

Councillor Andrew Beere, Conflict of Interest, as a member of Banbury Town Council, which had been consulted on the application and left the chamber for the duration of the item.

Councillor Barry Richards, Conflict of Interest, as a member of Banbury Town Council, which had been consulted on the application and left the chamber for the duration of the item.

Councillor Colin Clarke, Conflict of Interest, as a member of Banbury Town Council, which had been consulted on the application and as a member of Banbury Town Council's General Services Committee and the Resources Committee and left the chamber for the duration of the item.

10. The Plough Inn, 63 North Street, Bicester, OX26 6NB.

Councillor Lawrie Stratford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

12. Hill Leys, Banbury Road, Finmere.

Councillor Mike Kerford-Byrnes, Disclosable Pecuniary Interest, as the applicant and he would leave the Chamber for the duration of the item.

13. Hill Leys, Banbury Road, Finmere.

Councillor Mike Kerford-Byrnes, Disclosable Pecuniary Interest, as the applicant and he would leave the Chamber for the duration of the item.

106 **Requests to Address the Meeting**

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

107 **Urgent Business**

There were no items of urgent business.

108 **Minutes**

The Minutes of the meeting held on 1 October 2015 were agreed as a correct record and signed by the Chairman.

109 **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.

110 **Land Adj To Bicester Road And South West Of Avonbury Business Park, Howes Lane, Bicester**

The Committee considered application 14/01641/OUT, an outline application to provide up to 900 residential dwellings (Class C3), commercial floor space (Class A1-A5, B1 and B2), leisure facilities (Class D2), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2 FE) (Class D1), secondary school up to 8 FE (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations at land adjacent to Bicester Road and South West of Avonbury Business Park, Howes Lane, Bicester for A2 Dominion South Ltd.

Councillor Les Sibley addressed the committee as Ward member.

Iain Painting, agent for the applicant, addressed the meeting in support to the application.

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

Resolved

That application 14/01641/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 attached at Appendix B and subsequent completion of S106 agreements
2. The following conditions, with delegation of final wording of and any changes to conditions to the Development Services Manager in consultation with the Chairman of Planning Committee

Time Limits

1. 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.
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 three years beginning with the date of this permission.
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 Eight years beginning with the date of this permission.
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 reserved matter 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.
5. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents:
 - BIMP6 200A Site Location Plan;
 - BIMP6 216K Application Framework Plan;
 - BIMP6 236K Application Framework Plan;
 - BIMP6 213D Building Heights;
 - BIMP6 208F Landscape Parameters Plan – Open Space Strategy;
 - BIMP6 210E Movement and Access;
 - BIMP6 211E Landscape Buffer;
 - BIMP6 209E SUDS and Drainage;
 - BIMP6 207D Tree and Hedgerow to be Removed or Broken;
 - BIMP6 206C Proposed Levels and Topography;
 - BIMP6 214A Demolition.
 - North West Bicester Application 2 (South of Railway), Flood Risk Assessment and Surface Water Drainage Strategy Addendum, Hyder Consulting, July 2015, Report no. 5041-UA005241-BM-012
 - Appendix 7a (Outline Application NW Bicester Planning Application 2 Flood Risk Assessment and Surface Water Drainage Strategy – Hyder, ref 5041-UA005241-BM-01, Sept 2014), of the Outline Application North West Bicester Planning Application 2 Environmental Statement: Volume 1: Main Text, Hyder, ref 5051-UA005241-UE31R- 01, Sept 2014

- Appendix 10 (NW Bicester Masterplan Surface Water Drainage Strategy, Full Site, Hyder, ref 5004-UA005241-BMR-04, May 2014) of the Outline Application NW Bicester Planning Application 2 Flood Risk Assessment – Hyder, ref 5041-UA005241-BM-01, Sept 2014.
 - Outline Application NW Bicester Planning Application 2 Water Cycle Study – Detailed Report – Hyder, ref 5013-UA005241-UU71R-01, Sept 2014.
 - Appendix A (NW Bicester Masterplan Water Cycle Study Detailed Report - Hyder, ref 5010-UA005241-UU71R-02, May 2014) of the Outline Application NW Bicester Planning Application 2 Water Cycle Study – Detailed Report – Hyder, ref 5013-UA005241-UU71R-01, Sept 2014.
 - Design and Access Statement and Addendum
 - GI and Landscape Strategy Report and Updated GI and Landscape Strategy Report
 - Tree Survey Report and Updated Tree Survey Report
6. Prior to the commencement of the development hereby approved, 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.
7. No more than 900 dwellings shall be constructed on the site.

