

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 4 August 2016 at 2.00 pm

Present: Councillor James Macnamara (Vice-Chairman, in the Chair)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Chris Heath
Councillor Alastair Milne-Home
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Les Sibley

Substitute Members: Councillor Barry Wood (In place of Councillor Richard Mould)
Councillor Sean Woodcock (In place of Councillor Barry Richards)

Apologies for absence: Councillor David Hughes
Councillor Hannah Banfield
Councillor Richard Mould
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Nicholas Turner

Officers: Jon Westerman, Development Services Manager
Bob Duxbury, Team Leader (Majors)
Matt Parry, Principal Planning Officer
Andrew Lewis, Principal Planning Officer
Matthew Coyne, Planning Officer
Michelle Jarvis, Principal Planning Officer
Paul Watson, Planning Officer
Preet Barard, Solicitor
Amy Jones, Legal Assistant
Natasha Clark, Interim Democratic and Elections Manager
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

Members declared interests in the following agenda items:

7. OS Parcel 7400 Adjoining And South Of Salt 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 Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor James Macnamara, Declaration, as a member of the Diocesan Board of Finance and Gleben Building Committee who have ownership of part of the land within Banbury 17 South Salt Way and would leave the meeting for the duration of the item.

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

8. OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane, Bodicote, Oxfordshire.

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 Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor James Macnamara, Declaration, as a member of the Diocesan Board of Finance and Gleben Building Committee who have ownership of part of the land within Banbury 17 South Salt Way and would leave the meeting for the duration of the item.

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

14. Cherwell District Council, Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA.

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

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

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

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

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

16. James David Smith, 19 Thorpe Place, Banbury, OX16 4XH.

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

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

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

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

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

45 **Requests to Address the Meeting**

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

46 **Urgent Business**

There were no items of urgent business.

47 **Minutes**

The Minutes of the meeting held on 7 July 2016 were agreed as a correct record and signed by the Chairman.

48 **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.

2. Due to the earlier start time of the meeting, a comfort break would be taken at an appropriate time around 4pm.

(Having declared an interest in the subsequent two agenda items, Councillor James Macnamara left the meeting at the conclusion of this item, whereupon Councillor Colin Clarke took the Chair)

49

OS Parcel 7400 Adjoining And South Of Salt Way, Banbury

The Committee considered application 14/01932/OUT, an outline application for the development of up to 1000 homes, a local centre, primary school, community centre, secondary school playing fields, new bridleway and informal/formal recreation facilities on the site together with the provision of a section of spine road from the A361 through to the site's eastern boundary with all matters reserved except for access at Banbury 17 at OS Parcel 7400 Adjoining and South of Salt Way, Banbury for Gallagher Estates.

The application was one of two applications submitted contemporaneously on this allocated site, the other being application reference 15/01326/OUT which was also on the agenda for determination.

Peter Monk, a local resident, addressed the Committee in objection to the application.

Fran Robinson, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

(1) That the Secretary of State be informed that the Council proposes to grant planning permission for application 14/01932/OUT subject to:

- i. The satisfactory completion of a legal agreement with both Cherwell District Council and Oxfordshire County Council to secure the items listed below:

Cherwell District Council:

- Minimum 30% affordable housing;
- Provision of on-site community facility (600sq m floorspace) and maintenance contributions;
- Provision of on-site adult/junior football pitches, pavilion and maintenance arrangements;
- Provision of 0.9ha on-site allotments and management/maintenance arrangements;
- Provision of 6 x LAP, 3 x LEAP, 1 x NEAP together with maintenance arrangements;

- Financial contribution towards off-site sports facility enhancements (extension to Spiceball Sports Centres) – approximately £758,658 index linked;
- Financial contribution towards additional burial site provision in Banbury;
- Provision of public artwork on site together with maintenance arrangements;
- Maintenance arrangements for public realm features – green spaces, public open space, trees/hedgerows, drainage features, footpaths etc;
- Specification of local centre together with a programme for its provision on site;
- Provision of a new footpath/bridleway around the site, its specification, point of connection to eastern boundary together with arrangements to secure long-term maintenance and access for the public in perpetuity;
- Financial contributions to be forwarded to Thames Valley Police for the infrastructure set out in their consultation response where these have not been pooled towards more than five times from other developments in the District since April 2010;
- Financial contribution towards off-site species conservation project to compensate for adverse impact on BAP priority species (farmland birds and brown hare);

Oxfordshire County Council:

- Financial contribution towards pump priming new bus route to serve the development and to meet costs of temporarily increasing frequency of the 488 service during the initial years - £1000/dwelling;
- Financial contribution towards funding a temporary diversion of the 488 bus service into the site to ensure that it is credible;
- Improvements to surrounding public rights of way: £45,000 towards Bodicote bridleway 45, £25,000 towards Bodicote bridleway 11, £40,000 towards Banbury restricted bridleway 41 (Saltway), £30,000 towards Banbury footpath 40, £20,000 towards Broughton bridleway 14 and £15,000 towards Banbury footpath 37;
- Financial contribution to the Banbury Area Transport Strategy with improvements proposed to Bridge Street/Cherwell Street eastern corridor, the A361 Southam Road junction with Castle Street and Warwick Road as well as Bloxham Road/Springfield Avenue junction;
- Off-site highway works required to be carried by the developer and secured through a s278 highway agreement to deliver signalisation of Bloxham Road/Queensway;
- To ensure the developer enters into a highway agreement under s278 of the Highways Act 1980 to lay out the approved new access arrangement;
- To require the laying out of a spine road from Bloxham Road through to the site's eastern boundary at coordinates to be agreed to ensure suitable connection with the element of the

spine road proposed under application reference 15/01326/OUT. Spine road specification to include: 6.75m wide carriageway, 2m footway, 3m combined footway/cycle track, bus stop infrastructure and associated grass verges. Spine road to be completed to the site's eastern boundary and available for public use by the occupation of 500 dwellings on the site;

- Financial contribution to cover the costs of making/varying Bloxham Road traffic regulation order to introduce speed limit changes and restrict vehicular access along existing section of Bloxham Road by Crouch Cottages;
- Financial contribution towards the monitoring of the Travel Plan;
- Financial contribution of approximately £6,222,734 towards part of the build costs of a new primary school on the site or suitable alternative arrangements for direct delivery of the primary school by the developer;
- 3.01ha of primary school land safeguarded as part of the development. Transfer of 2.22ha of fully serviced primary school land to OCC (1.81ha at nil cost to directly mitigate impact of the application proposals) by occupation of 150 dwellings on the site to enable construction by OCC. Alternatively, to secure arrangements for transfer of completed primary school site in the event of direct delivery by developer;
- OCC to secure option to obtain remaining 0.79ha of the 3.01ha primary school land if needed at later stage to mitigate impacts of additional pupils generated through other developments on the allocated Banbury 16 and 17 sites;
- Financial contribution of approximately £4,505,062 towards expansion of neighbouring Blessed George Napier (secondary) School;
- Provision of 1.855ha of secondary school playing field land on the site to mitigate impact of expansion at Blessed George Napier School and terms of transfer to OCC. 1.22ha provided at nil cost with the remainder required to mitigate impact of surrounding developments;
- Financial contribution of approximately £210,804 towards expansion of Special Education Needs school capacity at Frank Wise School.
- Financial contribution of approximately £229,235 towards expansion of facilities at Banbury Library and cost of bookstock;
- Financial contribution of approximately £25,830 towards local adult health and wellbeing day care facilities;
- General administration and monitoring costs

ii. The imposition of the following conditions:

1. No development shall commence on a phase identified within an approved phasing plan (see condition 2) until full details of the layout, scale, appearance and landscaping (hereafter referred to as

reserved matters) of the development proposed to take place within that phase have been submitted to and approved in writing by the Local Planning Authority.

