

**Site Address: Land north of OS Parcel 0037,
Murcott Road, Upper Arccott**

14/00950/F

Ward: Launton

District Councillor: Cllr David Hughes

Case Officer: Laura Bailey

Recommendation: Approval

Applicant: Green Energy UK Direct Ltd

Application Description: Construction of an 8 MW solar photovoltaic park complete with all necessary inverters, security fencing, switch gear and landscaping, along with the necessary cables connecting the development to the Arccott Primary Substation and all associated works.

Committee Referral: Major

Committee Date: 4 September 2014

1. Site Description and Proposed Development

- 1.1 The application site comprises an open, agricultural field of approximately 14 hectares, laid to grass. The land is currently used for arable crop growing, as part of Brook Farm. The site can be accessed directly from the Ploughley Road, via an unmade agricultural track, which also serves the main farmhouse. Lower Arccott lies approximately 250 metres due east. The fields are bound by mature hedgerows and trees.
- 1.2 The site does not lie within any local, regional or national landscape designation, nor are there any heritage assets within close proximity. A small northerly section of the site lies within flood zones 2 and 3. The site is bound along its south eastern boundary by a bridleway (BR110/3) and public footpath (FP 110/6), the latter of which appears to fall within the application site boundary.
- 1.3 Planning permission is sought for the installation of solar photovoltaic panels, covering 40 acres, approximately 1 metre off the ground with a maximum height of approximately 3 metres from ground level, facing south at a 30 degree angle. Ancillary works include the construction of an access, temporary construction compound and inverter/substation. The site will be contained by a 2 metre high, steel mesh security fence, mounted with CCTV cameras. A buffer of approximately 8 metres will be left between the fence and the panels.
- 1.4 A total of five inverters will be located across the site, measuring 8.7 x 4.6m and 2.2m high. A control room and customer cabin will be located adjacent to the entrance into the site (south eastern corner of the site). The customer cabin sits alongside the substation and is required for meter readings and monitoring the plant's performance.
- 1.5 The only relevant planning history relating to this site is the applicant's screening opinion (13/00026/SO refers) which concluded that an EIA was not required for the proposed development but did highlight areas which would need to be addressed as part of a formal planning application.

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 17 July 2014.

1 representation has been received. In summary, the following issues were raised (full comments can be viewed on the Council's website via Public Access):

- Object to the proposal due to its location, visual impact and positioning very close to the River Ray and the earth works that are required to make an attempt to screen it

3. Consultations

- 3.1 **Arcott Parish Council:** Raises no objection, but comments as follows:

The development should not be visually intrusive and the developer should discuss with the Parish Council an appropriate contribution towards Parish Council projects.

Cherwell District Council Consultees

- 3.2 **Landscape Officer:** With consideration of the supplementary LVIA - see enclosed - I provide the following response.

I judge this LVIA to be proportionate to the scale of development, the degree landscape character and its sensitivity and capacity to accept the development. The LVIA summary on page 4 states that the proposal will have '**a medium (moderate) to low level of significance**' which I agree with. With the appropriate level of landscape mitigation and tree and hedgerow protection, and the inclusion of detailed information on the landscape proposals, such as PRoW, maintenance route, deer fencing, larger nursery-supplied trees to proposed, hedgerow planting densities - and including maintenance and management proposals - the scheme will be acceptable. The enclosed sketch landscape mitigation drawing is the basis for a development of an appropriate landscape scheme.

I recommend the following conditions.

C1 Submit Landscaping Scheme

C2 Carry Out Landscaping Scheme and Replacements

C3 Landscape Maintenance

C4 Landscape Management Plan

C9 Arboricultural Method Statement (AMS)

C11 Retain Existing Hedgerow Boundary (with access)

C12 Retain Existing Hedgerow Boundary (no access)

- 3.3 **Ecology Officer:** The submitted biodiversity management plan (BMP) is acceptable and welcome in principle but lacks the finer details which would be required before it can be implemented, and enforced if necessary. Currently, no contractor would be able to work from this document. Therefore I would expect plan(s) to be submitted showing exactly:

- The location, number, size and species of new trees to be planted.

- The grassland seed mixture/composition to be used, quantities required and sowing method.
- The make and type of each bat/bird/insect/hedgehog box to be used and what they will be affixed to / where they will be placed.
- Where within the solar arrays the planks for nesting birds will be placed.

Oxfordshire County Council Consultees

3.4 Highways Liaison Officer: No objection subject to conditions

“The proposal seeks to construct a solar farm.

The road network to the site is of a single carriageway nature with few passing spaces along its entire length.

Careful management of vehicular traffic during the construction phase will need to occur this should be possible within the Construction Traffic Management Plan (CTMP) by limiting deliveries to outside the network peak times.

Access to the site is along a Public Bridleway (110/3), during the construction phase of the project, which is likely to result in increased vehicular movements. However, it has been recommended that a scheme be produced showing passing places to be provided along the public bridleway.

Once the construction phase of the proposal has been completed the vehicle movements associated with the proposal are considered minimal.

Conditions:

- A Construction Traffic Management Plan (CTMP) will need to be submitted [*A CTMP has since been submitted and the Local Highway Authority are satisfied with its content. The development will therefore be conditioned to be implemented in accordance with this CTMP*].
- A scheme showing the provision of passing places along the public bridleway
- Improvements to the existing access onto Ploughley Road
- Temporary obstructions. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.
- Route alterations. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process. Reason: To ensure the public right of way remains available and convenient for public use.
- Vehicle access (construction): No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use.”

Rights of Way

Arcott Public Footpath 6 (110/6) enters the field/site part way along the south-eastern boundary. It then runs in a south-westerly direction next to the boundary for approximately 220m, then turns north-west along the south-western boundary for a further 95m before exiting the field.

Arcott Public Bridleway 3 (110/3) runs along the south-eastern boundary, outside the site. There is a ditch and a tall hedge between the bridleway and the site so it is screened well from horses. A short section of the bridleway (where it leaves the metalled road) will be used for access into the site during the construction phase. This section of the bridleway has a hard surface and is relatively wide.

The application has been submitted by Green Energy UK Direct Ltd who have contacted me directly for advice concerning the public rights of way. The General Site Plan has now been amended to show the footpath, and should permission be granted they have agreed the following;

- Gaps in the hedge along the south eastern boundary will be filled to ensure the site is not visible to horses using the bridleway
- The stile on the north side of the footbridge, where the path enters the site will be replaced with a kissing gate
- An interactive information board will be provided near to the kissing gate
- There will be a width of 5m provided for the footpath
- The footpath will be bounded by a pollen rich mix grass and flower meadow
- Advisory signage will be provided where the access road follows the public bridleway

3.5 Archaeology Officer: No objections subject to condition:

“The site is located in an area of archaeological potential to the south of an area of Iron Age settlement although little archaeological work has been undertaken in the vicinity. A condition requiring that a staged programme of archaeological investigation be undertaken ahead of the development will be required on any planning permission for the site.

The archaeological potential of the area has been summarised in a desk based assessment submitted with this application which concludes that although there are no known archaeological remains in the immediate vicinity the site has the potential to contain previously unknown remains. Iron Age settlement was recorded to the north of this proposed site and possible later prehistoric enclosures have been recorded to the west. Little formal archaeological investigation has been undertaken within the area and it is possible that further aspects of these features could be affected by this development.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition as suggested below.

If the applicant makes contact with us at the above address, we shall be pleased to outline the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.

Conditions:

a Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

b Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [a], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.”

Other Consultees**3.6 Natural England:** No objections

“Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment¹ for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.”

3.7 Environment Agency: “In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to the grant of planning permission and recommend refusal on this basis for the following reason:

The site lies partly within flood zones 3/2 and the proposed development potentially could reduce flood plain storage capacity thereby increasing the risk of flooding

The applicant has not demonstrated that the storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with an appropriate allowance for climate change, can be provided on site.

The applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage for surface water generated on site, in line with the National Planning Policy Framework paragraph 103, that requires development to give priority to the use of SuDS.

The applicant has not demonstrated that the peak discharge rate for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change, will not exceed that of the existing site. This may increase the flood risk on site and in surrounding areas.

Overcoming our objection

With regards to loss of flood plain storage, it will need to be shown that any increase in built footprint within the 1 in 100 year plus 20% allowance for climate change flood extent can be directly compensated for. This is necessary to prevent the new development reducing floodplain storage, displacing flood waters or causing obstruction to flood flows, thereby increasing flood risk elsewhere.

Surface water for up to the 1 in 100 chance in any year storm event, including an allowance for climate change, must be safely contained on site. It may be

acceptable for limited flooding to occur in parts of the site if buildings are not affected by flooding and the site can be safely navigated by users.

The applicant must demonstrate through their surface water strategy that the proposed development will not create an increased risk of flooding from surface water

The surface water strategy must demonstrate that the use of SuDS has been given priority over more traditional pipe and tank systems, providing justification where it is not considered practicable to utilise SuDS on site. The surface water strategy should be carried out in accordance with the National Planning Policy Framework and PPS25 Practice Guide giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.

Advice to LPA/Applicant

Guidance on the preparation of surface water strategies can be found in the Defra/Environment Agency publication "Preliminary rainfall runoff management for developments". Guidance on climate change allowances can be found within the National Planning Policy Framework Technical Guidance.

The applicant should, as part of the surface water strategy, demonstrate that the requirements of any local surface water drainage planning policies have been met and the recommendations of the relevant Strategic Flood Risk Assessment and Surface Water Management Plan have been considered.

The CIRIA publication 'C635 Designing for exceedance in urban drainage— Good practice' contains advice on surface water conveyance and storage. The document can be accessed at www.ciria.com/suds/ciria_publications.htm

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity."

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

C2: Development affecting protected species

C4: Creation of new habitats

C7: Landscape conservation

C8: Sporadic development within the countryside

C28: Layout, design and external appearance of new development

C30: Residential amenity

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance

Planning Practice Guidance for Renewable and Low Carbon Energy (Jul. 2013)

UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (Oct. 2013)

UK Solar PV Strategy: Part 2 (Apr. 2014)

Submission Cherwell Local Plan (January 2014)

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the Draft Submission Plan was approved by the Council's Executive. The Plan was endorsed at Full Council on 21 October 2013 as the Submission Local Plan.

The Plan has now been formally 'Submitted' to the Secretary of State for Communities and Local Government for Examination, and therefore carries more weight than has been previously attributed that can be attached to the Plan will increase. However, it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council. The following Policies are considered to be relevant:

ESD5: Renewable Energy

ESD10: Protection and Enhancement of Biodiversity and the Natural Environment

ESD13: Local Landscape Protection and Enhancement

ESD16: The Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle
- Landscape and Visual Impact
- Highway Safety
- Residential Amenity
- Ecology
- Flood Risk

Principle

5.2 The National Planning Policy Framework (NPPF) provides positive encouragement for renewable energy projects. One of the core planning principles set out in paragraph 17 is to *“support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of*

existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”.

- 5.3 Paragraph 93 notes that *“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development”.* This constructive attitude to renewable energy is reiterated in paragraph 14 which states that any adverse impacts of approving an application, which is considered to be sustainable, would have to significantly and demonstrably outweigh the benefits.
- 5.4 Paragraph 97 goes on to state that local planning authorities should *“recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources”* and that they should:
- *have a positive strategy to promote energy from renewable and low carbon sources;*
 - *design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts*
 - *consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and*
 - *identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”*
- 5.5 Furthermore, paragraph 98 of the NPPF advises that when determining planning applications, local planning authorities should:
- *not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;” and*
 - *approve the application, unless material considerations indicate otherwise, if its impacts are (or can be made) acceptable...*
- 5.6 The NPPF also recognises the need to accord with European legislation. Paragraph 2 states that planning policies and decisions must reflect, and where appropriate, promote relevant EU Obligations and Statutory requirements. EU Directive 2009/28/EC necessitates member countries to increase renewable energy generation.
- 5.7 Given that of the adopted Cherwell Local Plan (CLP) was written in the mid 1990s there is little mention of the renewable energy in the Council’s Development Plan. By contrast the Submission Cherwell Local Plan (January 2014) (SCLP) makes specific mention to renewable energy and reflects the positive approach of the NPPF. Policy ESD5 sets out a list of criteria against which applications renewable energy should be assessed - they read as follows:
- Landscape and biodiversity including designations, protected habitats and species and Conservation Target Areas

- Visual impacts on local landscapes
- The historic environment including designated and non designated assets and their settings
- The Green Belt, particularly visual impacts on openness
- Aviation activities
- Highways and access issues and;
- Residential amenity

5.8 Paragraph B.199 which supports Policy ESD5 also seeks to direct solar farms away from the district's highest quality agricultural land. Using DEFRA's Agricultural Land Classification, land is put in to one of six categories (1, 2, 3a, 3b, 4 and 5). Grade 1 and 2 land, the most fertile (Best and Most Versatile – BMV), is considered to be too good to be used for renewable energy. The land within this site is Grade 4, and is therefore not classified as Best and Most Versatile.

5.9 The recently published Planning Practice Guidance (PPG) reiterates this point. Paragraph: 013 Reference ID: 5-013-20140306 of the PPG states that:

Particular factors a local planning authority will need to consider include:

- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays...*

5.10 In relation to this proposal, the applicants have provided a report which sets out more detail relating to alternative sites and the specific reasons why they were discounted. It also addresses why this site has been selected over and above those that were identified.

5.11 In this regard, it is considered that the applicants have demonstrated that there are no more suitable alternative sites (brownfield and then greenfield) within the vicinity.

5.12 It is therefore considered that the principle of erecting a solar park in this location is acceptable, as evidenced by the sequential test and agricultural land grade. However, the acceptability of the proposal as a whole rests on other relevant material planning considerations, which are outlined in more detail below.

Landscape Impact

5.13 This is not a particularly sensitive part of the district and is not constrained by any landscape designations. The Landscape Officer originally raised concerns with regard to the LVIA submitted with the application and requested further information requiring further evaluation and judgment of landscape character, the site's sensitivity and its capacity to accept such a development.

5.14 The applicants have since provided an addendum which satisfactorily addresses the Landscape Officer's request, who concurs with the conclusion that the proposal will have '**a medium (moderate) to low level of significance**', but given the appropriate level of landscape mitigation and tree and hedgerow protection and conditions mentioned in paragraph 3.2 above, the proposal will not be visually intrusive nor would it cause harm to the topography, character or appearance of the landscape.

5.15 The proposal therefore complies with policies C7 and C8 of the adopted Cherwell Local Plan, policies ESD10, ESD13 and ESD16 of the Submission Local Plan and central Government guidance contained within the NPPF and Planning Practice Guidance.

Highway Safety

5.16 As noted above, the Local Highway Authority raises no objection to the proposal, subject to conditions. This is on the basis that post construction phase, very little traffic will need to access the site. The LHA have reviewed the CTMP and are satisfied with the proposals therein. A condition will be imposed to ensure that the proposal is implemented in accordance with the approved details.

5.17 The proposal therefore accords with Government guidance contained within the NPPF.

Residential Amenity

5.18 The nearest residential properties to the development are those fronting Ploughley Road, which are over 900 metres from the site with the MoD railway line and embankment in-between. The farmhouse associated with Brook Farm is over 700 metres to the north east of the site. Given the landscape mitigation proposed and distances involved, it is not considered that the proposal would cause detriment to neighbour amenity. The development therefore accords with Policy C30 of the ACLP and guidance contained within the National Planning Policy Framework.

Ecology

5.19 The Council's Ecologist raises no objection to the principle of the development, particularly given that it is not within a designated area of ecological importance. She notes that the Biodiversity Management Plan lacks some detail in that it is not accompanied by a plan denoting the location and type of some of the specific mitigation proposals.

5.20 Having relayed this to the applicants, they are happy to accept a condition that this level of detail is provided through the imposition of a condition, prior to the commencement of development.

5.21 As such, it is considered that the proposal adequately deals with the protection and enhancement of biodiversity across the site, in accordance with policy C2 of the Adopted Cherwell Local Plan, policy ESD10 of the Submission Local Plan and central Government guidance contained within the NPPF.

Flood Risk

5.22 Although the Environment Agency has a holding objection, the issues flagged are not considered to be insurmountable. The applicant is working with the Environment Agency to agree an appropriate strategy. Members will be given a written update on any progress at the Planning Committee.

Conclusion

- 5.23 The site is not on land designated as BMV, nor is it within any local, regional or national landscape designations. Given the relatively flat landscape combined with existing and proposed landscaping, it is considered that the proposal would not be visually intrusive nor would it cause harm to the topography, character or appearance of the landscape. The applicants have demonstrated that there are no other suitable brownfield sites and that this site is sequentially preferable. There are no issues regarding highway safety, ecology and the applicants are working with the Environment Agency to address their concerns.
- 5.24 Subject to the satisfactory resolution of the Environment Agency's concerns, the development is considered to accord with Government guidance contained within the National Planning Policy Framework, the Planning Practice Guidance, Policies C2, C4, C7, C28 and C30 of the adopted Cherwell Local Plan and Policies ESD5, ESD10, ESD13 and ESD16 of the Submission Cherwell Local Plan (January 2014). Accordingly, the application is recommended for approval, subject to the caveats and conditions outlined below.

Engagement

- 5.25 There were a number of issues that arose throughout the application process, most notably in connection with flood risk. The applicant was made aware of the concerns raised and this allowed sufficient time for an appropriate solution to be negotiated.

6. Recommendation

Approval, subject to:

- a) The applicant successfully addressing the objection raised by the Environment Agency;
- b) The following conditions and any additional conditions required by the Environment Agency:
 - 1 That 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the planning application forms and the following plans and documents:

Drawing no's: 11793_A_(SE-DSP-SWB-CON)_A0_G2, T.201, T.202, GEUKD-1001-1056-0000 Rev A, D.101, D.102, D.105, D.108, D.107, T.200.1, D.103, D.106 and 'Brook Farm Solar Park Planning Application' ref SOL/1056 dated 11 June 2014, Extended Phase 1 Habitat Survey by Abbas Ecology dated November 2013, SUPPLEMENTARY LANDSCAPE AND VISUAL IMPACT ASSESSMENT AND APPENDICES (Tree Survey and Root Protection and Landscape Mitigation) by DAVID HARES

LANDSCAPE ARCHITECTURE received 15th August 2014.

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

- 3 The permission shall expire no later than 25 years from the date when electricity is first exported from any part of the array to the electricity grid network ('First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.

Reason - In order to safeguard the amenities of the area and protect the rural character of the landscape and to comply with Policies C7 and C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 4 Not later than 24 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted to and approved by the Local Planning Authority, such scheme to include the management and timing of any works and traffic management plan to address likely traffic impact issues during the decommissioning period. The approved scheme shall be fully implemented within 12 months of the expiry of this permission

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

- 5 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 biodiversity or 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 Policies C2 and ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 6 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.

- 7 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.

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.

- 8 Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of 5 years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

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.

- 9 Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

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

- 10 Except to allow for the means of access and vision splays the existing hedgerow along the north eastern site boundary of the site shall be retained and properly maintained at mature height, not less than 2.4

metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 11 The existing hedgerows along the northwest, southwest and southeast boundary of the site other than the south west boundary shall be retained and properly maintained at mature heights, not less than 2.4 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 12 a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

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

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the completion of the development.

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.

- 13 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 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.

- 14 The development shall be implemented in accordance with the details set out in the Construction Traffic Management Plan by Sun Edison, received

on 6 August 2014.

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

- 15 Prior to the commencement of the development hereby approved, full details of a scheme to prevent any surface water from the development discharging onto the adjoining highway shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage scheme shall be implemented and retained in accordance with the approved details.

Reason - To ensure satisfactory drainage of the site in the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

- 16 Prior to the commencement of the development, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

- 17 Following the approval of the Written Scheme of Investigation referred to in condition 16, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason - To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the National Planning Policy Framework.

- 18 No external lighting shall be installed within the site area unless agreed in writing with the Local Planning Authority.

Reason - In order to safeguard the amenities of the area and 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.

Planning Notes

1. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that

may obstruct or dissuade the public from using the public right of way whilst development takes place.

2. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.

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 a result of on-going discussion and negotiation with the applicants throughout the course of the application.