Design

8. Prior to the commencement of the development, an Urban Design Framework shall be submitted to and approved in writing by the Local Planning Authority. The Urban Design Framework shall set out the urban design approach for the site to include a regulating plan and supporting information to include;
- Details to provide continuity with adjacent development
 - Key approaches to deliver sustainable development that as a minimum meets the Eco Town PPS standards
 - 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, trees and retained hedges
 - Legibility and diversity of built form and landscape
 - Adaptability
 - Play provision in accordance with Adopted Cherwell Local Plan Policy Bicester 11

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 Framework.

9. Each reserved matter application for the area of land proposed for a mixed use local centre as shown on the Parameter Plans shall be in broad accordance with the illustrative design for this area as set out in the NW Bicester Outline Application Addendum document dated August 2015.
10. 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;
 - 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

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.

11. Each reserved matter submission for built development shall be accompanied by details showing how Building for Life 12 has been used to inform the design process and that the scheme achieves Built for Life™.

Dwellings

12. Prior to the submission of a reserved matters application for residential development, a schedule of the market housing, to be provided to meet local housing needs, in each phase of the development shall be 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.
13. Energy Requirement
14. All dwellings shall be provided with real time energy and travel information unless otherwise agreed in writing by the Local Planning Authority. Details shall be submitted to the local planning authority and

agreed in writing prior to the commencement of construction of dwellings.

15. Each reserved matter application submission shall be accompanied by a statement setting out how the design of buildings and the layout 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 overheating, changing rainfall patterns and higher intensity storm events.
16. 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.

Phase conditions

17. 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.
18. No development shall commence on construction of any development approved by a 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.

Transport

19. 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.
20. Prior to the first use of the access to be approved, the existing field accesses onto the A4095 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.
21. Prior to the commencement of the development hereby approved, 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 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of

footway and cycleway links shall be constructed and retained in accordance with the approved details.

22. 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.
23. 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). 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.
24. No more than 600 dwellings shall be constructed until the pedestrian/cycle tunnel under the railway has been provided and is available for public use.
25. 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 actions of the travel plan shall thereafter be delivered in accordance with the Travel Plan.
26. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place.
27. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior written permission by Oxfordshire County Council or appropriate temporary diversion.
28. No construction / demolition vehicle access may be taken along or across a public right of way without prior written permission and appropriate safety/mitigation measures approved by Oxfordshire County Council.
29. No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior written permission and appropriate safety and surfacing measures approved by Oxfordshire County Council.
30. Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

Contamination

31. No development approved by this planning permission (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 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.

32. No occupation 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.

To ensure that contamination at the site is remediated to ensure controlled water quality is protected as required by PPS1 Policy ET17 and the NPPF.

33. Piling or any other foundation designs using penetrative methods within any area identified as being subject to risk from contamination shall not be permitted other than with the express written consent of the Local

Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater quality. The development shall be carried out in accordance with the approved details.

34. 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. The remediation strategy shall detail how this unsuspected contamination shall be dealt with and written approval from the local planning authority shall be obtained. The remediation strategy shall be implemented as approved.

Biodiversity

35. 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 by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
36. The retained hedges shall have a buffer a minimum of 20m in width comprising of 10m either side of the retained hedge, the streams shall have a minimum buffer of 60m in width comprising of 30m either side of the stream and the woodlands shall have a buffer a minimum of 10m in width when measured from the canopy edge, unless otherwise agreed in writing by the Local Planning Authority. The hedge, stream and woodland buffers shall be maintained as public open space and managed to maintain and create bio diversity.
37. No development shall commence on any phase until details of any existing hedgerow, or part 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.
38. 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.
39. 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.

40. No development shall commence on any phase until a Landscape & Habitat Management Plan (LHMP) for that phase 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.
41. 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 6.5.1.8, 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.
42. 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.
43. 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.

Archaeology

44. 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.
45. 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 or 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 has been carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Outdoor Sport

46. No development shall commence until details for the phasing of the provision of temporary 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.
47. 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.
48. 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 unless agreed in writing by the Local Planning Authority..

Drainage

49. 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.
50. 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.
51. Prior to the submission of any reserved matters, a full surface water strategy for the application site, in accordance with the Flood Risk Assessment accompanying this application, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Councils Drainage Team & Natural England). The Strategy shall;
 - Demonstrate control of surface water runoff to the Greenfield runoff rate is achievable as detailed in the Masterplan Surface Water Drainage Strategy (SWDS)
 - Review and amend the indicative storage volumes in para 5.2, Table 5-1 of the Application 2 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 2 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 2 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 Application 2 FRA and SWDS.
- Demonstrate the protection of downstream SSSIs during construction and
- Provide a SUDs phasing plan as recommended in para 5.2.1 of the Application 2 FRA and SWDS which demonstrates that regional/site wide SUDS (primary and secondary SUDS) are provided ahead of site construction.
- Details to show that surface water drainage will be directed away from the railway.