2. Prior to the submission of any application for approval of reserved matters but following approval of details submitted under the requirements of condition 6, a phasing plan covering the entire application site (that indicates clear development parcels for which reserved matters applications will be submitted) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved phasing plan and reserved matters applications shall only be submitted in accordance with the approved phasing plan and refer to the phase(s) they relate to.
3. In the case of the reserved matters, no application for approval shall be made 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 all of the reserved matters relating to the development or, in the case of approval on different dates, the final approval of the last such matter to be approved.
5. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and drawings JJG043 - 033 Rev. B - Location Plan A_005 Rev. D Footway Linkage and Delivery Plan but only insofar as they relate to matters not reserved for later approval.

The development shall also be carried out in general accordance with the details shown in the submitted Development Framework Plan (ref: JJG043-035 Rev. Q) except insofar as it conflicts with the masterplan and design code approved under the requirements of condition 6 of this planning permission.

6. No application for reserved matters approval shall be submitted nor any submissions be made under the requirements of any other condition attached to this consent until a Design Code and Masterplan covering the entire application site has been submitted to and approved in writing by the local planning authority.

The Design Code shall include:

- a) A density plan for the site;
- b) Design influences study and character areas;
- c) The general scale, form and style of buildings within each area of the site as well as details of the means of enclosure to be used;
- d) The street form, street frontage and hierarchy for all types of street/road including details of street design and surfacing;
- e) The approach to car and cycle parking across all areas of the site;

- f) The materials to be used across the site;
- g) The treatment of all on-site hedge corridors, retained trees and public rights of way;
- h) The means by which sustainability features will be incorporated into the development;
- i) Details of how the principles of Secured by Design will be incorporated into the development.

The Masterplan shall reflect and include:

- a) An overall indicative layout plan showing the distribution of all principal land uses throughout the site including residential, the local centre, primary school, secondary school land, community facilities, public open space, play areas, sports pitches, pavilion and recreation facilities as well as locations of existing and new footpath/bridleway/cycle links,
- b) The character areas to be covered in the Design Code.
- c) The general areas for structural soft landscaping, mitigation planting and hedge and tree protection corridors
- d) The Parcels/Phases into which the development is to be divided (each parcel/phase being one that is intended to be developed as a single entity and for which a Reserved Matters application is to be submitted).
- e) The strategy for surface and land drainage for the site including approximate locations of attenuation/retention ponds, drainage ditches, swales, pumping stations etc.
- f) The appropriate alignment of the spine road and general location of bus stops/crossing points on it as well as the general alignment of principal estate roads.
- g) Locations of existing, enhanced and new footpath/bridleway/cycle links.
- h) Details of the approximate means and position of any temporary bus turning facilities.
- i) Details of the approximate location of public artwork within the development.
- j) The strategy for on-site renewable energy generation.

All subsequent applications for approval of reserved matters and other submissions in requirement of conditions imposed on this outline planning permission shall be in accordance with the approved Design Code and Masterplan.

- 7. Prior to the submission of any applications for approval of reserved matters but following the submission of the Design Code/Masterplan (condition 6), full details of the spine road (from its access off Bloxham Road to the eastern boundary of the application site) including its alignment, specification, junctions (other than private drives), drainage, crossings, road markings, traffic calming, footways/cycle lanes, verges, on-street parking bays, street lighting, bus stop infrastructure and associated soft landscaping shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority.

8. No development shall take place on any phase (as approved under condition 2) until full details of existing and proposed ground and floor levels within that phase have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out only in accordance with the approved levels.
9. No development shall take place on any phase as approved under condition 2 until full design details of the play areas proposed within that phase (including any Local Areas of Play [LAPs], Local Equipped Areas of Play [LEAPs] and Neighbourhood Equipped Areas of Play [NEAPs]) have been submitted to and approved in writing by the local planning authority. The development shall thereafter take place only in accordance with the approved details.
10. No development shall take place on any phase (as approved under condition 2) including any works associated with the creation of the approved new access arrangements until a full arboricultural survey, method statement and arboricultural implications assessment that accords with BS: 5837:2012 (or any superseding British Standard) for all existing trees and hedgerows within and around the perimeters of that phase of the site have been submitted to and approved in writing by the local planning authority. The development shall then take place only in accordance with the approved details.
11. Prior to the commencement of development on any phase (as approved under condition 2), including any works associated with the creation of the approved new access arrangements, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with development in that phase including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
12. No development shall take place on any phase (as approved under condition 2) including works of site clearance/preparation until the site has been thoroughly checked by a suitably qualified ecologist to ensure that no statutorily protected species which could be harmed by the development have moved on to the site since the date the previous surveys supporting the application were carried out. Should any protected species be found during this check, full details of 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.
13. No development shall take place on a phase until a drainage strategy detailing any necessary on and/or off site foul and surface drainage works has been submitted to and approved in writing by,

the local planning authority in consultation with the sewerage undertaker. 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.

14. No development shall take place until impact studies on the existing water supply and 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.
15. Prior to the commencement of development on any phase, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present on land within that phase and the risks to receptors that inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
16. If contamination is found within land associated with a phase through work carried out under condition 15, prior to the commencement of the development within the phase, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place within the phase until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
17. If remedial works have been identified in condition 16, no development shall be occupied within a phase (as approved under condition 2) (other than for construction purposes) until the remedial works have been carried out for that phase in accordance with the scheme approved. 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 before any occupation of development on that phase can take place.
18. If during development on a phase, contamination not previously identified is found to be present on land within that phase, 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.

19. Prior to the commencement of the development hereby approved, including any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any mitigation or protective fencing around setts/commuting routes, 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.
20. All applications for reserved matters approval relating to a phase shall be accompanied by a method statement demonstrating how the development in that phase would contribute towards and be consistent with the objectives for enhancement of biodiversity across the site. Thereafter, the development approved on that phase shall be carried out in accordance with the approved method statement.
21. Prior to the commencement of the development hereby approved, a full Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include:

- Description and evaluation of the features to be managed
- Ecological trends and constraints on site that may influence management
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives
- Prescriptions for management actions for a 20 year period and beyond
- Preparation of a work schedule (including a 5yr project register, an annual work plan and the means by which a plan will be rolled forward annually)
- Personnel responsible for implementation of the plan
- Monitoring and remedial contingency measures triggered by monitoring.

Thereafter, the LEMP shall be carried out in accordance with the approved details.

22. No development shall take place on a phase (as approved under the requirements of condition 2) including any works of site clearance, until a Construction Management Plan (CMP) relating to that phase has been submitted to and approved in writing by the local planning authority. The CMP shall include details relating to the following matters:
 - Measures to reduce noise, environmental nuisance and disruption for nearby residents;
 - Measures to avoid undue impact on ecology during construction work;

- Construction traffic management (to include a restriction on construction vehicles using Wykham Lane).

Thereafter, the development on that phase shall be carried out in accordance with the approved CMP at all times.

23. No development shall take place within 10m of an existing or new public right of way until the affected public right of way is protected during development to accommodate a width of a minimum of 5m in accordance with details to be first submitted to and approved in writing by the Local Planning Authority except where the affected public right of way has the prior authorisation of the local planning (or highway) authority to be diverted or extinguished. Thereafter, the public right of way shall remain protected and available for use at all times in accordance with the approved details throughout the construction of the development unless otherwise agreed in writing by the local planning authority.
24. All applications for reserved matters approval relating to a phase (as approved under condition 2) shall include details of the alignment and specification of any and all new and/or enhanced footpaths, bridleways and cycle tracks to be provided within/through that phase together with a timetable for their provision/completion. Thereafter the new footpaths, cycle tracks and bridleways shall be provided in accordance with the details approved as part of the grant of reserved matters approval for that phase.
25. All applications for reserved matters approval for a phase (as approved under condition 2) proposing residential development shall be accompanied by details of the significant on site renewable energy provision to serve the dwellings within that phase. No dwelling within that phase shall thereafter be occupied until it is being served by the approved renewable energy generation measures and shall remain so thereafter.
26. All applications for approval of reserved matters shall be accompanied by full details of the elements of the surface water drainage scheme to be incorporated within that approved phase together with details of how the surface water drainage arrangements within that phase are consistent with the overall drainage strategy for the site to ensure surface water run-off resulting from the whole development will not exceed pre-development greenfield run-off rates in a manner that accords with best practice for Sustainable Drainage Systems (SuDS).
27. Prior to the commencement of any development within an approved phase, details for the management, storage and/or disposal of spoil resulting from construction works on that phase shall be submitted to and approved in writing by the local planning authority. The development shall thereafter only take place in accordance with the approved details.

28. Prior to the commencement of the development, a soil management plan shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall take place in accordance with the approved details.
29. No occupation of any building or dwelling on the site (other than for construction purposes) shall take place until the highway works shown in drawing no. A_005 Rev. D have been fully completed and made available for continued public use.
30. No dwelling shall be occupied within any phase (as approved under condition 2) until full details of the street lighting to be provided within that phase has been submitted to and approved in writing by the local planning authority. Thereafter the street lighting shall be provided as approved prior to first occupation of any dwelling within the phase and retained as approved thereafter.
31. Prior to first occupation of any dwelling within a phase (as approved under condition 2), fire hydrants shall be provided for that phase in accordance with details to be first submitted to and approved in writing by the local planning authority.
32. Prior to the first occupation of any dwelling within the development, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

Prior to occupation of 50% of the dwellings approved on the site, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated thereafter in accordance with the approved details.
33. Prior to the first occupation of any dwelling on the site, details of a scheme of public artwork to be installed within the site (including a timetable for its provision and future maintenance arrangements) shall be submitted to and approved in writing by the local planning authority. The public artwork shall thereafter be installed in accordance with the approved details.
34. No dwelling shall be occupied on the site until 3 bins for the purposes of recycling, residual and garden waste have been provided for that dwelling, in accordance with the following specification:
 - One 240 litre blue wheeled bin for the collection of dry recyclable material;
 - One 240 litre green wheeled bin for the collection of residual waste;
 - One 240 litre brown bin for the collection of garden waste material

35. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.
36. All dwellings on the site shall achieve an energy performance standard equivalent to at least Code Level 4 of the former Code for Sustainable Homes. No dwelling shall be occupied until it has been constructed to meet this energy performance standard unless otherwise agreed in writing by the local planning authority.
37. Notwithstanding any provisions contained within the Town and Country Planning (General Permitted Development Order) 2015 (and any Order or Statutory Instrument revoking or re-enacting that order), all new water, waste, power and communication related infrastructure serving development on the site shall be provided underground and retained as such thereafter unless otherwise with the specific prior approval in writing of the local planning authority either through a grant of reserved matters approval or separate full planning permission. Where approved in writing by the local planning authority, the relevant above ground infrastructure shall be provided only in accordance with the approved details and retained as such thereafter.
38. No trees or hedgerows on the site (as existing at the date of this decision) shall be lopped, felled, uprooted or wilfully damaged unless otherwise directly necessary to lay out the approved new access from Bloxham Road and provide appropriate vision splays (as granted by this outline planning permission) or is directly necessary to facilitate the carrying out of the detailed elements of the development approved by subsequent reserved matters consents and details approved pursuant to conditions attached to this consent or reserved matters approvals.
39. No more than 1000 dwellings shall be accommodated on the site under the provisions of this planning permission.
40. No more than 500 dwellings shall be occupied on the site until a spine road from the approved new vehicular access off the A361 (Bloxham Road) to the site's eastern boundary has been fully constructed and made available for public use in accordance with the details approved under the requirements of condition 7.
41. No removal of hedgerows, trees or shrubs shall take place between 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 suitably qualified ecologist to assess the nesting bird activity on site together with details of measures to protect the nesting bird interest on the site.
42. All non-residential buildings on the site shall be designed and constructed to achieve at least BREEAM 'Very Good' as measured

against the applicable BREEAM standard for such buildings that exists at the date of this decision.

43. No part of any building on the site shall be located within 20m of any part of the Salt Way restricted byway.
44. The open market dwellings provided across the application site shall include a minimum of the following dwelling sizes:
 - 25% as two bedroom dwellings;
 - 45% as three bedroom dwellings.

Applications for reserved matters approval shall reflect these requirements unless with the prior written agreement of the local planning authority.

45. Applications for reserved matters approval that propose any part of a dwelling within 50m of the newly aligned A361 (Bloxham Road) shall be accompanied by details of noise mitigation measures to be incorporated into the development to ensure that the World Health Organisation's 1999 guidance on noise values for outdoor areas of 55 dB LAeq (16 hr) or less can be achieved during the time period 07:00 to 23:00 hrs for domestic gardens and that the internal noise levels in habitable rooms of the affected dwellings do not exceed the criteria specified in Table 4 of BS 8233:2014. The affected dwellings shall only be occupied once the noise mitigation measures approved as part of the relevant reserved matters approval(s) have been fully incorporated.
46. Prior to the first occupation of any building or dwelling on the site (other than for construction purposes), details of measures controlling/restricting vehicular access between the application site and Wykham Park Farm to the south shall be submitted to and approved in writing by the local planning authority. The approved measures shall thereafter be brought into effect prior to first occupation of the development and be retained/maintained as such thereafter.
47. All applications for reserved matters approval relating to a phase (as approved under condition 2), shall be accompanied by a lighting strategy outlining how lighting will be sensitively designed within that phase to minimise disturbance to wildlife (in particular bats). Thereafter, the development within that phase as authorised through the grant of reserved matters approval shall be carried out in accordance with the approved lighting strategy.
48. Prior to first occupation of any dwelling on the site, any and all existing vehicular accesses to the application site from Bloxham Road except those approved as part of drawing no. A_005 Rev. D shall be permanently stopped up and there shall be no other new means of vehicular access created to the application site other than those specifically approved as part of this planning permission.

49. No works shall be undertaken that results in the temporary or permanent need to divert an existing public right of way that runs through the site until details of a satisfactory alternative route have first been submitted to and approved in writing by the local planning authority. The existing public right of way shall not be stopped up or obstructed in any way (save for any temporary arrangement that has the prior written agreement of the local planning authority), until the new diverted route has been provided in accordance with the approved details and is fully available for public use.
 50. Residential development on the site shall achieve an average minimum density of 30 dwellings/hectare across each and all residential parcels (as approved within the Design Code/Masterplan under the requirements of condition 6).
 51. Prior to the commencement of development within any phase that includes a part of public bridleway Bodicote 11, details shall be submitted of measures to protect and enhance that part of the public right of way within the phase together with a timetable for such protection/enhancement measures to be implemented.
 52. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare 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.
 53. Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [F6], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.
- iii. The imposition of a ceiling on the amount of development that can take place on Banbury 17 until the spine road is completed including through use of additional/amended planning conditions/planning obligations; and/or, Securing an appropriate legal mechanism by which the means to deliver the completed spine road can be ensured prior to the occupation of a substantial amount of development on the Banbury 17 site.
- (2) It was further resolved, that in the event that the application is not called-in by the Secretary of State, authority be delegated to the Head of Development Management to issue the notice of planning permission subject to accordance with points i – iii in resolution (1) above.
- (3) That authority be delegated to the Head of Development Management to make any necessary post-Committee minor amendments to the

recommended conditions and items in the legal agreement subject to the prior written agreement of the Chairman. Any such changes would be limited to the extent that they would not materially deviate from the nature of the Committee resolution and the basis on which the Secretary of State was informed of the Council's proposed decision.

50 **OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane, Bodicote, Oxfordshire**

The Committee considered application 15/01326/OUT, an outline application for up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works with all matters reserved except for access at OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane, Bodicote, Oxfordshire for Gladman Developments.

The application was one of two applications submitted contemporaneously on this allocated site, the other being application reference 14/01932/OUT which was also on the agenda for determination.

Zzazz Foreman, on behalf of Bodicote Parish Council, addressed the Committee in objection to the application.

Chris Still, agent for the applicant, addressed the Committee in support of the decision.

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

Resolved

That 15/01326/OUT be approved, subject to:

- i. Satisfactory completion of a legal agreement to secure the items set out in paragraph 6.79 of the report;

Cherwell District Council:

- Provision of on-site outdoor sports facilities, sports pavilion and arrangements for future maintenance;
- Provision of 2 x LAPs on site, 1 x combined LAP/LEAP and 1 x multi-use games area together with commuted sums for future maintenance by the Council;
- Maintenance arrangements for informal public amenity space, trees/hedgerows, footpaths, and other landscape features including drainage ponds whether in the form of commuted sums to the Council or a suitable management company;
- Financial contribution towards off-site indoor sport improvements at Spiceball Sports Centre;

- Provision of on-site public art in addition to arrangements for future maintenance or cash-in-lieu contribution to the Council;
- 30% affordable housing;
- Financial contribution towards the community centre on Banbury 17 as well as a proportionate commuted sum towards future maintenance;
- Financial contribution towards additional burial site provision within Banbury;
- Provision of 0.2ha of allotments and associated facilities on the site together with commuted sums for future maintenance by the Council;
- Arrangements for the provision and maintenance of the new car park adjacent to White Post Road to ensure that it functions as a free public car park in perpetuity;
- Financial contributions towards Thames Valley Policy infrastructure based on that set out in their consultation response but only that infrastructure that has not been pooled more than five times since April 2010;
- Financial contribution towards compensation through off-site project resulting from unmitigated adverse impacts on priority species (farmland birds and brown hare).

Oxfordshire County Council:

- Financial contributions towards the land and build costs associated with provision of a new primary school on the Gallagher Estates part of the Banbury 17 site, contribution towards expansion of Blessed George Napier Secondary School and the costs associated with the provision of secondary school playing field land on the Gallagher Estates part of Banbury 17;
- Arrangements for provision of temporary teaching accommodation facilities at existing local primary schools in the event that the provision/opening of the new primary school on the Gallagher Estates part of Banbury 17 is delayed or the actual build rates on the application site are faster than expected;
- Financial contribution towards improvements to the Salt Way and public rights of way network;
- £1,000 per dwelling towards the cost of introducing a bus service for the site;
- Financial contribution towards improvements to the A4260 Upper Windsor Street/ A4260 Cherwell Street /Swan Close Road junction based on the Banbury Area Transport Strategy;
- Financial contribution towards new bus stop infrastructure on Oxford Road;
- Financial contribution towards upgraded bus stop infrastructure on White Post Road;
- A requirement for the developer to enter into a highway agreement under s278 of the Highways Act 1980 to construct the new access from White Post Road and the spine road;
- Provision of a central spine road through the site to its western boundary to coordinates to be agreed so that it facilitates connection to the spine road proposed on the Gallagher Estates site. Legal agreement to include details of the specification of the spine road together with triggers for its completion from the new White Post

Road junction to the site's western boundary based on whichever occurs earliest of: 1) First occupation of the 200th dwelling on the site; 2) Four years from commencement of development;

- Financial contribution towards making/varying traffic regulations order(s) to introduce on-street parking controls in the vicinity of Bishop Loveday Primary School;
- Provision of bus stop infrastructure within the site;
- Provision of a new bridleway through the site to an appropriate specification to meet the Gallagher Estates site at a precise point to be determined in the legal agreement at the south-western boundary. Bridleway to be secured in perpetuity as publicly available together with arrangements for maintenance.

ii. Imposition of the following conditions:

1. No development shall commence on a phase identified within an approved phasing plan (see condition 2) until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) of the development proposed to take place within that phase have been submitted to and approved in writing by the Local Planning Authority.
2. Prior to the submission of any application for approval of reserved matters but following written approval by the local planning authority of details submitted in requirement of conditions 6 and 7:

A phasing plan covering the entire application site (that indicates clear development parcels for which reserved matters applications will be submitted and the order in which they shall be submitted) shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved phasing plan and reserved matters applications shall only be submitted in accordance with the approved phasing plan and refer to the phase(s) they relate to.

3. In the case of the reserved matters, no application for approval shall be made later than the expiration of four 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 date of the approval of the last of the 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 drawings but only insofar as they do not relate to matters reserved for later approval: 1361/22 Rev. E

The development shall also be carried out in general accordance with the details shown in the submitted Development Framework Plan (ref: JJG043-035 Rev. Q) except insofar as it conflicts with the masterplan and design code approved under the requirements of condition 6 of this planning permission.

6. No application for reserved matters approval shall be submitted nor shall any submissions be made under the requirements of any other condition attached to this consent (except condition 7) until a Design Code and Masterplan covering the entire application site has been submitted to and approved in writing by the local planning authority.

The Design Code shall include:

- a) A density plan for the site;
- b) Design influences study and character areas;
- c) The general scale, form and style of buildings within each area of the site as well as details of the means of enclosure to be used;
- d) The street form, street frontage and hierarchy for all types of street/road including details of street design and surfacing;
- e) The approach to car and cycle parking across all areas of the site;
- f) The materials to be used across the site;
- g) The treatment of all on-site hedge corridors, retained trees and public rights of way.
- h) The means by which sustainability features will be incorporated into the development
- i) Details of how the principles of Secured by Design will be incorporated into the development

The Masterplan shall include:

- a) An overall layout plan showing the distribution of all principal land uses throughout the site including residential (identifying any extra care/retirement homes), the local centre, primary school, secondary school land, community facilities, public open space, play areas, sports pitches and recreation facilities, locations of existing and new footpath/bridleway/cycle links, the alignment of the spine road and general location of bus stops/crossing points on it as well as the general alignment of principal estate roads.
- b) The character areas to be covered in the Design Code.
- c) Details of the ecological enhancement strategy to be incorporated together with associated landscape structure, mitigation planting and hedge and tree protection corridors.
- d) The Parcels/Phases into which the development is to be divided (each parcel/phase being one that is intended to be developed as a single entity and for which a Reserved Matters application is to be submitted).
- e) The strategy for foul, surface and land drainage from the site including surface water source control measures such as approximate locations for attenuation/retention ponds, swales, pumping stations etc.
- f) Details of the location of public artwork within the development.
- g) The strategy for on-site renewable energy generation.

All subsequent applications for approval of reserved matters and submissions in requirement of all other conditions imposed on this outline planning permission shall be in accordance with the approved Design Code and Masterplan.

7. Prior to the submission of any applications for approval of reserved matters or submissions under the requirements of any other condition but following submission of details to accord with the requirements of condition 6, full details of the spine road (from its new junction with White Post Road through to the western boundary of the site) including its alignment, specification, junctions (other than private drives), drainage, crossings, road markings, traffic calming, footways/cycle lanes, verges, on-street parking bays, street lighting, bus stop infrastructure and associated soft landscaping shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority. No application shall be made that submits details in compliance with the requirements of this condition until a Design Code and Masterplan document (pursuant to the requirements of condition 6) has been submitted to the local planning authority.
8. All applications for approval of reserved matters relating to a phase shall be accompanied by full details of the elements of the surface water drainage scheme to be incorporated within that phase together with details of how the surface water drainage arrangements within that phase are consistent with the overall drainage strategy for the site to ensure surface water run-off resulting from the whole development will not exceed pre-development greenfield run-off rates in a manner that accords with best practice for Sustainable Drainage Systems (SuDS).
9. No development shall take place on any phase (as approved under condition 2) until full details of existing and proposed ground and floor levels within that phase have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out only in accordance with the approved levels.
10. No development shall take place on any phase as approved under condition 2 until full design details of the play areas proposed within that phase as determined by the Masterplan approved under condition 6 (including Local Areas of Play [LAPs], Local Equipped Areas of Play [LEAPs], Neighbourhood Equipped Areas of Play [NEAPs] and Multi-Use Games Areas [MUGAs]) have been submitted to and approved in writing by the local planning authority. The development shall thereafter take place only in accordance with the approved details.
11. No development shall take place on any phase approved under condition 2 until a full arboricultural survey, method statement and arboricultural implications assessment that accords with BS: 5837:2012 (or any superseding British Standard) for all existing trees and hedgerows within and around the perimeters of that phase of the site have been submitted to and approved in writing by the local planning authority. The development shall take place within that phase only in accordance with the approved details.
12. No development shall take place on any phase approved under condition 2 including works of site clearance/preparation until the site has been thoroughly checked by a suitably qualified ecologist to ensure that no statutorily protected species which could be harmed by the development have moved on to the site since the date the previous

- surveys supporting the application were carried out. Should any protected species be found during this check, full details of 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.
13. All applications for reserved matters approval relating to a phase (as approved under condition 2) shall be accompanied by a statement setting out the measures that will be incorporated into the development proposed in that phase to demonstrate how it will accord with the principles of 'Secured by Design' (SBD). The development shall thereafter be carried out in accordance with the approved details.
 14. No development shall take place until a fully detailed drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. 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.
 15. No development shall take place until impact studies of the existing water supply and 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.
 16. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present on the site, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
 17. If contamination is found by undertaking the work carried out under condition 16, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
 18. If remedial works have been identified in condition 17, no development shall be occupied within a phase (as approved under condition 2) (other than for construction purposes) until the remedial works have been

carried out for that phase in accordance with the scheme approved. 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 before any occupation of development on that phase can take place.

19. Prior to the commencement of the development hereby approved, including any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any mitigation or protective fencing around setts/commuting routes, 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.
20. All applications for reserved matters approval relating to a phase shall be accompanied by a statement demonstrating how the development in that phase would contribute towards and be consistent with the objectives for enhancement of biodiversity across the site to achieve an overall net gain. Thereafter, the development approved on that phase shall be carried out in accordance with the approved statement.
21. Prior to the commencement of the development hereby approved, a full 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. The LEMP shall include:
 - Description and evaluation of the features to be managed
 - Ecological trends and constraints on site that may influence management
 - Aims and objectives of management
 - Appropriate management options for achieving aims and objectives
 - Prescriptions for management actions for a 20 year period and beyond
 - Preparation of a work schedule (including a 5yr project register, an annual work plan and the means by which a plan will be rolled forward annually)
 - Personnel responsible for implementation of the plan
 - Monitoring and remedial contingency measures triggered by monitoring.
22. Prior to the commencement of the development hereby approved, including any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect neighbouring residential amenity and biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP at all times.
23. No development shall take place within 10m of an existing or new public right of way until the affected public right of way is protected during development to accommodate a width of a minimum of 5m in

accordance with details to be first submitted to and approved in writing by the Local Planning Authority except where the affected public right of way has the prior authorisation of the local planning (or highway) authority to be diverted or extinguished. Thereafter, the public right of way shall remain protected and available for use at all times in accordance with the approved details throughout the construction of the development unless otherwise agreed in writing by the local planning authority.

24. Details of the pedestrian connection to be provided directly between the site and Salt Way including details of improvements to the existing public footpath within the site (Bodicote Footpath 13 - No. 137/13) together with a timetable for their provision shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any dwelling on the site. The approved pedestrian connection and footpath improvements shall be provided and retained in accordance with the approved details.
25. All applications for reserved matters approval relating to a phase (as approved under condition 2) shall include details of the alignment and specification of any and all new and/or enhanced footpaths, bridleways and cycle tracks to be provided within/through that phase together with a timetable for their provision/completion. Thereafter the new footpaths, cycle tracks and bridleways shall be provided in accordance with the details approved as part of the reserved matters approval for that phase.
26. Prior to the commencement of the development and any archaeological site investigations, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare 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.
27. Prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.
28. Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The CTMP shall include details on at least the following matters:
 - Routing arrangements for construction vehicles (which shall not be via Wykham Lane);
 - Delivery/collection timetable and arrival/departure times for site workers;
 - Wheel washing facilities;
 - Parking/turning and storage areas within the site;
 - Appropriate contact details for the contractors.

Thereafter, the development shall be carried out only in accordance with the approved Construction Traffic Management Plan.

29. Full details of the approved new 34 space public car park adjacent to White Post Road (shown indicatively on dwg no. 1361/22 Rev. E) including a timetable for its completion shall have been provided and approved as part of an application for approval of reserved matters prior to commencement of any development on the site. The new car park shall be completed in accordance with the approved details and retained for free public use thereafter.
30. All applications for reserved matters approval for a phase proposing residential development shall be accompanied by details of the significant on site renewable energy provision to serve the dwellings within that phase. No dwelling within that phase shall thereafter be occupied until it is being served by the approved on-site renewable energy generation measures and shall remain so thereafter.
31. Prior to the commencement of the development, details of measures to mitigate car parking stress on surrounding roads during the period of the construction of the approved new access to the site from White Post Road shall be submitted to and approved in writing by the local planning authority. The approved temporary measures shall be put in place prior to the commencement of any part of the development and remain in place until the approved new access arrangement has been completed and the permanent new car park fully laid out and made available for public use as per the requirements of condition 29.
32. Prior to the commencement of the development, details for the management, storage and/or disposal of spoil resulting from construction works on the site shall be submitted to and approved in writing by the local planning authority. The development shall thereafter only take place in accordance with the approved details.
33. No occupation of any part of the development shall take place (except for construction purposes) until the highway works shown in drawing no. 1361/22 Rev. E have been fully completed and made available for continued public use.
34. No dwelling shall be occupied within any phase (as approved under condition 2) until full details of the street lighting to be provided within that phase has been submitted to and approved in writing by the local planning authority. Thereafter the street lighting shall be provided as approved prior to first occupation of any dwelling within the phase and retained as approved thereafter.
35. Prior to first occupation of any dwelling within a phase (as approved under condition 2), fire hydrants shall be provided or enhanced for that phase in accordance with details to be first submitted to and approved in writing by the local planning authority.

36. Prior to the first occupation of any dwelling on the site, covered and secure cycle parking facilities shall be provided on the site in support of the community/recreation uses in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

37. Prior to the first occupation of any dwelling on the site, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

Prior to occupation of 50% of the dwellings approved on the site, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated thereafter in accordance with the approved details.

38. Prior to the first occupation of any dwelling on the site, details of a scheme of public artwork to be installed within the site (including a timetable for its provision and future maintenance arrangements) shall be submitted to and approved in writing by the local planning authority. The public artwork shall thereafter be installed in accordance with the approved details.

39. No dwelling shall be occupied on the site until 3 bins for the purposes of recycling, residual and garden waste have been provided for that dwelling, in accordance with the following specification:

- One 240 litre blue wheeled bin for the collection of dry recyclable material;
- One 240 litre green wheeled bin for the collection of residual waste;
- One 240 litre brown bin for the collection of garden waste material

40. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

41. All dwellings on the site shall achieve an energy performance standard equivalent to at least Code Level 4 of the former Code for Sustainable Homes. No dwelling shall be occupied until it has been constructed to meet this energy performance standard unless otherwise agreed in writing by the local planning authority.

42. Prior to the commencement of any work associated with the construction of the approved new access from White Post Road (as shown in dwg no. 1361/22 Rev. E), details of safety measures to be incorporated into the cycle lanes along White Post Road to reduce risk of conflict between cyclists and pedestrians outside Bishop Loveday Primary School shall be submitted to and approved in writing by the

- local planning authority. The new access shall thereafter be constructed in accordance with the approved safety measures and shall not be brought into use until the cycle lanes have been constructed and made available to public use in accordance with the approved details and shall be retained as such thereafter.
43. No occupation of any of the approved dwellings shall take place until details of the on-street parking controls to be introduced on the spine road and White Post Road in the immediate vicinity of Bishop Loveday Primary School have been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. Occupation of dwellings shall not take place until the approved on-street parking controls have been introduced and such controls shall be retained as approved thereafter unless otherwise agreed in writing by the local planning authority.
44. Notwithstanding any provisions contained within the Town and Country Planning (General Permitted Development Order) 2015 (and any Order or Statutory Instrument revoking or re-enacting that order), all new water, waste, energy and communication related public infrastructure on the site shall be provided underground and retained as such thereafter unless otherwise with the specific approval in writing of the local planning authority as part of a reserved matters approval or separate grant of full planning permission. Where approved in writing by the local planning authority, the relevant above ground infrastructure shall be provided only in accordance with the approved details.
45. 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.
46. No trees or hedgerows on the site (as existing at the date of this decision) shall be lopped, felled, uprooted or wilfully damaged unless otherwise approved in writing by the local planning authority except to directly facilitate the creation and laying out of the approved vehicular and pedestrian access arrangements from White Post Road as set out in drawing no. 5773-A-04 of the submitted Arboricultural Assessment produced by FCPR and dated April 2016.
47. The hereby approved means of access from White Post Road shall be constructed only in accordance with the methodology and tree protection measures set out in the submitted Arboricultural Assessment (produced by FPCR and dated April 2016).
48. Prior to the first use of the approved new vehicular access from White Post Road, any and all existing vehicular accesses to the site from Wykham Lane shall be permanently stopped up and shall not be used by any vehicular traffic whatsoever unless otherwise agreed in writing by the local planning authority.

49. No more than 280 dwellings shall be accommodated on the site under the provisions of this permission.
50. The spine road approved under the requirements of condition 7 shall be fully completed and available for public use from its new junction with White Post Road through to the site's western boundary prior to whichever occurs earliest of the following:
- Occupation of 75% of the final number of dwellings approved on the site (as determined by reserved matters approvals);
 - Four years following first commencement of any part of the development on the site.

In the event that the approved spine road has not been provided in accordance with the above requirements, no further dwellings shall be constructed or occupied on the site until the spine road has been completed in accordance with the details approved under condition 7.

51. No removal of hedgerows, trees or shrubs shall take place between 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 suitably qualified ecologist to assess the nesting bird activity on site together with details of measures to protect the nesting bird interest on the site.
52. Any and all non-residential buildings on the site shall meet at least BREEAM 'Very Good' based on the standard applicable at the date of this decision.
53. No building on the site shall have a maximum height greater than 8.5m.
54. Prior to first use of the approved new vehicular access arrangement (as shown on drawing no. 1361/22 Rev. E) or new public car park (condition 29), details of the means by which the existing access to Banbury Cricket Club will be stopped up to motor vehicles shall be submitted to and approved in writing by the local planning authority. Neither the approved new vehicular access nor public car park shall be brought into use until the existing access has been stopped up in accordance with the approved details and shall be retained as such thereafter.
55. The open market dwellings provided on the site shall include a minimum of the following dwelling sizes:
- 20% as two bedroom dwellings;
 - 40% as three bedroom dwellings.
- All applications for reserved matters approval shall reflect these requirements unless with the prior written agreement of the local planning authority.
56. No part of any building shall be located within 20m of any part of the Salt Way restricted byway.

57. All applications for reserved matters approval relating to a phase (as approved under condition 2), shall be accompanied by a lighting strategy outlining how lighting will be sensitively designed within that phase to minimise disturbance to wildlife (in particular bats). Thereafter, the development approved for that phase shall be carried out in accordance with the approved lighting strategy.
58. Residential development on the site shall achieve an average minimum density of 30 dwellings/hectare across each and all residential parcels (as approved within the Design Code/Masterplan under the requirements of condition 6).
- iii. Imposition of a ceiling on the amount of development that can take place on the Banbury 17 site through use of additional/amended planning conditions/planning obligations; and/or Securing an appropriate legal mechanism by which the means to deliver the completed spine road can be ensured prior to the occupation of a substantial amount of development on the Banbury 17 site.
- iv. Delegation of authority to the Head of Development Management to make any necessary post-committee minor amendments to the conditions and legal agreement (with the Committee Chairman's prior approval) in the interests of satisfactory decision making having regard to the Development Plan and any changes in circumstances including updates to central Government policy/guidance.

51

Camping Site, Heyford Leys Farm, Heyford Leys, Upper Heyford, Bicester, OX25 5LU

The Committee considered application 15/01446/F for a change of use for an extension to a mobile home park onto adjoining caravan site (Heyford Leys Camping Park) at Camping Site, Heyford Leys Farm, Heyford Leys, Upper Heyford, Bicester, OX25 5LU for Mr Liberty Durant.

Rachel Whaley, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Wood that the application be approved subject to appropriate conditions (exact wording delegated to officers) that the application against the officer recommendation. Councillor Pickford 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 15/01446/F be approved, subject to:

- i. The applicants first entering into a legal agreement to secure financial contributions towards provision of off-site infrastructure

ii. 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, Phase 1 Environmental Assessment, Arboricultural Report, Ecological Survey, Transport Assessment, Flooding and Drainage Assessment and drawings numbered:
Site Plan received 14 June 2015
Site layout-proposed-2015-06- 501 B received 20 October 2015
The Cardigan Park Home
3. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
4. 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.
5. Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site 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.
6. Prior to the first use or occupation of the development hereby permitted, covered 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 covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
7. Prior to the commencement of the development hereby approved, a plan showing car parking provision for visitor's vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

8. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
9. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - Discharge Rates.
 - Discharge Volumes.
 - Maintenance and management of SUDS features, to include a maintenance and management plan for the lifetime of the development which shall include the arrangements for adoption by a statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
 - Sizing of features - attenuation volume.
 - Infiltration in accordance with BRE365.
 - Detailed drainage layout with pipe numbers.
 - Network drainage calculations.
 - Phasing.
10. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
12. a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

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

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the [insert].
13. All site clearance (including vegetation removal) shall be timed so as to avoid the bird nesting/breeding season from 1 March to 31 August inclusive, unless, in the case of a tree that is required to be removed for health and safety reasons, the Local Planning Authority has confirmed in writing that such works can proceed.
14. The development hereby approved shall be carried out strictly in accordance with the method statement set out section 11.2 of the Extended Phase 1 Ecological Survey submitted with the application, which was prepared by MAB Environment and Ecology Ltd dated August 2015.
15. 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.
16. 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.

17. Within the first available planting season following the occupation of the first dwelling the existing hedgerow along the southern and western boundaries shall be reinforced by additional planting in accordance with a detailed scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. Thereafter, any plant/tree within the hedgerow which, within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species 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). Thereafter the new planting shall be properly maintained in accordance with this condition.
18. 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.
19. Prior to the occupation of the development hereby approved, a plan showing an area laid out within the site for leisure and informal recreational use, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the area specified shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the use of residents at all times thereafter.
20. Prior to any demolition and the commencement of the development 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.
21. Following the approval of the Written Scheme of Investigation referred to in condition 13, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), 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. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
22. That prior the first occupation of any part of the development hereby permitted fire hydrants shall be provided or enhanced on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Co-op, 26 High St, Kidlington

The Committee considered application 15/01872/F for the erection of new buildings off Sterling Road Approach to contain 44 x 2 bedroom flats, conversion of offices above existing retail store to form 8 x 2 bedroom flats, and alterations to existing retail store. Construction of new accesses, car parking, service and turning areas and landscaping at Co-op, 26 High Street, Kidlington for Midcounties Cooperative Society and Cantay Estates Ltd.

Alan Graham, on behalf of Kidlington Parish Council, addressed the Committee in objection to application.

Councillor Mackenzie-Wintle proposed that item 15/01872/F be refused on the grounds that it was contrary to policies ESD15, the adopted Plan "Kid 2", the Kidlington Master Plan and failed to deliver affordable housing. Councillor Milne Home seconded the proposal. The motion was duly voted on and subsequently fell.

Councillor Clarke proposed that application 15/01872/F be approved. Councillor Pickford seconded the proposal.

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

Resolved

That application 15/01872/F be approved subject to:

- iii. The applicants first entering into a legal agreement to secure off-site infrastructure and to secure affordable housing and nomination rights.
- iv. 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.
 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 commencement of the development, 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 commencement 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.
6. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed buildings 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 finished floor levels plan.
7. Prior to the commencement of the development full details of the enclosures along all boundaries of the site (including fencing and/or hedging to Sterling Road Approach) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first occupation of any of the units.
8. 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.
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 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.
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, full details of all service trenches, pipe runs or drains and any other

excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

12. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including two vehicular accesses and any proposed pedestrian accesses; details to include position, layout, construction, drainage and vision splays which 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.
13. 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.
14. Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".
15. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. 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".
16. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

17. Prior to the first occupation of the development hereby approved, a Travel Plan Statement, prepared in accordance with the county council's Guidance on Transport Assessments and Travel Plans shall be submitted to and approved in writing by the Local Planning Authority. This shall include a requirement to provide all new residents with travel information packs, which must be first approved in writing by the county council's Travel Plans team. Thereafter, the approved Travel Plan Statement shall be implemented and operated in accordance with the approved details.
18. Prior to commencement a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
19. Prior to commencement a Car Park Management, Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Car Park Management, Delivery and Servicing Plan shall be implemented and operated in accordance with the approved details.
20. The new apartment building hereby approved shall not be occupied until details have been submitted to and agreed in writing for a work of public art to be placed on site. The details shall including the size, design and siting of the work of art and the design process for it. The development shall be undertaken in accordance with the details so approved and provided on site prior to the first occupation of the building.
21. Prior to the first use or occupation of the development hereby permitted, covered 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 covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development
22. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
23. 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 dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
24. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on

site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

25. If a potential risk from contamination is identified as a result of the work carried out under condition 24 prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
26. If contamination is found by undertaking the work carried out under condition 25, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
27. If remedial works have been identified in condition 26 the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 25]. 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

13 - 39 (Odds Numbers Only) Trenchard Circle, Upper Heyford

The Committee considered application 16/00196/F for the demolition of existing bungalows and the erection of 13 dwellings with associated car parking and landscaping at 13 - 39 (Odds Numbers Only) Trenchard Circle, Upper Heyford for Heyford Residential Ltd.

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

Resolved

That application 16/00196/F be approved, subject to the following conditions:

- 1 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents: Application forms , Planning, Heritage and Design Statement, Aboricultural Impact assessment and Protection Plan, Construction Specification, Parking Matrix, Habitat and Bat Survey and Flooding Risk and Drainage Assessment, and drawings numbered:
 - Location Plan 0521 TR 101
 - External Works Layout 0521 TR 104-Rev G
 - Planning Layout 0521 TR Rev H
 - Adoption Plan 0521 TR 107 Rev G
 - Tracking Layout 1 of 2 0521 TR 105 Rev F
 - Tracking Layout 2 of 2 0521 TR 105 Rev B
 - Materials Layout 0521 TR 108 Rev H
 - Refuse Plan 0521 TR 111 Ref F
 - Detailed Planting Proposals 1 of 2 1619 A4 13
 - Detailed Planting Proposals 2 of 2 1619 A4 21
 - Housetype booklet 0521 TR HTB Issue 8
- 2 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.
- 3 No materials other than those as shown on plan No. 0521 TR 108 Rev H are to be used in the new development. There shall be no variation of these materials without the prior written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.
- 4 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.
- 5 That all enclosures along all boundaries of the site shall be as shown on the approved plans and such means of enclosure shall be erected prior to the occupation of any dwelling.
- 6 Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads, footpaths (except for the final surfacing thereof) and parking shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and

Specifications for the Construction of Roads' and its subsequent amendments.

- 7 Prior to first occupation of any dwelling hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.
- 8 Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site 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.
- 9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Version 4. Woods Hardwick, April 2016), and the following mitigation measures detailed within the FRA.

- o Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the developed site and not increase the risk of flooding off-site.

- o Permeable Paving extent to be approved by LPA (para 2.5 of FRA).

- o The attenuation tanks and filter drains as shown on drawing No.HEYF-5-903 D.

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

The drainage scheme shall also include for the maintenance and management of SUDS features to be presented in the form of a Site SUDS Management Plan.

- 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 Prior to the first occupation 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.

54 **Buildings 485, 488 And Land Surrounding Those Buildings (Dorchester Phase 6), Heyford Park, Camp Road, Upper Heyford**

The Committee considered application 16/00263/F for the demolition of buildings 485 and 488 and the erection of 43 dwellings with associated parking, infrastructure, landscaping and public open space at Buildings 485, 488 And Land Surrounding Those Buildings (Dorchester Phase 6), Heyford Park, Camp Road, Upper Heyford for Dorchester Group.

Gavin Angell, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

That application 16/00263/F be approved, subject to:

- a) The applicant entering into a legal agreement linking this permission to the existing obligations secured in the agreement accompanying permission 10/01642/OUT
- b) The following conditions:
 - 1 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents:
Application forms , Planning, Heritage and Design Statement, Aboricultural Impact assessment and Protection Plan, Construction Specification, Bat Survey and Flooding Risk and Drainage Assessment, and drawings numbered:

Location Plan	0521 PH6 101
External Works Layout	0521 PH6 104-Rev H
Planning Layout	0521 PH6 102 Rev H
Adoption Plan	0521 PH6 107 Rev G
Tracking Layout 1 of 2	0521 PH6 105 Rev G
Materials Layout	0521 PH6 108 Rev G
Refuse Plan	0521 PH6 111 Ref G
Detailed Planting Proposals 1 of 2	1619 A2 01 I
Detailed Planting Proposals 2 of 2	1619 A2 02 I
Housetype booklet	0521 PH6 HTB Issue 6
 - 2 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.
 - 3 None of the buildings which are the subject of this consent shall be demolished until a contract has been let for the redevelopment of the site in accordance with the granting of a planning permission for such redevelopment.

- 4 Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation/building recorder acceptable to the Local Planning Authority shall carry out a full recording of the building concerned and submit the completed record to the Local Planning Authority.
- 5 No materials other than those as shown on plan No. 0521 PH6 108 Rev G are to be used in the new development. There shall be no variation of these materials without the prior written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.
- 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 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.
- 8 Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and specifications.
- 9 That all enclosures along all boundaries of the site shall be as shown on the approved plans and such means of enclosure shall be erected prior to the occupation of any dwelling.

- 10 That before the development is first occupied, the parking, garaging and manoeuvring areas shall be provided in accordance with the plans 0521 PH4 5B 104-1 and 2 hereby approved and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter
- 11 Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads, footpaths (except for the final surfacing thereof) and parking shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.
- 12 Prior to first occupation of any dwelling hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.
- 13 Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site 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.
- 14 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) OCT 2010 Waterman and update in March 2016 Woods Hardwick (Ref: 16871 REV 2) by and the following mitigation measures detailed within the FRA:
 - o Limiting the surface water run-off generated by the 1 in 100 year + 30% allowance for Climate Change critical storm so that it will not exceed the run-off over the existing situation and not increase the risk of flooding off-site.
 - o Underground Storage tanks and oversized pipes. (As shown on drawing HEYF- 5-936C and para 6.3.1 of FRA update)The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- 15 Prior to commencement of the development the Applicant shall submit to the Local Planning Authority a SUDS Maintenance and Management Plan for the development. This will include:

- o A maintenance schedule, A site plan showing location of SUDS features and details, Maintenance areas, and Outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan and a health and safety plan where risks are involved in the maintenance activity will be required.
- 16 Prior to commencement of the development the Applicant shall submit to the Local Planning Authority a revised Flood Route and Storage Plan for exceedance flows at the site:
 - o To update the existing drawing 'Surface Water Drainage Overview - Residual Flooding' Drawing Number HEYF /5/148C to reflect any revised microsimulation modelling results, as built constructed site changes, and changes to exceedance storage areas.
- 17 Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
- 18 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.
- 19 Prior to the first occupation 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.

55

Hornton Grounds Quarry, Hornton

The Committee considered application 16/00752/F for the erection of new agricultural buildings at Hornton Grounds Quarry, Hornton for Mr Scott.

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

Resolved

That application 16/00752/F be approved subject to a Unilateral Undertaking and 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, Agricultural Justification Statement, Design and Access Statement, and drawings numbered: Location Plan, '2558-9' (Site Plan), '2558-3' (Elevations and Floor Plans for Grain Store), '2558-4' (Elevations and Floor Plans for General Purpose Building), '2558-16' (Elevations and Floor Plans for Livestock Building).
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:
 - (a) details of the hedgerows to the southern and eastern boundary of the site to be occupied by the shed buildings shall be retained,
 - (b) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas to include at least 1 large native Oak east of the general purpose building, 2 Field Maples east of the livestock building, and 2 Field Maples east of the grain store supplied at a minimum 14 - 16 cm girth,
 - (c) 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

Tree and hedgerow supply, ground preparation, planting, and aftercare operations are to comply with the Horticultural Trade Association's National Plant Specification.
4. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out 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; and that any trees 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.
5. The development hereby approved shall be kept and used only for the specified purposes of agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990.

The Committee considered application 16/00936/LB to remove an existing walkway and provide new fire rated enclosure to electrical equipment in keeping with public access to the building, make provision for occasional access for maintenance, remedy damp to the external wall and make good

finishes to include a disabled WC at Bodicote House White Post Road, Bodicote, Banbury OX15 4AA for Property Services Team Solihull MBC.

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

Resolved

That application 16/00936/LB be approved subject to the following conditions:

- 1) The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.
- 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 (Job No 27527); Specification of Works 27527 Rev: A (19/05/16); (BH) 01; (BH) 02; and (BH) 101.
- 3) The removal of the damaged plaster and the insertion of the new loft hatch shall be carried out by hand methods only and without the use of machinery and the existing fireplace is to remain in situ and lay undisturbed by the development.
- 4) Notwithstanding the approved plans and prior to the commencement of development, full details on the waterproof membrane or other suitable damp prevention method, shall be submitted to and approved in writing by the LPA. The development shall then be carried out fully in accordance with the approved details.

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Shenington Gliding Club, Shenington

The Committee considered application 16/00982/F for the continued use of tarmac and grass runways for winch, aero tow and self-launching of gliders and associated powered aircraft movements with winches and tow out vehicles to be stored on the airfield and members' glider trailers to be kept in designated area and the airfield to be used for agricultural purposes when not in use for gliding at Shenington Gliding Club, Shenington for Mr Joseph Gibbs.

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

Resolved

That application 16/00982/F be approved, subject to the following conditions:

1. Except where otherwise stipulated by condition, the development shall remain in accordance with the site location plan; the supporting statements, Appendix 1 "Noise Avoidance" chart and the Trailer Storage Plan.

2. That except in emergency, there shall be no powered flying over Shenington/Alkerton, Epwell, Tysoe or Upton House, in accordance with the exclusion areas identified on the approved "Noise Avoidance" chart (Appendix A).
3. That no more than 25 power movements either by tug-tow glider launches or other powered aircraft/gliders shall take place on any day throughout the year.
4. That notwithstanding condition 3 above, the site may be used for no more than 2 gliding competitions of no more than 9 days each in duration per calendar year, when the number of powered aircraft movements shall not be limited.
5. There shall be no take-offs of powered aircraft outside the hours of 09:00 - 19:00 and that there shall be no landings outside the hours of 09:00 - 21:00 on any day.
6. That a record of all glider launches and associated flight plans are kept available by Shenington Gliding Club for inspection by the Local Planning Authority within 24 hours of such a request being made by the Local Planning Authority.
7. That the storage of glider trailers belonging to Shenington Glider Club members shall be restricted to the hatched area of land identified on the Trailer Storage Plan.

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James David Smith, 19 Thorpe Place, Banbury, OX16 4XH

The Committee considered application 16/00997/F for the change of use from Class B2 (general industrial) to Class D2 (assembly and leisure) at James David Smith, 19 Thorpe Place, Banbury, OX16 4XH for Mr Stuart Davies.

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

Resolved

That application 16/00997/F be refused for the following reason:

1. The proposal would result in the loss of a Class B2 land use which has not been justified. The site has not been marketed as being vacant and it has not been demonstrated that there are reasons why the site is not economically viable. The loss of the employment land is contrary to the aims and objectives of Policy SLE1 of the Cherwell Local Plan 2011-2031 and government guidance within the National Planning Policy Framework.

6 Oxford Road, Adderbury, Banbury, OX17 3NF

The Committee considered application 16/01071/F for the replacement of a former tin (corrugated iron) garage with a new stone garage and rebuilding of a modern non-local brick wall in stone to same height to match existing stone wall at 6 Oxford Road, Adderbury, Banbury, OX17 3NF for Mr Matthew Gaskin.

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

Resolved

That application 16/01071/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application Form, Design and Access Statement, Supplementary Information: Details, Site Location Plan, Block Plan, Drawing No's: 03/01/03/2, 03/01/05 with doors closed, 03/01/05 with doors open, wall elevations, Details A – North Doors, Detail B – Wall
3. The materials to be used for the roof of the garage hereby approved shall match, in terms of colour, type and texture, those used on the existing building.
4. The natural stone to be used on the walls of the garage shall be of the same type, texture, colour and appearance as the stone on the existing dwelling and shall be laid, dressed, coursed and pointed to match that of the existing building.
5. The natural stone to be used for the boundary wall shall be of the same type, texture, colour and appearance as the stone on the existing eastern boundary wall and shall be laid, dressed, coursed and pointed to match that of the existing eastern boundary wall.

Orchard Way, Heyford Road, Somerton, OX25 6LL

The Committee considered application 16/01077/F for alterations and the erection of a car port for Cadmonkies (Mr D Berlouis) at Orchard Way, Heyford Road, Somerton, OX25 6LL.

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

Resolved

That application 16/01077/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application Form, Drawing Numbers: P/16/103/001 and P/16/103/002
3. Prior to the commencement of the development hereby approved, samples of the slate and timber, including colour/finish, to be used in the construction of the walls and roof of the car port shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out fully in accordance with the samples so approved.
4. Prior to the commencement of the development hereby approved, full details of the hardsurfacing, (including material, colouring and layout), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the development, the hardsurfacing shall be provided on site fully in accordance with the approved details.

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Orchard Way, Heyford Road, Somerton, OX25 6LL

The Committee considered application 16/01078/F for alterations to include an extension and basement (revised scheme of 15/01895/F) at Orchard Way, Heyford Road, Somerton, OX25 6LL for Cadmonkies.

Councillor Kerford-Byrnes proposed that item 16/01078/F be deferred to enable further hydrological and services issues to be investigated. Councillor Woodcock seconded the proposal.

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

Resolved

That application 16/01078/F be deferred to enable further hydrological and services issues to be investigated.

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Sundown, Crowcastle Lane, Kirtlington, Kidlington, OX5 3HP

The Committee considered application 16/00002/F for alterations and a two storey extension to form an enlarged dwelling house at Sundown, Crowcastle Lane, Kirtlington, Kidlington, OX5 3HP for Mr and Mrs D and N Perry.

The application was before the Committee to agree a resolution rather than make a determination as the application was currently the subject of a non-determination appeal. The decision which the Committee resolves it would have made will then be forwarded to the Planning Inspector.

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

Resolved

That it be resolved that had the application 16/00002/F been before the Planning Committee for determination, Members would have refused the planning application for the following reason:

By reason of its scale, form, design and siting, the proposed development would result in significant and demonstrable harm to the character and appearance of the area, and therefore fails to accord with saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, along with chapter 7 of the National Planning Policy Framework on design, in particular paragraphs 57, 58 and 61.

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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 6.52 pm

Chairman:

Date: