

Applicant:	Brickmort Developments	
Proposal:	Four storey extension to existing building to create 10 self-contained apartments	
Ward:	Banbury Cross and Neithrop	
Councillors:	Cllr Hannah Banfield Cllr Surinder Dhesi Cllr Alastair Milne-Home	
Reason for Referral:	Major Development (10 Units)	
Expiry Date:	18 May 2017	Committee Date: 18 May 2017
Recommendation:	Approve	

1. APPLICATION SITE AND LOCALITY

- 1.1. 18 Bridge Street (Crown House) is a part three, part four storey, former office building in the centre of Banbury which was granted prior approval in November 2016 under Schedule 2, Part 3, Class O of the General Permitted Development Order 2015 for change of use to a residential use comprising 37 apartments. The internal operations required in connection with this change of use have now commenced and the external alterations required were approved under application reference 17/00243/F. The building is located within a mixed use area, comprising a range of commercial, retail and light industrial uses and is accessed via Christ Church Court. The building is constructed from brick with a concrete tile roof.
- 1.2. The application site is located adjacent to the designated Banbury Conservation Area and abuts public footpath (120/56/10) which runs along the western perimeter of the site. The site is not located within an area identified to be at risk of fluvial flooding.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Planning permission is being sought for the erection of a four-storey extension to the east elevation of the existing building. The extension would have a footprint of approximately 194 m² with the same eaves and ridge height as the existing building.
- 2.2. The extension would contain 10 apartments, comprising 2 studios, 4 one bed apartments, 2 two bed apartments and 2 three bed apartments.
- 2.3. The extension would be constructed from brick with roof tiles to match the existing building. Elements of external cladding are also proposed although exact details remain to be agreed. The windows proposed are grey uPVC. Juliet balconies are proposed on the north elevation of the extension, serving a number of bedrooms.

3. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
16/01763/O56	Proposed change of use of existing office building into 37 No. apartments	Application Permitted
17/00243/F	External alterations to include additional windows, doors and canopy alterations in connection with prior approval 16/01763/O56 for the proposed change of use of existing office building into 37 No apartments	Application Permitted
17/00658/F	Change of use of existing building to create coffee shop (Class A3) and 1 no. 1 bedroom unit at ground floor level and 3 no. residential units (2 no. studio units and 1 no. 2 bed unit) at first floor level This application relates to the conversion of the existing mock-Tudor building located on Bridge Street, which forms part of Crown House.	Pending Consideration

4. PRE-APPLICATION DISCUSSIONS

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

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 30.03.2017, although comments received after this date and before finalising this report have also been taken into account.

5.2. No comments have been raised by third parties as a result of this consultation process.

6. RESPONSE TO CONSULTATION

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

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Banbury Town Council:** No objections.

STATUTORY CONSULTEES

- 6.3. **Thames Water:** No objection with regards to sewerage or water infrastructure capacity subject to conditions relating to surface water drainage.
- 6.4. **Oxfordshire County Council:** No objection subject to conditions relating to car parking, cycle parking, pedestrian access, drainage, fire hydrants and refuse collection. No Section 106 contributions are sought due to Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 6.5. Taking this proposal for 10 apartments, and the consent for conversion of the existing office building into 37 apartments, there will be a net reduction in peak hour vehicle trip generation.
- 6.6. The site is highly sustainable, given proximity to bus stops, rail station, and employment opportunities within easy cycling and walking distance. As a consequence, the fact that it will provide only 29 parking spaces for 47 dwellings is considered acceptable, given the fact that adjacent streets have parking restrictions in place. Nevertheless, it is strongly recommended that spaces are allocated, such that residents moving in will know whether or not they can park a car on site.
- 6.7. The Transport Statement is incorrect in stating that the provision of 40 cycle parking spaces meets OCC's parking standards. There should be a total of 88 spaces. This is particularly necessary here to provide sufficient cycle parking, because of the lack of car parking spaces, and the fact that the site is compact and cycles parked informally are likely to cause an obstruction. Sufficient cycle parking is necessary to maximise the opportunity for sustainable travel.
- 6.8. There is no turning head at the end of Christchurch Court, and no possibility of turning large vehicles within the site. The applicant says this arrangement was in place when the office building was occupied. However, the adjacent road layout and pedestrian usage of Christchurch Court has changed since then.
- 6.9. If vehicles cannot use the Matalan service area forecourt to turn, they will be forced to reverse some 80m down Christchurch Court, across a very busy pedestrian access between the car park and the town centre. This has obvious risks to pedestrian safety. It may be possible to address this by seeking an agreement with the adjacent landowner to use the service area for turning.
- 6.10. In terms of refuse collection, CDC should seek assurances from its environmental team that one of the crew always acts as a banksman when vehicles reverse down Christchurch Court.
- 6.11. The Transport Statement also says that Christchurch Court is a public highway but the OCC records show that it is unadopted.

NON-STATUTORY CONSULTTEES

- 6.12. **Environmental Protection:** As per the application for the conversion of the existing building this department requests that a noise report should be conditioned that ensures that the proposed residential properties meet the noise levels laid out in BS8233:2014. This is due to the possibility of noise disturbance from the surrounding commercial premises (including noise from any plant associated with these commercial premises) and from the nearby busy Cherwell Street.
- 6.13. In addition, due to the sensitivity of the development and its location the full contaminated land conditions are recommended to be placed on any permission if granted.

- 6.14. **Business Support Unit:** It is estimated that this development has the potential to attract New Homes Bonus of £41,332 over 4 years under current arrangements for the Council.
- 6.15. **Recreation and Leisure:** Section 106 contributions are requested towards indoor and outdoor sports facilities, community hall provision and public art.
- 6.16. **Design and Conservation:** Crown House is a 20th century building without architectural merit constructed at a time when 'local distinctiveness' was yet to become a watchword phrase.
- 6.17. It is unlikely that the proposed extension will cause additional harm to the setting of the conservation area providing it is blended into the existing construction i.e. constructed in identical materials without detailing which draws attention. I cannot support the proposed detailing which attempts highlight this extension and bring unnecessary visual attention to a building which is less than iconic.
- 6.18. 10 units are considered unacceptable. Architecturally balanced fenestration is achievable if fewer units are envisaged.
- 6.19. Gates onto Bridge Street would be considered acceptable providing they are detailed appropriately and allow visual connectivity into the site from the highway e.g. metal gates.
- 6.20. **Landscape Services:** Further details of hard and soft landscape proposals are required. These are an essential requirement for mitigating the visual impact of the parking areas and built form. Tree planting to be in accordance with BS8545:2014. General landscaping to be in accordance with BS4428:1989. Plants are to comply with the National Plant Specification.
- 6.21. Section 106 contributions are requested towards off-site play area improvements at Howard Road play area.
- 6.22. **Strategic Housing:** Due to the application being for less than 11 units, there are no requirements for affordable housing. Unfortunately because the application is attached to a wider residential conversion under permitted development there will be no requirement for affordable housing across the entire scheme should this application be successful.
- 6.23. **Building Control:** No comments received.
- 6.24. **Planning Policy:** No comments received.
- 6.25. **Urban Design:** No comments received.
- 6.26. **Thames Valley Police:** No comments received.
- 6.27. **Waste and Recycling:** No comments received.

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

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

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

- PSD1 – Presumption in Favour of Sustainable Development
- BSC1 – District Wide Housing Distribution
- BSC2 – Effective & Efficient Use of Land
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC11 – Local Standards of Provision – Outdoor Recreation
- SLE4 – Improved Transport & Connections
- ESD15 – Character of the Built & Historic Environment
- Banbury 7 – Strengthening Banbury Town Centre

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design of New Residential Development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Housing mix and affordable housing
- Residential amenity
- Contamination
- Highways Safety
- Waste
- Landscaping and play provision
- Sport, public art and community facilities
- Other matters

8.2. Principle of development

8.3. Policy Banbury 7 states that residential development will be supported in appropriate locations in the town centre except where it will lead to a loss of retail or other main town centre uses. Furthermore, the change of use of sites used for main town centre uses in the town centre will normally be permitted if proposals contribute significantly to the regeneration of the town centre.

8.4. The existing building on the site was granted prior approval for change of use to residential use in November 2016. The internal operations required in connection with this change of use have now commenced. The principle of residential development within this location has therefore been established. The main issue for consideration is therefore whether the development is in an appropriate location and whether it would contribute significantly towards the regeneration of the town centre.

- 8.5. Crown House is a prominent building within Banbury Town Centre and has remained vacant for a significant period of time, falling into a state of disrepair. The granting of prior approval has enabled the building to be brought back into use and the current application presents an opportunity to regenerate the site by providing additional residential units within the town centre, enhancing the character and appearance of the building, and the local environment. The location of the building within the town centre and within a short distance of public transport connections, retail and leisure facilities, means that the location is considered both appropriate and sustainable.
- 8.6. The proposal is therefore considered to comply with Policy Banbury 7.
- 8.7. Policy BSC 1 provides a target of 7,319 dwellings within Banbury over the plan period mostly on allocated sites. Of this total, 416 dwellings are expected to be delivered through windfall sites. In the latest Annual Monitoring Report dated March 2016, it was reported that there have been 206 completions of windfall dwellings. The 10 units proposed are therefore considered to contribute towards the remaining windfall dwellings identified under Cherwell Local Plan 2011-2031 Part 1 and maintain the Council's current 5 year housing land supply.
- 8.8. The proposal is therefore considered to comply with Policy BSC 1.

8.9. Design, and impact on the character of the area

- 8.10. The proposed extension is considered to be consistent with the scale and design of the existing building. The extension would be erected using brick to match the existing building with elements of external cladding. Although the exact details remain to be agreed and will be sought by condition, it is anticipated that a material such as zinc will be used. The proposed cladding will add an element of variation to the building's façade. The windows proposed will be grey uPVC, similar in appearance to those approved for the existing building under application reference 17/00243/F.
- 8.11. The proposed extension is located adjacent to the designated Banbury Conservation Area but is considered unlikely to affect the setting, character or appearance of the heritage asset. Although the Design and Conservation Officer has stated that they are unable to support the proposed architectural features, these are considered necessary to improve the character and appearance of an otherwise unremarkable office building and to create an attractive place to live.
- 8.12. As part of the proposed redevelopment of the site, a pedestrian access is proposed to connect the building to Bridge Street via the undercroft adjacent to 15-17 Bridge Street (the Katherine House Hospice Shop). This access will be secured by a pedestrian access gate, which represents an opportunity to provide an interesting and well-designed form of public art, linking public and private domains and providing an attractive and secure access to the development. It is recommended that a condition is imposed requiring full details of the pedestrian access gate to be submitted to and approved by the Council and for the pedestrian access to remain available for residents at all times.
- 8.13. Overall, subject to the aforementioned conditions, the proposed development is considered to comply with Policies C28 and ESD15 and Government guidance contained within the National Planning Policy Framework requiring good design.

8.14. Housing mix and affordable housing

- 8.15. Policy BSC 2 requires the effective and efficient use of brownfield land through a housing density of a least 30 dwellings per hectare. The total site area of Crown House represents approximately 0.3 hectare. Taking into account the proposed number of dwellings (10) and the number of dwellings permitted under the prior approval (37) the total number of dwelling proposed is 47, which represents a density of approximately 157 dwellings per hectare. This meets the target threshold of 30 dwelling per hectare and given the location and form of development, this is considered acceptable. The proposal is therefore considered to comply with Policy BSC 2.
- 8.16. BSC 4 states that new development should provide a mix of homes to meet current and expected future requirements in the interests of meeting housing need and creating socially mixed and inclusive communities. Development should also take into account the provision of affordable housing as required by Policy BSC 3.
- 8.17. The proposed development provides a mix of homes ranging from studios to three bed apartments. Although a mix is proposed, the mix does not accord with the requirements of the Strategic Housing Market Assessment due to the high proportion of studio and one bedroom apartments. However, taking into account the number of apartments within the existing building, which comprise mainly of two and three bed apartments, the overall mix of apartments is considered to comply with the requirements of Policy BSC 4.
- 8.18. Policy BSC 3 states that proposed developments which include 11 or more dwellings or which would be provided on sites suitable for 11 or more dwellings will be expected to provide at least 30% of new housing as affordable homes on site. As the proposed development is for 10 dwellings, there is no requirement for the provision of affordable housing.
- 8.19. Although additional dwellings could be provided on-site, the ability to do this, without the comprehensive redevelopment of the site, is limited by the requirement to provide a suitable housing mix as well as sufficient car and cycle parking, landscaping and amenity space within the site. It is however noted that a limited number of additional units could be provided through the conversion of the adjoining office building fronting Bridge Street, with limited impact on car and cycle parking, landscaping or amenity space.
- 8.20. The proposal is therefore considered to comply with Policy BSC 3 and BSC 4.

8.21. Residential amenity

- 8.22. The proposed development is located within a mixed use area, comprising a range of commercial, retail and light industrial uses. There is therefore the potential for the residents of the proposed development to be affected by noise from these uses. Environmental Protection has therefore recommended a condition requiring the apartments to be acoustically insulated. Subject to this condition and the submission of an acceptable acoustic installation scheme, the proposal is considered not to cause harm to future occupants in terms of noise disturbance. Furthermore, due to the residential nature of the development proposed, it is unlikely that the surrounding uses will be adversely affected in terms of noise disturbance.
- 8.23. The proposed development contains a number of ground floor apartments which would directly overlook the proposed car park. Although this is beneficial from a security viewpoint in terms of natural surveillance, there is the potential for loss of privacy, as well as disturbance from the parking. A landscape buffer has therefore been proposed to mitigate this impact. Subject to the implementation of an acceptable landscaping scheme, the ground floor apartments are considered

unlikely to result in loss of privacy and disturbance. In addition, the proposed development is considered unlikely to result in direct overlooking or loss of privacy of the existing building due to the configuration and orientation of the extension in relation to the existing building.

8.24. The proposed development is not considered to cause additional overshadowing of the existing building or neighbouring buildings by virtue of its scale and orientation in relation to the existing building.

8.25. The proposed extension is therefore considered to comply with Policy C30 and provides a standard of amenity acceptable to the Council.

8.26. Contamination

8.27. Due to the commercial nature of the development site, Environmental Protection has recommended a condition requiring a desk study and site walkover are undertaken to ensure that any potential sources of contamination are identified and remediated.

8.28. Highways safety

8.29. The proposed development is located in a highly sustainable town centre location and there would be a net reduction in peak hour vehicle trip generation compared to the original use of the building. The 29 parking spaces proposed (serving the existing building and extension) are therefore considered to provide an acceptable level of parking provision. The Local Highways Authority has raised concerns however about the allocation of these parking spaces due to the number of dwellings proposed exceeding the number of spaces provided. It is therefore recommended that a condition is imposed requiring the production of a car park management plan which demonstrates how these spaces will be allocated to residents.

8.30. A total of 40 cycle parking spaces have been proposed to serve the development (incorporating the existing building and extension). This is below the number recommended by the Local Highways Authority. A condition is therefore recommended to ensure satisfactory provision of cycle parking within the site.

8.31. The Local Highways Authority has raised concerns about turning within the site, which is accessed via Christchurch Court, an unadopted narrow service road which serves the site as well as the adjacent bowling complex and Matalan store. Whilst it is possible to turn within the Matalan service area, this would require agreement from the owners of the site and cannot be addressed as part of the planning process. The Local Highways Authority has raised specific concerns about the reversing and turning of refuse collection vehicles but is satisfied that this can be addressed by the Council. The Council's Waste and Recycling Officer has raised no concerns with regards to the reversing and turning of refuse collection vehicles.

8.32. In addition to the comments received by the Local Highways Authority, it is recommended that additional conditions are imposed in respect of a Construction Traffic Management Plan and Construction Environment Management Plan to ensure satisfactory management of the site and safety of pedestrians and other road users during the construction phase of the development.

8.33. Subject to the aforementioned conditions, the development is considered unlikely to cause harm in terms of highways safety.

8.34. Waste

8.35. A waste storage area has been proposed, close to the entrance to the site but limited details about refuse waste storage and collection arrangements have been supplied. A condition is therefore recommended to ensure that satisfactory waste storage is provided.

8.36. Landscape and play provision

8.37. A landscaping scheme has been submitted as part of this application but the Landscape Officer has raised concerns about the scheme as proposed, primarily due to the type of plant species proposed and the lack of consideration of aspect. It is therefore recommended that a condition is imposed requiring the submission of a comprehensive landscaping scheme which addresses the Landscape Officer’s concerns, in order to achieve a high quality and attractive environment.

8.38. The Landscape Officer has also requested a Section 106 contribution towards the improvement of the Howard Road Play Area in Grimsbury. However, due to the distance from the development to the play area, which is in excess of 1,100 meters, this contribution is not considered to meet the three tests required to determine whether a planning obligation can be sought in relation to a development (as required by Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), namely, is it necessary to make the development acceptable in planning terms, is it directly related to the development, and does it fairly and reasonably relate to the development in terms of scale and kind.

8.39. Sport, public art and community facilities

8.40. Section 106 contributions have been sought towards indoor and outdoor sport, public art and community facilities with limited justification as to their intended use. National Planning Policy Guidance states that tariff-style contributions should not be sought from development of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square meters. As the floorspace of the proposed development does not exceed this threshold, and the number of units proposed does not exceed 10-units, it is not considered appropriate to seek these contributions.

9. PLANNING BALANCE AND CONCLUSION

9.1. The proposed extension will contribute towards the reuse and regeneration of a brownfield site in the centre of Banbury which has remained vacant for a significant period of time. The extension will result in the addition of 10 one, two and three bedroom apartments to the 37 apartments currently being provided and will contribute towards the Council’s housing targets. The proposed extension is considered to improve the character and appearance of the existing building and is not considered to cause harm in terms of residential amenity or highways safety. Overall, the proposal is considered to represent sustainable development, comply with the policies outlined in Paragraph 7 of this report and is therefore recommended for approval subject to the conditions below.

10. RECOMMENDATION

That permission is granted, 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 conditions attached to this permission, the development shall be carried out strictly in accordance with Drawing Numbers 12659-LP100, 12659-E001-G, 12659-E002-C and 12659-E003-C.

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

- 3 Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, a revised schedule of the materials and finishes, including samples where applicable, for the external walls and roofs of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4 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 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 ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 5 Prior to the commencement of the development, full details of the doors and windows proposed, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and 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 ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 6 Prior to the first occupation of the development hereby approved, 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 Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National

Planning Policy Framework.

- 7 Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of 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.

- 8 Prior to the commencement of the development hereby approved, a car park management plan which demonstrates how car park spaces will be allocated to residents, and how parking restrictions shall be enforced within the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the car park spaces shall be allocated to residents and parking restrictions shall be implemented in strict accordance with the approved car park management plan.

Reason - In the interests of highway safety and to ensure the satisfactory provision of off-street car parking and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

- 9 Notwithstanding the details submitted and prior to the commencement of the development hereby approved, full details of the pedestrian access to the site from Bridge Street (adjacent to 15 - 17 Bridge Street), including specification details of the proposed pedestrian gate (which is considered to provide an element of public art within the site) and access arrangements, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the pedestrian access gate shall be installed, and the pedestrian access permanently retained and maintained in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the pedestrian access and to ensure the creation of a safe and convenient access to the site for pedestrians in accordance with Policies SLE4, ESD1 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

- 10 Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason - To ensure sufficient access to water in the event of fire in accordance with Government guidance contained within the National Planning Policy Framework.

- 11 Notwithstanding the submitted details and 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.

Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 12 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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 13 Prior to the commencement of the development hereby approved, full details of a scheme for acoustically insulating all habitable rooms within the apartments such that internal noise levels do not exceed the criteria specified in Table 4 of the British Standard BS 8233:2014, 'Guidance on sound insulation and noise reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of development, the apartments shall be insulated and maintained in accordance with the approved details.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan 1996 and 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 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.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 16 If a potential risk from contamination is identified as a result of the work carried out under condition 15, 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.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 17 If contamination is found by undertaking the work carried out under condition 16, 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.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning

Policy Framework.

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

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 20 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods, details of construction vehicle parking/waiting areas, compound details as well as an agreed route for HGV traffic to the development site. The approved Plan shall be implemented in full throughout the entirety of the construction phase of the development.

Reason - In the interests of highway safety and to safeguard the amenities of pedestrians and other road users in accordance with Government Guidance in the NPPF.

PLANNING NOTES

- 1 Consent has been granted subject to conditions. It is the developer's responsibility to ensure that they have read and understood the requirements of the conditions, and that they comply with the conditions when carrying out the development. If you are unclear about what is required, please contact the case officer for further advice.

In some cases conditions require further details to be submitted and approved by the Local Planning Authority. You will need to make a formal application to the Council for approval of these details, and you need to allow up to 8 weeks (following receipt of a valid application) for the Council to make a decision on the acceptability of the details. This is particularly important where a condition requires further details to be approved before any work commences as any work carried

out before those details have been approved would be unauthorized and at risk of planning enforcement action.

The conditions application fee is £28 in respect of householder development, and £97 per in any other case. The fee is payable each time a conditions application is made. You can include multiple conditions in one application, and this can be more cost and time effective than submitting details for each condition separately.

Guidance on making an application is available online on the Council's website by going to <http://www.cherwell.gov.uk/index.cfm?articleid=8983>

- 2 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 The applicant is advised that Oxfordshire County Council Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems.

CASE OFFICER: Lewis Bankes-Hughes

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