The development shall be carried out in accordance with the approved Drainage Strategy.

52. 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:

- Demonstrate 20-30% of the required attenuation storage for the Application 2 site will be provided by individual developers using source and site control SUDS measures at their individual development plots (as stated in para 5.2.1 (states 30%) and 6.2 (states 20%) of the Application 2 FRA and SWDS). The SUDS Management Train approach detailed in Figure 5-1 of the Application 2 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
- The submission of proposals for the long term maintenance of all SUDs features

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.

53. 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.
54. 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 2 (South of the Railway), Flood Risk Assessment and Surface Water Drainage Strategy Addendum –Hyder Consulting, July 2015, report number. 5041-UA005241-BM-012.
55. Water
56. 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 2 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.

Employment

57. All non residential buildings shall be constructed to BREEAM Excellent.
58. 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.

Network Rail

59. 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 Local Planning Authority in consultation with Network Rail.
60. Prior to any vibro-impact works on site, a risk assessment and method statement of such construction methods shall first be approved by the Local Planning Authority in consultation with Network Rail.”
61. 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 in consultation with Network Rail.

Waste

62. 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.
63. Condition covering no waste to be brought from off site to the energy centres

111

Bicester Golf And Country Club, Akeman Street, Chesterton, Bicester, Oxfordshire, OX26 1TE

The Committee considered application 15/01068/F for the erection of a two storey extension to existing hotel to form 62 new bedrooms (60 net increase) at Bicester Golf And Country Club, Akeman Street, Chesterton, Bicester, Oxfordshire, OX26 1TE for Bicester Hotel Golf And Spa.

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

Resolved

That application 15/01068/F be approved, subject to the receipt of no objections from OCC as Drainage authority and the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission
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: Amended Location Plan received 20.08.2015; Site Plans SK.15-543-53 and SK.15-543-54; Pond Discharge Detail SK.15-543-57 received 08.10.2015; SK.15-A1-543-51 and SK.15-A1-543-52; SK.15-A1-543-55A and SK.15-A1-543-50B received 02.10 2015; Arboricultural Impact assessment dated September 2015; Ecology Report Ref 153312/JDT dated 29th September 2015; Planning Design and Access Statement received 20.08.2015; Sequential Test and Traffic information submitted as part of the application.
3. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone used on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building
4. The materials to be used for the roof of the extension hereby approved shall match in terms of colour, type and texture those used on the existing building
5. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a method statement to avoid harm to amphibians or reptiles during construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be carried out in accordance with the approved details.
6. Prior to the commencement of the development hereby approved, full details of a scheme for the location of a minimum of three swift bricks/boxes on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the development, the nesting provisions shall be installed on the site in accordance with the approved details and retained thereafter.
7. All species used in planting proposals associated with the development shall be native species of UK provenance
8. C1 Submit a landscaping scheme to include details for the replacement of the TPO trees which have been removed without consent
9. C2 Carry out the landscaping
10. C9 Arboricultural Method Statement (AMS)
11. D20 Submission of a Travel Plan

12. E2 Drainage
13. The extension hereby permitted shall be used only for the purpose of hotel accommodation and for no other purpose whatsoever, including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
14. C16 Arboricultural Site Supervision
Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details.
 - a) Written confirmation of the contact details of the project arboriculturalist employed to undertake the supervisory role of relevant arboricultural issues.
 - b) The relevant persons/contractors to be briefed by the project arboriculturalist on all on-site tree related matters
 - c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturalist.
 - d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and arboricultural incidents
 - e) Details of appropriate supervision for the installation of load-bearing 'structural cell' planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (e.g.: reduced dig systems, arboresin, tree grills)

(Councillor Clarke left the meeting at this point. Councillor Blackwell took the Chair)

112

Land adjacent Hardwick Hill Cemetery, Southam Rd. Banbury

The Committee considered 15/01194/F for a change of use from agricultural land to cemetery land at Land adjacent Hardwick Hill Cemetery, Southam Rd., Banbury for Banbury Town Council.

Kate Fitton, local resident, addressed the committee in objection to 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 15/01194/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, Site Location Plan and Design and Access Statement.
3. Prior to the commencement of development hereby approved, a phasing plan covering the entire site 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 phasing plan.
4. 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.
5. 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.

