

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 11 August 2011 at 2.00 pm

Present: Councillor Alastair Milne Home (Vice-Chairman, in the Chair)

Councillor Ken Atack
Councillor Fred Blackwell
Councillor Colin Clarke
Councillor Mrs Catherine Fulljames
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Trevor Stevens

Substitute Members: Councillor Maurice Billington (In place of Councillor Rose Stratford)
Councillor Mrs Diana Edwards (In place of Councillor Lawrie Stratford)
Councillor P A O'Sullivan (In place of Councillor Michael Gibbard)
Councillor Leslie F Sibley (In place of Councillor George Parish)

Also Present: Martin Tugwell, Deputy Director for Growth and Infrastructure,
Oxfordshire County Council (for agenda item 6)

Apologies for absence: Councillor Rose Stratford
Councillor Tim Emptage
Councillor Michael Gibbard
Councillor George Parish
Councillor Lawrie Stratford

Officers: John Hoad, Strategic Director - Planning, Housing and Economy
Bob Duxbury, Development Control Team Leader
Jenny Barker, Major Developments Team Leader
Caroline Roche, Planning Officer
Ross Chambers, Solicitor
Natasha Clark, Senior Democratic and Scrutiny Officer

Declarations of Interest

Members declared interests in the following agenda items:

6. Bicester Eco Town Exemplar Site Caversfield Oxfordshire.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor G A Reynolds, Personal, as a Member of Cherwell District Council Executive and Oxfordshire County Council.

Councillor Leslie F Sibley, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Maurice Billington, Personal, as a Member of Oxfordshire County Council.

8. Unit 1 Adj Topps Tiles, Southam Road, Banbury.

Councillor Alastair Milne Home, Personal, as a Member of Banbury Town Council, which had been consulted on the application.

Councillor Colin Clarke, Personal, as a Member of Banbury Town Council, which had been consulted on the application.

9. Unit 1 Adj Topps Tiles, Southam Road, Banbury.

Councillor Alastair Milne Home, Personal, as a Member of Banbury Town Council, which had been consulted on the application.

Councillor Colin Clarke, Personal, as a Member of Banbury Town Council, which had been consulted on the application.

11. St Georges Barracks, Arcott Wood Road, Arcott, Bicester.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a Member of Bicester Town Council, which had been consulted on the application and Prejudicial, as an employee of the MOD.

12. Former DLO Caversfield, Skimmingdish Lane, Caversfield.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a MOD employee as the land was formerly an MOD site and a Member of Bicester Town Council, which had been consulted on the application.

13. Former DLO Caversfield, Skimmingdish Lane, Caversfield.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a MOD employee as the land was formerly an MOD site and a Member of Bicester Town Council, which had been consulted on the application.

14. Former DLO Caversfield, Skimmingdish Lane, Caversfield.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a MOD employee as the land was formerly an MOD site and a Member of Bicester Town Council, which had been consulted on the application.

15. Former DLO Caversfield, Skimmingdish Lane, Caversfield.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a MOD employee as the land was formerly an MOD site and a Member of Bicester Town Council, which had been consulted on the application.

16. Former DLO Caversfield, Skimmingdish Lane, Caversfield.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a MOD employee as the land was formerly an MOD site and a Member of Bicester Town Council, which had been consulted on the application.

17. 144 Oxford Road, Kidlington, Oxfordshire, OX5 1EA.

Councillor Maurice Billington, Personal, as a Member of Kidlington Parish Council, which had been consulted on the application.

19. Unit 3A, Bessemer Close, Bicester OX26 6QE.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

Councillor Leslie F Sibley, Personal, as a Member of Bicester Town Council, which had been consulted on the application.

51 **Petitions and Requests to Address the Meeting**

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

52 **Urgent Business**

There was no urgent business.

53 **Minutes**

The Minutes of the meeting held on the 14 July 2011 were agreed as a correct record and signed by the Chairman, subject to the following amendment to Minute number 35: Declarations of Interest.

Councillor Leslie Sibley, Personal, as a Member of Bicester Town Council.

54 **Bicester Eco Town Exemplar Site Caversfield Oxfordshire**

The Committee considered a report for the development of Exemplar phase of NW Bicester Eco Town to secure full planning permission for 394 residential units and an energy centre (up to 400 square metres), means of access, car parking, landscape, amenity space and service infrastructure and outline permission for a nursery of up to 350 square metres (use class D2), a community centre of up to 350 square metres (sui generis), 3 retail units of up to 770 square metres (including but not exclusively a convenience store, a post office and a pharmacy (use class A1)), an Eco-Business Centre of up to 1,800 square metres (use class B1), office accommodation of up to 1,100 square metres (use class B1), an Eco-Pub of up to 190 square metres (use class A4), and a primary school site measuring up to 1.34 hectares with access and layout to be determined. Consideration of the application had been deferred from the 14 July 2011 meeting.

Martin Tugwell, Deputy Director for Growth and Infrastructure, Oxfordshire County Council, advised the Committee that the County had been working closely with the District and the Applicants to address concerns the County had previously raised. He reported that there was;

- An understanding that it is entirely appropriate for the local authorities to seek to secure an appropriate contribution towards the cost of additional service and infrastructure needs arising from a proposed development;
- An understanding that the current application is the first element of a much larger project - accordingly there are costs that will be incurred as a consequence of that fact, costs which will impact on its ability to contribute to some of the service and infrastructure needs arising from it;
- An acceptance that those needs need to be seen in the context of the overall project - as such there is a need to understand in greater detail the masterplan and with it the overall viability of the overall project;
- An acceptance that the time taken to complete the S106 legal agreements provides the opportunity for the applicant to use their work on the masterplan to set out to the local authorities that wider case;
- An understanding that the County Council will be a co-signatory to the S106 agreement and that its signature will be dependent upon satisfactory progress being made with the masterplan and economic viability work for the overall project

On the basis that the proposed recommendations strike a balance between enabling the applicant to make progress with the work required but that at the same time protect the need for an appropriate contribution to be made

towards the additional infrastructure and services that are needed to make it sustainable.

The Committee discussed the emerging Masterplan for the site. Some Members commented that there were still a number of outstanding areas that required further information for consideration. Members requested that Officers provide regular progress updates to the Committee. The Committee agreed that the ecotown proposal would contribute to improving Bicester as in addition to providing housing, it would also bring industry to the town.

The Lead Member for Finance (Councillor Atack) advised that the Committee that he had discussed Members' concerns about certain financial aspects of the proposal with the Council Head of Finance/Section 151 Officer. The Committee noted the feedback from the Lead Member for Finance and agreed it provided assurance for Members regarding the financial arrangements.

Councillor Mrs Fulljames requested recorded vote. Councillor David Hughes seconded the proposal. Members voted as follows:

Councillor Atack	For
Councillor Billington	For
Councillor Blackwell	For
Councillor Clarke	For
Councillor Edwards	For
Councillor Mrs Fulljames	Against
Councillor Heath	For
Councillor Hughes	For
Councillor Hurle	For
Councillor Kerford-Byrnes	For
Councillor Milne-Home	For
Councillor O'Sullivan	For
Councillor Pickford	For
Councillor Reynolds	For
Councillor Sibley	For
Councillor Stevens	For

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

The applicant was asked to note that concerns around funding for infrastructure and service needs must be addressed through the masterplan and an outline application for the whole of the NW Bicester site. Prior to the completion of the S106 agreement satisfactory progress on the masterplan must have been made including an agreed way forward for the wider development to fund the necessary service needs arising from the increase in population from the NW Development as a whole.

Resolved

That application 10/01780/HYB be approved subject to:

- (a) Confirmation that the scheme meets building for life Silver Standard
- (b) The conclusion of a review of the viability work (carried out on an open book basis)
- (c) Completion of a S106 agreement (in accordance with the Heads of Terms set out below but subject to the clarification of the infrastructure fund as identified in the report)

Heads of Terms of Planning Obligation	
Requirement	Terms
Provide phasing plan	<ul style="list-style-type: none"> • Provide plan of agreed phasing • Build in accordance with the phasing unless otherwise agreed.
Affordable Housing	<ul style="list-style-type: none"> • Provide 96 dwellings for rent and 23 for shared ownership in accordance with the agreed mix. • Build the affordable housing in each phase , as identified on the plans, prior to the occupation of 50 % of market phasing • Construct to HCA Design Quality Standards • Construct as Lifetimes Homes Standard • Properties let in accordance with a nominations agreement and local lettings plan.
Community Governance	<ul style="list-style-type: none"> • Agree the form of the initial management body (for the avoidance of doubt it may comprise employees of A2) and form and constitution of interim partnership board, provide the programme of activity of the management body and define list of functions the body will be responsible for prior to commencing work • Provide accommodation on site for the management body/partnership board and their employees • Establish the management body prior to the first occupation of a dwelling • Establish the interim partnership board at the request of identified partners or no later than the occupation of 200 dwellings. • Provide and agree details of the funding

	<p>for the running of the management body and interim partnership board and the carrying out of its functions as identified</p> <ul style="list-style-type: none"> • Provide £100k to enable the partnership board and other stake holders to assess and develop the options for the Local Management Organisation.
<p>Community Engagement, Development & Capacity Building</p>	<ul style="list-style-type: none"> • Agree a programme for the local management body to deliver community engagement, development and support for sustainable lifestyles or pay CDC the sum of £100k prior to the occupation of the first dwelling.
<p>Ecological & Landscape Management and play areas</p>	<ul style="list-style-type: none"> • Provide and agree an Ecological and Landscape Management Plan prior to implementation • ELMP to cover objectives for management, management body, management regime, monitoring, funding, process for agreeing variations to plan, proposals for community involvement and phased implementations. • Where the ELMP comprises various elements in different ownership or control, the compatibility between elements is to be demonstrated; • Implement the agreed ELMP • Either put in place agreed ring fenced fund for maintenance by the management body or transfer the open space to CDC with a commuted sum based on CDC's standard rates. Unless otherwise agreed in writing • Fence each area of open space prior to work starting on the adjacent building phase • Complete laying out of open space in the first planting season following commencement on a building phase • Provide allotments and incidental open space & play areas prior to the occupation of any dwelling within 30m • That the open space shall be available to the public in perpetuity • That the open space shall be retained in a

	<p>single ownership by A2 Dominion, the local management organisation or the Local Authority unless otherwise agreed.</p> <ul style="list-style-type: none"> • Maintain all areas to meet ELMP or attached specification as a minimum • No services through open space and landscape areas unless agreed in writing by LPA
<p>Non Residential retail/office/nursery/community hall</p>	<ul style="list-style-type: none"> • Planning application for the retail store and community hall to be submitted within 12 months of grant of planning permission or occupation of 100 dwellings whichever is the sooner. • Marketing strategy to be agreed and implemented • Store & Hall to be provided prior to occupation of 250 dwellings, unless an interim scheme for local retail provision to meet the day to day needs of the residents and programme for permanent provision of the Store and Hall have been agreed. • Prior to the occupation of the 50th dwelling provide a temporary community meeting place. Retain until permanent provision is available. • Application for remaining facilities to be made prior to the occupation of 250 dwellings • No more than 350 dwellings to be occupied until the offices, nursery and further retail premises have been provided unless a suitable alternative provision has been agreed and implemented prior to that date. • Make the public house site available and market until developed or 5 years post completion of the development. • Transfer the hall to management body with a commuted sum for maintenance & management for the benefit of residents on the site • Agree details of measures to make available food produced locally

Eco Business Centre	<ul style="list-style-type: none"> • Transfer fully remediated / serviced site to CDC prior to 100 dwellings being completed (at nominal sum of £1)
Employment, Skills & Training	<ul style="list-style-type: none"> • Set up and maintain until all development is complete on application site web site to attract local suppliers and enable them to compete for work on the construction of the development • Agree details of local supply chain events to promote opportunities for local companies shall be provided and such opportunities shall be made available during construction works on site. • Provide details of commitments to provide apprenticeships (minimum 10) to people with local connections (5 mile radius) • Agree details and provide sustainable skills training for local people. • Prior to the commencement of development agree a scheme to market home working on the site. • Prior to commencement of development, agree and implement a programme with Bicester Job Club to identify employment opportunities related to construction work on the site and skills and training to assist local people to access the job opportunities. The programme to include the delivery of workshops to introduce opportunities to job seekers and assist employers to recruit. • Work with the Bicester Job Club to ensure local people are aware and have access to all job vacancies arising from construction on site.
Transport & Access	<ul style="list-style-type: none"> • No residential or non residential occupations until travel plan agreed • Monitor mode share annually but with agreed residents survey after five years post commencement then biannually until 10 years post completion • Monitor carbon from transport from the occupation of the 50th dwelling until 10 years post completion.

	<ul style="list-style-type: none"> • Monitor mode share in accordance with agreed details • If targets are not achieved pay the following sums; Year 5 £10,000, Year 7 £20,000, Year 9 £30,000, Year 11 £40,000, Year 13 £50,000, Year 15 £100,000. • Appoint/fund a travel plan co-ordinator to implement the travel plan • Provide £100k to fund cycling incentives and agree the use of the fund to deliver the cycling incentives in the travel plan including feasibility for cycle hire scheme. • Agree a management scheme for un-allocated residential parking and neighbourhood centre parking prior to first occupations • Prior to commencement agree an electric vehicle scheme including the provision of car charging points for individual residents and for visitors to the site and incentives to use electric vehicles • Prior to occupation of the first dwelling agree a car club scheme including identifying parking bays and funding to support the scheme. Occupy no more than 200 dwellings until the scheme is in place. • Provide the bus service from the first occupation in accordance with an agreed timetable, to provide at least a ½ hourly service, after 200 dwellings deliver a 15 min service until 10 years post completion. • No development to commence until off site highway works identified are secured including an agreed timetable for delivery. • No occupations until Banbury Road footpaths, cycleway and pedestrian crossing have been provided. • Fund transport order for Banbury Road
<p>HGV routeing agreement</p>	<ul style="list-style-type: none"> • No development to commence until the a Routeing Agreement is in place for construction traffic

	<ul style="list-style-type: none"> • No occupation of non residential buildings until Routeing Agreement is in place
<p>Education</p>	<ul style="list-style-type: none"> • Within 12 months of commencement of construction or occupation of 50 dwellings which ever is the sooner, offer transfer to OCC or in default CDC for £1 a fully remediated, serviced site of 1.34 ha of developable land in accordance with the boundaries and levels shown on drawing no 7170-UA001881-03 • Transfer to be completed within 3 months of acceptance of offer; • Transfer of land to comply with the terms of the OCC School Site Requirements for Residential Development (draft) document unless otherwise agreed. • Provide a plan to show service connections to the site in accordance with the attached specification • Safeguard land for the extension of the school
<p>Waste</p>	<ul style="list-style-type: none"> • Agreed site for a recycling banks in the local centre shall be provided prior to the occupation of 50 dwellings. If it is not possible to secure the permanent site by this stage of a development temporary provision shall be made in accordance with agreed details until such time as permanent provision has been made. • Agree and Implement a construction waste management plan (zero waste to landfill) and monitor compliance. • Prior to implementation identify space and programme to deliver community swap shop days. • Prior to implementation provide the Sustainable Waste Management Plan identifying waste reduction measures to ensure waste targets are met, their implementation, monitoring and measures to be implemented should waste from the development exceed targets.

<p>Energy Centre</p>	<ul style="list-style-type: none"> • Provide a detailed scheme, including phasing and amount of PV, for the delivery of the energy strategy. In the event that zero carbon development to PPS1 definition can not be delivered on site agree a scheme for off site allowable solutions in Bicester for the benefit of the community. • Deliver the energy centre building and centralised heat and power distribution in accordance with the agreed scheme • Prior to occupation each dwelling shall have the PV provided and connected • Maintain energy centre in operation for 25 years
<p>Construction Standards to achieve Eco Town Requirements</p>	<ul style="list-style-type: none"> • Provide code for sustainable homes design assessment demonstrating that each dwelling meets Code for Sustainable Homes level 5 or higher prior to commencement of construction of each phase. • Prior to occupation provide post construction certificate demonstrating each dwelling is built to Code 5 • Provide BREEAM design assessment prior to commencement of construction demonstrating that each non residential building is designed to BREEAM excellent • Prior to occupation provide post construction certificate demonstrating each building has achieved BREEAM excellent • Prior to any relevant infrastructure works taking place provide a CEEQUAL excellent certificate for the works • Agree scheme for local sourcing of materials • All building control procedures shall be undertaken by Local Authority Building Control to allow appropriate public verification and learning process for construction innovation on the site. This shall not prevent the seeking of an NHBC guarantee in addition to LABC. • Ensure all contractors register for

	Considerate Contractor scheme
SUDs	<ul style="list-style-type: none"> • Provide SUDs to adoptable standard • Provide a scheme and funding for secure future maintenance
Monitoring of Eco Town Standards	<ul style="list-style-type: none"> • Agree a monitoring scheme and fund the monitoring of the eco town standards in accordance with the attached schedule until completion of the whole of the NW Bicester site.
Overage	<ul style="list-style-type: none"> • Provide 25% of any additional profit over that used as a baseline in agreed HCA viability assessment as a contribution to Infrastructure fund (see above) (after 23%) then 50% to P3)
Financial Contributions to Infrastructure Fund	<ul style="list-style-type: none"> • To pay the Council in staged payments to be agreed a sum of no less than £3.5m index linked. • The infrastructure fund to be used solely for the delivery of infrastructure related to the development of the site. • The sum of £3.5m and the cost of delivering the bus service (£1,000,000) to be underwritten such that there is certainty over delivery of the funding.
Indexation & bonds	<ul style="list-style-type: none"> • Agree indexation and security of payments
Obligation Monitoring	<ul style="list-style-type: none"> • Pay on completion to CDC the sum to monitor the legal agreement

(d) That in accordance with the provisions of Regulation 21 of the Town & Country Planning (Environmental Assessment) (England & Wales) Regulations 1999 that this report is approved as setting out the main reasons, considerations and measures proposed with regard to the ES.

(e) The following conditions

Full Permission – 393 dwellings, Energy Centre,

(1) SC1.4A Standard Time Limit

Outline Permission Time Limits

(2) SC1.0A Standard time Limit

(3) SC1.1

- (4) SC1.2
- (5) SC1.3 measures to achieve zero carbon energy use as defined in PPS 1Eco Towns, through on site solutions.
- (6) Prior to work commencing on the non residential elements of the development, a design code shall be provided covering the distribution of land uses, form of buildings, street frontage, materials, servicing, parking, sustainability features. The Design Code shall be approved in writing prior to the submission of reserved matters for any element of the local centre and thereafter the reserved matters shall be made in accordance with the agreed Code.
- (7) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the attached schedule of plans and documents received 1/7/11.

Housing Standards

- (8) All dwellings shall be constructed to meet Joseph Rowntree Foundation Life Time Homes standard.
- (9) Each building shall be provided with high speed broadband (no less than 100mbs)
- (10) Prior to occupation each dwelling shall be provided with a real time information system in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
- (11) Prior to work commencing on each phase details of how each dwelling achieves good day lighting by achieving at least 2 points of the Code for Sustainable Homes level 5 for day lighting shall be submitted to and approved in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and such that each dwelling achieves good day lighting.
- (12) Prior to commencement of development on each phase a study , by a suitably qualified person, shall be submitted to and approved in writing by the local planning authority, demonstrating that the design of the buildings is such that over heating will not occur and that heat island effects have been minimised. The development shall thereafter be carried out in accordance with the agreed details.
- (13) All properties shall be constructed to meet Secured by Design standards unless otherwise agreed in writing by the Local Planning Authority.
- (14) The Panter Hudspeth house designs shall be constructed with the passive ventilation and thermally massive floors as set out in the Design and Access Statement accompanying the application.

Energy Strategy

- (15) Each dwelling shall be provided with solar PV prior to occupation.

- (16) The pipework to deliver the district heating system shall be provided to each dwelling prior to occupation.

Notwithstanding Conditions

- (17) Notwithstanding the details submitted details of the positioning of bicycle and bin stores on each phase shall be submitted to and approved in writing by the LPA prior to the commencement of the construction of any dwelling on the phase. The development shall thereafter be carried out in accordance with the approved details.
- (18) Full details of the boundary enclosures for each dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on each phase forming part of the site. The approved boundary enclosures shall thereafter be provided prior to the dwelling they serve being occupied.
- (19) Notwithstanding the details submitted details of the fenestration, roof verge and eaves, cills, lintols and infill panels for each phase will be submitted to and approved in writing by the Local Planning Authority prior to work commencing on that phase. Thereafter the buildings shall be constructed in accordance with the approved details.
- (20) Notwithstanding the details submitted, details of revised designs of Plots 139- 142, 276, 277, 288, 289, 292, 319, 355, 356, 376, 319, 296 – 299 and the detailing of the terraces to ensure the creation of an acceptable street scene shall be submitted to and approved in writing by the local authority prior to work commencing on the plots. The plots shall be constructed in accordance with the revised approved details.
- (21) Notwithstanding the details submitted a parking scheme for each phase shall be submitted to and approved in writing by the local planning authority prior to work commencing on the agreed phase. The approved parking shall thereafter be provided in accordance with the approved plan.
- (22) Prior to work commencing on any phase, details of the streetscape, including front boundary treatment to any buildings, treatment of street parking, street landscape, hard and soft landscape details, street furniture and play features in homezones shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details approved.

Construction Details

- (23) SC2.10A floor levels 'dwelling'
- (24) A Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
- (25) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from

the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

- (26) SC9.1 services underground
- (27) Prior to work commencing a report shall be submitted outlining how carbon emissions from the construction process and embodied carbon have been minimised. No work shall commence until the report has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the plan.

Materials

- (28) SC2.0 Non Residential
- (29) SC2.1A dwellings
- (30) Details of the construction and planting of the green roofs and details of the maintenance programme that will ensure the delivery and long term maintenance of the roofs shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of any dwellings. The green roof shall then be constructed and maintained in accordance with the approved details.

Highway Conditions

- (31) No development shall commence on site for the Exemplar development until a Construction Management Travel Plan providing full details of the phasing of the development and addressing each construction activity within each phase has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during and routes to the Exemplar development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.
- (32) Notwithstanding the details shown on drawing no.s 7154 -UA001881-3 & 7155- UA001881-3 a revised plan of adoptable highways including vision splays shall be submitted to and approved in writing prior to the commencement of development on any phase. The roads, lanes and homezones shall thereafter be constructed in accordance with the proposed details.
- (33) That prior to the commencement of work on the Exemplar development the proposed South Entrance Works between the land and the highway and the off site cycle links shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and that all ancillary works specified shall be undertaken.
- (34) Prior to any dwelling being on the northern fields the access from the B4100 shall be formed laid out and constructed strictly in accordance

with Oxfordshire County Council's specification and be available for use.

- (35) Before the proposed North and South Entrances are first used the existing accesses serving the Exemplar site onto the B4100 (Banbury Road) shall be permanently stopped up by the means of full face kerbing (where appropriate), the reinstatement of the highway verge, ditch and hedge/boundary structures (fence or stone wall) and shall not be used by any vehicular traffic whatsoever.
- (36) Notwithstanding the details shown details of the locations and facilities to be provided at each bus stop including Real Time Information shall be submitted to and be approved in writing by the Local Planning Authority prior to the occupation of the first dwelling on the site. The bus stops and facilities s21hall thereafter be provided in accordance with the approved details.
- (37) No development shall commence on any phase of the development until the full design and construction details, including vision splays, bridge details, surfacing, planting, traffic calming of the roads, paths, bridges and other parts of the access routes are submitted to and approved in writing by the Local Planning Authority. The phase shall thereafter be constructed in accordance with the approved details.
- (38) Details of the final surface treatment of each road shall be submitted to and approved in writing by the LPA prior to the construction of each road, lane, homezone or public footpath .The road, lane, homezone or path shall thereafter be constructed in accordance with the approved details.
- (39) That, before any of the dwellings are first occupied, the proposed vehicular accesses, driveways, parking courts, parking areas and turning areas that serve those dwellings shall be constructed, laid out, surfaced and in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development.
- (40) No development shall commence on any phase until a lighting scheme for the pedestrian, cycle and vehicle routes are submitted to and approved in writing by the Local Planning Authority and the Local Highway Authority. Such lighting shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and that all ancillary works specified shall be undertaken unless otherwise approved in writing.
- (41) Details of the bus only link shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development of the northern fields.
- (42) That before any dwelling is first occupied the estate roads and footpaths between that dwelling and the B4100 shall be laid out, constructed, lit and drained to the Oxfordshire County Council's

'Conditions and Specifications for the Construction of Roads'. No dwelling shall be occupied in the northern fields until the bus only link has been provided.

- (43) That no surface water from the Exemplar development shall be discharged onto the adjoining highway and a scheme to prevent this occurrence shall be submitted to and approved in writing by the Local Planning Authority and constructed prior to the commencement of building operations.
- (44) SC 4.13CD (Parking & turning areas) after approved insert 'except as modified by condition 13'

Drainage

- (45) All properties shall be provided with rainwater harvesting in accordance with the details shown on drawing no. 7163-UA001881-03.
- (46) Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
- (47) Development shall not commence until a drainage strategy detailing any on or off site drainage works has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- (48) SC9.7 Hyder Consulting and received 24 June 2011.
- (49) No development approved by this permission shall begin until a scheme to avoid the risk of ground water flooding in accordance with Section 2.4.3 of the Flood Risk Assessment 3501-UA001881-UU41R-03 (Hyder, June 2011) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- (50) No development approved by this permission shall begin until a scheme to provide level for level floodplain compensation in accordance with Section 3.5 of the Flood Risk Assessment 3501-UA001881-UU41R-03 (Hyder, June 2011) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- (51) No development approved by this permission shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and to OCC adoptable standards, 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 before the development is completed. The scheme shall also include:

Capacity to contain the 1 in 30 year storm event with the drainage attenuation and conveyance features.

- the ability to manage storm events up to and including the 1 in 100 year storm event (with a 30% allowance for climate change) safely on site, while avoiding risk to properties and others.
- A range of best practice sustainable drainage techniques including permeable paving, swales, basins, ponds and wetlands in accordance with the drainage strategy ref. 7501-UA001881-UP21R-02 and Section 4 of the Flood Risk Assessment 3501-UA001881-UU41R-03 (Hyder, June 2011).
- Measures to increase discharges into the local watercourses to improve local biodiversity.
- Full planting schedules utilising species of native and local provenance of each SUDs feature including proposed wetland features.
- No infiltration of surface water into the ground where there is a presence of contaminated land unless it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Landscaping & Open Space

- (52) SC3.4 AA Hedge/tree protection delete' boundaries' 2m
- (53) The translocation of hedges as shown on drawing no.s 8003-UA001881-04, 8004 UA001881-04, 8005 UA001881-04 shall commence in the first planting season following the commencement of development and completed within 12 months of the commencement of works. No dwelling within 30m of the translocated hedgerow shall be occupied until such time as the hedge has been translocated.
- (54) Should any translocated hedgerow die or be removed within 5 years of the works being carried out a replacement hedge shall be planted in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The replacement hedge shall be properly maintained for a minimum of five years from planting.
- (55) Prior to the commencement of construction the open space either side of the streams shall be fenced in accordance with BS 5837 to prevent the incursion of construction vehicles working elsewhere on the site or damage during construction. No service trenches, drains or other excavations shall take place within the open space. Where works are necessary within the open space areas relating to the adjustment of ground levels, construction of bridges, footpaths and swales, details of

construction areas and adjustment of the fencing to accommodate works shall be submitted to and approved in writing prior to any work taking place within the open space area. The fencing shall thereafter be moved in accordance with the approved details and on the completion of the works the fencing shall be reinstated in the original position.

- (56) Prior to the commencement of construction the hedge buffers and allotments shall be fenced in accordance with BS 5837 to prevent the incursion of vehicles or damage during construction. No service trenches, drains or other excavations shall take place within the hedge buffers or allotments.
- (57) SC3.3A
- (58) SC3.5A
- (59) SC3.16
- (60) SC3.12
- (61) SC3.14
- (62) The development hereby permitted shall be carried out in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and/or the Tree Protection Plan (TPP) submitted by Hyder Consulting (UK) Ltd dated 19/11/2010 unless otherwise agreed in writing by the Local Planning Authority.
- (63) That prior to the commencement of any development on the site, notwithstanding the details submitted, full details, specification and construction methods for all purpose built tree pits and associated ground level surfacing materials shall be approved in writing by the Local Planning Authority. Details must also include specifications for the installation of associated below ground, load-bearing root pits and trenches and soil type required to accommodate the planting and future development of the proposed trees. The works shall be implemented in accordance with the approved details.
- (64) 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:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes, positions and planting densities (where appropriate), together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps including the final surfacing there of.

- (d) details of SUDs features including proposals for lining features to retain water
 - (e) details of any proposed changes in levels
 - (f) details of the design and construction of bridges within areas of open space
- (65) 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 a building(s) within a phase or on the completion of the ground works within the river corridor, 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.
- (66) SC3.10
- (67) Details of the rainwater harvesting for the allotment sites shall be submitted to and approved in writing by the Local Planning Authority.
- (68) Prior to first occupation of any residential property a scheme to enable each new resident to choose a fruit tree for their garden or to be provided elsewhere on the site shall be submitted to and approved in writing by the LPA. The scheme shall thereafter be implemented in accordance with the agreed details.
- (69) Details of the laying out and management of the allotments shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellings. The allotments shall thereafter be provided and managed in accordance with the approved scheme.

Ecology

- (70) Prior to the commencement of construction on each field the site shall be checked by a suitably qualified ecologist to ensure that there is no presence of protected species that have moved on to the site since previous surveys have taken place and could be harmed by the development. Should protected species be found details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. The development shall not commence in each existing field until the field has been confirmed to be clear of protected species.
- (71) Prior to work commencing details of a scheme for the location of bat, bird, Owl and invertebrate boxes in each phase of development will be submitted to and approved in writing by the Local Planning Authority. Prior to work commencing on any phase the location of the bat, bird, owl and invertebrate boxes shall be submitted to and approved in writing by the local planning authority. The bat, bird, owl and invertebrate boxes shall be installed in accordance with the approved scheme and prior to the occupation of any building on which they are agreed to be located.

- (72) An Ecological Construction Method Statement shall be submitted to the local planning authority and approved in writing prior to work commencing. The method statement shall address potential impacts of development on bio diversity to ensure no net loss and ensure the net gain identified is delivered. The approved Ecological Construction Method Statement shall thereafter be implemented in accordance with the approved details.
- (73) No development approved by this permission shall begin until details of pedestrian and cycle watercourse crossings have been submitted to, and approved in writing by, the local planning authority. The approved design shall be implemented as agreed..
- (74) No lighting shall be provide within the stream corridor, except that necessary across the road bridges, and no external lighting shall be provided immediately adjacent that creates light overspill to the stream corridor, unless it has first been submitted to and approved in writing by the Local Planning Authority.
- (75) No development approved by this permission shall begin until a scheme for the provision and management of the compensatory habitat pond complex as shown on plan ref. 8001 UA001881 04 has been submitted to and agreed in writing by the local planning authority and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme prior to the completion of phase 1.
- (76) The translocation of hedgerows shall take place outside of the bird breeding season and prior to any work commencing on the translocation of hedgerows they shall be checked by an ecologist for the presence of hedgehogs and reptiles. Should these species be present they shall be removed in accordance with the mitigation set out in the environmental statement.

Waste

- (77) A Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction.

Other

- (78) Details of an assessment of the rated level of noise emitted from the energy centre against background noise levels measured 3.5m from the front façade of plot 359, demonstrating that rated level of noise from the energy centre is at least 5dB below background noise levels, when measured in accordance with BS4142 1997, shall be submitted to the local planning authority and approved in writing prior to work commencing on the construction of any building on the site. The energy centre shall thereafter be built with any acoustic measures outlined in the report and necessary to achieve the stipulated noise level.

- (79) Within 6 months of the implementation of the planning permission an Employment Implementation Plan to deliver the employment identified in the Employment Strategy shall be produced and submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented.
- (80) Details of the marketing of properties on the site including details of how they will be marketed to encourage home working and to promote sustainable transport shall be submitted to and approved in writing by the Local Planning Authority prior to the sale of properties on any phase. The marketing with regard to home working and sustainable transport shall thereafter be in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
- (81) SC 9.6 (fire hydrants)

Construction Standards for Non Residential

- (82) Reserved matters for the non residential buildings shall closely follow the design approach for the local centre outlined at pages 48-50 of the design and access statement.
- (83) All non residential buildings shall be constructed to BREEAM EXCELLENT.
- (84) Details of the provision of highspeed broadband for the proposed offices, eco business centre and community hall shall be submitted to and approved in writing by the LPA prior to the commencement of construction.
- (85) Details of the cycle parking and facilities such as lockers and showers to facilitate cycling shall be submitted with each Reserved Matter submission relating to a building.
- (86) Details of the cycle parking and facilities such as lockers and showers to facilitate cycling shall be submitted with each Reserved Matter submission relating to a building.
- (87) Details of the cycle parking and facilities such as lockers and showers to facilitate cycling shall be submitted with each Reserved Matter submission relating to a building.
- (88) All buildings shall be constructed with rainwater harvesting.

Restriction of Use

- (89) The maximum size of any one retail premises shall be 400m² and all other retail units shall be a maximum size of 150m². The retail units shall not be amalgamated.
- (90) The Eco Business centre shall be used for B1 purposes only and no other use within the Town & Country Planning Use Classes Order.

Drainage

- (91) Surface water shall be dealt with through the use of sustainable urban drainage techniques in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Councillor Macnamara did not vote on this application as he had not been present for the whole of the item.

55 **Select France, 2 Fiveacres, Murcott, Kidlington, Oxfordshire, OX5 2RP**

The Committee considered a report for the erection of 1 No. detached cottage. The application was a re-submission of application number 10/01311/F.

Mr Timothy Brown, a local resident, spoke in objection to the application.

Mr Robert Brown, the applicant, spoke in favour of the application.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 10/01311/F be approved, subject to the following conditions:

- (1) 1.4A (RC2) [Full permission: Duration limit (3 years)]
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: application forms, design and access statement and drawing number BRO/11/01 B
- (3) 2.3DD (RC5B) [Natural stone – Limestone – (Not weathered)] insert 'dwelling and rear boundary wall'
- (4) 2.2BB (RC4A) [Samples of roofing materials] insert 'slate' 'dwelling'
- (5) 5.5BB (RC5B) [Painted timber windows]
- (6) 2.10A (RC7A) [Floor levels] insert 'dwelling'
- (7) 2.13AA (RC8A) [Demolition of Buildings – before commencement of the development]
- (8) 4.13CD (RC13BB) [Parking and manoeuvring area retained]
- (9) Notwithstanding the approved plans, the first floor window in the north east elevation of the dwelling shall not be installed. (RC6A)

- (10) The development hereby permitted shall be carried out in accordance with the recommendations set out Bat Survey report by Cotswold Wildlife Surveys dated 13 May 2011 unless otherwise agreed in writing by the Local Planning Authority. (RC85A)
- (11) 6.2AA (RC32A) [Residential – No extensions]
- (12) 6.3A (RC333) [Residential – No new windows]

56

Unit 1 Adj Topps Tiles, Southam Road, Banbury

The Committee considered a report which sought approval for alternations to the existing building comprising external alterations at ground floor level: including installation of new shop front and entrance feature (front elevation) and new fire escape door (rear elevation); internal alterations: including installation of mezzanine floor, 3 no. fire escape staircases, 1 no. feature customer staircase and new customer lift and consequential reconfiguration of car parking.

Martin Way, the applicant, addressed the Committee in favour of the application.

Councillor Clarke proposed that the application be refused. Councillor Milne Home seconded the proposal. The proposal was voted on and subsequently lost.

Councillor Heath proposed that the application be approved. Councillor Billington seconded the proposal.

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

Resolved

- (1) That application 11/0266/F be approved.
- (2) That authority be delegated to the Strategic Director Planning, Housing and Economy, in consultation with the Chairman of Planning Committee, to confirm the conditions.

57

Unit 1 Adj Topps Tiles, Southam Road, Banbury

The Committee considered a report which sought planning permission for the variation of condition no. 6 of outline planning application 01/01358/OUT (which restricted the sale of certain goods from the premises) to allow an increased range of goods to be sold from the unit.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 11/00267/F be approved, subject to the following conditions:

- (1) Time Limit (RC1)
- (2) That the retail use of the unit shall be limited to building materials, DIY home and garden improvement products, hardware, self assembly and pre-assembled furniture, household furnishings, craft and hobbies products, non-durable household goods, floor coverings, motor accessories, electrical goods and office supplies and for no other purpose whatsoever notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, other than the ancillary sale of sweets or food consumption on the premises, providing the area given over to the sale of such items does not exceed 10% of the floor area of the unit.
- (3) The retail unit hereby permitted shall not be subdivided to enable any single unit to comprise less than 465 square meters (5,000sq.ft) gross floorspace.
- (4) That no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express permission of the Local Planning Authority

58 **Land South of Blackwood Place and Molyneux Drive and North West of Cotefield Farm, Oxford Road, Bodicote**

The Committee considered a report for a residential development of 82 No. dwellings.

Paul McCann, the applicant, addressed the Committee in favour of the application.

The Committee considered the highway impact of the proposed development.

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

Resolved

That application 11/00617/OUT be refused for the following reasons:

- (1) The proposed development would be contrary to Policies H13 and H18 of the adopted Cherwell Local Plan, Policies H15 and H19 of the Non-Statutory Cherwell Local Plan 2011 which seek to guide residential development to allocated sites or sites within the existing built-up limits of settlements. In this case the site is not allocated for development in either the adopted or Non-Statutory Local Plan but lies outside the existing built-up limits of the settlement. It is therefore classed as countryside where its development would constitute an unjustified and undesirable intrusion into the countryside surrounding the village of

Bodicote, which would be contrary to the policies intended to protect the character and appearance of the countryside. Furthermore the development would increase the outward spread of the village intruding into the unspoilt countryside surrounding the village, neither preserving nor enhancing the Area of High Landscape Value, contrary to Policy C13 of the adopted Cherwell Local Plan and Policy EN34 of the Non-Statutory Cherwell Local Plan.

- (2) In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not convinced that the infrastructure directly required to service or serve the proposed development, including affordable housing, open space/play space, off-site playing pitches, education facilities, library facilities, fire infrastructure and transport measures will be provided, which would be contrary to Policies H5, TR1 and R12 of the adopted Cherwell Local Plan and Policies H7, TR4, R8, R9 and R10A of the Non-Statutory Cherwell Local Plan 2011.

59

St Georges Barracks, Arncott Wood Road, Arncott, Bicester

The Committee considered a report which sought approval for a three storey Single Living Accommodation (SLA) building (BC1220) with associated service road and hard and soft landscaping.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 11/00722/F be approved subject to:

- (a) The applicant providing a unilateral undertaking relating to the monitoring fee to secure the recommendations of the agreed Travel Plan, and
- (b) The following conditions:
- (1) SC1.4 (RC2)
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents listed below:
Planning, Design and Access Statement dated May 2011 by Atkins, and dwg nos.
ATK/DR/LS/BC/1002/0001
ATK/DR/LS/BC/1002/0002
ATK/DR/CI/BC/1002/9501
CBS-DR-AR-MO-BC1002-101-10 Rev 02
CBS-DR-AR-MO-BC1002-101-20 Rev 03
CBS-DR-AR-MO-BC1002-101-30 Rev 03

CBS-DR-AR-MO-BC1002-120-00 Rev 04

CBS-DR-AR-MO-BC1002-120-01 Rev 03

- (3) That the landscaping scheme shall be carried out strictly in accordance with drawing numbers FIGURE LS BC1002 01, 02 and 03, unless otherwise agreed in writing by the Local Planning Authority. (RC10A)
- (4) SC3.1A (RC10A)
- (5) That before the development is first occupied the access track shall be constructed, surfaced, laid and marked out, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (RC14AA)
- (6) Full design details of the drainage (SuDs) including calculations and soakage tests shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. (RC67AA)
- (7) The development hereby permitted shall be carried out in accordance with the recommendations made under Chapter 5 'Coordination, Implementation & Monitoring' of the Framework Travel Plan Report by Atkins dated May 2011 and the details of the Final Travel Plan to be formulated and agreed in consultation with the County Council unless otherwise agreed in writing by the Local Planning Authority. (RC13BB)
- (8) The development hereby permitted shall be carried out in accordance with the recommendations set out in Extended Phase 1 Habitat Survey by Thomson Ecology dated April 2011 unless otherwise agreed in writing by the Local Planning Authority. (RC85A)
- (9) An archaeological watching brief shall be undertaken to monitor intrusive groundworks associated with the accommodation block's foundations and associated services and access roads.
- (10) The development hereby permitted shall be carried out in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and/or the Tree Protection Plan (TPP) submitted by Atkins dated 01/03/2011 unless otherwise agreed in writing by the Local Planning Authority.
- (11) No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and should include details of:
 - a) induction and personnel awareness of arboricultural matters,
 - b) identification of individual responsibilities and key personnel,
 - c) timing and methods of scheduled arboricultural site monitoring, record keeping, and the subsequent submission of information to the LPA.
 - d) procedures for dealing with variations and incidents.

The Local Planning Authority may require the scheme of supervision to be administered by a qualified arboriculturist approved by the Local Planning Authority but instructed by the applicant.

- (12) The development hereby permitted shall be used as single living accommodation for military training purposes only and shall not be used for any residential purpose, temporary or permanent.
- (13) Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
- (14) If a potential risk from contamination is identified as a result of the work carried out under condition 13, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
- (15) If contamination is found by undertaking the work carried out under condition 14, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
- (16) If remedial works have been identified in condition 15, the remedial works shall be carried out in accordance with the scheme approved under condition 15. The development shall not be occupied until a verification report (referred to in PPS23 as a validation report), that demonstrates the effectiveness of the remediation carried out, has been submitted to and approved in writing by the Local Planning Authority.

Former DLO Caversfield, Skimmingdish Lane, Caversfield

The Committee considered a report for the change of use and conversion of buildings to form 160 new dwellings, construction of 27 new dwellings, change of use of lodge building (building 19) to a shop/café, change of use to B8 storage (building 50 only), two new accesses to Skimmingdish Lane, car parking, landscaping and all ancillary development.

Helen Moore, the applicant, addressed the Committee in favour of the application and the associated applications 11/00805/F, 11/00153/LB, 11/00806/LB and 11/00152/CAC.

Members of the Committee commended the proposals for the development of the historic site and commented that the development would not create additional traffic movements in the local vicinity.

Some Members of the Committee raised concerns that there was no provision for affordable housing on the site and that the proposal was not sufficiently viable for other section 106 contributions.

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

Resolved

That application 11/00805/F be approved subject to:

- (a) 11/00151/F also being approved.
- (b) A legal agreement to:
 - a. Ensure that one scheme is not Implemented without the other (11/00151/F and 11/00806/F)
 - b. Set out a phasing scheme for development
 - c. Secure a maintenance scheme for the landscaping and upkeep of the buildings
- (c) Authority being delegated to Officers to agree final approval of the list of plan numbers, and the precise wording of the S106 Agreement and conditions.
- (d) The following conditions:
 - (1) SC 1.4A Full Permission: Duration Limit (3 Years) (RC2)
 - (2) SC 2.0A Details of Materials and External Finishes (RC4A) (new build development)
 - (3) SC 2.2AA Samples of Walling Materials (RC4A) (new build development)
 - (4) SC 2.2BB Samples of Roofing Materials (RC4A) (new build development)

- (5) SC 3.0A Submit Landscaping Scheme (RC10A)
- (6) SC 3.1A Carry Out Landscaping Scheme and Replacements (RC10A)
- (7) That the development hereby permitted shall be carried out in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and/or the Tree Protection Plan (TPP) submitted by Hayden's Arboricultural Consultants dated 19th October 2010 unless otherwise agreed in writing by the Local Planning Authority. (RC85A)
- (8) SC 3.3AA Scheme to be submitted to protect retained trees (RC72A) (a-h)
- (9) SC 3.4AA Retain Existing Hedgerow/Tree Boundary (with access) (RC11A) (North and east boundary – height of 2m)
- (10) SC 3.5AA Notice of Tree Works and Major Operations (RC73A)
- (11) SC 3.6A Reinforce Hedge (RC11A) (north and east boundary)
- (12) SC 3.11AA Prohibited Activities (RC73A)
- (13) SC 3.12A Restriction on Service Trenches Close to Trees (RC59A)
- (14) SC 3.14A Site supervision (RC73A)
- (15) SC 3.16 Details of services (RC58B)
- (16) SC 3.7AA Submit Boundary Enclosure Details (More than one dwelling) (RC12AA)
- (17) SC 4.0AB Access, Specification Proposed (...m or as plan) (RC13BB)
- (18) Prior to the first use of the proposed accesses onto Skimmingdish Lane vision splays measuring 2.4 metres x 43 metres shall be provided to each side of the access. These vision splays shall not be obstructed by any object, structure, planting or other material. (RC13BB)
- (19) That, before the proposed access is first used, the existing access onto Skimmingdish Lane shall be permanently stopped up by means of reinstatement of the highway verge, full face kerbing and any planting to the approval of the Local Planning Authority and in accordance with the highway authority's specifications and shall not be used by any vehicular traffic whatsoever. (RC13B)
- (20) That before the proposed development is first occupied the internal pedestrian and cycle route and access/entrance onto the footway/cycleway along the A4421 is to be formed and laid in accordance with details to be submitted to and approved by the Local Planning Authority and constructed strictly in accordance with the Highway authority's specifications and that all ancillary works specified shall be undertaken. (RC13B)

- (21) SC 4.13CD Parking and Manoeuvring Area Retained (RC13BB)
- (22) SC 4.14BC Plan of Car Parking Provision (Unspecified number of spaces) (RC15AA)
- (23) SC 4.14CC Cycle Parking (RC66A)
- (24) SC 6.1AA Residential – Open Fronts (Retail open character) (RC30A)
- (25) SC 6.2AA Residential – No Extensions (RC32A)
- (26) SC 6.3A Residential – No New Windows (RC33)
- (27) SC 9.4A Carry out mitigation in ecological report (RC85A)
- (28) Prior to the commencement of development a scheme for play provision shall be submitted to and approved by the Local Planning Authority and shall be implemented in accordance with a timescale also agreed in writing with the LPA
- (29) Prior to the commencement of development the applicant shall submit to the Local Planning Authority for approval details of a scheme of acoustic insulation to the SE and SW facades of building 44/45 such that an internal noise level of 35 dB(A) can be achieved with windows closed. Additional silenced mechanical ventilation will also be required to the same rooms. The approved scheme of sound insulation shall be installed and fully operational prior to the first occupation of the dwellings.
- (30) For those dwellings falling within areas of the site identified as falling within Noise Exposure Category B the applicant shall submit to the LPA for approval details of a scheme of acoustic insulation such that an internal noise level of 35 dB(A) can be achieved with windows closed. The approved scheme of sound insulation shall be installed and fully operational prior to the first occupation of the dwellings.
- (31) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by GH Bullard and Associates, dated February 2011, reference 020/2011/3 ADDENDUM FRA and the following mitigation measures detailed within the FRA:
 - 1. Surface water discharge rates shall be disposed of via infiltration, in accordance with Section 2 of the FRA
 - 2. The surface water drainage system shall include the use of ponds and soakaways, in accordance with Section 2 of the FRA.
- (32) 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 hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme

shall subsequently be implemented in accordance with the approved details.

- The scheme shall also include details of the future maintenance of the system
- Run off from the road and car parking area could result in elevated levels of contaminants (particularly hydrocarbons), which may pose a risk to controlled waters. We require details confirming that surface water drainage from high risk areas are isolated and do not enter infiltration systems.
- The scheme shall be designed to include the protection of groundwater quality

(33) No development approved by this planning permission shall take place (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the Local Planning Authority:

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

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

(34) Prior to occupation of any part of the permitted development , a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

61

Former DLO Caversfield, Skimmingdish Lane, Caversfield

The Committee considered a report for the erection of 8 dwellings in addition to the proposals in application 11/00151/F and associated works.

The Committee considered the application in conjunction with application 11/00151/F and maintained the same comments: Members of the Committee commended the proposals for the development of the historic site and commented that the development would not create additional traffic movements in the local vicinity.

Some Members of the Committee raised concerns that there was no provision for affordable housing on the site and that the proposal was not sufficiently viable for other section 106 contributions.

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

Resolved

That application 11/00805/F be approved subject to

- (a) 11/00151/F also being approved.
- (b) A legal agreement to;
 - i. Ensure that one scheme is not Implemented without the other (11/00151/F and 11/00806/F)
 - ii. Set out a phasing scheme for development
 - iii. Secure a maintenance scheme for the landscaping and upkeep of the buildings
- (c) Authority being delegated to Officers to agree final approval of the list of plan numbers, and the precise wording of the S106 Agreement and conditions.
- (d) Conditions: As appropriate from planning application 11/00151/F.

62

Former DLO Caversfield, Skimmingdish Lane, Caversfield

The Committee considered a report which sought approval for the refurbishment and alterations to listed buildings, including some partial internal and external demolition in association with their conversion to residential use and use of building 50 for storage purposes.

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

Resolved

That application 11/00153/LB be approved subject to:

- (a) Authority being delegated to Officers to agree final approval of the list of plan numbers, and the precise wording of the S106 Agreement and conditions.
- (b) The following conditions:
 - (1) SC1.5A Listed Building: Duration Limit (3 years) (RC3)
 - (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - (3) That any replacement, repairs and making good of external walls and roofs shall be constructed in accordance with a detailed schedule and specification of materials and finishes which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved. Samples of materials shall be provided if requested.
 - (4) SC 5.7C Making Good in Materials to Match (RC27AA)
 - (5) SC 5.1AB Safeguard Existing Buildings (RC24AA)
 - (6) SC 5.2AB Hand Demolition and Safeguard Existing Buildings (RC24AA)
 - (7) SC 5.4A Protect Existing Architectural Features (RC26A)
 - (8) SC 5.3AA Demolition of Buildings (RC25A)
 - (9) SC 5.3C No Other Works Except as Plans (RC27AA)
 - (10) SC 5.13AB Building Recording (RC63AA)
 - (11) That all new or replacement windows, doors and openings shall be in accordance with details to no less than 1:10 (including cross section, plan, elevation, glazing and colour/finish) which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved. (RC79A)
 - (12) SC 5.16B Details of damp proof course (RC27AA)
 - (13) SC 5.5AB Submit New Design Details (RC27AA) – flooring, ceiling, wall treatments
 - (14) SC 5.5AB Submit New Design Details (RC27AA) – staircases, the method of breaking through the first floor slab and fixing details
 - (15) The use of cement is not permitted unless for the purposes of repairing similar or otherwise agreed in writing by the Local Planning Authority. (RC27AA)

- (16) The use of modern plaster is not permitted unless for the purposes of replacing or repairing similar or on approved partition walls or otherwise agreed in writing by the Local Planning Authority. (RC27AA)
- (17) SC 5.5AB Submit New Design Details (RC27AA) – any new external steps, ramps and handrails
- (18) SC 5.5AB Submit New Design Details (RC27AA) – external access gates

63

Former DLO Caversfield, Skimmingdish Lane, Caversfield

The Committee considered a report which sought approval for proposals to alterations to building 22 to provide 3 dwellings.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 11/00806/LB be approved subject to:

- (a) Authority being delegated to Officers to agree final approval of the list of plan numbers, and the precise wording of the S106 Agreement and conditions.
- (b) The following conditions:
 - (1) SC.5A Listed Building: Duration Limit (3 years) (RC3)
 - (2) Plans condition
 - (3) That the external walls and roofs of the new dwellings shall be constructed in accordance with a detailed schedule and specification of materials and finishes which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved.
 - (4) SC 5.7C Making Good in Materials to Match (RC27AA)
 - (5) SC 5.1AB Safeguard Existing Buildings (RC24AA)
 - (6) SC 5.2AB Hand Demolition and Safeguard Existing Buildings (RC24AA)
 - (7) SC 5.3AA Demolition of Buildings (RC25A)
 - (8) SC 5.3C No Other Works Except as Plans (RC27AA)
 - (9) SC 5.13AB Building Recording (RC63AA)

- (10) That all new or replacement windows, doors and openings in the original building and new structures shall be in accordance with details to no less than 1:10 (including cross section, plan, elevation, glazing and colour/finish) which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved. (RC79A)
- (11) SC 5.16B Details of damp proof course (RC27AA)
- (12) SC 5.5AB Submit New Design Details (RC27AA) – flooring, ceiling, wall treatments
- (13) The use of cement in the retained building is not permitted unless for the purposes of repairing similar or otherwise agreed in writing by the Local Planning Authority. (RC27AA)
- (14) The use of modern plaster in the retained building is not permitted unless for the purposes of replacing or repairing similar or on approved partition walls or otherwise agreed in writing by the Local Planning Authority. (RC27AA)

64

Former DLO Caversfield, Skimmingdish Lane, Caversfield

The Committee considered a report which sought approval for proposals for the demolition of building 2 (shooting range), removal of roof on building 19 (guard room), removal of accretion on building 28 (mess), partial demolition of building 44/45 (mortuary and ambulance garage) and demolition of garages.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 11/00152/CAC be approved subject to:

- (a) Authority being delegated to Officers to agree final approval of the list of plan numbers, and the precise wording of the S106 Agreement and conditions.
- (b) The following conditions:
 - (1) SC 1.4A (RC2) Duration limit, 3 years
 - (2) SC 5.7B (RC27A - delete reference to C18 of the adopted Local Plan)

144 Oxford Road, Kidlington, Oxfordshire, OX5 1EA

The Committee considered a report for the demolition of the existing detached building (residential and retail use) and construction of new building incorporating 3 No. retail units and 1 No. 2 storey dwelling and 5 No. flats with parking and amenity space.

Chris Pack spoke in objection to the application as a member of Kidlington Parish Council.

Members of the Committee raised concerns that the proposals constituted overdevelopment. The Committee considered highway safety issues and noted that the Highways Authority had raised no objections.

Councillor Billington proposed that that the application be refused. Councillor Clarke seconded the proposal. The proposal was voted on and subsequently lost.

Councillor Stevens proposed that the application be approved. Councillor Pickford seconded the proposal.

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

Resolved

That application 11/00875/F be approved subject to the receipt of amended plans and the following conditions:

- (1) 1.4A (RC2) [Full permission: Duration limit (3 years)]
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: application forms, design and access statement and drawing numbers 179610:1, 179610:2, 179610:6 submitted with the application and amended drawing numbers 179610:3A, 179610:4A and 179610:5A received in the department on 3 August 2011. For the avoidance of doubt, the commercial rubbish area shall not be installed at the front of the site.
- (3) 2.2AA (RC4A) [Samples of walling materials] insert 'brick' 'building'
- (4) 2.2BB (RC4A) [Samples of roofing materials] insert 'tile' 'building'
- (5) 2.8A (RC4A) [Colouring: walls etc] insert 'render'
- (6) 2.9AA (RC6A) [Obscured glass windows] replace 'the' with 'any' (no insert in gap) 'north and south' add an 's' to 'elevation' add at end 'and shall be fixed shut unless any opening element is at least 1.7m above the floor level in the room in which it serves except for the lounge window on the north elevation of the building shown on drawing number 179610:4A'

- (7) 2.10A (RC7A) [Floor levels] insert 'building'
- (8) 4.13CD (RC13BB) [Parking and manoeuvring area retained] after 'areas' insert 'and cycle areas' after 'vehicles' insert 'and bicycles'
- (9) 4.12AA (RC14AA) [.....Surface, laid out etc] insert 'access drive'
- (10) 3.7AA (RC12AA) [Submit boundary enclosure details] after 'the site' insert 'including the metal railing to the front of the site' delete after 'such means of enclosure' insert 'shall be erected prior to the first use of the building'
- (11) That full design details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting. The lighting shall be installed in accordance with the approved details. (RC95A)
- (12) 6.15AA (RC40AA) [Use class (specified)] after first 'the' insert 'three retail' insert into gap 'A1'
- (13) No deliveries shall take place to or from the site before 08.00 hours or after 18.00 hours on any day.
- (14) That full design details of any proposed mechanical ventilation systems to be installed in the building shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The equipment shall be installed in accordance with the approved details.
- (15) That a plan showing the commercial rubbish area removed from the front of the site and its proposed position to the rear of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The development shall be carried out in accordance with the approved details. (RC4A)

66 **Land north of DeeJay Farm and south of Chestnut Road, Mollington, Oxon**

The Committee considered a report which sought approval for proposals for the erection of 6 no. affordable housing dwellings and associated works.

Members of the Committee commented that whilst affordable housing and rural exception sites were generally supported, proposals for such schemes were not always appropriate.

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

Resolved

That application 11/00829/F be refused for the following reasons:

- (1) The proposal constitutes built development outside the built up limits of the settlement and within the open countryside. It does not accord with the Policy H6 of the adopted Cherwell Local Plan (with regards to rural exception sites) as there has been no need established for the house types proposed and there are no secure arrangements to restrict the occupancy of the development to ensure that it would continue to meet local needs in the long term. The proposal is therefore contrary to, National Planning Guidance PPS1, PPS3 and PPG 13, Policies BE1, BE6, T1, H1, H3, H4, H5 of the South East Plan and Policies H6 and H14 of the adopted Cherwell Local Plan.
- (2) The proposal, by reason of its siting, design and appearance is considered to be out of keeping with the general form and character of the surrounding residential development and the development unnecessarily encroaches significantly into the open countryside contrary to established countryside protection policies contained within PPS7: Sustainable Development in Rural Areas. The application is therefore contrary to the provisions of PPS1: Delivering Sustainable Development, Policy BE1 of the South East Plan and Policies C27, C28 and C30 of the adopted Cherwell Local Plan.

67

Unit 3A, Bessemer Close, Bicester OX26 6QE

The Committee considered a report which sought retrospective approval for the change of use from B8 to B2 and installation of roller-shutter door to side elevation and drainage to rear of unit. The application was a re-submission of 11/00482/F.

Mr Dewi Lewis, a local resident, addressed the Committee in objection to the application.

The Committee was satisfied with the evidence presented.

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

Resolved

That application 11/00995/F be refused for the following reason:

The use of the building for the B2 use being undertaken (the cutting and milling of stone material such as granite, quartz and marble) gives rise to unacceptable levels of noise to the detriment of the amenities of adjoining residential occupiers at Fallowfields. The proposal is therefore contrary to the advice contained within PPG24: Planning and Noise and policy ENV1 of the Adopted Cherwell Local Plan 1996

Land South West of Bicester adjoining Oxford Road and Middleton Stoney Road, Bicester.

The Committee considered a report for the construction of up to 46 dwellings with associated amenity space, car parking, access roads and public open space.

Members of the Committee raised concerns about whether the proposals were the most suitable use of the site. The Committee noted that the development complied with relevant planning policies.

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

Resolved

That application 11/01052/OUT be approved Approve Subject to:

- (a) The applicants entering into a Section 106 Agreement with the local authority in respect of the items detailed in the report.
- (b) The following conditions and planning notes:

Conditions

- (1) 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.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) That a plan showing the details of the finished floor levels of the proposed 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.

- (6) 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.
- (7) That no more than 46 dwellings shall be accommodated on the site.
- (8) 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 which shall include:
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
- (9) 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.
- (10) 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 first occupation of those dwellings.
- (11) 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.

- (12) 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.
 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.

- (13) 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.

- (14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, 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.

- (15) 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.

- (16) That, before any of the dwellings are first occupied, the whole of the estate roads and footpaths and pedestrian/cycle links (*except for the final surfacing thereof*) shall be laid out, Constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council Specifications.
- (17) 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.
- (18) 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.
- (19) Prior to work commencing a Construction Management Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.
- (20) 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 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".
- (21) 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.
- (22) 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:

- 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.
 - b) the details of each retained tree as required at paragraph 4.2.6 of BS5837 in a separate schedule.
 - 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.
- (23) 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).
- (24) 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.

Planning Notes

- (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.

Decisions Subject to Various Requirements

The Committee considered a report which updated Members on decisions which were subject to various requirements.

Resolved

That the position statement be accepted.

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Appeals Progress Report

The Committee considered a report which updated Members on applications where new appeals had been lodged, public inquiries/hearings scheduled or appeal results received.

Resolved

That the position statement be accepted.

The meeting ended at 6.30 pm

Chairman:

Date: