

**Site Address: Crown House  
Christchurch Court  
Banbury**

**13/00454/F**

**Ward:** Banbury Grimsbury and Castle

**District Councillor:** Councillors Andrew Beere, Ann Bonner and Margaret Cullip

**Case Officer:** Graham Wyatt

**Recommendation:** Approval

**Applicant:** Slighte Ltd

**Application Description:** Proposed change of use for the conversion of an existing office site into a 73 No. bedroom hotel, and the demolition of part of the adjacent building (No 18 Bridge Street) to create a 422m<sup>2</sup> new build restaurant and 5 duplex residential apartments, together with parking and landscaping.

**Committee Referral:** Public interest and because of simultaneous submission of application by Cherwell DC – see other reports on this agenda

**1. Site Description and Proposed Development**

- 1.1 The application site is a derelict building constructed of red brick under a pitched tiled roof. The building provides accommodation over three/four floors and is located within the town centre. It lies within the existing commercial area and on the edge of the Banbury Conservation Area. The site also lies in Flood Zone 2.
- 1.2 The building is “T” shaped with the built element contained to the west of the site with the leg of the “T” element projecting into the site. Extensive parking areas are provided within the eastern part of the site and within an undercroft area. To the north lies 18 Bridge Street which forms part of the application site. The main element of the site was constructed during the 1970’s and was formerly used as an office building. The building has been empty for some 20 years and is currently derelict with all window glazing missing. It is believed that the building has been gutted and only the shell remains. 18 Bridge Street was constructed in the early 1900’s and is of a mock Tudor design. This element would be demolished and replaced as part of the proposal.
- 1.3 The application seeks planning permission to convert the main building into a hotel and demolish 18 Bridge Street and replace it with a restaurant with five apartments above. The applicant also proposes additional residential apartments within the main building which are not for consideration as they do not require planning permission. This element will be explained further within the main report. Private parking areas and gardens will be provided for the apartments, hotel and restaurant.

**2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 21<sup>st</sup> May 2013. One letter from the Campaign to Protect Rural England (CPRE) was received as a result of the consultation process objecting to the development. CPRE state that the loss of 18 Bridge Street would have a detrimental impact on the Conservation Area and should be resisted.

**3. Consultations**

- 3.1 **Banbury Town Council:** No objection to the hotel development but object to any loss of Bridge Street frontage.

## **Cherwell District Council Consultees**

- 3.2 **Conservation Officer:** I support the development of this site which has detracted from the quality of Banbury Town Centre for many years. The design proposals for the site involve a simple renovation of the main building and demolition and reconstruction of number 18 Bridge Street. While a wholesale redevelopment of the site could optimise the potential of this site, the current proposals would improve the appearance of the area and bring it into active use.
- 3.3 **Rights of Way Officer:** Banbury Footpath No 56 runs along the public walkway on the western edge of the site and within its curtilage, as shown and described in the submitted Rights of Way (ROW) Statement. It appears that no Public Path Order will be required to enable the development to be undertaken and the proposals will improve the route. However, the wording in the statement is somewhat confusing and requires clarification - "The proposed development is *not expected* to impede the use and position of the adjacent public rights of way". The definitive width of this footpath is 2m which must be maintained and not encroached on by the development. If this application is approved, the applicant should be reminded of his duty to ensure that throughout the construction period no member of the public using the footpath is endangered or prevented from exercising their right of way..
- 3.4 **Anti-Social Behaviour Manager:** Crown House is a set of premises that has come to our attention within the last 6 months for a number of reasons. The building itself was found to be insecure and had been damaged internally necessitating action to be taken to secure the building against further unauthorised access and damage. The underground car park has also become a popular location for rough sleepers and has resulted in a number of calls being received by the Oxfordshire Fire and Rescue Service to attend and deal with fires set by these occupants. The open areas surrounding the building have become overgrown and attempts to clear the vegetation have only been partially successful in that the cut material has yet to be removed from site. I can confirm that we would not object to the proposed planning application being approved as if implemented quickly it would bring into use a building and a site that is currently detrimental to the immediate surrounding of the site. In terms of the detailed scheme if planning approval were to be given then conditions would be required. These should take the form of a requirement to prepare and submit for approval and Construction Environmental Management Plan. Prior approval conditions would also be needed to cover the extract ventilation system to the proposed restaurant, the external lighting scheme and any externally located plant and equipment.

## **Oxfordshire County Council Consultees**

- 3.6 **Highways Liaison Officer:** See main report.

## **Other Consultees**

- 3.7 **Environment Agency:** The site specific comparison of undefended flood levels indicate that the site is located above the level of 0.1% annual probability (1 in 1000) flood event. In this instance this is in excess of the 1% annual probability event) including an allowance for climate change advised by NPPF. As such, if formally consulted on this proposal we would have no objection to the proposed development on flood risk grounds.

## **4. Relevant National and Local Policy and Guidance**

- 4.1 Adopted Cherwell Local Plan (Saved Policies) (ACLPL)

C28: Layout, design and external appearance of new development  
C30: Design of new residential development  
T2: New hotels/motels within settlements

## **Other Material Considerations - Policy and Guidance**

4.2

### Cherwell Local Plan - Proposed Submission (August 2012) and Focussed Consultation (March 2013) (PSLP)

The Local Plan (March 2013) has been out for a second round of public consultation. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

SLE1: Employment Development  
SLE2: Securing Dynamic Town Centres  
SLE3: Supporting Tourism Growth  
BSC2: The Effective and Efficient Use of Land  
BSC5: Area Renewal  
ESD1: Mitigating and Adapting to Climate Change  
ESD3: Sustainable Construction  
ESD6: Sustainable Flood Risk Management  
ESD16 The Character of the Built & Historic Environment  
Banbury 1: Banbury Canalside  
Banbury 7: Strengthening Banbury Town Centre

Canalside draft Supplementary Planning Document (SPD) (2009)

National Planning Policy Framework

## **5. Appraisal**

5.1 The key issues for consideration in this application are:

- Principle of the development
- Visual amenity and impact on heritage assets
- Highway matters
- Flooding
- Permitted development rights for housing conversion

### **Principle of the development**

5.2 Crown House is a large building constructed over three/four floors and was last used as an office building. The building occupies a town centre location and is constructed of buff brick under a tiled roof. The building has been vacant for a number of years and is currently derelict. To the front of the site is a further building at 18 Bridge Street which is included within the site area. Parking areas are provided within the site.

5.3 The surrounding area is predominantly commercial with Castle Quay shopping centre and Market Place and the bus station very close to the site. The site is accessed via Christchurch Court which runs parallel to George Street car park. A pedestrian alley links Christchurch Court to Bridge Street which runs between the site and the shop unit occupied by Wilkinsons. At the front of the site (which is within the Conservation Area) the brick building of Crown House is attached to 18 Bridge Street which is an early 20<sup>th</sup> century two storey building developed in a black and white mock Tudor

style. Part of this building is occupied by a gent's hairdressers with the remaining building empty.

- 5.4 Saved policy T2 of the adopted Cherwell Local Plan considers that the provision of hotels and restaurants within settlements is acceptable provided the development is compatible with the size and character of the settlement and there are no adverse environmental or transport impacts resulting from the proposal.
- 5.5 Government guidance contained within the NPPF – *Requiring Good Design* attaches great importance to the design of the built environment as good design is a key aspect of sustainable development. Good design should contribute positively to making places better for people. Planning decisions should aim to ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture and appropriate landscaping.
- 5.6 Saved Policies C28 and C30 of the adopted Cherwell Local Plan seek standards of layout, design and external appearance, including the choice of external finish materials, are sympathetic to the character of the context of the development. Further, extensions to dwellings should be compatible with the scale of the existing dwelling, its curtilage and the character of the street scene.
- 5.7 The core principles as set out within the NPPF states that planning should "take account of the different roles and character of different areas, promoting the vitality of our main urban areas" and that it should also, " promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas...". Importantly, the NPPF also recognises the importance of town centres and in seeking to ensure their vitality, planning should "promote competitive town centres that provide customer choice" and "allocate a range of suitable sites to meet scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres."
- 5.8 The Cherwell Local Plan - Proposed Submission (August 2012) and Focused Consultation (March 2013) has been through a second round of public consultation and is the subject of objections that are currently being considered. The plan has not been through an examination by an inspector appointed by the Secretary of State. Therefore, while the plan has some weight, this is limited due to its current status and the policies may not take their current form on adoption. However, for completeness a synopsis of relevant policies is provided below.
- 5.9 Policy SLE1 refers to the to strategic employment sites and how applications will be considered on existing employment sites. Applications for a change of use of an employment site will be supported if the criteria within the policy is met (e.g. can the applicant demonstrate that an employment use cannot be retained, are there valid reasons why an employment use is not viable etc.). This Policy must be considered against the recent changes made by the Town and Country Planning (General Permitted Development)(Amendment) Order 2013 that came into force in May 2013. This Order grants planning permission for the change of use of offices within B1a to residential uses. Moreover, regard should be made to the fact that the building has been empty for some 20 years.
- 5.10 Policy SLE2 relates to directing town centre uses towards Banbury and Bicester. Policy SLE3 recognises and supports tourism growth within sustainable locations. Policy BCS2 seeks to direct housing development to previously developed land and requires a density of no less than 30 dwellings per hectare. Policy BSC5 supports area renewal proposals which provide housing investments and new retail and community facilities that contribute to improved social outcomes, improve health and well-being and employment. It is considered that the proposal accords with these particular policies of the Proposed Submission.
- 5.11

Policy ESD1 seeks to ensure that measures are taken to mitigate the impact of a development on climate change. Policy ESD3 requires all new homes to meet Code Level 4 for Sustainable Homes. Policy ESD6 relates to flooding and requires site specific flood risk assessments to accompany development proposals in flood zones 2 and 3 (the site lies within flood zone 2). Policy ESD16 requires new development to complement and enhance the character of an area. All development should meet high design standards especially in the vicinity of the district's natural or historic assets. Policy Banbury 1 relates to Banbury Canalside and seeks to promote the delivery of 950 homes and town centre/commercial uses and significant environmental improvements of the Canalside site. Policy Banbury 7 supports shopping, leisure and other town centre uses within the Boundary of Banbury town centre. It also supports residential use above ground floor level. Again, it is considered that the proposal accords with the policies listed above.

### **Visual amenity and impact on heritage assets**

- 5.12 The proposal seeks to convert part of Crown House into a hotel and demolish part of 18 Bridge Street and replace it with a new building containing a restaurant at ground floor with 5 duplex apartments over. The remainder of Crown House will be converted into flats under the new permitted development regime. Prior Notifications for the change of use from B1 to C3 has been submitted to the Council for consideration. Full details of the changes to permitted development rights will be explained later within this report
- 5.13 As part of the site lies within Banbury Conservation Area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a requirement in relation to the consideration and determination of planning applications which affect conservation areas, that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced. There are no listed buildings in the immediate vicinity.
- 5.14 18 Bridge Street is a mock Tudor building which was built in the early part of the 20th Century and is not a listed building. It is however, within the Conservation Area. Part of the building is currently in use as a hairdressers and will be retained. The remainder of the building will be demolished and replaced with a contemporary building. The Bridge Street facade comprises three double doorways which provide entrance to the restaurant. The first floor provides three sets of double windows with a zinc mansard roof at second floor. The elevations will be constructed of white rendered.
- 5.15 Crown House itself will be converted into a hotel and apartments. The northern element towards Bridge Street will be converted into 8 apartments over three floors (not part of this application). The southern half of the building and remaining 'L' shape of the 'T' shaped building will be given over to the hotel except for the southern ground floor area that will be converted into 4 apartments (again, not part of this application).
- 5.16 The primary entrance of the building will be relocated from the north east to the west elevation (within the pedestrian walkway that links Christchurch Court to Bridge Street) and will provide the main entrance for the hotel. An existing emergency staircase which is located to the exterior of the building on the east elevation will be removed and replaced with an interior stairwell.
- 5.17 The Conservation Officer has considered the proposal and is satisfied that the development at Bridge Street will preserve the character of the Conservation Area. The scale and design of the new build at 18 Bridge Street complements other similar developments that have taken place in the area and presents an opportunity to

provide additional leisure and tourist accommodation in the town centre. It is considered that the development represents a proportionate and well designed addition to the town that would not appear unduly prominent nor detract from the character and appearance of the area as a whole. Materials to be used in the construction of the developments will complement the existing building. It is considered that the proposals would not have a detrimental impact on the character and appearance of the area and is an acceptable form of development that will not have a detrimental impact on the character of the wider street scene or the Conservation Area. Therefore the proposal complies with Policy C28 of the adopted Cherwell Local Plan and government guidance on conserving and enhancing the historic environment contained within the NPPF.

### **Highway matters**

- 5.18 The application includes adequate on site parking provision for the size of the development for both cars and cycles. Access details are also sufficient subject to a condition requiring further access details to be submitted and approved. The Local Highways Authority has raised no objection to the proposal in terms of its impact on highway safety.
- 5.19 However, the highway authority do still have concerns that the turning head which is outside the control of the applicant is regularly used for parking by third party users. In addition, the highways authority consider that the site is in a sensitive location and other developments in the area have paid transport contributions towards a strategic highway improvement scheme for the Cherwell Street/A4260 corridor. This application, as it proposes an increase in trip generation, will be expected to contribute towards mitigating its impact. To that end, further analysis is requested in terms of junction impact assessment, as previously requested.
- 5.20 However, it has to be accepted that the building has a lawful use as B1(a) offices and the new permitted development regime allows a change to C3 (residential). If brought back to use as B1(a) or C3 this would have an impact that the County has no control over. In this instance it is considered an unnecessary additional burden to require further trip generation analysis or financial contributions for a building that can lawfully be used without intervention from the District or County Council.

### **Flooding**

- 5.21 The site lies within flood zone 2. The Environment Agency have been consulted and comment that "The site specific comparison of undefended flood levels indicate that the site is located above the level of 0.1% annual probability (1 in 1000) flood event. In this instance this is in excess of the 1% annual probability event) including an allowance for climate change advised by NPPF. As such, if formally consulted on this proposal we would have no objection to the proposed development on flood risk grounds." Therefore, no objection to the development on flood risk is made.

### **Permitted development rights for housing conversion**

- 5.22 In May 2013 the government released Statutory Instrument 2013 No. 1011 which made the following Order: The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. Class J of the Order states that,

*Development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule.*

is permitted development. The development is subject to the criteria set out with Class J and states that an application shall be made to the LPA for determination as

to whether prior approval of the authority is required for, transport and highways impacts of the development, contamination risks on the site flooding risks on the site

## **Engagement**

- 5.23 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

## **6. Recommendation**

**Approval**, subject to the following conditions:

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

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

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, design and access statement, drawing number(s) PP-10/A (Proposed ground floor plan), PP-11 (Proposed first floor plan), PP-12 (Proposed second floor plan), PP-13 (Proposed third floor plan), PP-14 (Proposed roof plan), PP-15 (Proposed elevations sheet 1), PP-16 (Proposed elevation sheet 2), PP-17 (Proposed elevations sheet 3), PP-18 (Proposed sections sheet 2), PP-19 (Proposed sections sheet 2), PP-20/A (Proposed linkages drawing), PP-21 (Proposed green areas drawing), PP-22/A (Site plan – showing drainage), Planning Statement (RPS Ref: NK017511P/CAD dated 25 March 2013 and Design and Access Statement (RPS Ref: NK017511P/CJ dated 25 March 2013)

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

3. Prior to the commencement of the development hereby approved, samples of the material to be used in the construction of the restaurant and duplex apartments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details,

shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of any development full details of the streetscape, including boundary treatment to any buildings, treatment of street parking, street landscape, hard and soft landscape details, street furniture and play features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved details.

Reason - To ensure the delivery of satisfactory streets that deliver the green infrastructure, play and other features necessary to create a successful place, to accord with a high standard of design and to comply with Policy C28 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

9. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning area which shall be provided within the curtilage of the site so that motor vehicles may enter, turn around and leave in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of motor vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

10. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

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

11. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of the proposed tree and shrub planting including their species,



number, sizes and positions, together with grass seeded/turfed areas,

- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

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

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

14. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

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

15. Prior to the commencement of the development hereby approved, full details of the method of mechanical ventilation of the proposed restaurant shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

16. Prior to the commencement of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

17. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18. Prior to the commencement of the development hereby approved, including any demolition, any works of site clearance and approval of design details, a full survey for bats shall be carried out by suitably qualified ecologists and should it be required, a report outlining a full mitigation strategy for bats, which shall include timing of works, the location, design and timing of any alternative roosts to be provided, the measures taken to avoid disturbance during construction and whether a licence is required shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out strictly in accordance with the approved details.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. No works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect and where appropriate retain the nesting bird interest on the site.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

20. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a brief method statement for enhancing the biodiversity on site, including proposed locations of any habitat boxes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

To protect habitats of importance to biodiversity conservation from any loss or damage and to conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

**PLANNING NOTE**

No development shall take place across any public footpath/right of way unless and until it has been legally stopped up or diverted.

**STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.