

Application No: 11/01052/OUT	Ward: Ambrosden and Chesterton	Date Valid: 05/07/2011

Applicant:	Countryside Properties (Bicester) Ltd
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Site Address:	Land South West of Bicester adjoining Oxford Road and Middleton Stoney Road, Bicester.
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Proposal: Outline – Construction of up to 46 dwellings with associated amenity space, car parking, access roads and public open space.

1. Site Description and Proposal

- The application site comprises 1.4ha within the wider 116ha S.W Bicester development site which was granted consent for mixed use development including 1585 houses in 2008 under application number 06/00967/OUT. The site is roughly triangular in shape and comprises undeveloped agricultural land, although it has not been used for such purposes for some time. The application is in outline with all matters reserved.
- 1.1 The site is approximately 0.3km from the current southern boundary of Bicester, which is defined by Middleton Stoney Road. The village of Chesterton lies approximately 0.8km to the south west of the site. A triangular copse just to the north will be retained. The buildings of Whitelands Farm lie immediately to the south.
- 1.2 The Site will be accessed via the new internal main principal spine road which has now been constructed as part of the first infrastructure process. The site was originally allocated within the larger S.W. Bicester development as a reserve school site for a second primary school should it be required. This application therefore now seeks consent for the site to be developed for residential purposes and illustrative schemes submitted with the application identify that it can accommodate up to 46 units.
- 1.3 Following the granting of outline planning permission reserved matter applications have been approved for the initial infrastructure proposals to enable development to commence on the wider S.W. Bicester site. The drainage has been installed and the first section of the spine road is currently under construction. The first dwellings are also under construction.
- 1.4 This application is a resubmission of application 10/01381/OUT which was refused by the Planning Committee contrary to officer recommendations in March. An appeal has been lodged and an inquiry is set for 28th September this year.

2. Application Publicity

- 2.1 The application has been advertised by way of a site notice and a notice in the local press. The expiry date for the advert period is 4th August 2011. At the time of writing the report no representations have been received as a result of the advertisements.

3. Consultations

Bicester Town Council have yet to comment.

3.1

Chesterton Parish Council have yet to comment.

OCC as highway authority raise no objections and comment as follows;

‘ The submitted Traffic Assessment which sets out the trip generation from the proposed development resulting in a minor increase in vehicular traffic is unlikely to have an adverse effect upon the operation of local junctions. A review of the accident data for the area has highlighted a few incidents over the last 5 years, but these appear to be down to driver error rather than the characteristics of the local highway network. In the light of this data it is considered that the proposed development is unlikely to increase the number of recorded accidents in the area. Having regard to the above the submitted TA is reasonable.

In terms of the layout this should accord at reserve matter stage to the standards within the approved Design Code and if it is to be adopted via a sec 38 Agreement will need to be constructed to OCC standard, and will need to demonstrate that refuse vehicles can turn within the site.

A financial contribution towards the Bicester Transport Strategy has been agreed with the applicant as too has a financial contribution towards improving the Oxford to Bicester rail service.

A Construction Management Travel plan must incorporate what has already been agreed for the Kingsmere Development.

Conditions are also recommended should consent be forthcoming.’

Thames Water advise in respect of surface water drainage that it is the responsibility of the developer to make proper provision for drainage to ground water courses or a suitable sewer and that storm flows are attenuated or regulated into the receiving public network through on or off site storage. An informative is also recommended to be attached to any grant of planning permission. In terms of waste, the proposals are acceptable on condition that this site is connected with proposals for the adjacent Whitelands Farm development. No surface water systems are to be adopted by Thames Water and any foul sewers required for adoption will require specific agreement with Thames Water.

OCC – Drainage Team advise that any new hard landscaped areas outside of the highway must be permeable or have a positive drainage system which connects to soakaways within the boundary limits of the development. Where SUDS features are to be adopted by OCC these should be designed for ease of maintenance. Full drainage design details will be required at reserve matters stage.

Environment Agency has no objections but suggests the imposition of a number of conditions

Cherwell District Council – Landscape Architect commented previously and raised no objections subject to the provision of appropriate open space and play space and that the adjacent woodland and calcareous grassland are appropriately protected and section 106 contributions in respect of open space and play provision.

Cherwell District Council - Biodiversity + Countryside Officer commented previously and have requested that considerations be given to the incorporation of bird habitat

into the development.

Cherwell District Council – Urban Design commented previously and raised no objection. The site is not covered by the character areas element of the approved Design Code for the rest of the Kingsmere Development but the accompanying Design and Access Statement draws material from the approved design code to explain and justify the proposals. It does so adequately and consistently. The illustrative layout adequately demonstrates that up to 46 units can be accommodated on the site.

OCC – Developer Funding raises no objections to the proposal subject to the applicants entering into a legal agreement with OCC and CDC in respect of appropriate contributions to mitigate the effects of this development if implemented. The sums requested incorporate at the developer's requests sums index linked to the 2nd quarter of 2010 rather than the 1st quarter of 2010.

It has been assessed by OCC that the proposed submission will increase the populations by 130 people, including 7 pensioners. The section 106 contributions requested have been based upon that assumption and are considered necessary to protect the existing levels of infrastructure for local residents.

In summary the County Council considers that the occupation of the proposed dwellings on this site will place additional strain on existing community infrastructure. In order that improvements can be made towards the anticipated growth in population as a result of this development, it therefore requests that the Planning Authority require the developer to make contributions towards County Council service infrastructure besides Highways and Transport details.

An administrations fee is also required, half of which should be paid on completion of the agreement and the remainder on the submission of reserve matters.

CDC – Head of Housing commented previously stating that 30% affordable housing provision will be required in line with current policy which equates to 13 units. The type and tenure mix is currently being considered as part of the draft legal agreement. All these properties should be dispersed throughout the whole development in clusters of no more than 5 units in one cluster.

Thames Valley Police consider that both Central Government and Local Policy justify sec 106 Contributions to mitigate the impact of the proposed development on the police service and are lawful in the context of CIL Regulation 122 and guidance in Circular 05/2005. The contribution would be used by TVP specifically towards the provision of new or enhanced police accommodation and to cover the setup costs including IT, other infrastructure & detection equipment, plus patrol cars/neighbourhood van for officers.

CDC - Head of Planning Policy and Economic Development advises that this application site is 1.4ha of agricultural land within the site of the S.W. Bicester urban extension allocated in the non statutory Cherwell Local Plan 2011 and granted outline permission 06/00967/OUT in June 2008. The dwellings would be additional to the 1585 already permitted.

Provided it has been confirmed by OCC that this second primary school site is no longer required to accommodate the permitted urban extension, there is no policy objection to the proposal in the interests of making effective & efficient use of land

within a site already approved for an urban extension.

The site is also included in the Districts 5 year land supply as a deliverable housing site. This in itself carries no policy weight but the loss of the site as a residential development could undermine the districts housing land supply provision.

4. Relevant Planning Policies

- 4.1 Policy H13 of the Non-Statutory Cherwell Local Plan identifies this site as part of the S.W. Bicester strategic urban extension as a mixed use development to include up to 1585 dwellings
- 4.2 Policy C28 of the Adopted Cherwell Local Plan seeks to exercise control over all new development to ensure standards of design are sympathetic to the character of its context.
Policy C30 relates to housing development and seeks to ensure that it is compatible with existing dwellings in the vicinity of the site.
Policy H5 seeks affordable housing provision on substantial new residential schemes where there is a need.
- 4.3 Policies CC1, CC4 and CC6 of the S.E. Plan are relevant in seeking sustainable development & high quality design.
Policy CO 3 of the South East Plan promotes Bicester as a main location for housing development.
Policy NRM4 seeks the incorporation of SUDs within all new developments.
- 4.4 PPS1 'Delivering Sustainable Development'
PPS3 'Housing'
PPS9 'Biodiversity'
PPG13 'Transport'

5. Appraisal

- 5.1 The main issues for consideration include the principle of the development, the need for a reserve school site, access and traffic, ecology, landscape impact and planning obligation.

5.2 **Principle of Development**

As previously stated, the application site was part of the original development proposed for S.W. Bicester which was granted outline planning permission in June 2008 under application number 06/00967/OUT. The site is therefore included within that allocated within Policy H13 of the non-statutory Cherwell Local Plan. This particular part of the site at that time was identified within the approved master plan, within the Planning statement accompanying the application and within the approved Design Code as the 'reserve school site'. Reference to the provision of 2 primary schools within the development is also referred to in the description of development (06/00967/OUT refers). The development of this part of the site is reliant upon the wider S.W Bicester development being progressed to provide the access network and utilities.

The proposal seeks consent for the erection of up to 46 dwellings within the limits of the above urban extension which is acceptable in principle and does not result in any further encroachment into the open countryside. The development of up to 46

dwellings on the site results in a density of approximately 33 dwellings per hectare. This accords with the range of densities across the site and this area of the development which is most appropriately located within the Avenue Character Area of the Kingsmere Development.

HDC & MD therefore considers that subject to all other material planning considerations, the proposal is acceptable in principle and accords with the policies above.

5.3 **Impact on the Adjacent Woodland and Wildlife Corridor**

The site is located just to the south of an existing small area of woodland which is to be retained and protected as part of the development of S.W. Bicester. The woodland in question is triangular in shape and stands in isolation from other groups of trees and hedges within the site, but will be enhanced by the provision of a green corridor and wildlife corridor from the Middleton Stoney road down through the site and to its south linking through with other green routes within the development. The development site is located to the south of this woodland and will not encroach upon the tree protection areas which have already been identified by a full arboricultural report already produced in conjunction with the S.W. Bicester development.

5.4 **Landscape and Visual impact**

Whilst the proposed residential development will be visible from the surrounding area it will be seen in relation to and as part of the wider S.W. Bicester development, and will therefore be bordered to the north and east by residential properties and therefore viewed against this urban extension background.

The proposed residential development is within the building parameters set out in the Environmental Statement accompanying the 2006 outline application for the S.W. Bicester development. The development of this site for residential purposes rather than as a school site is unlikely to significantly alter the overall visual impact of the development.

The copse to the north of the site has been subject to a full arboricultural survey and a tree protection plan and copse management plan have been submitted as part of the outline Section 106 requirements. This proposal will not impact and encroach into that area.

It is considered therefore that this development will be acceptable in terms of its landscape and visual impact.

5.5 **Ecology**

Full ecological surveys were undertaken in connection with the outline consent including a phase 1 habitat survey, and it is accepted that the change of use of this site from a school site to residential will not affect the conclusions of that Environmental Statement. The site does not have a high ecological value being a former arable field.

Prior to submitting this application ecologists on behalf of the applicant revisited the application site and advised that as the site had been under arable cultivation since the last survey in 2004 and is still ploughed on a biennial basis, there was little likelihood that any features of ecological interest developing with no significant boundary features within the area.

HDC & MD therefore considered that an additional ecological survey was unnecessary and that the conclusions of the Environmental Statement submitted in 2006 which found nothing of any significance in this part of the site, remain valid.

5.6 **Flood Risk**

A Flood Risk Assessment was submitted and accepted by the Environmental Agency as part of the wider S.W Bicester development. This part of the development is in Flood Zone 1 and not at risk of fluvial flooding. The drainage design strategy provides specific requirements to manage surface water on this development parcel and the detailed design for the main sewer has been approved by the Environment Agency and OCC who will adopt the systems. The Environment Agency have not raised any objections to the development proposed subject to the imposition of a number of conditions.

5.7 **Access and Traffic**

As previously stated, this part of the development is reliant on the wider South West Bicester scheme being progressed to provide the access network and utilities. Work on the wider S.W. Bicester mixed use development has commenced, the drainage has been installed and works to the main spine road and roundabout entrance on to the Middleton Stoney road commenced in August 2010. These works are now well underway with completion expected by the new year

A Traffic Assessment has been submitted as part of the application. WSP undertook a traffic assessment as part of the wider outline consented scheme in addition to the assessment made in the Environmental Statement, The 2006 assessment however made no allowance for trips associated with this part of the site due to its reserved status, and therefore the trips associated with this new residential scheme must be considered as additional trips generated into the network.

The Traffic Assessment concluded that overall, compared to the traffic movement generated by the S.W. Bicester development as a whole that the additional trips generated by this development would not be significant and therefore would not alter the conclusions of the Environmental statement submitted as part of the wider outline scheme. Oxfordshire County Council as Highway Authority does not disagree with this conclusion and made no objections to the proposal subject to the imposition of a number of conditions.

5.8 **Loss of a Second Primary School site**

Members will recall that a previous Outline application for the erection of up to 46 dwelling on this part of the development, which is otherwise known as the reserve school site, was refused in March on the basis that it was premature to release this site for housing until the density and housing mix of the S.W. Bicester development was known and therefore the need or otherwise for a second primary school at S.W. Bicester had been established.

The South-West Bicester urban extension was allocated as a strategic site within the Councils Non-Statutory Cherwell Local Plan under Policy H13. One of the requirements within that policy was to provide a primary school and land for a secondary school within the development. At that time the County Council thought that potentially 2 primary schools would be required to meet the needs of the development. The outline application as submitted in 2006 (06/00967/OUT) identified land for 2 primary schools. However, following an assessment in 2006

during the considerations of the Outline application, of the likely pupil generation and examination of the then extant and forecast capacities in local schools it was considered by OCC that to meet the needs from the 1585 homes, a single two form entry primary school (ie no second primary school on the development) was required. That meant that any residual need generated from the development would be expected to be provided for within existing schools within Bicester.

As the outline application had progressed so far at that time, the applicants made the decision not to amend the application at that time but to continue with the determination of the application. The Outline permission therefore granted in June 2008 referred to the provision of 2 number primary schools within the description of development, and the two sites are indicated within the approved master plan for the site and also within the approved Design Code landuse proposals plan. Whilst it was agreed with the applicants during the consideration of the Outline application, based on the information available at that time, that the consent for up to 1585 dwellings with the agreed density across the site, was likely to produce up to 3040 bed spaces, and therefore unlikely to generate a need for a second primary school, a clause contained within the Section 106 Agreement accompanying the Outline consent, does seek further education, contributions from the developer should that number of bed spaces be exceeded.

It is accepted that the first phases of the development granted reserve matters permission has a higher numbers of larger properties than identified in the overall mix for the site than was put forward. Reserve matters consent has been granted to two house builders on land parcels KM1, KM2 and KM6. Development has now begun on parcels KM1, KM2 and KM6. However, it is considered that it is currently too early to draw firm conclusions on the implications of this as we are expecting a variation in density and character across the site which is likely to mean that some areas will have higher numbers of smaller properties than others and vice versa.

Furthermore the site, whilst indicated as the reserve school site within the outline application documents is not required to be retained as such either as part of that outline consent nor the accompanying Section 106 Agreement, and there is therefore no mechanism for requiring its reservation until South West Bicester has been built out and the exact numbers are known. HDC & MD is of the view that to resist the development of this site for residential purposes on the grounds that it is premature to release it for additional housing at this stage would not be reasonable and would be difficult to defend on those grounds alone at appeal.

It is expected that the main primary school on the South West Bicester development will be two form entry and will include the relocation of the existing St. Edburgh's School, whose original site will then be available for redevelopment subject to the necessary planning consents being granted.

Following the previous refusal further discussions have taken place with Oxfordshire County Council regarding the necessity to retain the site for educational development. It will be seen from the County Council's response above that they have not raised objection to the proposed development of the site subject to resolving S106 issues below.

Having regard to the above therefore, no objections are raised relating to the loss of this site as a second primary school and the alternative use residential is

considered appropriate.

5.9 **Planning Obligations**

The proposed development would generate a need for infrastructure and other contributions that need to be secured through a planning obligation, to enable the development to proceed. Negotiations are ongoing at the time of writing this report with the applicants to secure the necessary contributions to meet needs generated by the development.

Having regard to the above, it is likely that the Heads of Terms relating to the planning obligation as part of this development will include the following:-

District Council Requirements

- Affordable housing at 30% which equates to 13 units. The tenure and type is currently being considered by Housing.
- Informal open space and LAP Provision within the site together with maintenance contributions for the LAP at £30,570 and management fee of £3,057.
- Outdoor sports contribution towards the facilities at S.W Bicester at £809.56 per dwelling.
- Public Art at £150 per dwelling.
- Refuse and recycling bins £60 per dwelling.
- Monitoring fee £1000

County Council Contributions

- Highways and Public transport £92,074
- Education £818,987
- Library £11,297
- Day Centre for the elderly £7,115
- Waste and Recycling £8,284
- Museum £639
- Adult Learning £1,515
- Youth Centre Provision £3,234
- Monitoring Fee £5,000

A draft Section 106 Agreement is currently being drawn up by the legal department. Members will be updated at the meeting of its progress.

5.10 **Conclusion**

Having regard to the above assessment, it is considered on balance that the proposal for the erection of up to 46 residential dwellings on this reserve school site is acceptable in principle. It will provide additional affordable housing and will help to meet the Council's housing land supply targets. The development will not cause significant harm to the visual amenities of the locality and will not impact significantly upon the local infrastructure subject to securing appropriate contributions. The application is therefore recommended for approval subject to the applicants entering into a planning obligation relating to the additional infrastructure

provision as stated above, and a number of conditions. Members are urged in the light of the above to reconsider their previous refusal and to approve the recommendations as set out below

6. Recommendation

Approve Subject to:-

- a) the applicants entering into a Section 106 Agreement with the local authority in respect of the items specified above
- b) the following conditions and planning notes

1.	<p>That no development shall be commenced until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason This permission is in outline only and is granted 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).</p>
2.	<p>That in the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Sections 51 of the Planning and Compulsory Purchase Act 2004, and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).</p>
3.	<p>That the development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval if the last reserved matters to be approved.</p> <p>Reason This permission is in outline only and is granted 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).</p>
4.	<p>That except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents. Transport Assessment dated September 2010 site location plan 180601x/SLP and Design and Access statement dated July 2011.</p> <p>Reason For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority + to comply with Policy BE1 of the South East Plan 2009.</p>
5.	<p>That a plan showing the details of the finished floor levels of the proposed</p>

	<p>dwelling(s) in relation to existing ground levels on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.</p> <p>Reason To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy BE1 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.</p>
6.	<p>That the external walls and roof(s) of the dwelling(s) shall be constructed in accordance with a schedule of materials and finished which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved</p> <p>Reason To ensure the satisfactory appearance of the completed development and to comply with Policy BE1 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.</p>
7.	<p>That no more than 46 dwellings shall be accommodated on the site.</p> <p>Reason In order to achieve a satisfactory form of development, to ensure that the site is not overdeveloped and to comply with Policies H5 and BE1 of the South East Plan 2009 and Policies C28 and C30 of the adopted Cherwell Local Plan.</p>
8.	<p>That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for Landscaping the site which shall include:-</p> <p>(a) details of the proposed tree and shrub planning including their species, number, sizes and positions, together with grass seeded/turfed areas,</p> <p>(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,</p> <p>(c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.</p> <p>Reason In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.</p>
9.	<p>That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation</p> <p>Reason In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.</p>
10.	<p>That full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and such means of enclosure, in respect of those dwellings which it is intended shall be screened, shall be erected prior to the</p>

	<p>first occupation of those dwellings.</p> <p>Reason To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies C28 and C30 of the adopted Cherwell Local Plan.</p>
11.	<p>Prior to the commencement of the development hereby permitted details of the provision, landscaping and treatment of open space/play space within the site shall be submitted to and approved in writing by the Local Planning Authority. The open space/play space, once approved shall be landscaped, laid out and completed in accordance with the details approved and within a time period to be first approved in writing by the Local Planning Authority and thereafter retained as open space/play space.</p> <p>Reason In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space/play space and to comply with Policy BE1 of the South East Plan 2009 and Policy R12 of the adopted Cherwell Local Plan.</p>
12.	<p>The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk document dated September 2010, and the following mitigation measures detailed within the document.</p> <ol style="list-style-type: none"> 1. The surface water drainage scheme shall be designed to infiltrate or attenuate (where infiltration is not possible) surface water from storms up to and including the 1 in 10 year storm event, as detailed in Sections 1.4.2 of the Reflection on Flood Risk document. 2. The design of the surface water drainage system shall be designed in accordance with the surface water strategy and catchment layout drawing 19.3/D/006 rev L, as set out in Section 1.6.1 of the Reflection on Flood Risk document. 3. The surface water drainage system shall be in accordance with the Design Code dated July 2008 for the wider Kingsmere development, as detailed in Section 1.8 of the Reflection on Flood Risk document. 4. Permeable paving shall be used on all minor roads within the parcel, as detailed in Section 1.4.2 of the Reflection on Flood Risk document. <p>Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and provide environment enhancements through the use of a suitable mix SUDS techniques.</p>
13.	<p>No development approved by this planning permission shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.</p> <p>Reason To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the drainage system. To prevent the potential pollution of the underlying aquifer from the use of soakaways in contaminated land.</p>
14.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has</p>

	<p>submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.</p> <p>Reason The geology under the site is Cornbrash Limestone (Secondary A Aquifer). There is a potential for fly-tipping to have occurred on the site and should any olfactory or visual evidence of contamination be detected during construction then it should be dealt with in an appropriate manner. The underlying aquifer has the potential to be contaminated. This is in accordance with Local Plan Policy ENV7 (Development affecting water quality) adopted 1996.</p>
15.	<p>That the internal vehicle access vision splays shall be formed, laid out and constructed in accordance with detailed plans which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and that the land and vegetation within the splays shall not be obstructed by any object, structure, planting or other material height.</p> <p>Reason In the interests of highway safety and to comply with government advice contained in PPG13.</p>
16.	<p>That, before any of the dwellings are first occupied, the whole of the estate roads and footpaths and pedestrian/cycle links (<i>except for the final surfacing thereof</i>) shall be laid out, Constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council Specifications.</p> <p>Reason In the interests of highway safety and to comply with government advice contained in PPG13.</p>
17.	<p>That, before any of the dwellings are first occupied, the proposed vehicular accesses, driveways and turning areas that serve those dwellings shall be constructed, laid out, surfaced and drained (SUDS) in accordance with the specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>Reason In the interests of highway safety and to comply with government advice contained in PPG13.</p>
18.	<p>Before the development is first occupied the parking and manoeuvring areas associated with the dwellings shall be provided in accordance with the plan (to be agreed at reserved matters stage) hereby approved and shall be constructed, laid out, surfaced, drained (SUDS) and completed, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.</p> <p>Reason In the interests of highway safety and to comply with government advice contained in PPG13.</p>
19.	<p>Prior to work commencing a Construction Management Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason In the interests of highway safety and to comply with government advice contained in PPG13.</p>
20.	<p>Prior to the commencement of the development hereby permitted, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The approved surface water drainage scheme shall be carried out prior to commencement of any building works on the site and the approved foul sewage drainage scheme shall be implemented prior to the first occupation of any building</p>

	<p>to which the scheme relates. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".</p> <p>Reason To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government advice in PPS25: Development and Flood Risk, Policy NRM4 of the South East Plan 2009 and Policy ENV1 of the adopted Cherwell Local Plan.</p>
21.	<p>A Local Area of Play (LAP) shall be provided in accordance with the Council's adopted policy. Details of the siting and design of the LAP shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and thereafter it shall be provided in accordance with the approved details prior to the occupation of any dwelling.</p> <p>Reason To ensure the provision of appropriate play facilities to serve the development and comply with Policy CC7 of the South East Plan 2009 and Policy R12 of the adopted Cherwell Local Plan.</p>
22.	<p>No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:-</p> <p>a) a plan that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.</p> <p>b) the details of each retained tree as required at paragraph 4.2.6 of BS5837 in a separate schedule.</p> <p>c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.</p> <p>Reason To ensure the continued health of retained trees and in the interests of the visual amenity of the area, to ensure the integration of the development in to the existing landscape and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.</p>
23.	<p>That the development of the reserve school site for residential purposes shall be designed in accordance with the Avenue Character Area and shall be developed wholly in accordance with the requirements of the approved design code accompanying the outline application 06/00967/OUT dated July 2008 (RCA).</p> <p>Reason To ensure a satisfactory form of development in keeping with the character of the area in accordance with Cherwell Local Plan policies C28 and C30.</p>
24.	<p>That prior the first occupation of any part of the development hereby permitted fire hydrants shall be provided or enhanced on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason To secure the provision of essential community infrastructure on site in accordance with Policy CC7 of the South East Plan 2009.</p>

	<u>Planning Notes</u>
1.	1 Thames Water
2.	Q1 Legal Agreement
3.	U1
4.	X1
5.	In the submission of reserve matters details for approval it is expected that the new scheme will follow closely the details identified in the Design & Access statement which has been based on the Design Code produced for the S.W. Bicester development
6.	Consideration should be given to the provision of bird and bat resting provision within the development in the interests of improving biodiversity within the site
	<p><u>Summary of Reasons</u></p> <p>The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal does not cause demonstrable harm to the character of the local landscape, residential amenity and highway safety and will be seen in conjunction with the wider S.W Bicester development. As such the proposal is in accordance with Policies CC1, CC4, CC6, CO3 + NRM4 of the South East Plan 2009 and Policies C28 and C30 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.</p>

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