6. Prior to the commencement of the development and notwithstanding the submitted details, an arboricultural survey, 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.
7. 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.
8. The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS).
9. The existing hedgerows along all boundaries of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
10. Notwithstanding the illustrative details shown in the Design and access statement prior to the commencement of the development hereby approved, full specification details (including siting, construction, layout, surfacing and drainage) of the turning area and additional 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.
11. Prior to the commencement of the development hereby approved a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

12. Prior to the commencement of the development hereby approved, and following the approval of the Written Scheme of Investigation referred to in condition 11, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation.
13. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Phase 1 Survey of the site and any additional recommended species and habitat surveys shall be carried out on site, and a report of the findings along with all necessary mitigation, working method statements, licence applications and necessary off site compensation measures, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.
14. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of any additional mitigation measures to prevent their harm 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 mitigation scheme.
15. No removal of hedgerows, trees or shrubs, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or 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.
16. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.
17. All species used in the planting proposals associated with the development shall be native species of UK provenance.
18. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement 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.

19. Prior to the commencement of development a land drainage and ground water survey shall be undertaken , from which shall be produced a land use and ground water strategy which shall be submitted and approved by the Local Planning Authority , and which shall thereafter be complied with in the implementation of the use of the land

(At the conclusion of the item, Councillor Clarke rejoined the meeting and retook the Chair)

113

The Plough Inn, 63 North Street, Bicester, OX26 6NB

The Committee considered application 15/01340/F to alter the height of and replace front elevation windows and replace one of the windows with a door, to pave and fence off an existing recessed external area to create courtyard/garden at The Plough Inn, 63 North Street, Bicester, OX26 6NB for Green King PLC.

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

Resolved

That application 15/01340/F be approved, subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this consent.
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: Application Form and Drawing No's: 1662-PL0, 1662 02 Rev E, 1662-03 Rev C and 1622-SK01 RevA.
3. Any remedial stonework necessary for the repair or making good of the walls shall be carried out in natural stone of the same type, texture, colour and appearance as the stone on the existing building and shall be laid, dressed, coursed and pointed to match that of the existing building.
4. Prior to the installation of any doors and windows, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
5. Prior to the installation of the railings hereby permitted, full details of the railings, including a cross section, material and colour/finish, shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the railings shall be installed within the building in accordance with the approved details.

6. Prior to the first use of the outdoor area shown to be enclosed by railings and planting on the approved plan (1662-03C), 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.
7. All planting 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.
8. The outdoor area shown to be enclosed by railings and planting on the approved plan (1662-03C) shall not be used as an outdoor seating, drinking or smoking area after 22:00hrs on any day.

114

The Gables, 4 Westbourne Court, Bloxham, OX15 4HD

The Committee considered application 15/01513/F for the erection of a single and two storey extension to outbuilding to provide garage and store at The Gables, 4 Westbourne Court, Bloxham, OX15 4HD for Mr & Mrs J Tibbetts.

Roger Coy, agent for 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 15/01513/F be refused for the following reasons:

By reason of its scale, form and massing, the proposal would result in a building of excessive scale that would not be subservient to the main dwelling, which would be visually incongruous displaying poor design, and would result in a cramped form of overdevelopment that would adversely affect the character and appearance of the street scene and that of the local area. The proposal therefore fails to accord with Policy ESD15 of the Cherwell Local

Plan 2011-2031 and Policies C28 and C30 of the Cherwell Local Plan 1996 and paragraphs 17, 58 and 64 of the National Planning Policy Framework.

115 **Hill Leys, Banbury Road, Finmere**

The Committee considered application 15/01635/F for the erection of a replacement Stable/Farm building at Hill Leys, Banbury Road, Finmere for Mr and Mrs M Kerford-Byrnes.

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

Resolved

That application 15/01635/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, Design and Access Statement and drawings numbered and titled:
 - 472/20
 - Hancox Barn elevations (Rev No. C) 20.07.2015
 - Hancox barn floorplans (Rev No. C) 20.07.2015
 - Site Plan – DAJ/3480-2(i)gn 09.09.2015
3. Prior to the commencement of any works on the building 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 development hereby approved being brought into use a scheme for the storage and disposal of manure and soiled bedding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
5. The building and the stables hereby permitted shall be used only for the keeping of horses owned by the occupiers of Hill Leys and by no other person whatsoever.

116 **Hill Leys, Banbury Road, Finmere**

The Committee considered application 15/01681/F for the erection of replacement loose boxes at Hill Leys, Banbury Road, Finmere for Mr and Mrs M. Kerford-Byrnes.

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

Resolved

That application 15/01681/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, Design and Access Statement and drawings numbered and titled:
 - 472/20
 - Hancox Looseboxes 23.07.2015
 - Site plan - DAJ/3480-1(i)gn 09.09.2015
3. Prior to the commencement of any works on the building 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 development hereby approved being brought into use a scheme for the storage and disposal of manure and soiled bedding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
5. The building and the stables hereby permitted shall be used only for the keeping of horses owned by the occupiers of Hill Leys and by no other person whatsoever.

117 **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.

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 6.54 pm

Chairman:

Date: