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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Planning Committee

Date: Thursday 4 September 2025

Time: 4.00 pm

Venue 39 Castle Quay, Banbury, OX16 5FD

Membership

Councillor Barry Wood (Chair)

Councillor Rebecca Biegel
Councillor John Broad
Councillor Becky Clarke MBE
Councillor Dr Isabel Creed
Councillor David Hingley
Councillor Lesley McLean
Councillor Chris Pruden
Councillor Dr Kerrie Thornhill

Councillor Amanda Watkins (Vice-Chair)

Councillor Chris Brant
Councillor Phil Chapman
Councillor Jean Conway
Councillor Ian Harwood
Councillor Fiona Mawson
Councillor Robert Parkinson
Councillor Les Sibley
Councillor Douglas Webb

Substitutes

Councillor Nick Cotter
Councillor Harry Knight
Councillor Lynne Parsons
Councillor Edward Fraser Reeves
Councillor Nigel Simpson
Councillor Linda Ward

Councillor Andrew Crichton
Councillor Dr Chukwudi Okeke
Councillor Rob Pattenden
Councillor David Rogers
Councillor Dorothy Walker
Councillor John Willett

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting

3. Requests to Address the Meeting

The Chair to report on any requests to address the meeting.

Requests to address the meeting (including the application, whether you will speak in support of or objection to the application, your contact details) should be submitted to democracy@cherwell-dc.gov.uk

The deadline for requests to address this meeting is noon on Wednesday 3 September 2025.

Addresses can be made virtually or in person. Full details of public participation at Planning Committee meeting is available in the Constitution, [Planning Committee Procedure Rules](#).

4. Minutes (Pages 5 - 55)

To confirm as correct records the Minutes of the meetings of the Committee held on 31 July and 14 August 2025.

5. Chair's Announcements

To receive communications from the Chair.

6. Urgent Business

The Chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

7. Proposed Pre-Committee Site Visits (if any)

The Committee to consider requests for and proposed pre-committee site visits.

Any requests or recommendations for site visits will be published with the written update.

Planning Applications

8. Hornton Grounds Quarry, Street from Stratford Road to Hornton Grounds Quarry, Hornton, OX15 6HH (Pages 58 - 76) 25/01445/OUT

9. 23-24 Castle Quay, Banbury, Oxfordshire, OX16 5UE (Pages 77 - 84) 25/01702/ADV

Review and Monitoring Reports

10. Appeals Progress Report (Pages 85 - 98)

Report of Assistant Director Planning and Development

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Recommendations

The Planning Committee resolves:

- 1.1 To note the position on planning appeals contained within the report.

Councillors are requested to collect any post from their pigeon hole in the Members' Lounge at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Evacuation Procedure

If you hear the fire alarm, please leave the building via the nearest available exit. The fire assembly point is outside the Premier Inn, adjacent to the canal.

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If you make a representation to the meeting, you will be deemed by the council to have consented to being recorded. By entering the Council Chamber or joining virtually, you are consenting to being recorded and to the possible use of those images and sound recordings for webcasting and/or training purposes.

The council is obliged, by law, to allow members of the public to take photographs, film, audio-record, and report on proceedings. The council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

Queries Regarding this Agenda

Please contact Matt Swinford / Martyn Surfleet, Democratic and Elections
democracy@cherwell-dc.gov.uk, 01295 221534

Shiraz Sheikh
Monitoring Officer

Published on Wednesday 27 August 2025

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 31 July 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chair)
Councillor Amanda Watkins (Vice-Chair)
Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor David Hingley
Councillor Fiona Mawson
Councillor Lesley McLean
Councillor Chris Pruden
Councillor Les Sibley
Councillor Dr Kerrie Thornhill
Councillor Douglas Webb

Substitute Members:

Councillor Lynne Parsons (In place of Councillor Dr Isabel Creed)
Councillor David Rogers (In place of Councillor Ian Harwood)
Councillor Dorothy Walker (In place of Councillor Robert Parkinson)

Apologies for absence:

Councillor Dr Isabel Creed
Councillor Ian Harwood
Councillor Robert Parkinson

Officers:

Paul Seckington, Head of Development Management
Katherine Daniels, Principal Planning Officer
Caroline Ford, Team Leader - South Area Major Developments
Denzil Turbervill, Head of Legal Services
Matt Swinford, Democratic and Elections Officer
Martyn Surfleet, Democratic and Elections Officer

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Declarations of Interest

10. Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester.

Councillor Les Sibley, Other Registerable Interest, as a member of Bicester Town Council which had been consulted on the application.

11. Hanwell Fields Community Centre Rotary Way Banbury Oxfordshire OX16 1ER.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Dr Kerrie Thornhill, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rebecca Biegel, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

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Requests to Address the Meeting

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

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Minutes

Subject to the correction of incorrect Councillor names listed at Minute 13 of the 3 July 2025 Minutes, The Minutes of the meeting held on 3 July 2025 were agreed as a correct record and signed by the Chair.

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Chair's Announcements

- (1) The Chair requested Members remain in their seats for the presentation and discussion of items. Comfort breaks would be taken roughly every two hours as far as practicable.
- (2) The Chair reminded Members that should they leave the room during an item for whatever reason, as per the Constitution, it was recommended that they refrain from speaking or voting on the item.
- (3) The Chair reminded Members that there would be a special meeting of the Planning Committee on 14 August, at 4pm. Any apologies and substitutes should be notified to the Democratic and Elections team as soon as practicable before the meeting.
- (4) The Chair explained that only registered speakers could address the meeting, and the members of the public should refrain from calling out.

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Urgent Business

There were no items of urgent business.

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Proposed Pre-Committee Site Visits (if any)

There were no proposed pre-committee site visits.

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Land West Of The Old Piggeries Bloxham Road Milcombe

The Committee considered application 24/03399/OUT, an outline planning application, together with associated access off Bloxham Road (all other matters reserved), for up to 50 homes (Use Class C3) together with associated infrastructure, open space and landscaping; and retained agricultural field at Land West Of The Old Piggeries Bloxham Road Milcombe for Neptune Land Promotion Ltd, Mr I Smith, Mrs L Smit.

Myra Peters, on behalf of Milcombe Parish Council, addressed the Committee in objection to the application.

Arron Twamley, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Rogers and seconded by Councillor Webb that application 24/03399/OUT be refused against officer recommendation, as it would cause undue visual harm to the local area, as well poor effective use of land proposed within the scheme.

The proposal was debated and on being put to the vote the motion was lost and therefore fell.

It was proposed by Councillor Watkins and seconded by Councillor Conway that application 24/03399/OUT be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation, public speakers and the written updates.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/03399/OUT subject to –

- (1) No objections from nature space and ecology
- (2) The entering into a s106 to include the contributions and infrastructure as set out below (and any amendments to those obligations as deemed necessary); and
 1. Provision of 35% affordable housing on site
 2. Payment of a financial contribution towards off outdoor site sports and recreation provision in the locality of £2,017.03 per dwelling (index linked)
 3. Payment of a financial contribution towards off indoor site sports and recreation provision in the locality of £40 238.40 (index linked)
 4. Payment of a financial contribution towards the provision of Household Waste Recycling Centres of £5 094 (index linked)
 5. On-site provision of an equipped Local Area of Play and payment of a financial contribution to be confirmed (index linked) towards maintenance or other management provisions thereof
 6. Payment of a financial contribution towards the maintenance of on-site Open Space
 7. Payment of a financial contribution towards community hall facilities of £64, 824 (index linked)
 8. Provision of a Habitat Management and Monitoring Plan (including funding) to secure long-term biodiversity net gain
 9. Payment of a financial contribution towards public transport provision of £56 650 (index linked)
 10. Payment of transport infrastructure (if not dealt with the S278) contribution £20 944
 11. Payment of Traffic Regulations Order contribution: £4 224 (Index linked)
 12. Payment of a financial contribution towards improvements to Public Rights of Way in the vicinity of the site of £35 000 (index linked)
 13. Payment of a financial contribution towards Primary education needs in the locality £472 074 (index linked)
 14. Payment of a financial contribution towards Secondary education needs in the locality £410 076 (index linked)

15. Payment of a financial contribution towards Special Needs Education needs in the locality £47 215 (index linked)
 16. Payment of a financial contribution towards the expansion of Hook Norton and Bloxham Surgeries £45 309 (indexed linked)
 17. Payment of the Council's monitoring costs to be confirmed
- (3) The conditions set out below (and any amendments to those conditions as deemed necessary)

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 Months from the date of this permission and the development hereby permitted shall be begun either before the expiration of two years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCING DEVELOPMENT

4. No development shall commence including any demolition unless and until a professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area and which has been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2023).

5. Following the approval of the Written Scheme of Investigation referred to in condition 5, 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 within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2023).

6. No development shall commence [on any phase], including any works of demolition until a Construction Environment and Traffic Management Plan [for that phase] has been submitted to and approved in writing by the local planning authority. The statement shall provide for at a minimum:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

7. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. No development shall commence unless and until 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 has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No development shall take place unless the local planning authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

9. If contamination is found by undertaking the work carried out under condition 8 if remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No development shall take place until the local planning authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO OCCUPATION

11. Prior to first occupation of any of the dwellings hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the local planning authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby approved, a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

COMPLIANCE CONDITIONS

13. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

INFORMATIVES

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be

completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

It was further resolved that as the statutory determination period for this application expired on 30 September 2025 and if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, CDC's Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework

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Land To The Rear Of Mole End Main Street Great Bourton

The Committee considered application 24/01885/F for the development of 19 dwellings at the Land to the Rear of Mole End Main Street Great Bourton for Talbot Homes.

Duncan Vercoe, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Watkins and seconded by Councillor Chapman that application 24/01885/F be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report, presentation, and public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission, subject to the conditions set out below (and any amendments to those conditions as deemed necessary) and the completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):

- a. Provision of 7 affordable dwellings on site
- b. Payment of a financial contribution (index linked) towards Community Hall facilities (£20,948.08), Outdoor sport provision (£38,323.57), Indoor sport provision (£15,290.59) and Public realm/art (£4,256.00)
- c. Payment of a financial contribution towards public transport provision (50,000.00) (index linked)
- d. S278 Agreement for carrying out works within the public highway
- e. Payment of the Council's and Oxfordshire County Council's monitoring costs to be confirmed
- f. Payment of a financial contribution of £16,416 (index linked) towards primary care.

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of 18 months beginning with the date of this permission.

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

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and the following approved plans:

5674 001 P0, 002 P0, 003 P13, 004 P9, 005 P8, 006 P6, 007 P5, 008 P5, 010 P6, 011 P6, 012 P2, 013 P6, 014 P8, 015 P6, 016 P1 and SK01 P2.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCING DEVELOPMENT

3. No development shall commence unless and until 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 or other sensitive properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with the occupiers of those properties, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. As contamination was identified in the report provided with the application (RDM1194 dated 8th July 2024), 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 "Land Contamination Risk Management (LCRM)" and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason - To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No development shall commence including any demolition unless and until a professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area and which has been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2023).

6. Following the approval of the Written Scheme of Investigation referred to in condition 5, 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 within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2023).

7. Construction shall not begin until a detailed surface water drainage scheme for the site 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 include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason - To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

8. No development shall commence above slab level until a method statement for enhancing biodiversity has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation and shall thereafter be retained in full accordance with the approved details. The statement should include the location and type of all bird, bat and hedgehog boxes, RAMs for great crested newts, a nesting bird check, tree check and soft-strip methodology.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

9. No development shall commence unless and until an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell

Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO CERTAIN WORKS

10. No development shall commence above slab level until sample panels of the stone and brick to be used in the construction of the external elevations of the dwellings and stone boundary wall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panels shall be at least 1 metre x 1 metre and show the proposed material, bond and pointing technique. The sample panels shall be constructed in a position that is readily accessible for viewing in good natural daylight and shall not be removed from the site until completion of the development. The development shall not be carried out other than in accordance with the approved samples and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

11. Samples of the slates to be used in the covering of the roof of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to commencement of those works. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. No development shall commence above slab level until details of the construction, including cross sections, cill, lintel, reveal and colour/finish of the proposed windows and doors, to a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the dwellings and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

13. Prior to the construction of the footpath link to the Public Right of Way construction and surfacing details of the footpath link shall be submitted to and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

14. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- 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,
- details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included 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 shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO OCCUPATION

15. No development shall be occupied until confirmation has been provided to the Local Planning Authority that all sewage works upgrades required to accommodate the additional flows from the development have been completed.

Reason - To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

16. Prior to first occupation of the development hereby approved, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason – To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

17. The development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 4. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. Prior to the first use or occupation of the development hereby approved details of the external lighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

19. 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.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework

COMPLIANCE CONDITIONS

20. 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.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

36 Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester

The Committee considered application 23/03073/HYBRID, a hybrid application for the construction of an 82-apartment affordable extra care home (C3 use class) with associated open space / green infrastructure, landscaping, car / cycle parking, service infrastructure (drainage, highways, lighting), engineering operations, creation of new vehicular access and re-instatement of existing access to footpath, and in OUTLINE, the construction of up to 14 residential (C3 use class) dwellings with associated landscaping, service infrastructure (highways, drainage, lighting) at Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester for PHL Ltd & Countryside Properties (Bicester) Ltd.

Sarah R Smith, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Pruden and seconded by Councillor Sibley that application 23/03073/HYBRID be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report, presentation, and public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 23/03073/HYBRID subject to –

- a. The conditions set out below (and any amendments to those conditions as deemed necessary) and

- b. The completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):
- A) provision of 30% (4 units) affordable housing on the outline site
 - B) payment of a financial contribution towards off site sports and recreation provision in the locality of £28,238.42 residential and £59,166.25 extra care, plus £11,266.75 residential and £23,606.52 extra care indoor sports (index linked)
 - C) payment of a financial contribution towards the provision of refuse/recycling bins for the development of £1,554.00 for residential and £1,258.70 for extra care (index linked) OCC waste and recycling centre £1,315.00.
 - D) OCC Middleton Stoney cycle network contribution for residential of £14,000
 - F) payment of a financial contribution towards primary health care provision serving the residential development of £12,096.00 and £44,352.00 extra care (index linked)
 - G) OCC travel plan monitoring for extra care £3,110.00
 - H) payment of the district council's monitoring costs of £5,000.
 - I) OCC Monitoring fee (tbc)

CONDITIONS

FULL APPLICATION – Extra Care

Time Limit

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

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

2. That prior to first occupation of the extra care facility hereby approved, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway and pedestrian safety and to accord with Government guidance within the National Planning Policy Framework.

3. Prior to the first occupation of the extra care facility hereby approved, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway and pedestrian safety and to comply with Government guidance within the national Planning Policy Framework.

4. That prior to the first occupation of the extra care facility, a detailed plan showing the cycle parking provision and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained and maintained as such.

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

5. Prior to the commencement of any development above slab level and notwithstanding the details submitted, a schedule of revised materials and finishes, which shall include the submission of sample and sample panels of bricks and natural limestone to be constructed on site (minimum 1 squared metre in size) to be used in the construction of the external walls of the extra care building shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance with the details and samples hereby approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031, approved Kingsmere Phase 2 Design Code 2018 and Government guidance within the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the building, including the windows and doors (and their surrounds and reveals), guttering etc, shall be submitted to and approved in writing by the Local Planning Authority prior to any construction above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the details are appropriate to the locality and are locally distinctive and ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the national Planning Policy Framework.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season prior to the first occupation of the extra care building and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual

amenity and to accord with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

8. A scheme for the suitable treatment of the sub-station and air source heat pumps against the transmission of sound and/or vibration on the proposed and existing residential units shall be submitted to and approved in writing by the Local Planning Authority and the measures implemented and maintained in accordance with the approved scheme at all times.

Reason: To protect existing and proposed new residents from noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

9. Prior to the commencement of development in respect of the extra care units, details of a lighting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed sensitively for bats in accordance with the BCT lighting guidance (ILP Bat Conservation Trust Guidance Note 08/23) with a colour temperature of 2700 degrees kelvin or under. The lighting plan should also take into account any trees, landscaping and bat box location. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protection of ecology and biodiversity to accord with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

10. Prior to first occupation a Full Travel Plan for the extra care facility shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Travel Plan.

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

HYBRID – Extra Care and Residential Dwellings

Compliance with Plans

11. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans and documents: Site Location 21413-CWA-BC-XX-DR-A-0202 Rev P02; Hybrid Plan 21413-CWA-BC-XX-DR-A-0211 Rev P13; Site Layout 21413-CWA-BC-XX-DR-A-2011 Rev P25; Site Context 21413-CWA-BC-XX-DR-A-0100 Rev P01; Ground Floor 21413-CW-BC-ODA-2000 Rev P09; First Floor 21413-CW-BC-01-DR-A-2001 Rev P09; Second Floor 21413-CW-BC-02-DR-A-2002 Rev P09; Third Floor 21413-CW-BC-03-DR-A-2003 Rev P08; Roof Plan 21413-CW-BC-XX-DR-A-2004 Rev P03; Elevations 21413-CW-BC-XX-DR-A-2006 Rev P07 and 2007 Rev P07; Acoustic Box Detail SPqbove 01a and 21413-CWA-B1-00-DR-A2011; Substation 21413-CW-B1-00-DR-A-2021 Rev P02; Cyclestore 21413-CWA-BC-XX-DR-A-2020

Rev P01; Boundary Treatment 21413-CWA-BC-XX-DR-A-2010 Rev P05; Bellmouth 03/801 Rev A; Tree Pit Detail UG-2166-LSN-DRW-04 Rev P01; Landscape Plans UG-2166-LAN-GA-DRW-01 Rev P08, 03 Rev P06 and 02 Rev P07; S38 Plan 23047-ARC-XX-XX-DR-C-6200-P5; Vehicle Swept Path PC5143-RHD-GE-SW-DR-R-0050 Rev P05, 0051 Rev P05, 0052 Rev P04, 0055 Rev P04 and 0057 Rev P04; Visibility Splays PC5143-RHD-GE-SW-DR-R-0056 Rev P04 and 0059 Rev P01; Drainage Plans 23047-ARC-XX-XX-DR-C-5000-P5, 5201-P4 and 02/801 Rev E and Site Sections 21413-CWA-B1-XX-DR-A-2030 Rev P02, 2031 Rev P01 and 2032 Rev P01.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

12. No development shall be occupied until confirmation has been provided that either: (1) all network upgrades required to accommodate the additional demand to serve the development have been completed; or (ii) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan has been agreed with Thames Water, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

13. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification scheme shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

14. The approved drainage system shall be implemented in accordance with the approved Detailed Design as shown on the following drawings: Land Parcel R drainage layout reference 02/801 Rev E; 23047-ARC-XX-XX-DR-C-5000-P5-DRAINAGE GA; Impermeable Area Plan 5500-P4; Section 104 adopted

Drainage GA 5200-P4 and Appendix E – Surface Water Drainage Calculation, prior to the use of any of the development commencing.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

15. Prior to first occupation of any part of the development, a record of the installed SUDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include: (i) As built plans in both pdf and shp format; (ii) photographs to document each key stage of the drainage system when installed on site; (iii) photographs to document the completed installation of the drainage structures on site; (iv) the name and contact details of any appointed management company information.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

16. Prior to the first occupation of any part of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) for the whole site 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.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

17. Full details of a scheme for the location of bat, bird, owl and invertebrate boxes (which may be integral to the building construction) (on that part/phase of development) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any building on that phase or part of the development, the bat, bird, owl and invertebrate boxes shall be installed on the site in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ED10 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

18. No development shall take place on the site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for a minimum:

- the parking of vehicles of site operatives and visitors
- the routing of HGVs to and from the site
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- erection and maintenance of security hoarding
- wheel washing facilities including type of operation and road sweeping
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from the construction works
- delivery times, demolition and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction of the development.

Reason: To ensure the environment and amenities of local residents are protected during the construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

OUTLINE – Residential Dwellings

19. Application for the approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

20. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2025 (as amended).

21. Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic Scheme (Strategic Surface Water Management Scheme) and include all supporting information listed in the condition.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

22. Prior to the first occupation of the residential properties, a Residential Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Travel Information Pack.

Reason: In the interest of sustainability and to comply with Government guidance within the National Planning Policy Framework.

It was further resolved that as the PPA determination period for this application expired on 31 August 2025 and if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of section 106 legal agreement the local planning authority is not satisfied that the proposed development provides for appropriate infrastructure and affordable housing provision required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to policy inf1 of the adopted Cherwell Local Plan 2011-2031, CDC planning obligations SPD 2018 and Government guidance within the NPPF

37 **Hanwell Fields Community Centre Rotary Way Banbury Oxfordshire
OX16 1ER**

The Committee considered application 25/01191/CDC for the insertion of 3 new windows, enlargement of a fire escape door opening and insertion of glazed door with sidelights, addition of rear escape gate in courtyard and rear escape steps with handrails and associated internal changes to increase capacity at Hanwell Fields Community Centre, Rotary Way, Banbury, Oxfordshire, OX16 1ER for Cherwell District Council.

It was proposed by Councillor Thornhill and seconded by Councillor Watkins that application 25/01191/CDC be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 25/01191/CDC subject to -

Time Limit

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

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

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, Site Location Plan (dwg no 06425-101) and following approved plans and documents: 06425-106 (Proposed Elevations), Proposed Floor Plans (06425-105) and Design/Access/Planning/Ecology Statement.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

38 **Appeals Progress Report**

The Assistant Director Planning and Development submitted a report which informed Members about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 6.34 pm

Chairman:

Date:

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 14 August 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chair)

Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Dr Isabel Creed
Councillor Ian Harwood
Councillor David Hingley
Councillor Fiona Mawson
Councillor Lesley McLean
Councillor Robert Parkinson
Councillor Chris Pruden
Councillor Les Sibley
Councillor Dr Kerrie Thornhill

Substitute Members:

Councillor Dr Chukwudi Okeke (In place of Councillor Amanda Watkins)
Councillor David Rogers (In place of Councillor Douglas Webb)
Councillor Dorothy Walker (In place of Councillor Jean Conway)

Apologies for absence:

Councillor Amanda Watkins
Councillor Jean Conway
Councillor Douglas Webb

Officers:

Ian Boll, Corporate Director Communities
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
David Peckford, Assistant Director Planning & Development
Paul Seckington, Head of Development Management
Caroline Ford, Team Leader - South Area Major Developments
Laura Bell, Principal Planning Officer
Denzil Turbervill, Head of Legal Services
Natasha Clark, Governance and Elections Manager
Martyn Surfleet, Democratic and Elections Officer
Will Madgwick, Technical Lead – Strategic Sites, Transport Development Management (Cherwell, West & City)

Jason Sherwood, Head of Regulatory Planning and Enforcement
Ben Mundy, Transport Development Officer
Matthew Hall, Technical Director for Land Development (Pell Frischmann)

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Declarations of Interest

5. Land To The East Of Stratfield Brake And West Of Oxford Parkway Railway Station, Oxford Road, Kidlington.

Councillor Chris Pruden, Other Registerable Interest, as a member of Bicester Town Council, and advised that he had not been present, having submitted apologies, at the Bicester Town Council Full Council meeting on 29 June 2025 at which the meeting agreed a motion regarding Oxford United FC.

Councillor Fiona Mawson, Other Registerable Interest, as a member of Kidlington Parish Council which had been consulted on the application.

Councillor Les Sibley, Other Registerable Interest, as a member of Bicester Town Council, and advised that he had been present at the Bicester Town Council Full Council meeting on 29 June 2025 but had declared an interest as a member of CDC Planning Committee and had left the meeting, and therefore not voted, for the entirety of the motion regarding Oxford United FC.

Councillor Lesley McLean, Other Registerable Interest, as a member of Kidlington Parish Council and Yarnton Parish Council which had been consulted on the application.

Councillor Lesley McLean, Declaration, for complete transparency, over the last few years she had met with OCC, OUFC and other groups and had also attended the Cherwell Business Awards where OUFC was present but confirmed that she came to the Committee meeting today with an open mind, having reviewed the documents before her and would listen to the discussion in the room prior to making any decision.

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Requests to Address the Meeting

The Chair advised that requests to address the meeting would be dealt with at the relevant time.

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Chair's Announcements

The Chair made the following announcements:

- (1) The Chair briefly explained the meeting procedures for the Planning Committee.

- (2) Members were reminded that the application should be considered with an open mind, and decisions should be based on the information presented having regard to both national and local policy. Members should also keep in mind the Members' Code of Conduct and Planning Members' code of conduct.
- (3) Members were reminded to remain in their seats for the presentation and discussion. Should they need to leave the room during consideration of the item, they should refrain from speaking or voting on the item.
- (4) As far as practicable, a comfort break would be taken after around two hours

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Land To The East Of Stratfield Brake And West Of Oxford Parkway Railway Station, Oxford Road, Kidlington

The Committee considered application 24/00539/F for the erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures at Land To The East Of Stratfield Brake And West Of Oxford Parkway Railway Station Oxford Road Kidlington for Oxford United Football Club Limited.

Councillor Linda Ward addressed the Committee as Local Ward Member.

Councillor Ian Middleton addressed the Committee as Local Ward Member.

Melanie Moorhouse on behalf of Kidlington Parish Council and Adrian Sutton, on behalf of Friends of Stratfield Brake, addressed the Committee in objection to the application.

Tim Williams, Chief Executive of Oxford United Football Club and Roland Francis Clements on behalf of the applicant, addressed the Committee in support of the application.

In accordance with the Planning Committee procedures, questions of clarification were asked by Committee members which were duly responded to by officers. The application was subsequently debated.

In the course of the debate and in response to matters raised, officers undertook to review if various conditions (notably conditions 6, 13 and 33) could be pre-commencement rather than pre-occupation or development commencing above slab level; place an informative on Martyn's Law and the legislative requirements in that regard; the possibility of parking permits being covered by the S106; discussion with the applicant and highways regarding the route for emergency vehicles noting the proposed road closures; review of the Training and Employment Management Plan requirements.

It was proposed by Councillor Thornhill and seconded by Councillor Hingley that, in line with the officer recommendation, that application 24/00539/F be approved

It was subsequently proposed by Councillor Creed and seconded by Councillor Rogers that a recorded vote be taken.

Having been proposed and seconded, a recorded vote was duly taken and Members voted as follows:

Cllr Rebecca Biegel	For
Cllr Chris Brant	For
Cllr John Broad	Against
Cllr Phil Chapman	For
Cllr Becky Clarke MBE	For
Cllr Dr Isabel Creed	For
Cllr Ian Harwood	For
Cllr David Hingley	For
Cllr Fiona Mawson	Abstain
Cllr Lesley McLean	Abstain
Cllr Dr Chukwudi Okeke	For
Cllr Robert Parkinson	For
Cllr Chris Pruden	For
Cllr David Rogers	For
Cllr Les Sibley	For
Cllr Dr Kerrie Thornhill	For
Cllr Dorothy Walker	Abstain
Cllr Barry Wood	For

The vote was won, and the motion was carried.

In reaching its decision the Committee considered the officer's report and presentation, written updates and the addresses of the public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/00539/F subject to -

- i. Referral to Secretary of State as the application is a departure from the development plan
- ii. The conditions set out below (and any amendments to those conditions as deemed necessary), and
- iii. The completion of a planning obligation under section 106 of the town and country planning act 1990, to secure the mitigation set out in appendix 2 (and any amendments to those obligations as deemed necessary)

Conditions

Time limit

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.

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

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following approved plans and documents:

Site Location Plan - OUFC AFL ZZ 00 DR A 000001 - P09
Site Masterplan OUFC AFL ZZ 00 DR A 001000 - P08
Proposed Site Elevations OUFC AFL ZZ ZZ DR A 002001 - 05
Existing Site Sections OUFC AFL ZZ ZZ DR A 003000 - P03
Proposed Site Sections OUFC AFL ZZ ZZ DR A 003001 - P05
Elevations West And North Stand OUFC AFL ZZ ZZ DR A 202001 - P17
Elevations East And South Stand OUFC AFL ZZ ZZ DR A 202002 - P17
Main Sections OUFC AFL ZZ ZZ DR A 203000 - P13
Access General Arrangement Part 1 5018932 RDG XX XX DR H PL001 - P04
Access General Arrangement Part 2 5018932 RDG XX XX DR H PL002 - P04
Access General Arrangement Part 3 5018932 RDG XX XX DR H PL003 - P04
Access Vehicle Access And Egress 5018932 RDG XX XX DR H PL005 - P04
Car Parking And Delivery 5018932 RDG XX XX DR H PL012 - P04
Existing Site Elevations OUFC AFL ZZ ZZ DR A 00200 - P04
Level 00 GA Floor Plan OUFC AFL 00 00 DR A 201000 - P25
Level 01 GA Floor Plan OUFC AFL 00 01 DR A 201010 - P24
Level 02 GA Floor Plan OUFC AFL 00 02 DR A 201020 - P23
Level 03 GA Floor Plan OUFC AFL 00 03 DR A 201030 - P24
Level 04 GA Floor Plan OUFC AFL 00 04 DR A 201040 - P23
Level 05 Hotel Roof Plan OUFC AFL 00 05 DR A 201050 - 13
Level 06 Roof Plan OUFC AFL 00 06 DR A 201060 - P13
Landscape General Arrangement plan OUFC FAB 00 XX DR L 1001 - P21
Landscape Section A-AA OUFC FAB 00 XX DR L 8000 - PL03
Landscape Sections B-BB, D-DD OUFC FAB 00 XX DR L 8001 - PL03
Landscape Section C-CC OUFC FAB 00 XX DR L 8002 - PL03
Landscape Section E-EE OUFC FAB 00 XX DR L 8003 - PL03
Landscape Sections F-FF, G-GG, H-HH OUFC FAB 00 XX DR L 8004 - PL03
Landscape Sections J-JJ, K-KK OUFC FAB 00 XX DR L 8005 - PL03
Illustrative Landscape Masterplan OUFC FAB 00 XX DT L 1000 - P21

Typical Planting Details- Soil Profile plan OUFC FAB XX XX DR L 8700 - P01

Typical Planting Details-Tree Pitts 1 OUFC FAB XX XX DR L 8701 - P01

Typical Planting Details - Tree Pits 2OUFC FAB XX XX DR L 8702 - P01

Hard Landscaping Legend OUFC-FAB-00-XX-DR-L-2000 - PL01

Hard Landscaping Gen Arrangement 1 of 9OUFC-FAB-00-XX-DR-L-2001 PL01

Hard Landscaping Gen Arrangement 2 of 9OUFC-FAB-00-XX-DR-L-2002 PL01

Hard Landscaping Gen Arrangement 3 of 9OUFC-FAB-00-XX-DR-L-2003 PL01

Hard Landscaping Gen Arrangement 4 of 9OUFC-FAB-00-XX-DR-L-2004 PL01

Hard Landscaping Gen Arrangement 5 of 9OUFC-FAB-00-XX-DR-L-2005 PL01

Hard Landscaping Gen Arrangement 6 of 9OUFC-FAB-00-XX-DR-L-2006 PL01

Hard Landscaping Gen Arrangement 7 of 9OUFC-FAB-00-XX-DR-L-2007 PL01

Hard Landscaping Gen Arrangement 8 of 9OUFC-FAB-00-XX-DR-L-2008 PL01

Hard Landscaping Gen Arrangement 9 of 9OUFC-FAB-00-XX-DR-L-2009 PL01

Detailed Planting plan 1 of 12 OUFC-FAB-00-XX-DR-L-3001 - PL01

Detailed Planting plan 2 of 12 OUFC-FAB-00-XX-DR-L-3002 - PL01

Detailed Planting plan 3 of 12 OUFC-FAB-00-XX-DR-L-3003 - PL01

Detailed Planting plan 4 of 12 OUFC-FAB-00-XX-DR-L-3004 - PL01

Detailed Planting plan 5 of 12 OUFC-FAB-00-XX-DR-L-3005 - PL01

Detailed Planting plan 6 of 12 OUFC-FAB-00-XX-DR-L-3006 - PL01

Detailed Planting plan 7 of 12 OUFC-FAB-00-XX-DR-L-3007 - PL01

Detailed Planting plan 8 of 12 OUFC-FAB-00-XX-DR-L-3008 - PL01

Detailed Planting plan 9 of 12 OUFC-FAB-00-XX-DR-L-3009 - PL01

Detailed Planting plan 10 of 12 OUFC-FAB-00-XX-DR-L-3010 - PL01

Detailed Planting plan 11 of 12 OUFC-FAB-00-XX-DR-L-3011 - PL01

Detailed Planting plan 12 of 12 OUFC-FAB-00-XX-DR-L-3012 - PL01

Landscape Details - Furniture 1 of 6 OUFC-FAB-00-XX-DR-L-8100 - PL01

Landscape Details - Furniture 2 of 6 OUFC-FAB-00-XX-DR-L-8101 - PL01

Landscape Details - Furniture 3 of 6 OUFC-FAB-00-XX-DR-L-8102 - PL01

Landscape Details - Furniture 4 of 6 OUFC-FAB-00-XX-DR-L-8103 - PL01

Landscape Details - Furniture 5 of 6 OUFC-FAB-00-XX-DR-L-8104 - PL01

Landscape Details - Furniture 6 of 6 OUFC-FAB-00-XX-DR-L-8105 - PL01

Environmental Statement dated February 2024

Environmental Statement Addendum dated December 2024

Biodiversity Net Gain dated May 2025

Arboricultural Impact Assessment dated June 2025

Transport Assessment Addendum dated March 2025

Retail Impact Assessment Addendum dated November 2024

Utilities Statement V4 dated November 2024

Geotechnical and Geo-Environmental Desk Study December 2023

OuitC Community Benefits dated June 2025

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Materials

Sample materials

3. Full details of the development, including samples of all materials to be used for the external surfaces shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples shall include sample panels, glazing and a roofing material sample combined with a schedule of the exact product references.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Sample boards

4. All approved materials shall be erected in the form of a samples board to be retained on site throughout the works period concerned and the relevant parts of the works shall not be carried out otherwise than in accordance with the approved details.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Energy

BREEAM

5. Development shall take place in accordance with the approved details (Sustainability and Energy Statement Feb 2024 and subsequent amendments) of on-site renewable energy provision, and it shall be occupied until the approved on-site renewable energy provision is operational and shall be retained as such thereafter. The development shall deliver, as a minimum, a BREEAM 'Very Good' standard.

Reason: In the interests of ensuring that major development takes all reasonable opportunities to operate more sustainably in accordance with the requirements of Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

Security

Counter-terrorism measures

6. Prior to the commencement of development above slab level, details of counter-terrorism measures for the stadium building, concourse and fan zone, Oxford Road, Oxford Parkway Park and Ride and Frieze Way, which have been reviewed and approved by a Register of Security Engineers and Specialists registered engineer, shall be submitted to the Local Planning Authority and approved in writing, in consultation with Thames Valley Police. Approved measures shall thereafter be implemented prior to the first use of the stadium and maintained permanently thereafter.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Note: The counter terrorism measures must include;

- *Hostile Vehicle Mitigation Measures, locations and specifications*
- *Blast mitigation measures*
- *Specification of walling and laminated glazing of the stadium building*
- *Specification/design of public litter bins and street furniture*

Secured by Design

7. Prior to first occupation or use of the development, Secured by Design accreditation shall be achieved for the development hereby approved. The development shall be carried out in accordance with the approved Secured by Design principles.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph

102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Secured Environments

8. Prior to first occupation or use of the development, Secured by Design "Secured Environments" shall be achieved for the development hereby approved. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Restriction of Use

9. The stadium bowl and pitch area hereby permitted shall be limited to Use Class F2 for outdoor sports only and shall not be used for the purposes of accommodating an amplified music concert.

Reason: In the interests of the public safety and to ensure the development does not harm the amenities of the occupiers of surrounding properties and users of the open spaces surrounding the stadium and to be consistent with the assessment and other environmental information provided under the EIA process in accordance with Policies ENV1 and ESD15 of the Cherwell Local Plan 2011 and Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f) of the NPPF.

10. No more than 43 professional or semi-professional football games shall be played at the stadium in each calendar year.

Reason: To ensure that the development accords with the principles and parameters that have been assessed in the EIA process and the transport assessment relating to this application in accordance with policies ENV1 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

11. The club shop hereby permitted shall be used for the sale and display of non-food goods relating to Oxford United Football Club and for no other goods whatsoever.

Reason: To enable the local planning authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain the vitality and viability of Kidlington village centre, in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Evacuation Strategy

12. Prior to commencement of development above slab level, a full emergency/exceptional evacuation strategy shall be submitted to the local planning authority and approved in writing in consultation with Thames Valley Police and the Local Highway Authority. The strategy shall demonstrate that emergency vehicle access into the site is maintained during such events. The development shall not be brought into use until the Evacuation Strategy has been agreed. Thereafter and for the life of the development, the Evacuation Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of highway safety, security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1

Segregation Strategy

13. Prior to the first occupation or use of the development hereby approved, an external fan segregation strategy shall be submitted to the local planning authority and approved in writing, in consultation with Thames Valley Police. The strategy shall demonstrate safe and effective fan segregation on match days. The strategy should include, as a minimum, details of how Home and Away fans will be separated during the ingress and egress phase.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

CCTV strategy

14. Prior to the first occupation or use of the development hereby approved, a CCTV strategy shall be submitted to the local planning authority and approved in writing, in consultation with Thames Valley Police. The strategy shall demonstrate effective CCTV coverage of the stadium site.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

External Lighting scheme

15. Prior to the commencement of the development above slab level, details of a proposed external lighting scheme, which shall provide details of

lighting levels on match days, non-match days and any other events, provide details of timing and seasonal differences and which shall adhere to the recommendations within the ILP and Bat Conservation Trust Guidance Note 08/23 *Bats and Artificial Lighting in the UK, Bats and the Built Environment Series (Bat Conservation Trust and ILP 2023)* shall be submitted to the local planning authority and approved in writing. The scheme shall also set out the steps that will be taken to ensure that external lighting promotes a secure environment that supports effective CCTV operations and does not cause a nuisance to local residents and shall demonstrate that external lighting to be positioned to the south of the site as set out in document titled 'Ecology Response to Lighting Technical Note' – June 2025 prepared by Ecology Solutions shall not exceed 0.2 lux horizontal illuminance and 0.4 lux vertical illuminance and that the pedestrian access points on the Eastern boundary shall be lit by not more than 1-2.5 lux above the baseline. The external lighting shall be implemented in accordance with the approved scheme and shall be retained and operated in accordance with the approved details thereafter.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development, in the interests of security and the prevention of crime and to mitigate for the potential impacts of artificial lighting on protected species, specifically bats. In accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 and in accordance with the guidance contained within the National Planning Policy Framework.

Ecology (additional conditions at the end)

16. No development shall commence unless and until an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in strict accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Landscape

Landscaping and Boundary Treatment

17. No development shall take place until a Landscape Management Plan (which includes a Boundary Treatment Plan and Planting Schedule), and details of implementation and maintenance, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). Planting shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

Reason: To mitigate any adverse impact from the development on the A34 and to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Public Toilets – hours of use

18. The public toilets hereby permitted shall only be open for use of match days during operational hours, and between the hours of 0700 and 1800 on non-match days. Out of these hours, the public toilets shall be closed and locked.

Reason: To mitigate any adverse impact from the development on the A34 and to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Drainage

Drainage Scheme – EA

19. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. This will include confirmation from the sewerage undertaker that the receiving Sewage Treatment Works has the capacity to accept flows from this development. The scheme shall be implemented and thereafter maintained as approved.

Reason: The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and/or prevent the recovery of Thames (Evenlode to Thame) and/or Northfield Brook water body.

Drainage Details

20. No development hereby permitted shall take place until full details of new drainage and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development onto the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development may be made to any Strategic Road Network drainage systems.

Reason: To ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and paragraph 59 of DfT Circular 01/2022.

Foul Water Upgrades

21. The development shall not be occupied until confirmation has been provided that either:-

1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - In the interests of sustainability and to ensure a satisfactory form of development. Network reinforcement works are likely to be required to accommodate the proposed development to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with Government guidance contained within the National Planning Policy Framework.

All Water Upgrades

22. No development shall be occupied until confirmation has been provided that either:-

- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with Government guidance contained within the National Planning Policy Framework.

No development within 5m of the water main

23. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the

development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: In order to protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

Surface Water Drainage

24. Construction shall not begin until; a detailed surface water drainage scheme for the site, 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 include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

SuDS A

Built and Maintenance Details

25. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- (a) As built plans in both .pdf and .shp file format;
 - (b) Photographs to document each key stage of the drainage system when installed on site;
 - (c) Photographs to document the completed installation of the drainage structures on site;

- (d) The name and contact details of any appointed management company information.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

Highways

Construction Environment Management Plan

26. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways).

The CEMP shall include, but not be limited to the following:

- Construction programme for the site;
- the proposed construction traffic routes to the site, to be identified on a plan;
- Construction Traffic Management Plan (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from by vegetation clearance, ground works, demolition and/or construction to avoid undue interference with the operation of the public highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1700-1800) periods);
- an estimate of the daily construction vehicles, number and type profiled for each construction phase, identifying the peak level of vehicle movements for each day
- Cleaning of site entrances, site tracks and the adjacent public highway;
- management and hours of construction work and deliveries;
- area(s) for the parking of vehicles of site operatives and visitors;
- area(s) for the loading and unloading of plant and materials;
- area(s) for the storage of plant and materials used in constructing the development;
- details of effective silt and pollution mitigation measures; siting and details of wheel washing facilities;
- the mitigation measures in respect of noise and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
- a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
- details of waste management arrangements;
- Details of any proposed strategic road temporary traffic management measures on the SRN;
- the storage and dispensing of fuels, chemicals, oils and any hazardous materials (including hazardous soils);
- measures to avoid impacts on the non-statutory designated sites and retained habitats;

- details of drainage arrangements during the construction phase identifying how surface water run-off will be dealt with so as not to increase the risk of flooding to downstream areas because of the construction programme;
- protection measures for hedgerows and grasslands;
- contact details of personnel responsible for the construction works; and soil movement, methods of tracking soil movement and details for demonstrating soil will be suitable for use.

The approved CEMP shall be adhered to and implemented in full throughout the construction period strictly in accordance with the approved details.

Reason: To mitigate any adverse impact from the development on the A34, to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

Construction Traffic Management Plan (CTMP)

27. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;
- The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.

- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic time.

Travel Plan

28. Prior to the first occupation of the site an updated, comprehensive, framework travel plan shall be submitted to and agreed in writing by the local planning authority, together with a supplementary travel plan or travel plan statement for each of the ancillary land uses within 3 months of first occupation.

Reason: To promote sustainable modes of transport.

Public Transport Information System

29. Prior to commencement of development details of the Public Transport Information System should be provided and agreed by the Local Planning Authority. The development should not be brought into use until the Public Transport Information System has been provided within the site in accordance with the approved details. Thereafter and for the life of the development, the applicant must ensure retention and adequate maintenance of the Public Transport Information System.

Reason: To promote sustainable modes of transport.

Signage Strategy

30. Prior to commencement of development the Signage Strategy shall be submitted to and approved by the Local Planning Authority. This should set out all signage on the Local Highway Network, Strategic Road Network, including Variable Messaging Signs as well as signage at Oxford Parkway, Peartree Park & Ride and within the site. The development shall not be brought into use until the approved signage has been installed.

Reason: In the interests of highway safety.

Communication Strategy

31. Prior to commencement of development the Communication Strategy shall be submitted to and approved by the Local Planning Authority. This should set out the measures to be provided to make residents aware in advance of when matches will be taking place and of any route diversions. The development shall not be brought into use until the Communication Strategy has been provided in accordance with the approved details. Thereafter the Communication Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety

Car Park Management Plan

32. Prior to commencement of development the Car Park Management Plan shall be submitted to and approved by the Local Planning Authority. This should set out how car parking will be controlled, monitored and enforced on site for the different uses. Thereafter and for the life of the development, the Car Park Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety

Crowd & Traffic Management Strategy

33. Prior to commencement of development the Crowd & Traffic Strategy shall be submitted to and approved by the Local Planning Authority. This should set out the different forms of crowd and traffic management, the enforcement, monitoring and reporting methods and location of marshals. The development shall not be brought into use until the Crowd & Traffic Management Strategy has been agreed. Thereafter and for the life of the development, the Crowd and Traffic Management Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety.

Cycle Parking

34. Before the development permitted is commenced details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained and maintained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport.

Framework Event Management Plan

35. No events shall take place until a Framework Event Management Plan for managing all fixtures and large events associated with the use of the site (stadium and conference facility) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). Thereafter all events will be carried out in full accordance with approved details.

Reason: To mitigate any adverse impact from the development on the A34, to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Geotechnical submissions

36. No development (for avoidance of doubt this includes excavation works, and/ or landscaping works), shall commence until geotechnical submissions (in accordance with Design Manual for Roads and Bridges Standard CD622) have been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety, convenience of highway users and to ensure that the A34 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

A34 Water Eaton Bridge

37. Prior to the commencement of any improvement works to the A34 Water Eaton Bridge, full details of the design, materials, and construction methods shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways. The design must fully comply with the standards outlined in the Design Manual for Roads and Bridges, including CG300 and CD622. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of highway safety, convenience of highway users and to ensure that the A34 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Archaeology

Archaeological Written Scheme of Investigation.

38. 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.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

Staged programme of archaeological evaluation and mitigation

39. Following the approval of the Written Scheme of Investigation referred to in condition 38, 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 within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

Environmental Protection

Unexpected Contaminated Land at a later date

40. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the

environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

Noise

41. All plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be:
- Daytime (07:00-23:00) of 49 dB
 - Night time (23:00-07:00) of 39 dB

when measured at site boundary. Measurements and rating of noise for the purpose of this conditions shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To protect nearby properties from unacceptable noise pollution and vibration and to comply with policy PSD1 of the Cherwell Local Plan and guidance contained with the National Planning Policy Framework.

Waste

42. Prior to the first occupation of any building on the site (excluding temporary, service buildings e.g., substation, or buildings used for security purposes) details of the waste management strategy (i.e. storage of bins and collection) for that building shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved at all times thereafter.

Reason: In the interests of sustainability and to ensure a satisfactory form of development and to accord with Policy ESD1 and with Government advice in the National Planning Policy Framework.

Additional Ecology conditions (to be reviewed alongside S106 requirements)

43. Prior to the commencement of the development hereby approved a Landscape and Ecology Management Plan (LEMP) detailing all species specific provisions on site, their location, type and their on-going management shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in full accordance with the approved LEMP including any/all timescales set out therein.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

44. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:
- a non-technical summary
 - the roles and responsibilities of the people or organisation(s) delivering the HMMP
 - the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
 - the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
 - the monitoring methodology and frequency in respect of the created or enhanced habitat

Notice in writing shall be given to the local planning authority when the:

- HMMP has been implemented
- habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the local planning authority.

Monitoring reports shall be submitted to the local planning authority in writing for approval in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

45. No development shall commence (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include as a minimum:
- Risk assessment and mitigation of potentially damaging construction activities
 - Identification of 'Biodiversity Protection Zones'
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - The location and timing of sensitive works to avoid harm to biodiversity features
 - The times during construction when specialist ecologists need to be present on site to oversee works

- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs
- Details of the surveys of trees which showed roosting potential and which will be removed as well as details of any mitigation plan and the licence which shall be in place should this be required.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

46. If the development hereby approved does not commence within two years from the date of the current surveys. A walkover survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on all currently surveyed habitats and species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

47. Prior to the commencement of the development a site-wide Biodiversity Net Gain (BNG) strategy (incorporating a calculation) for the development shall be submitted to the Local Planning Authority and approved in writing. It shall be accompanied by a BNG compliant statement setting out how the development will contribute to achieving a site-wide BNG target of no less than 20%.

The proposed biodiversity enhancement measures shall be implemented in accordance with the approved details and shall be managed and maintained for a minimum period of 30 years.

Reason: To ensure that the proposals deliver appropriate an amount and variety of habitats and support the biodiversity net gain opportunities in accordance with the submitted Environmental Statement to comply with Policy ESD10 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework. This information is required prior to the commencement of the development as it is fundamental to the acceptability of the scheme because biodiversity net gain is a crucial requirement and a strategy to

understand how this will be achieved must be understood from the outset.

Informatives

Environmental Statement

1. In accordance with Regulations 3 and 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Cherwell District Council as Local Planning Authority is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this application.

East West Rail

2. Land within the application site is proposed for the construction and operation of the East West Railway, a nationally significant infrastructure project. The Council strongly advises the Applicant to liaise closely with EWR Co over the timing and detailed implementation of the application proposals and the EWR project, to seek to agree a detailed approach that avoids or reduces conflicts between the two development proposals, and that seeks to mitigate any impacts arising"

National Highways

3. Framework Event Management Plan
The Framework Event Management Plan shall but not limited to the following:
 - Anticipated fixture and event -related information (i.e. dates, times and estimated attendances);
 - Timings on the day, including: the activation of control points or road closures;
 - arrival and departure times for staff, stewards, players/performers, and spectators;
 - briefings and final pre-event safety checks; and
 - debriefings;
 - Generic Traffic Management Plan, including: road closures and traffic diversions, parking arrangements, traffic control measures, signage and traffic and pedestrian marshalling;
 - signage (including local and strategic VMS messaging and timing strategies); and
 - travel advice proposals;
 - Communication Plan, including website, advertisements/articles, information to local radio stations, and text alerts;
 - Post-event procedures, including inspections, debriefings and completion of the Event Record;
 - Chain of command, including the names, roles and location of all key members of the event management team more particularly those responsible for traffic management; and

- Highways Authority and Police engagement protocols, procedures and processes in the case of each qualifying fixture or event.

Landscape Boundary treatment plan

2. For avoidance of doubt the boundary treatment plan will include but not limited to the following:
 - a) details concerning works locations, materials types, construction methods and maintenance;
 - b) details concerning the management of existing boundary planting to include an Arboricultural Tree Survey and Tree Protection Plan with a Method Statement for any works required to address the removal, retention and management of trees along this boundary. All works shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

A34 Water Eaton Bridge

3. This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and National Highways (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to National Highways). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with National Highways and the Local Highway Authority.

OCC Highways

4. Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. This is separate from any planning permission that may be granted and will be dealt with through S106 and S278 agreement as noted above. Works delivered via S278 agreement will need to also consider Oxfordshire County Council's Tree and Street Lighting policies along with the Oxfordshire Flood Toolkit.

Signage to be placed on the public highway can be installed as part of the Section 278 agreement, however, signage to be installed on the SRN or on private land (Peartree & Parkway) will need a separate agree

The following items will require a separate legal (Traffic Regulation Order) process, which includes public consultation, and which will require sign off by the cabinet member for highways:

- Oxford Road diversion route.
 - Parking measures at Oxford Parkway.
 - Matchday Controlled Parking Zone.
 - Speed limit reduction on Frieze Way.
 - Parking restrictions on Bicester Road, Oxford Road and Frieze Way.
 - New cycle paths and signalised crossings.
5. The access steps from Oxford Parkway to Oxford Road and the cycle parking at Oxford Parkway are not fully within public highway land. As such the land outside of the public highway will need to be dedicated along with land either side for maintenance and illumination. As such Chiltern Railways will need to be party to the S106 agreement.
6. A mechanism will also be required in the S106 agreement to monitor and review the effectiveness or otherwise of matchday shuttles/bus services. This should set out the stakeholders within the Matchday Steering Group, the frequency the group will meet and should provide a baseline level of service (in line with the planning application) that must be provided/achieved as a minimum and all in accordance with the travel plan and transport assessment.
7. Oxford Airport is a legally safeguarded aerodrome, as listed in ODPM/DfT Circular 01/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas Direction' and as such, it is a requirement that development do not introduce safety hazards to aviation. There is insufficient information provided for Oxford Airport to assess whether there are any glare or lighting patterns that may cause confusion to pilots operating to/from or in the vicinity of Oxford Airport. The developer should provide an assessment to demonstrate that the proposed lighting scheme will not cause any safety hazards to aviation.
8. No information has been provided on the cranes that will be used during the construction of the development. The developer is reminded of their responsibility to notify aerodromes within 6km of their intent to use cranes. A Crane Permit should be requested from Oxford Airport via email to safeguarding@londonoxfordairport.com where an appropriate level of assessment will be conducted at the cost of the developer.

The meeting ended at 8.29 pm

Chairman:

Date:

Agenda Annex

CHERWELL DISTRICT COUNCIL

Planning Committee – 4 September 2025

PLANNING APPLICATIONS INDEX

The Officer's recommendations are given at the end of the report on each application.

Members should get in touch with staff as soon as possible after receiving this agenda if they wish to have any further information on the applications.

Any responses to consultations, or information which has been received after the application report was finalised, will be reported at the meeting.

The individual reports normally only refer to the main topic policies in the Cherwell Local Plan that are appropriate to the proposal. However, there may be other policies in the Development Plan, or the Local Plan, or other national and local planning guidance that are material to the proposal but are not specifically referred to.

The reports also only include a summary of the planning issues received in consultee representations and statements submitted on an application. Full copies of the comments received are available for inspection by Members in advance of the meeting.

Legal, Health and Safety, Crime and Disorder, Sustainability and Equalities Implications

Any relevant matters pertaining to the specific applications are as set out in the individual reports.

Human Rights Implications

The recommendations in the reports may, if accepted, affect the human rights of individuals under Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. However, in all the circumstances relating to the development proposals, it is concluded that the recommendations are in accordance with the law and are necessary in a democratic society for the protection of the rights and freedom of others and are also necessary to control the use of property in the interest of the public.

Background Papers

For each of the applications listed are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; representations made by bodies or persons consulted on the application; any submissions supporting or objecting to the application; any decision notices or letters containing previous planning decisions relating to the application site.

Item No.	Site	Application Number	Ward	Recommendation	Contact Officer
8	Hornton Grounds Quarry, Street from Stratford Road to Hornton Grounds Quarry, Hornton, OX15 6HH	25/01445/OUT	Cropredy, Sibfords and Wroxton	Approval*	Joel Turner
9	23-24 Castle Quay, Banbury, OX16 5UE	25/01702/ADV	Banbury Cross and Neithrop	Approval*	Iwona Gogut

*Subject to conditions

Cherwell District Council Democratic and Elections Team, 39 Castle Quay, Banbury, OX16 5FD

Agenda Item 8
25/01445/OUT

**Hornton Grounds Quarry
Street From Stratford Road To
Hornton Grounds Quarry
Hornton
OX15 6HH**

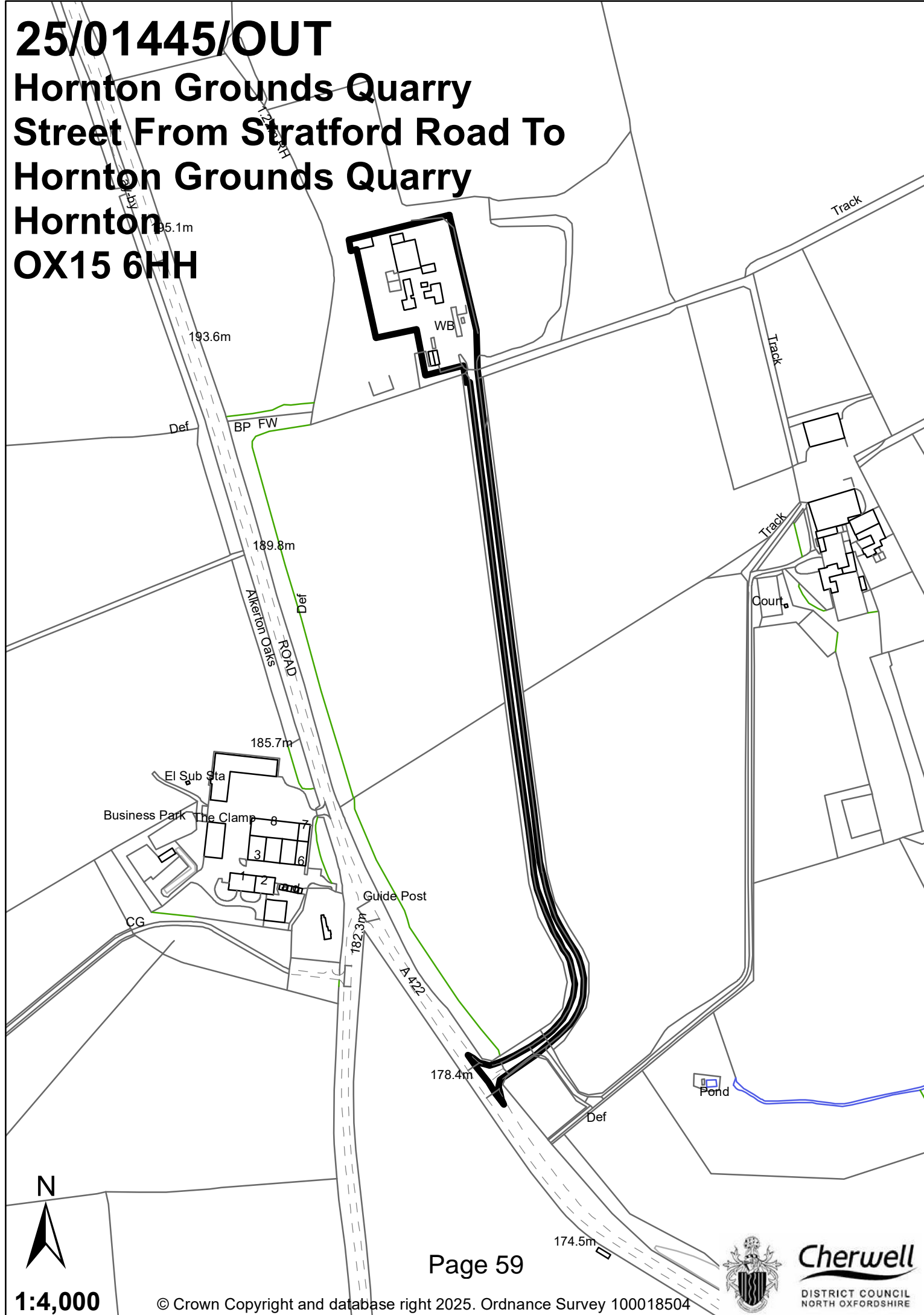


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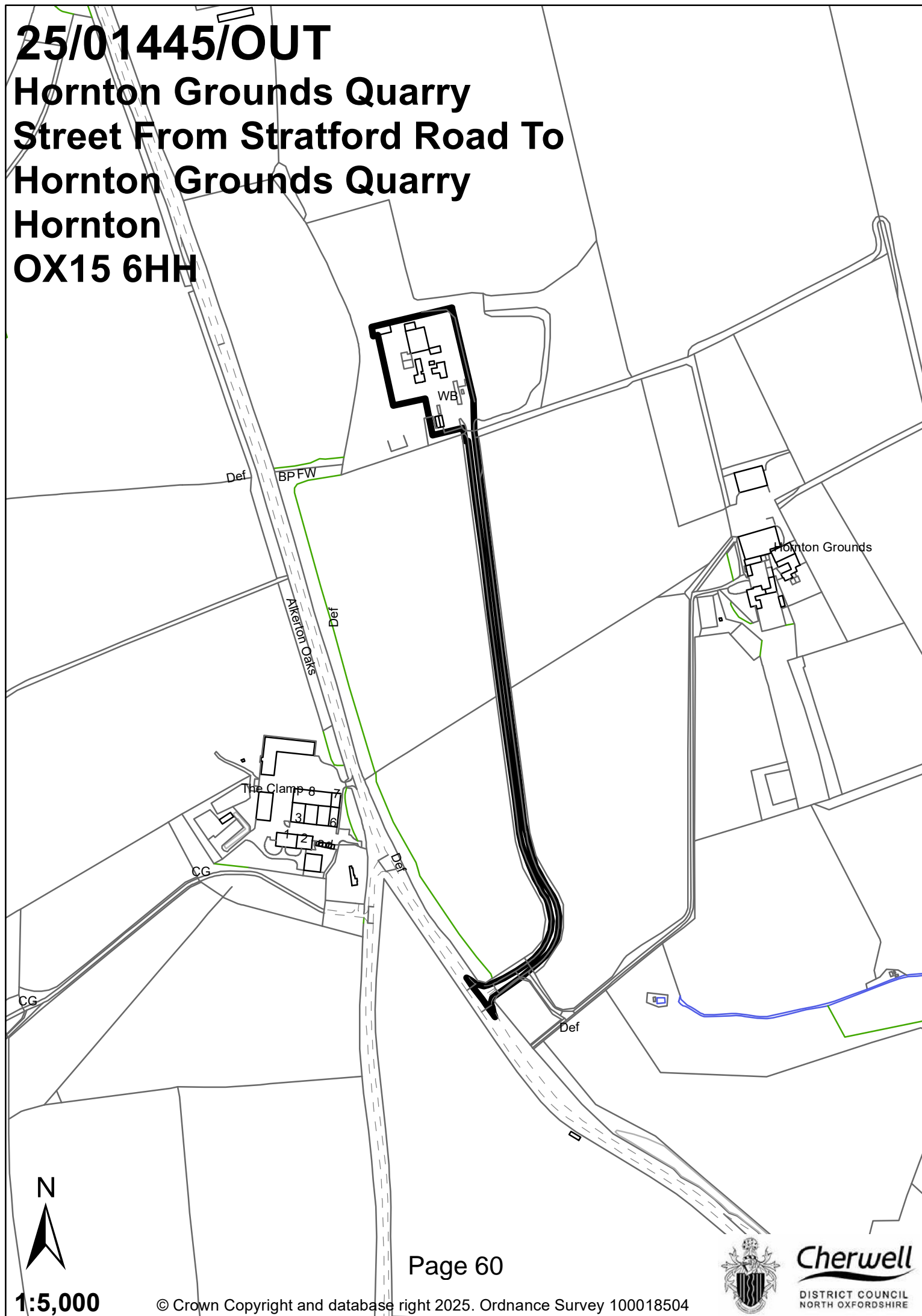
25/01445/OUT

Hornton Grounds Quarry Street From Stratford Road To Hornton Grounds Quarry Hornton OX15 6HH



25/01445/OUT

**Hornton Grounds Quarry
Street From Stratford Road To
Hornton Grounds Quarry
Hornton
OX15 6HH**



Case Officer: Joel Turner

Applicant: FINSCO Property Company Ltd

Proposal: Outline planning permission with all matters reserved, apart from means of access, for the construction of eight light industrial (Class E(g)(iii)) and general industrial (Class B2) industrial units and associated works including parking and landscaping and demolition of existing buildings.

Ward: Cropredy, Sibfords & Wroxton

Councillors: Councillor Phil Chapman, Councillor Douglas Webb, Councillor Chris Brant

Reason for Referral: Major development of over 1,000 sq m floor space created

Expiry Date: 1 September 2025

Committee Date: 4 September 2025

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site currently consists of a stone processing yard with several ancillary buildings and compacted hardstanding areas within the site. The site is positioned on the eastern side of the A422 Stratford Road. The site is currently accessed from an unadopted and unnamed road, which has a junction with Stratford Road.
- 1.2. The existing buildings on site are irregularly arranged within the plot and have been used for the existing operations of the stone processing yard. Their external appearance is reflective of its industrial character and are not considered to possess any architectural merit, nor do they make any contribution to the established rural character of the surrounding area.
- 1.3. In the near vicinity of the site to the east, an industrial development is currently under construction, which was approved by Oxfordshire County Council through Reserved Matters under planning application refs: MW.0105/17 and MW.0106/17 for up to 1,220sqm of B2 floorspace and an overall ridge height of 9.7 metres. In addition, further to the east is a grouping of 3 agricultural buildings that were approved under planning application reference: 16/00752/F.
- 1.4. To the southeast of the site lies Hornton Grounds Farm, which is a 19th century farmhouse (Grade II Listed), with several ancillary buildings include a farmyard shop and a B&B operation.

2. CONSTRAINTS

- 2.1. There are no restrictive planning designations that apply to the application site. The site lies within Flood Zone 1.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal seeks outline planning permission for a change of use of the site and the construction of up to 8 light industrial units within Classes E(g)(iii) and B2 and associated works including parking, landscaping and the demolition of existing buildings.
- 3.2. The proposed buildings would have a cumulative floor area of up to 1,572sqm (8 x 196.5sqm industrial units) with the indicative site layout plan showing 36 car parking spaces and 30 bicycle spaces. Access would be via the existing unadopted road that leads to the site from Stratford Road. Illustrative details provided show that the buildings would have an eaves height of 8 metres and a maximum ridge height of 9.5 metres (matching those previously constructed on the adjacent land to the northeast, which formed the remainder of the former quarry site).
- 3.3. The proposal is for an outline consent for access only, with all other matters reserved.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

20/01300/F - Erection of an internal boundary wall (part retrospective) between the stone cutting yard and the new industrial development. Permitted July 2020.

OCC Refs: MW.0105/17 & MW.0106/17 - County Council reserved matters approvals for up to 1,220sqm of B2 floorspace alongside the stone cutting yard on the former quarry site. Permitted 2017 and recently constructed.

CDC Ref: 16/00752/F - Erection of three new agricultural buildings beyond the B2 industrial buildings permitted by OCC. Permitted 2016.

OCC Ref: MW.0088/14 and CDC Ref: 14/01284/CM - Retention of existing structures and buildings as Class B2 of the Use Classes Order. Permitted September 2014.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with respect to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site entrance, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **30 June 2025**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

- 7.2. SHENINGTON WITH ALKERTON PARISH COUNCIL: **Supports** the proposed development.
- 7.3. OCC HIGHWAYS: **No objection**. Proposed development would maintain a similar floorspace to the existing site and as such, it is not anticipated to result in any significant increase in traffic and would not have a severe impact on the operation of the local highway network. Existing access will be maintained and is acceptable. Visibility splays are acceptable, though could be compromised by overgrowing vegetation. Highway impacts are deemed acceptable.
- 7.4. OCC LEAD LOCAL FLOOD AUTHORITY: **No objection**. Following amendments to the submitted details, the LLFA Officer had no objections to the proposed development, subject to conditions being imposed relating to the submission of a Surface Water Drainage Scheme, and the submission of a record of the installed SUDS and Site Wide Drainage Scheme.
- 7.5. OCC ARCHAEOLOGY: **No comment**.
- 7.6. OCC FIRE & RESCUE: **No objection**. It is taken that these works will be subject to a Building Regulations application and subsequent statutory consultation with the Fire Service where applicable, to ensure compliance with the functional requirements of the Building Regulations 2010.
- 7.7. CDC ENVIRONMENTAL HEALTH: **No objection** subject to a condition that all plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary. Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates). No comments with regard to air quality, land contamination, light or odour.
- 7.8. CDC BUILDING CONTROL: **No objection**. The proposal is subject to the Building Regulations and will require an application to be submitted to a Building Control body for approval.
- 7.9. CDC ECOLOGY: **No objection**. The proposed development is located entirely on existing hardstanding/bare ground, and as such, mandatory Biodiversity Net Gain (BNG) is not applicable at this stage. There are no other ecological concerns identified. All hedgerows and trees are to be retained and will not be impacted by the proposals. If this changes, further ecological assessment will be required, including consideration of potential impacts to wildlife and the application of BNG.
- Compliance with Section 6: "Recommendations and Mitigation" of the submitted ecological report (Philip Irving, March 2025) should be secured by condition. A Biodiversity Enhancement Plan should be conditioned, including provision for bird, bat, and bee bricks, as well as native species planting. A detailed landscaping plan should also be secured by condition to support delivery of these enhancements.
- 7.10. THAMES VALLEY POLICE: **No objection**. There is a risk that due to its isolated rural location that crime may occur due to lack of surveillance from surrounding developments. Buildings must be constructed to provide adequate security and support deterrence for unauthorised entry. With the speculative nature of the proposal, it is not clear as to what exact security measures would be appropriate.

A detailed security and access strategy should be provided that demonstrates how building security will be managed. All parking spaces should be covered by CCTV to deter crime and assist in the detection and prosecution of offenders. Lighting throughout the development should meet the general standards of BS5489-1:2020 whilst the site is in use. Lighting should support effective CCTV monitoring and may be PIR motion activated to reduce light spill when no activity is present in the area.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment
- PSD1 – Presumption in Favour of Sustainable Development
- SLE1 – Employment Development
- ESD1 – Mitigating and Adapting to Climate Change
- ESD3 – Sustainable Construction
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems (SuDS)
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- Layout, design and external appearance of new development

DRAFT CHERWELL LOCAL PLAN 2042

- LEC 1 – Meeting Business and Employment Needs
- LEC 2 – Development at Existing Employment Sites
- LEC 3 – New Employment Development on Unallocated Sites
- LEC 8 – Rural Diversification

8.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Design Guide (2018)
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Ecology impact
- Flooding
- Residential amenity
- Transport and Highways Impacts

Principle of Development

9.2. The existing site is currently used as a stone processing operation and operates under approval for B2 and B8 industrial type uses. The existing occupant imports quarried stone, where the stone is cut and processed and it is typically used within the construction industry. The applicant advises that the current operator is coming towards the end of their lease, and it is not yet clear as to whether the current operator will continue to operate from the site.

9.3. The proposed development seeks to continue the typical industrial activities that currently occur within the site, with the applicant seeking consent for E(g)(iii) and B2 uses. Whilst there is no current consent over the site for E(g)(iii) uses, these are also industrial-type activities and are, by definition, low impact industrial activities that “*can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust and grit*”. The existing industrial activities currently generally take place predominantly in an open area, and the proposal to construct 8 individual industrial units would enable future industrial activities to take place within more enclosed spaces with more formalised vehicle movement and parking arrangements.

9.4. The site is adjacent to a similar industrial-type development that was approved by Oxfordshire County Council (Refs: MW.0105/17 and MW.0106/17) as a former minerals and waste site. This adjacent scheme approved industrial buildings up to a height of 9.7m (eaves height 6.8m). The maximum heights proposed as shown on the indicative plans for this application show that the overall form of the buildings would be consistent with this scheme on the adjoining site, which is currently under construction and nearing completion.

9.5. The details provided by the applicant show that the existing business operator has 9 FTE employees at the site. By providing 8 separate industrial units the proposal would provide new opportunities for businesses to find suitable space for their operations, increasing the functionality of the space and provide new job opportunities for the local community. Part A.14 identifies key challenges within Cherwell as “*new employment sites are needed to meet modern business needs*” and “*there is a need to make more efficient use of existing employment areas to retain and attract business*”. Further to this, it also states that “*there is a need to adapt to the changing rural economy and to provide more employment opportunities and potentially suitable employment sites in rural areas*”. The proposal to provide modern industrial spaces on an established industrial site seeks to address these challenges.

9.6. Whilst the site is not allocated within the Local Plan as an employment site, Policy SLE1 of the Local Plan identifies criteria requirements whereby new employment proposals within rural areas should be supported provided they satisfy the Policy SLE1 criteria. In taking into consideration these requirements, adequate justification has been provided to support the principle of the proposed development. In particular that

the site is already in use for B class uses and the proposal would not significantly intensify the use of the site.

- 9.7. The current Draft Local Plan 2042 has been submitted for examination and should accordingly be afforded some weight in the assessment of this application. Policy LEC 1 primarily deals with allocated sites but makes provision for employment development on unallocated sites and sites within rural areas through Policy LEC 3. This policy seeks to support, in principle, employment development on unallocated sites in open countryside, where it can be demonstrated that development meets local business and community needs, the development would not have an unacceptable impact on local roads and where it can be demonstrated that the proposal will benefit the local economy and will not undermine the delivery of strategic industrial locations.
- 9.8. In taking into consideration these matters on balance, whilst no specific needs based assessment has been carried out, there is the expectation that the current employment use may vacate the site at the end of their lease in August 2026, and as such the proposal would ensure that the site retains an employment use in perpetuity. Each of the units would be approximately 195sqm in size, providing a more compact and affordable option for future occupants, that may not be suited to the larger allocated employment sites within the district. The existing buildings are not practical to be repurposed, and as such, the redevelopment of the site provides the opportunity to provide spaces that are suited to more modern business activities and increase employment opportunities, that will provide jobs and economic activity for the local community. As detailed within the Transport and Highway Safety section below, OCC has reviewed the proposal and raised no concerns with respect to traffic impacts on local roads.
- 9.9. Overall, the principle of the development is acceptable, when considering both the current and emerging Development Plan policies taken as a whole.

Design, and impact on the character of the area

- 9.10. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high-quality design meeting high design standards and complementing any nearby heritage assets.
- 9.11. Saved Policies C28 and C30 of the CLP 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.12. Section 12 of the NPPF is clear that good design is a fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF states that planning decisions should ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.*

- 9.13. This application is in outline only, with all matters reserved, excluding access. As is common with these types of applications, the applicant has submitted indicative plans to demonstrate how the proposed scheme could be accommodated and may come forward. The plans show eight (8) separate industrial units, laid out in two (2) rows, with four (4) separate industrial units per row. Between the two rows of industrial units, the indicative plans show an internal access road and associated car parking and landscaping.
- 9.14. The applicant has submitted with the application a Landscape and Visual Impact Assessment (LVIA), which considers that the proposed development could be integrated into the location without long term adverse impacts on the receiving landscape character and visual environment. The LVIA appropriately identifies key view points and identifies these locations, receptors and sensitivities of these viewpoints. Most of these viewpoints involve D'Arcy Dalton Way, which is a PRoW that runs in an east-west direction to the south of the site.
- 9.15. In order to maintain appropriate buffers, the proposal would maintain landscaped boundaries and not result in the loss of any vegetation, with existing boundary planting to be enhanced overall within the site. Additional planting is also proposed along the approach view to the site from the south. This would further limit any intervisibility between viewpoints along D'Arcy Dalton Way and the proposed development.
- 9.16. Whilst the scale of the proposed development would be a reserved matter, the Planning Statement provided with the application advises that the proposed buildings would be dual pitched, with an eaves height of 8 metres and a maximum ridge height of 9.5 metres.
- 9.17. This is the basis upon which the LVIA has been based and would be no higher than existing buildings or the buildings that are currently under construction on adjacent sites (application refs: MW.0105/17 and MW.0106/17 (OCC) and 16/00752/F (CDC)). Any passing glimpses of the development would be seen in the context of the prevailing pattern of development on the adjacent sites and therefore would not be demonstrably harmful to the open landscape character of the surrounding area.
- 9.18. The LVIA also includes an assessment of the proposal against the Oxfordshire Wildlife and Landscape Study (OWLS) which characterises the landscape type of the application site as 'Farmland Plateau'. It has been justified that there would be no impact on the identified characteristics of this landscape type or its wider setting. The site is brownfield land that would be wholly contained within the identified boundaries of the existing industrial site. There would be no change to the topography of the site, with no significant earthworks proposed, the proposal would have a long-term negligible benefit to vegetation cover, as new planting establishes itself.
- 9.19. Whilst the proposal would constitute some degree of change to the site, the quantum of enclosed development (internal floorspace) would reduce slightly from 1,600sqm to 1,572sqm. Whilst the development would be higher than the existing buildings, in the context of the emerging pattern of development here, the proposal would be commensurate with the established and emerging built form. Landscaping would likely adequately screen the development from viewpoints around the site and subject to the approval of Reserved Matters, the form of development proposed would not cause demonstrable harm to the visual amenity and landscape character of the surrounding area.

Ecology Impact

Legislative context

- 9.20. The Conservation of Habitats and Species Regulations 2017 consolidated the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.21. Under the Regulations, competent authorities, i.e. any Minister, Government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.22. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.23. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative; and
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.24. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.25. Paragraph 180 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 9.26. Paragraph 186 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.27. Paragraph 191 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.28. Policy ESD10 of the Cherwell Local Plan 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.29. Policy ESD11 is concerned with Conservation Target Areas (CTAs) and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.30. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.31. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.32. The applicant submitted a Preliminary Ecological Appraisal, which concluded that all hedgerows and trees on the boundaries of the site will be retained and that any planting that is to occur should use a high proportion of native or wildlife attracting ornamental species. No evidence was found of roosting bats in the buildings and that prior to any demolition of the site occurring, a check should occur to ensure that there are no nesting birds within the roofs of existing buildings. The appraisal also noted measures to protect any potential badgers, amphibians and reptiles.
- 9.33. The Council's Ecology Officer has reviewed the submitted Ecological Appraisal and notes that the site is within an area of existing hardstanding and bare ground. As such, there is no Biodiversity Net Gain (BNG) requirement. It was noted that all hedgerows and trees are to be retained. A condition has been recommended requiring compliance with the "Recommendations and Mitigation" section of the Ecological

Appraisal. A condition has also been requested requesting a Biodiversity Enhancement Plan and a Detailed Landscaping Plan.

- 9.34. Based on adherence to the recommendations in the submitted Preliminary Ecological Appraisal and the comments from Council's Ecology Officer, the proposal raises no concerns with respect to ecology or biodiversity.

Flooding

- 9.35. The site is within Flood Zone 1 and represents the lowest risk of flooding from rivers or sea. Whilst the proposal is at a low risk of fluvial flooding, as the application site exceeds 1 hectare in size, a Flood Risk Assessment was required to be submitted to address both fluvial and surface water flood risks, which has been reviewed by the Lead Local Flood Authority (LLFA), being Oxfordshire County Council.
- 9.36. The LLFA has advised that subject to conditions around Surface Water Drainage and the submission of installed SuDS records prior to occupation, the proposed development would not represent an unacceptable flood risk. In the matter of flooding, the proposed development is accordingly deemed acceptable.

Residential Amenity

- 9.37. Given the proposed development is in a predominantly rural location, there are no sensitive residential receptors in the near vicinity of the site. It is noted that Hornton Grounds Farm, to the southeast of the application site, hosts some tourist accommodation. However, given the distance of Hornton Grounds Farm from the application site and the fact that the industrial activities proposed would occur within enclosed spaces, unlike the existing situation, it is not anticipated that the proposed development would result in unacceptable harm to the living conditions of any surrounding residential receptors.
- 9.38. The Council's Environmental Health Officer has reviewed the proposal and has recommended a condition requiring plant, equipment and machinery adhere to national guidelines around noise. There was no objection from the Officer on air quality, contamination, light or odour.

Transport and Highways Impacts

- 9.39. Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. The outline consent being proposed is for access only. In line with comments provided by Oxfordshire County Council, the amount of vehicle movements would be commensurate with the existing use that it would replace, with no material intensification.
- 9.40. The site would be accessed by the existing junction of the private road with the A422 Stratford Road, which has a visibility splay of 150m to the north and 160m to the south. This is the existing arrangement, and OCC note that there have been no recorded collisions at this junction in the last 5 years. This suggests that the existing junction operates safely, which the proposed development would not alter. As such, the access arrangements to the site are deemed by both OCC and CDC Officers to be acceptable.
- 9.41. The proposed development would provide adequate car parking capacity that meets OCC Parking Standards, and the development would also provide cycle parking provision, to encourage a modal shift to more sustainable forms of transportation. The

proposal would also provide blue badge parking spaces, located close to the entrances to the industrial units, ensuring that the development would provide accessibility for all.

- 9.42. As such the access arrangements to the site are considered to comply with the development plan as a whole and the proposal raises no specific highway safety or transport concerns.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. In taking into consideration the proposed development as a whole, the principle of development is wholly acceptable, as it is a form of development that is consistent with the existing and emerging pattern of development within the area, would continue typical industrial activities on the land and would support the rural economy by providing modern spaces for new business to grow. Whilst the plans are highly indicative at this stage, the proposal would not result in demonstrable harm to the landscape character and visual amenity of the area, subject to further details being submitted at Reserved Matters stage. The proposed development raises no concerns with respect to ecology and flooding, subject to conditions provided within the recommendation below.
- 10.2. The matter of access to the site has been considered and no concerns have been raised. The junction of the private road with Stratford Road is considered to have adequate visibility splays and the Transport Assessment submitted shows that vehicle movements to and from the site would be consistent with that of the existing operator. There will therefore be no material increase in traffic flows. The proposal also provides adequate cycle and car parking provision.
- 10.3. Overall, therefore, the application proposal is deemed sustainable development and is therefore recommended for approval, subject to conditions.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reserved Matters

2. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

0318_00_000 rev 02 (Site Location Plan);
0318_00_000 rev 01 (Existing Site Plan);
0318_00_100 rev 02 (Proposed Site Plan);
0318_00_101 rev 02 (Proposed Site Plan – Detailed);
Phase 1 Land Contamination Assessment (Brown Fisher Environmental, 8 May 2025);
Preliminary Ecological Appraisal (Philip Irving, March 2025);
Landscape and Visual Impact Assessment (Ecology Solutions, May 2025);
Transport Appraisal (Rev A, DTA Transport Planning Consultants);
Flood Risk Assessment (Harban Redwood Consulting Engineers).

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Restriction of Use Class

4. The premises shall be used for Class E(g)(iii) and B2 uses and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C31 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Secured by Design

5. No development shall commence above slab level unless and until details of how the developer will incorporate Secured by Design principles and/or standards into the development has been submitted to and approved in writing by the Local Planning Authority. The details should include the following:

- Evidence that an application has been made for Secured by Design accreditation
- A detailed Security and Access Strategy that demonstrates how the

building will be managed

- Confirmation that all car parking areas will be covered by CCTV
- Lighting throughout the development will meet the general standards of BS5489-1:2020 whilst the site is in use, be motion activated and reduce light spill when no activity is present in the area.

The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: In order to ensure the safety and security of any future occupants of the site and to comply with Government guidance contained within the National Planning Policy Framework and the Crime and Disorder Act 1998.

Schedule of Materials

6. No development shall commence above slab level until a schedule of materials and finishes to be used in the external walls and roofs of the buildings has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Noise

7. All plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary. Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Sustainability

8. The development hereby permitted shall be constructed to at least a BREEAM 'Very Good' standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with government guidance contained within the National Planning Policy Framework.

Landscaping

9. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- 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,
- details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included 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 shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. The existing hedges along the boundaries of the site shall be retained for the lifetime of the development and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Biodiversity

11. No development shall commence above slab level until a method statement for enhancing the biodiversity of the site, including provision for bird, bat, and bee bricks, as well as native species planting, has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation and shall thereafter be retained in full accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan

Drainage and Flooding

12. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100-year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable);
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details;
- Consent for any connections into third party drainage systems.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

13. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

INFORMATIVES

1. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of

the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

2. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

CASE OFFICER: Joel Turner

25/01702/ADV

Agenda Item 9

**23-24 Castle Quay
Banbury
Oxfordshire
OX16 5UE**



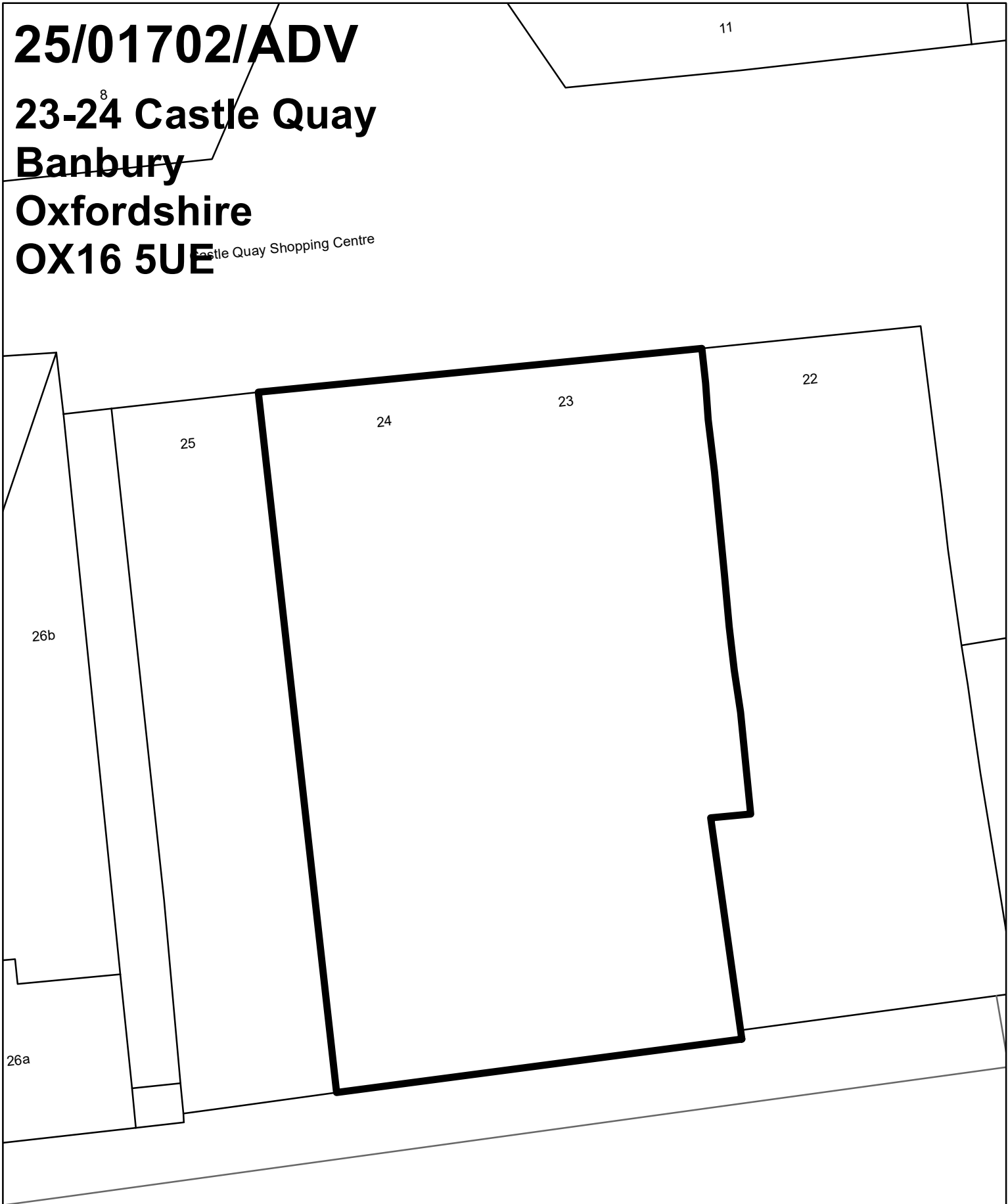
25/01702/ADV

23-24⁸ Castle Quay
Banbury

Oxfordshire

OX16 5UE

Castle Quay Shopping Centre

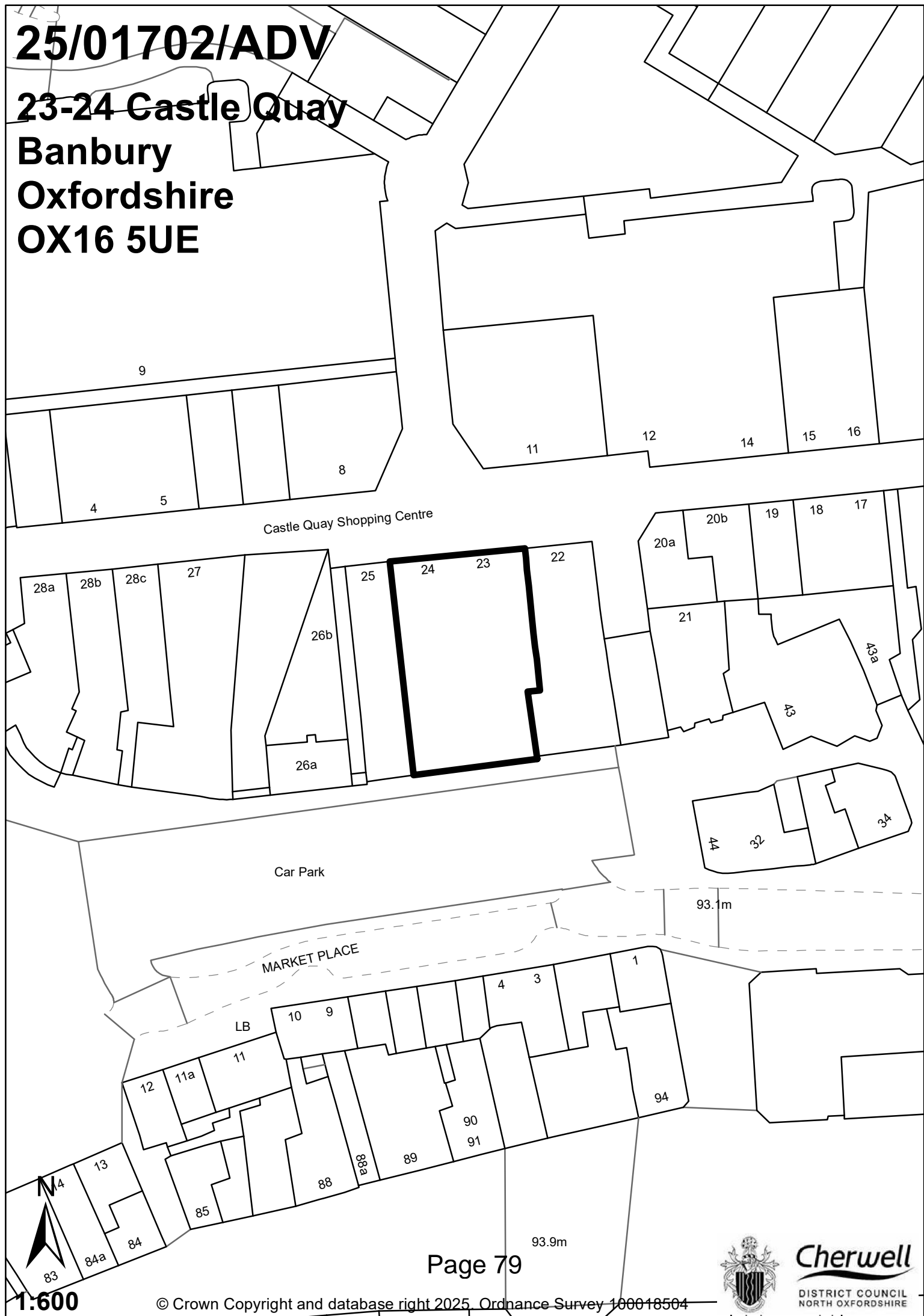


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25/01702/ADV

23-24 Castle Quay
Banbury
Oxfordshire
OX16 5UE



Case Officer: Iwona Gogut

Applicant: Miss Marina Alleyne

Proposal: Erection of one internally illuminated and one non-illuminated replacement fascia signs

Ward: Banbury Cross And Neithrop

Councillors: Councillors Fiaz Ahmed, Becky Clarke MBE and Dr Chukwudi Okeke

Reason for Referral: Application affects Council's own land

Expiry Date: 3 September 2025

Committee Date: 4 September 2025

SUMMARY RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a commercial unit within Banbury Town Centre. The unit is double fronted and has an external entrance that faces the Market Place and one which is within the Castle Quay shopping centre.
- 1.2. The existing building is two storeys (plus attic) and is rendered white on the external elevation and is situated under a slate roof (with ornamental ridge tiles). It is generally simplistic in its form and has a three window range with three attic dormers above. The building is occupied in part by W H Smith and the Post Office and has a modest signage scheme on the external elevation (which is externally lit by 8 spot lights). The shop front comprises modern plate glass.

2. CONSTRAINTS

- 2.1. The application building is a Grade II listed building and is located adjacent to but outside of the designated Banbury Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks advertisement consent for the installation of 1 no. externally fascia sign to the southern elevation of the building and 1 no. internally illuminated fascia sign to the northern elevation. The applicant describes the signs as "like for like replacements", to reflect the changing in branding from WHSmith to TGJones.
- 3.2. The sign to the north elevation, within the Castle Quay shopping centre, would be 0.65m (h) x 3.0m (w) x 0.12m (d), located 2.39m above ground level. The maximum height of any individual letters and symbols would be 29.2cm. The text would be white on a blue background. The illumination would be static and would not exceed 300 cd/m².

- 3.3. The sign to the south elevation would be 0.62m (h) x 5.24m (w) x 0.05m (d), located 2.38m above ground level. The maximum height of any individual letters and symbols would be 26.6cm. The text would be white on a blue background.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

01/02135/LB and 01/02136/ADV – Erection of 1no illuminated fascia sign over two sections and 1 No. non-illuminated projecting sign (RETROSPECTIVE) – granted with conditions, 18.12.2001

16/01870/LB and 16/01583/ADV – 2no externally illuminated fascia signs and 1no non-illuminated hanging sign – granted with conditions, 22.11.2016

17/01511/F, 17/01544/LB and 17/01512/ADV – Installation of Bank of Ireland ATM with reflective advertising collar surround. ATM to be installed on the RHS of shop front through the glazing when viewed externally, in a POD – granted with conditions, 13.09.2017

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **7 August 2025**, although comments received after this date and before finalising this report have also been taken into account.

- 6.2. No comments have been raised by third parties

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

- 7.2. BANBURY TOWN COUNCIL: **No objections**

- 7.3. OCC HIGHWAYS: **No objections** - The proposal is not considered to have a detrimental impact on the safe operation of the highway network. The advertisement does not interfere with visibility at junctions or pedestrian crossings. The level of illumination will not cause glare or distraction to highway users. No part of the signage or associated structure overhangs the highway or footway. The sign does not resemble or could be confused with any official traffic sign or signal.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a

number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment

8.3. Other Material Planning Considerations

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) – "The Advertisement Regulations"
- National Planning Policy Framework (NPPF) in particular Paragraph 132
- Planning Practice Guidance (PPG)
- CDC Design Guide for Shop Fronts and Advertisements: Historic Buildings and Conservation Areas (2013)

9. APPRAISAL

- 9.1. Regulation 3 of the Advertisement Regulations limits the Local Planning Authority's powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

Amenity

- 9.2. Regulation 3(2a) of the Advertisement Regulations states that: *factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.*
- 9.3. Paragraph 141 of the NPPF recognises that: *The quality and character of places can suffer when advertisements are poorly sited and designed.* However, it goes on to state that: *Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*
- 9.4. In both cases the proposed fascia signage would be in the same location and similar to what already exists. The font of the lettering would change but would not be significantly different to the existing and is therefore considered acceptable in this regard.
- 9.5. The proposed signage to the south elevation would be visible from the public domain and therefore would have an impact on the character and appearance of the street scene. However, given the above, their scale and siting the proposal would not appear out of keeping with or detrimental to the visual amenity of the locality or cause harm to the significance of the listed building or other heritage assets and is thus considered acceptable in this regard.

Public Safety

- 9.6. Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.

- 9.7. The proposed advertisements are not considered to present any risk to public safety or highway safety with regards to its scale and positioning. Further, the Local Highway Authority (OCC) has raised no objections to the proposal.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. By reason of its scale, design and siting, the proposed development as amended would not adversely affect public safety or local visual amenity or cause harm to the character or appearance of the Banbury Conservation Area or to nearby listed buildings through change to their setting. Therefore, the proposed development complies with Policy ESD15 of the CLP 2015 and the relevant Government guidance contained within the NPPF.

11. RECOMMENDATION

RECOMMENDATION – That consent is granted, subject to the following conditions:

Time Limit

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, the site location plan, and the drawing pack ref. Banbury – 1328, V03-27-06-25.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. No advertisement shall be sited or displayed so as to -

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. Any advertisement displayed, and any site used for the display of

advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

CASE OFFICER: Iwona Gogut

This report is Public.	
Appeals Progress Report	
Committee	Planning Committee
Date of Committee	4 September 2025
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Jean Conway.
Date Portfolio Holder agreed report.	27 August 2025
Corporate Director	Corporate Director of Communities, Ian Boll.
Date Corporate Director agreed report.	27 August 2025
Report of	Assistant Director Planning and Development, David Peckford

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

1. Recommendations

The Planning Committee resolves:

- 1.1 To note the position on planning appeals as set out in the report.

2. Executive Summary

- 2.1 This report provides a monthly update regarding planning appeals, including new appeals, status reports on those in progress, and determined appeals.
- 2.2 The report sets out the main issues of the appeal and, where determined, the decision is summarised.

Implications & Impact Assessments

Implications	Commentary
Finance	The current cost of appeals has exceeded core budget as at the end of July. Therefore, a request for use of reserves will be necessary. This position will be closely monitored throughout the year but further reserve requests may be necessary.

	Kelly Wheeler, Finance Business Partner, 21 August 2025			
Legal	As this report is purely for information there are no legal implications arising. Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer Legal Services: 27 August 2025			
Risk Management	This is an information report where no recommended action is proposed. As such there are no risks arising from accepting the recommendation. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary. Celia Prado-Teeling, Performance Team Leader , 22 August 2025			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not applicable. This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation. Celia Prado-Teeling, Performance Team Leader.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
Climate & Environmental Impact				Not applicable
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	Not applicable			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable in respect of this report			

Supporting Information

3. Background

- 3.1. When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.
- 3.2. Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition, then they could have appealed against the condition at the time it was originally imposed.
- 3.3. Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.
- 3.4. Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended, and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee.

4. Details

4.1. Planning Appeals

New Appeals

Written Representations	Informal Hearing	Public Inquiry
4	0	0

4.1.1 The 4 new **Written Representations** appeals are :

- Four retrospective glamping pods at Cropredy Lawn (delegated refusal)
- A planning and listed building refusal of retrospective changes to a roof on a previous approval at Colony Rd Sibford Gower (delegated refusal)
- Demolition of existing gage and erection of a two-storey dwelling at Oxford Rd Banbury (delegated refusal)

4.1.2 Details of the new appeals can be found at appendix 1

In Progress/Awaiting Decision

Written Representations	Informal Hearing	Public Inquiry
13	1	3

4.1.3 Details of all the planning appeals can be found at Appendix 1

4.2. Enforcement Appeals

New Appeals

4.2.1 There are no new enforcement appeals

In Progress/Awaiting Decision

4.2.2 There are 3 enforcement appeals awaiting decisions

4.2.3 Details of all the enforcement appeals can be found at Appendix 2

4.3. Appeals Results

4.3.1 23/03428/OUT - Land east of Junction 11 of the M40 and southwest of Huscote Farm, Daventry Road, Banbury, Oxfordshire OX17 2BH.

Appeal Dismissed

The development proposed is construction of up to 140,000 sqm of employment floorspace (use class B8) with ancillary offices and facilities and servicing and infrastructure including new site accesses, internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works including demolition of the existing farmhouse.

Appeal Dismissed

The Inspector dismissed the appeal by Greystoke CB Ltd for a large-scale logistics development near Junction 11 of the M40, Banbury, concluding that although the proposal would deliver substantial economic benefits and meet a short-term local need for smaller logistics units, it would cause significant harm due to unresolved congestion impacts on the local highway network—particularly on Hennef Way and Southam Road—without adequate mitigation. Additional concerns included conflict with local planning policy on site location, moderate landscape and visual harm, and limited heritage impact. These harms were found to outweigh the benefits, and the proposal was deemed contrary to the development plan.

4.3.2 24/01295/F - Duns Tew Manor, Main Street, Duns Tew OX25 6JP

Appeal Allowed

The development proposed the erection of a garden room and associated landscaping.

The Inspector concluded that the proposed garden room at Duns Tew Manor would be a well-designed, subservient addition that respects the architectural character of the Grade II listed building and the surrounding Conservation Area. The development would be largely hidden from public view, would not harm the setting of nearby heritage assets, and would preserve the area's historic significance. Subject to detailed conditions on materials, design, landscaping, and archaeology, the appeal was allowed and planning permission granted.

4.3.3 24/00572/F - Fourways, North Street, Islip, Kidlington, OX5 2SQ.

Appeal Allowed

The Inspector concluded that the proposed development at Fourways, Islip—demolishing a bungalow and constructing two houses—would preserve the character and appearance of the Islip Conservation Area, respect the surrounding architectural context, and not cause harm to the Oxford Green Belt, highway safety, neighbouring amenity, or biodiversity. With no substantive evidence of adverse impacts and compliance with relevant planning policies, the appeal was allowed and planning permission granted, subject to conditions ensuring design quality, environmental protection, and heritage preservation.

4.3.4 25/00556/F - 1 Ingleby Paddocks, Field House, Enslow, Oxon, OX5 3ET

Appeal Dismissed

Split the curtilage into two and erection of a new house on the east plot (self-build)

The appeal was dismissed as the proposed dwelling at 1 Ingleby Paddocks was found to be in an unsuitable location outside the built-up limits of a settlement, conflicting with both local and national planning policies aimed at controlling development in the countryside. Additionally, the design was considered incongruous and harmful to the character and appearance of the area due to its bulk, dormer windows, and prominence within the cul-de-sac. While the scheme would contribute modestly to housing supply and offer some economic and environmental benefits, these were not sufficient to outweigh the significant harm identified.

4.3.5 24/02787/F - The Woodyard, Bainton, Oxon, OX27 8RL

Appeal Dismissed

Conversion to a single dwellinghouse (Self-Build)

The appeal was dismissed as the proposed conversion of a modern agricultural building at The Woodyard, Bainton, to a dwelling was found to be in an unsuitable and isolated countryside location, contrary to local and national planning policies. The Inspector concluded that the building did not meet the criteria for conversion without major rebuilding, lacked sufficient evidence of redundancy, and would result in a visually incongruous and overly domesticated form harmful to the rural character of the area. Despite the Council's housing land supply shortfall and personal circumstances of the appellants, these factors did not outweigh the significant policy conflicts and identified harm.

4.3.6 24/03085/F – 1 Station Road, Launton, OX26 5DS

Appeal Dismissed

RETROSPECTIVE - Installation of entrance door

The Inspector dismissed the appeal for the installation of an entrance door at 1 Station Road, Launton, concluding that the design—particularly the large glass panels—was incongruous with the traditional character of the building and surrounding streetscape, and caused less than substantial harm to the setting of the adjacent Grade II listed Bull Inn. While acknowledging the public benefit of improved accessibility for disabled individuals, the Inspector found that this did not outweigh the harm to heritage and design policies, and therefore the proposal conflicted with the development plan and national planning guidance.

4.3.7 15/00256/COU - Hebbons Yard, Bicester Road, Kidlington, OX5 2LD.

Part Allowed/Part Dismissed

Expansion of Yard onto Agricultural Land

The Inspector concluded that the appeal should succeed in part: planning permission was granted for the storage of showground apparatus, rides, machinery, vehicles, trailers, and equipment on a reduced area of land adjacent to Hebbons Yard, Kidlington, as it was found to be ancillary to the lawful use of the Yard and not inappropriate development in the Green Belt. The enforcement notice was upheld, with corrections and variations, for the remainder of the land where the use was deemed unacceptable. The Inspector also extended the compliance period from 3 to 6 months to allow for proper implementation of conditions and removal of unauthorised items.

4.4. Appellants Award of Costs Application to the Planning Inspectorate.

4.4.1 24/01295/F - Duns Tew Manor, Main Street, Duns Tew OX25 6JP

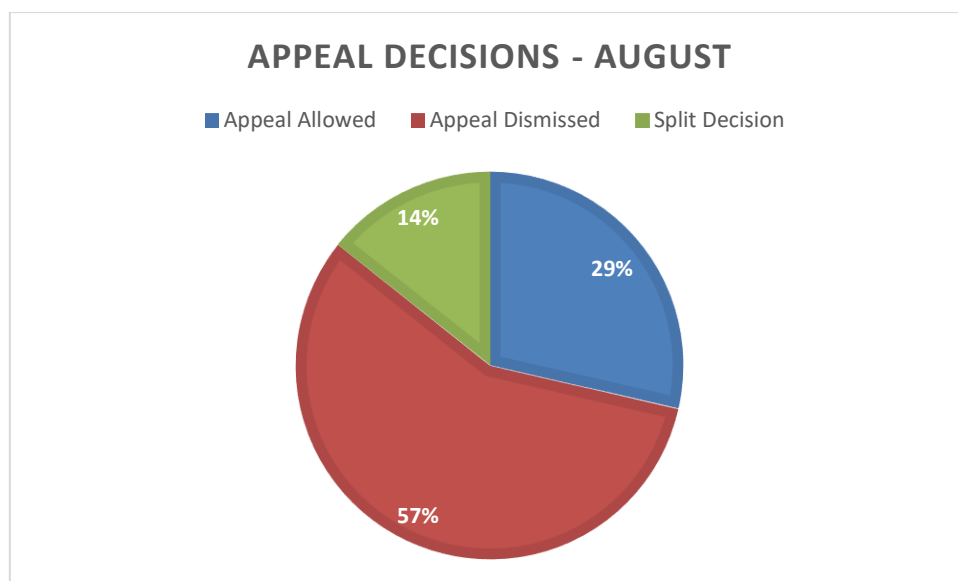
The development proposed is erection of a garden room and associated landscaping.

Full Award of Costs

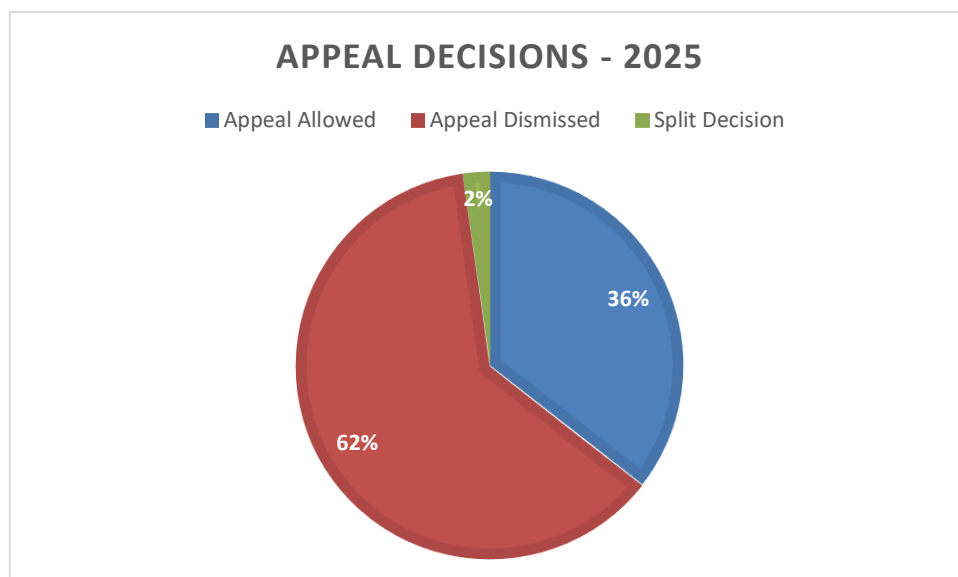
The Inspector found that Cherwell District Council had acted unreasonably in its handling of the planning application for a garden room at Duns Tew Manor, resulting in unnecessary expense for the applicant, G McAlpine. The Council failed to determine the application within the statutory timeframe, allowed a committee call-in that breached its own constitution, and withheld key conservation officer comments until after the appeal was lodged preventing the applicant from addressing concerns earlier. These procedural failures led to the appeal being submitted and justified a full award of costs against the Council.

4.5. **Appeal Decision Data**

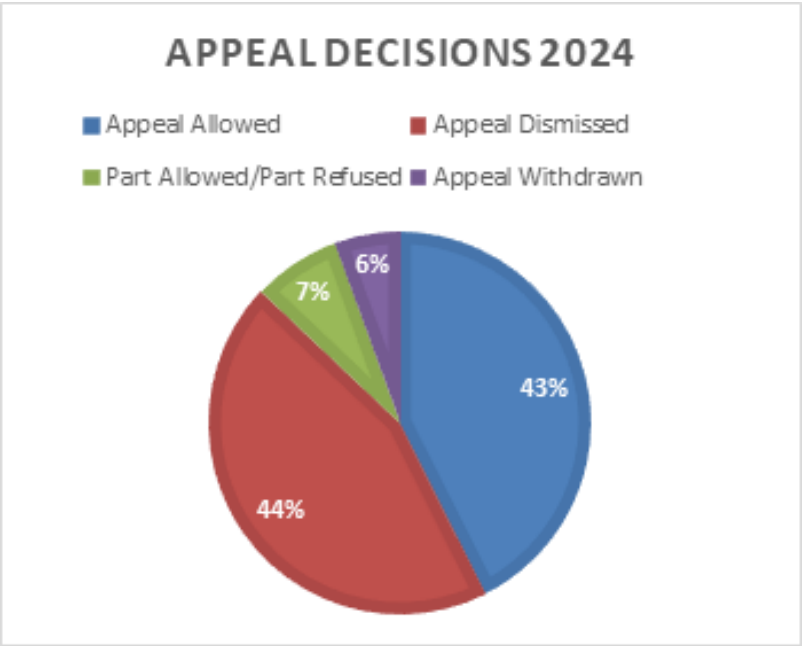
4.5.1 Since last month's appeals report we have received 7 appeal decisions. 4 were dismissed, 2 were allowed and one had a split decision



4.5.2 So far in 2025 there have been 45 appeal decisions, 16 allowed, 28 dismissed and 1 split decision



4.5.3 In 2024 there were 54 appeal decisions, 23 allowed, 24 dismissed, 4 split decisions and 3 withdrawn



4.5.4 The above data shows that the proportion of appeals being allowed is decreasing.

4.6. **Forthcoming Public Inquiries and Hearings between 4th September 2025 and 2nd October 2025**

4.6.1 None

5. Alternative Options and Reasons for Rejection

5.1 None. This report is submitted for information.

6 Conclusion and Reasons for Recommendations

6.1 The report provides the current position on planning appeals for information for Members.

Decision Information

Key Decision	Not applicable
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Subject to Call in	Not applicable
If not, why not subject to call in	Not applicable
Ward(s) Affected.	Appeal dependent

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	All documents in respect of the planning appeal
Report Author	Sarah Gevaux, Appeals Administrator Paul Seckington, Development Manager
Report Author contact details	Sarah.gevaux@cherwell-dc.gov.uk Paul.seckington@cherwell-dc.gov.uk

Appendix 1 - Planning Appeals

New Written Reps Appeals received

Application Number	Location	Description (summary)	LPA Decision:	Start Date
22/03163/F	Cropredy Lawn, Cropredy Lawn Road	RETROSPECTIVE: - siting of 4 glamping pods	Refusal Delegated	25.07.2025.
25/00007/LB	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
24/03296/F	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
25/01186/F	Garage At 2 The Limes Oxford Road Banbury OX16 9AN	Demolition of existing garage and erection of a flat-roofed two-storey dwelling	Delegated Refused	19.08.2025.

New Informal Hearing Appeals Received:

None

New Public Inquiry Appeals Received:

None

Written Reps Appeals Outstanding :

Application Number	Location	Description (summary)	LPA Decision:	Start Date
23/03078/CLUP	Manor Cottage, Middleton Park, Middleton Stoney	Certificate of Lawfulness of Proposed Development: Repositioning of existing "tarmac" driveway with a gravel driveway.	Delegated Refusal	23.04.2024.
24/00379/TPO	Rectory Farm, Mill Lane, Upper Heyford	T1 Walnut and T2 - Beech - crown reduction. - subject to TPO 13/2019.	Delegated Refusal	06.07.2024.
24/01378/CLUP	Manor House Islip Road Bletchingdon	Certificate of Lawfulness of Proposed Development for the erection of an incidental outbuilding under Class E to Part 1 of the Town and Country Planning (General Permitted Development) Order 2015	Delegated Refusal	29.01.2025.
23/03366/OUT	Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive Banbury	Outline planning application for up to 114 dwellings and associated open space with all matters reserved other than access	Committee Refusal Against Officers Recommendation	20.03.2025
24/01646/CLUP	Greenhill Leisure Park Greenhill Farm Station Road Bletchingdon	Certificate of Lawfulness of Proposed Use for Use of static caravans for permanent residential occupation	Delegated Refusal	27.03.2025
25/00748/PIP	8 Heathfield Cottages	Permission in Principle - Proposed conversion of existing building to form 1 no. dwellinghouse. Removal of existing outbuildings.	Appeal Against Non-Determination	30.05.2025.
24/03076/F	Phone Kiosk To The Front Of No 30 Bridge Street Banbury	Installation of 1no. BT Street Hub unit	Delegated Refusal	02.06.2025.

24//03077/ADV	Phone Kiosk To The Front Of No 30 Bridge Street Banbury	Installation of 1no. BT Street Hub unit	Delegated Refusal	02.06.2025
24/03350/F	73 High Street, Kidlington	RETROSPECTIVE - First floor extension over an existing garage with eaves height increment to accommodate new windows	Committee Refusal Against Officers Recommendation	11.06.2025
22/01682/F	Land North of Manor Farm Noke	Development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas.	Committee Refusal Against Officers Recommendation	12.02.2025
24/03431/F	Land Adjacent 53 And 54 Hambleside Bicester	Construction of self-build two storey, two bedroom, three person house	Refused Delegated	25.06.2025
25/00427/PIP	Land rear of Bridge House and 1 and 2 The Villas, Main Street, Wendlebury	Permission in principle - proposed residential development of 2-3 dwellings	Refused Delegated	07.07.2025
24/02692/F	63 Sandford Green Banbury	Part single/double storey rear extension and first floor side extensions to facilitate additional 1 studio flat and reduction of 2 existing 2 bed flats to 1 bed flats	Refused Delegated	09.07.2025

Informal Hearing Appeals Outstanding:

Application Number	Location	Description (summary)	LPA Decision:	Start Date
22/03802/OUT	Part Of OS Parcel 8752 East Of Combe Cottage And South Of St Johns Way Hempton Road Hempton	Outline planning application for the erection of up to 9 dwellings and creation of associated vehicular and pedestrian access onto Hempton Road, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters	Second Hearing Due to the Appellants Successful JR of the Original Appeal Decision.	08.01.2025

		to be reserved except new vehicular access into the site from Hempton Road - all matters reserved except for access.		
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Public Inquiry Appeals Outstanding

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/00245/OUT	South Lodge, Land West of Fringford Road, Caversfield,	Outline application for demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works with all matters reserved except for access.	Committee Refusal following Officer recommendation	28.11.2024.
23/01265/OUT & 24/01908/OUT (Linked Appeal)	OS Parcel 0069 West Of Quarry Close Quarry Close Bloxham	Outline planning application for the erection of up to 60 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point. All Matters Reserved except for means of access - re-submission of 23/01265/OUT	Committee Refusal following Officer recommendation	29.04.2025
24/03162/CLUE	Barn At Point To Point Farm Mollington Banbury OX17 1QE	Certificate of Lawfulness of Existing Use to regularise the existing use of a dwelling house	Appeal Against Non-Determination	24.06.2025

Appendix 2 - Enforcement Appeals

New Enforcement Appeals Received:

None

Enforcement Appeals Outstanding:

Application Number	Location	Description (summary)	LPA Decision:	Start Date
21/00333/ENF	Fairway Cottage, Main Road, Swalcliffe	Without planning permission, the construction of a timber outbuilding and associated engineering operations, including the raising of land levels and the construction of a retaining wall, as shown edged in blue on the attached plan titled 'Location Plan'.	Enforcement Notice	10.11.2023 Written Reps
23/00001/ENF	Ashberry Cottage, Duns Tew, Bicester	Without the benefit of planning permission, the unauthorised erection of a single-storey porch, finished with timber cladding, to the principal elevation of a mid-terrace dwelling attached to a curtilage listed grade II building Owl Barn (Historic England reference 1046304)	Enforcement Notice	28.11.2023 Written Reps
20/00295/ENF	16 Almond Avenue, Kidlington	Garage/Garden building converted to residential premises	Enforcement Notice.	13.03.2024 Written Reps
23/00525/ENF	Heathfield Yard, Street Through Heathfield Village, Heathfield, Oxon, OX5 3DX	Erection of a large building for scaffolding and portacabins without planning permission	Enforcement Notice	04.06.2025