

Applicant: Catesby Estates Ltd

Proposal: OUTLINE - Demolition of existing building and outline planning application for residential development of up to 37 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated works, with all other matters (relating to appearance, landscaping, scale and layout) reserved (Resubmission of 16/01468/OUT)

Ward: Cropredy, Sibfords And Wroxton

Councillors: Cllr Ken Attack
Cllr George Reynolds
Cllr Douglas Webb

Reason for Referral: Major Development

Expiry Date: 7 July 2017 **Committee Date:** 6 July 2017

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1. The site sits to the south west of the village of Cropredy and is located between the existing development along Station Road and the Chiltern Mainline Railway line. The site is currently paddock land, with large areas of established trees/woodland and an area of ancient woodland. The northern part of the site is largely flat and the southern part drops towards Sow Burge watercourse, which runs to the south.
- 1.2. The site is separated into two parts; the first is accessed from Station Road via Spring Lane and includes a paddock to the north of Spring Lane and a larger field/paddock to the south of Spring Lane. This part of the site is bounded by housing to the north (Cup and Saucer and Cherry Fields), by dwellings and vegetation to the east (three dwellings constructed on the Old Surgery site, Manor Farm Barns and Springfields, a grade II listed building), by Network Rail access to the south and by the railway line and associated vegetation to the west (except for a small break in the trackside vegetation).
- 1.3. The second part of the site sits to the south beyond the track owned by Network Rail and this part of the site is proposed to be accessed by a small separate access from Station Road. This part of the site is bounded by the Network Rail access to the north, two residential properties (Jalna and 38 Station Road) as well as vegetation to the east, other vegetation to the south and the railway and associated vegetation to the west.
- 1.4. The site has a number of recorded site constraints including that the site is within the setting of a grade II listed building, part of Spring Lane is within the Cropredy

Conservation Area and the rest of the site is within its setting, the most southerly part of the site is within Flood Zone 2/3, there are ecological records including local priority habitat on site, the land has some potential to be contaminated, a public right of way runs through the site and the site has archaeological potential. Beyond these recorded site constraints, the land is further constrained by its shape due to the presence of the railway embankment to the west as well as the Network Rail owned access which runs between the two parts of the site as well as significant tree/vegetation cover present on site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The proposal seeks outline planning permission for 37 dwellings with all matters reserved except access. The application follows the refusal of planning permission for an outline proposal for 60 dwellings on the same site.
- 2.2. The proposal would involve the demolition of an existing agricultural steel building and include the provision of open space and landscaping including surface water attenuation in the form of a tank to be located in the southern part of the application site.

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>
16/01468/OUT	OUTLINE - Demolition of existing building and outline planning application for residential development of up to 60 dwellings; provision of open space, landscaping and car parking for Cropredy Primary School (all matters reserved except access).	Application Refused
16/00058/SO	Screening Opinion to application 16/01468/OUT - Demolition of existing building and outline planning application for residential development of up to 60 dwellings; provision of open space, landscaping and car parking for Cropredy Primary School (all matters reserved except access).	Screening Opinion not requesting EIA

- 3.2. The previous application (16/01468/OUT) for 60 dwellings was refused as it was considered to be of a scale which would be harmful to the character and rural setting of this part of the village. The proposal was also considered to cause harm to the rural setting of a grade II listed building. An appeal has been lodged against that decision.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this site:

<u>Application Ref.</u>	<u>Proposal</u>
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14/00050/PREAPP The development of 67 residential units.

16/00151/PREAPP Up to 57 dwellings and parking for the primary school

16/00389/PREAPP Outline planning application for 39 dwellings

- 4.2. Following the refusal of planning permission for 60 houses on the application site, the applicant submitted a further pre-application enquiry (16/00389/PREAPP) to consider the merits of a scheme which would bring forward a reduced number of residential properties on the site. The quantum of development was substantially reduced to 39 dwellings.
- 4.3. Whilst the Council's policy position remained unchanged, taking into consideration the reduced scheme on a reduced site area it was considered that development of the site could be supported provided that it could be demonstrated that the development could be appropriately accommodated and that any future application could demonstrate how the previous reasons for refusal would be overcome.

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 18.05.2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. 166 representations have been received objecting to the application. The comments raised in these objections are summarised as follows;
- Contradicts the local plan (CDC has a 5.6 year supply of housing land) and not in accordance with Cropredy Village Plan
 - The proposal does not meet the economic, social or environmental aims of the NPPF
 - Cropredy is already meeting its obligations as a Category A Village. Large sites on the edge of Banbury are able to absorb housing required locally
 - Adverse traffic impacts in Cropredy and Great Boughton
 - Additional traffic and congestion and substandard access on Spring Lane and Station Road including delivery and refuse vehicles which would find access and egress difficult and cause damage to the attractive roadside verges.
 - Already substantial congestion at school opening and closing times on Station Road.
 - Access unsuitable for emergency vehicles
 - Village infrastructure inadequate to accommodate development including doctor surgery and pharmacy and the school.
 - Cropredy now only has limited bus service a week to Banbury

- Single bottleneck access from Spring Lane into landlocked cul de sac development
- Danger for pedestrians especially those walking to and from school
- The development will change the character and rural setting and quality of the village. The development is too large and disproportionate to the size of the village and cannot be absorbed
- Proposed location of visitor parking space on Spring Lane not acceptable
- Change in character of Spring Lane. Spring Lane not wide enough to accommodate the new road and new footpath which will impact on existing residents car parking.
- Harmful impact to Old Manor and Manor Farm barns and the listed building at Springfields and the Conservation Area
- Adverse impacts on neighbouring amenity
- Impact on ecology and wildlife – foxes, badgers, deer and grass snakes are commonly seen on site and bats are known to nest in the buildings to be demolished. The existing Copse also benefits from abundant wildlife and contains a TPO walnut tree.
- Poor design concept with layout facing away from village and will not integrate well. Brick built housing will not be in keeping with the village which is predominantly Oxfordshire Ironstone.
- Noise impact from railway line for future residents unable to open their windows
- Potential impacts on local sewage and waste water treatment infrastructure, water supply and water pressure and potential for flooding on the site and surroundings. Impact on water quality from spring sources and the high volume of natural water/springs in the area.
- Concerns about how the proposed surface water attenuation tank will be installed and where the water will go.
- Dangers associated with development in close proximity to the railway including children and youths playing near or on the line.
- Increased pressure on BT connections and fast broadband in the village
- A village survey was undertaken in July 2016. 283 residential properties were visited and 203 (89%) were opposed to the Catesby development.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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. Cropredy Parish Council: Welcomes the reduction in proposed number of dwellings but maintains objection as development remain disproportionate. Also sceptical about applicant's future intentions. The following issues are raised:

- No call for development of this size
- Cherwell already has a 5.6 year supply of housing land demonstrating this development is not required at present
- Lack of frequent public transport will add additional traffic movements to surrounding road infrastructure which will exacerbate existing problems
- The proposal is ecologically unsound
- The site has a history of flooding
- The site is inappropriate in scale and type of dwelling
- Most of the village is within the Conservation Area
- The site is close to the mainline railway line
- The development is wholly inappropriate causing harm to character, rural setting and quality of the village

CHERWELL DISTRICT COUNCIL

6.3. CDC Planning Policy: The Planning Policy Team's main observations are:

- Cropredy is a category A village, one of the most sustainable rural settlements in the district (Policy Villages 1). The village has a range of services including a primary school, post office, shop and GP surgery.
- Policy Villages 2 of the adopted Local Plan 2011-2031 requires the delivery of 750 new homes at the category A villages on new sites of 10 or more dwellings. This is in addition to the rural allowance for small 'windfalls' and planning permissions as at 31 March 2014.
- The 2016 AMR (March 2017) shows that there are 179 dwellings remaining to be identified of the 750 dwellings allocated for the rural areas.
- Policy Villages 2 states that sites will be identified through the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission subject to giving consideration a set of criteria listed in the policy.
- There has been 4 housing completions in Cropredy between 2011 and 2016; the proposal would assist in meeting overall Policy Villages 2 requirements.
- On 12 May 2016, an appeal decision (ref: APP/C3105/W/15/3134944 / 14/02139/OUT) was received which confirmed that the district had a five year housing land supply (subject to detailed comments on the Council's specific position). The Local Plan's policies for the supply of housing should therefore be considered to be up-to-date. There is no pressing housing need for additional land release at this time.

- The District is able to demonstrate a 5.6 year housing supply for the next five year period 2017-2022. Although with regards to the Council's 5 year housing land supply there is no pressing housing need for additional land release at this time, the proposal would assist in meeting overall Policy Villages 2 requirements subject to complying with the criteria listed in that policy and addressing site constraints in accordance to other relevant Local Plan policies.
- The proposed development would result in additional release for green field land in an area of countryside while Policy BSC2 of the Local Plan requires the effective use of land.
- Policies BSC3 and BSC4 on affordable housing and housing mix apply.

6.4. CDC Environmental Protection: Noise – No objections in respect of the Noise Report submitted with the application. The potential for noise nuisance during the construction phase should be addressed via a CEMP which should be submitted and approved by the LPA prior to any works commencing. The recommendations for mitigation in the Noise Report should be followed and details of the proposed alternative ventilation for those properties identified as requiring it should be approved by the LPA before construction begins. Contaminated Land – Satisfied that the submitted contaminated land report is acceptable. Air Quality - The potential for dust nuisance during the construction phase should be addressed via a CEMP which should be submitted and approved by the LPA prior to the works commencing. Odour: No comments. Light: The lighting report is acceptable. Details of the final lighting scheme should be submitted and approved by the LPA.

6.5. CDC Conservation: Main concerns/objections are as follows;

- Concern over the impact on the heritage and rural character of Spring Lane, the Conservation area, the listed building.
- Concern over the listed building and its setting which will become divorced from the land which supported it. Whilst it is recognised much of the land was historically severed by the railway, the bridge allowed the farm to be linked to the wider landscape via Spring Lane.
- Concern over the impact on the character of Spring Lane which is of historic and evidential interest.
- Concern over the impact on the conservation area through the form of the proposed development and extension of the village through this backland development.
- Concern over the character of the proposed development which is potentially suburban and could be anywhere. The proposal to allow covered ways to parking within gardens happens at such regular intervals that it weakens any cart barn concept the developer may be seeking to draw upon. The development north of Spring Lane may be acceptable subject to a slight rearrangement of space alignment. There is a language which exists which could be used sparingly to include a courtyard arrangement in a similar position to that which existed on the 1875-87 OS map, coupled with some modest workers terraces on an agricultural theme, there may also be scope for some railway workers terraced cottages which align with the railway.

- It is fundamental that there is a reduced quantum of development in order to lessen the impact on the character of Spring Lane. The buffer of trees looks to be very thin at points.
- 6.6. CDC Recreation and Leisure: Contributions are sought towards sports provision, towards the enhancement of community facilities and to secure public art.
 - 6.7. CDC Strategic Housing: On a development of 37 units, 13 affordable housing units will be required in line with Council requirement for 35%. An indicative mix of tenures and sizes are set out representing a 70/30 split between Affordable and Shared Ownership.
 - 6.8. CDC Arboriculture: No objection as there should be minimal impact on the trees on site. A clearer tree protection plan should be produced to show the location of protective fencing.
 - 6.9. CDC Landscape: A comparison has been made to the previous LVIA. The viewpoints were mutually agreed with the landscape consultant for the previous application and the viewpoint photo record/locations remain unchanged. Some issues raised around the density of buffer planting and the impact this may have on residential amenity of the new development in terms of over shadowing or light restriction to garden plants. Visual effect on the southern parcel of land as a result of the proposed maintenance access and the attenuation tank are raised as a concern. Comments are made in respect of the attenuation area. In terms of landscaping, the site is physically and visually contained with the established woodland on the western boundary which should be retained and managed appropriately. A Woodland Management Plan will be required. The development triggers the need for a LAP which is best located adjacent to the housing in the south and commuted sums will be required for future maintenance of woodland, informal open space, play provision, hedgerows and the attenuation tank to be secured through S106.
 - 6.10. CDC Ecologist: The Ecological Survey was undertaken at an appropriate time of year to assess grassland. Although the proposals will result in the loss of species-poor semi-improved grassland, there appears to be some good opportunities for biodiversity enhancements on site, in particular through the appropriate management and enhancement of existing woodlands.
 - 6.11. CDC Waste and Recycling: The developer will have to satisfy the local authority that they have adequate provision for waste and recycling storage. A S106 contribution will be required.
 - 6.12. CDC Business Support Unit: 'It is estimated that this development has the potential to attract New Homes Bonus of £181,101 over 4 years under current arrangements for the Council. This estimate includes a sum payable per affordable home.'

OXFORDSHIRE COUNTY COUNCIL

- 6.13. OCC Transport: No objection subject to a condition requiring full details of the access and a legal agreement to secure contributions towards improvement of public rights of way and the submission of a Construction Traffic Management Plan.
- 6.14. OCC Drainage: No objection subject to a surface water drainage scheme being required prior to the commencement of development.
- 6.15. OCC Archaeology: No objection subject to conditions to secure a Written Scheme of investigation and a Programme of Archaeological Investigation.

6.16. OCC Education: No objection subject to S106 to secure financial contribution towards the provision of primary education at Cropredy Primary School.

6.17. OTHER EXTERNAL CONSULTTEES

6.18. Thames Water: With regard to sewerage infrastructure capacity no objections area raised. It is recommended that planning informatives be imposed to any planning permission with regards to surface water drainage and water pressure.

6.19. Network Rail: A number comments are made in line with the response to the previous application in order to safeguard Network Rail assets and reduce the risk of trespass. Suggested conditions are also set out.

6.20. Environment Agency: Suggested condition in respect of FRA.

6.21. Battlefields Trust: The comments on this application reiterate those the Battlefields Trust made on 16/01468/OUT. Archaeological investigation is recommended prior to the commencement of development. A geophysical survey should also be considered.

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
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient use of Land
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- Policy Villages 1 – Village Categorisation

- Policy Villages 2 – Distributing Growth Across the Rural Areas
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C8 – Sporadic development in open countryside
- C28 – Layout, design and external appearance of new development
- C30 – Design control

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cropredy Conservation Area Appraisal

8. APPRAISAL

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

- Principle of development
- Landscape and Visual Impact
- Design
- Impact on Heritage Assets
- Housing Mix/Affordable Housing
- Transport
- Open Space and Recreation
- Trees, Landscaping and open space
- Effect on Neighbouring Amenity
- Noise and Living Conditions
- Ecological Implications
- Flood Risk and Drainage
- Sustainability and Energy Efficiency
- Effect on Infrastructure
- Planning Obligations
- Local Finance Considerations

Principle of Development

- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996.
- 8.3. The site is not allocated for development in any adopted or emerging policy document forming part of the Development Plan and the site sits outside the built up limits of the village.

Adopted Cherwell Local Plan

- 8.4. The Cherwell Local Plan 2011-2031 seeks to allocate sufficient land to meet District Wide Housing needs. The overall housing strategy is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns. With regards to villages, the Local Plan notes that the intention is to protect and enhance the services, facilities, landscapes and natural and historic built environments of the villages and rural areas. It does however

advise that there is a need within the rural areas to meet local and Cherwell wide needs. Policy BSC1 seeks to distribute the required housing for the District, including the allocations at Banbury and Bicester. In relation to villages and rural areas, 2,350 homes are allocated for the 'Rest of the District'. Of these 2,350 homes, 1,600 are allocated by Policy Villages 5 at Former RAF Upper Heyford. This leaves 750 homes identified for development elsewhere. Policy Villages 2 provides for these 750 homes to be delivered at Category A villages. The Policy advises that these sites would be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission. A number of criteria are listed and these must be considered through the determination of a planning application.

- 8.5. The Local Plan seeks to identify a sustainable hierarchy of villages to set a framework for considering how proposals within villages will be determined. Policy Villages 1 provides a categorisation of the District's villages to ensure that unplanned, small scale development within villages is directed towards those villages that are best able to accommodate limited growth. Category A villages are those identified as being the most sustainable in the hierarchy of villages in the District and this is why these are where planned development to meet District housing requirements to help meet local needs should be directed as defined by Policy Villages 2 subject to a detailed assessment as to the proportionate impact of development proposed upon the settlement in question. Cropredy is classified as a category A village by Policy Villages 1. The current proposal does not however comply with the type of development identified as being appropriate within the built up limits of category A villages due to the site being outside the village and not representing minor development, being over 10 dwellings.
- 8.6. In this circumstance, it is appropriate to consider this proposal against Policy Villages 2. Of the 750 dwellings identified to be delivered at Category A villages across the plan period until 2031, 179 dwellings remain to be identified over the plan period. Recent appeal decisions received by the Council confirm that an overprovision of the rural housing allocation at an early stage in the plan period would prejudice the sustainable growth strategy set out in the Local Plan and leave limited ability to respond to later changes in housing need in individual settlements without fundamentally compromising the overall sustainable strategy contained within the Local Plan.
- 8.7. In order to categorise villages through the Local Plan process, a number of areas were considered including the provision of services and facilities, the distance to urban areas having regard to availability of bus services, population size and the availability of potential sources of employment as well as taking into account the Cherwell Rural Areas Integrated Transport and Land Use Study (CRAITLUS), which assessed the transport sustainability of villages amongst other considerations. This process identifies that there are differences between Category A settlements in terms of their relative sustainability in comparison to each other.

National Policy

- 8.8. The National Planning Policy Framework confirms that there is a presumption in favour of sustainable development. For decision making this means approving proposals that accord with the development plan without delay. The Framework advises that there are three dimensions to Sustainable Development; economic, social and environmental. With regard to housing, the Framework supports the need to boost significantly the supply of housing to meet the full objectively assessed need for housing and requires Local Planning Authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide five year's worth

of housing against the housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.

- 8.9. The Council's 2015 Annual Monitoring Report (AMR) concludes that for the 5 year period 2016-2021, the District has a 5.6 year supply of housing based upon the housing requirement of 22,840 homes for the period 2011-2031 (1142 homes a year), which is the objectively assessed need for the District contained in the 2014 SHMA. This includes a 5% buffer. The five year supply position was confirmed by the Planning Inspectorate in a decision issued in May 2016 relating to an appeal at Kirtlington. As the District can demonstrate a five year housing land supply, the various housing supply policies in the Local Plan are thus up to date and accord with National Policy.

Principle of residential development

- 8.10. Cropredy is a category A village and has not taken any dwellings identified by Policy villages 2 to date. The village has a range of services including GP provision, a school, community facilities, a shop and recreation facilities although has recently lost its regular bus service and therefore does not score as highly in terms of sustainability as other Category A villages. The site itself is relatively well located to the services that the village offers albeit to access higher order settlements which offer a greater range of facilities, new residents would be reliant on the private car. The site is not previously developed land and an agricultural land classification study has found that the majority of the land is subgrade 3b quality due to soil wetness with a small area of subgrade 3a. The means that overall best and most versatile agricultural land is mostly avoided as part of the proposal. In the view of Officers the village has the ability to accommodate some new development that could be considered to be sustainable and further, this site has some potential for development.
- 8.11. The previous application for 60 homes was considered to be relatively large for a settlement the size of Cropredy and there was considered to be a conflict with the overarching intention of the Local Plan, which seeks to steer new housing towards the main towns whilst limiting development within villages. However, other than the fact that the settlement has lost its regular bus service, it does still retain a good range of services and facilities and the site is well located to access these. It is further important to note that the village is approximately 4 miles from Banbury where the higher order services and facilities are found, albeit accessible predominantly by the private car. The current application now seeks a significantly reduced quantum of development which could be considered more appropriate to a village location.
- 8.12. The site proposed for development here has been considered through the Council's SHLAA process and is identified as a site with future potential, with the assessment concluding that 66 dwellings could be accommodated subject to site constraints. The status of the SHLAA is that it forms an evidence base to inform plan making but that it does not determine whether development is acceptable on a site or that it should be allocated for development. The SHLAA assessment identifies a number of site constraints and confirms that any proposal would need to address these, integrate with the village and provide an acceptable living environment given the proximity to the railway.
- 8.13. Given the above assessment, it is concluded that the principle of some residential development within the village of Cropredy would be acceptable and that this would contribute to the policy Villages 2 requirements as well as the supply of housing within the District. It is therefore necessary for an assessment to be made as to the sustainability of this particular site in terms of its ability to accommodate

development and whether it meets the Policy Villages 2 criteria which refer to assessing the suitability of development at Category A settlements.

Landscape/Visual Impact/Local Character

- 8.14. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures. Policy Villages 2 requires that consideration be given to whether significant landscape impacts could be avoided and whether development would contribute in enhancing the built environment. The NPPF highlights that the protection and enhancement of the natural, built and historic environment is part of the environmental role of sustainable development and one of the core planning principles also refers to recognising the intrinsic character and beauty of the countryside. The NPPF also emphasises the importance of development responding to character and history with good design being a key aspect of sustainable development.
- 8.15. A Landscape and Visual Assessment accompanies the application. The document finds that the site is within the Oxfordshire Wildlife and Landscape Study 2004 landscape type 'Clay Vale' which is described as a low lying vale landscape, associated with small pasture fields, many watercourses and hedgerow trees and well defined nucleated villages. The overall strategy is to safeguard and enhance the tranquil, small scale pastoral character of the area. In terms of this site, the LVA concludes that the site relates well in landscape and visual terms to the existing built and undeveloped landscape and that the site represents a logical and easily assimilated development in this context. The site is well contained albeit with some views available, which is considered can be mitigated for by careful design.
- 8.16. The character of Station Road is formed by a linear arrangement of dwellings to its eastern side extending south all fronting the road set back by some distance. The western side retains a largely rural character, with vegetation along the roadside and a small number of dwellings along Spring Lane when development of the village extends north and then west. The previous scheme for development was considered to change the character of this area, urbanising the approach to the village and causing unacceptable impact upon the character of the built environment and the context of the village. Specifically the southern parcel of development within the site was considered to result in an urbanisation of the area which would be harmful to the character and context of the site and the rural setting of the village. The current revised scheme has reduced the number of residential dwellings substantially and seeks to contain development within the northern and central parts of the site which are already naturally and physically more contained and have a better relationship with the existing built environment and as such would be less harmful to the rural setting of the village. The southern parcel of the application site is shown on the submitted Masterplan as being undeveloped accommodating only a surface water attenuation tank and minor service access.
- 8.17. The Council's Landscape officer has made a comparison with the LVIA submitted with the previous application. The viewpoints were mutually agreed for the previous application and these remain unchanged although it is noted that the quantum of development is reduced.
- 8.18. Taking into account the railway line embankment and the established trees along the length of the site, other than the break in trackside vegetation, the site is well contained from the wider landscape and that there would be minimal impact upon

the wider landscape character if development were to be accommodated on the site therefore avoiding significant landscape impact as required by Policy Villages 2.

- 8.19. The Landscape Officer has raised some issues regarding the impact of proposed landscape buffering and the potential detrimental impact this may have on residents in terms of overshadowing. Planning officers have reviewed the submitted illustrative layout in this regard and are satisfied that adequate buffer planting could be achieved within the site layout without adverse impact to residential amenity. The removal of dwellings from the scheme is not considered to be justified and planning officers have not pursued this with the applicant. The final landscaping scheme will be submitted for further consideration and approval at reserved matters stage.
- 8.20. The Landscape Officer's comments in relation to the southern parcel and the insertion of a maintenance access is also not considered justified given the scale of the access proposed which would represent a low-key field access which would not require substantial removal of trees/hedgerow/vegetation.
- 8.21. In the view of Officers, development of this site would have a limited overall impact on the wider landscape and setting of the village from the wider countryside due to the contained nature of the site. The concerns relating to the scale of development and harmful impact of the development in relation to its rural setting and the character of the village as raised by officers in considering the previous application are considered to have been overcome through the reduction in the quantum of development and the concentration of this smaller number of dwellings within the more contained parts of the site which are better related to the existing built environment and will provide better opportunities for integration and enhancement of the built environment in accordance with Policy Villages 2 and ESD15 in this regard.

Design

- 8.22. Policy ESD15 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The NPPF is clear that good design is a key aspect of sustainable development.
- 8.23. The application is in outline with matters relating to layout, scale and appearance reserved for later consideration. The application is however accompanied by an indicative layout, which it is expected will demonstrate that the development proposed can be accommodated and a Design and Access Statement, which should set acceptable design principles in order that future acceptable detailed proposals for the site can be achieved.
- 8.24. The submitted Masterplan shows a layout with 37 units incorporating a mix of detached, semi-detached and terraced units. Compared to the previously submitted layout plan, this indicative Masterplan illustrates a more organic layout with dwellings situated along small lanes with adequate additional space for planting and relief between and around the built form. The layout also indicates a more vernacular style with the introduction of linked and terraced units more in keeping with the character and context the site and the wider village.
- 8.25. In order to overcome the previous reasons for refusal, the applicant has also provided further sketch street elevations which form an addendum to the Design and Access Statement. This additional illustrative material sets out how the development would be brought forward to take consideration of the existing surrounding built

environment, demonstrating a vernacular style reflecting with the traditional form and appearance of development within the village.

- 8.26. As such officers are now of the opinion that the applicant has been able to satisfactorily demonstrate that the proposed quantum of development can be accommodated on this site in a manner which would enhance the built environment and respond to local distinctiveness, responding to the constrained nature of the site and the character of the village. The proposal is now therefore considered to be in accordance with Policy ESD15 and Policy Villages 2 of the Cherwell Local Plan (2011-2031 – Part 1) and Policy C28 of the Cherwell Local Plan (1996) and the NPPF in this regard.

Housing Mix/Affordable Housing

- 8.27. The NPPF advises that in order to create sustainable, inclusive and mixed communities, Local Planning Authorities should plan for a mix of housing, reflect local demand and set policies for meeting affordable housing need. Policy BSC4 of the Local Plan requires new residential development to provide a mix of homes in the interests of meeting housing need and creating socially mixed and inclusive communities. Policy BSC3 requires development within locations such as Cropredy to provide 35% affordable housing on site and provides detail on the mix that should be sought between affordable/social rent and shared ownership.
- 8.28. The Planning Statement accompanying the application confirms that the development is capable of accommodating a mix of house types and identifies how the mix could be split based on the table accompanying Policy BSC4, which is based upon the findings of the Oxfordshire SHMA. This will be secured as a benefit of the scheme through S106 agreement.

Impact on Heritage Assets

- 8.29. Section 12 of the NPPF sets out Planning Guidance relating to the historic environment including archaeology. The development would be expected to preserve the significance of designated heritage assets within proximity. It is also provided at paragraph 131 that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF sets out tests to be applied where harm to heritage assets is identified. As set out above Policy ESD15 of the Cherwell Local Plan (2011-2031 – Part 1) also refers to heritage assets expecting development to conserve, sustain and enhance designated and non-designated heritage assets. S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to have regard to the desirability of preserving the building or its setting. S72 of the Act requires that within a conservation area, the development of land or buildings shall preserve or enhance the character and appearance of that area.
- 8.30. The application is accompanied by an Archaeological and Heritage Statement, as with the previous application, Officers remain of the view that this statement generally presents a fair assessment of the impacts of the development. The statement concludes that the impact of this reduced development upon the setting of the Conservation Area would generally be negligible and that with regard to the character of Spring Lane, some of which falls within the Conservation Area, this could sensibly be dealt with in order to preserve the character of the Conservation Area. It also concludes that there would be limited impact upon the setting of the listed building Springfields as a result of the development.

- 8.31. Whilst the Council's Conservation Officer maintains her position in raising concerns in relation to the development of this area and the impact on heritage assets, the issues raised in relation to the impact upon the rural character of Spring Lane and the change in the rural setting of the listed building which would become divorced from the agricultural land which historically supported it were considered previously and the harm was identified as less than substantial. The quantum of development has been reduced and as set out above, the applicant has undertaken additional work to demonstrate that a distinctive development can be achieved in keeping with the character and context of the site.
- 8.32. Officers continue to agree that the development of the site would alter the current feel and appearance of the site and the concerns raised by the Council's Conservation Officer and local residents are understood. However, there is a need to balance any harm against the public benefits of a proposal and it is not considered that the proposed development would be sufficiently harmful such that it would warrant refusal of the application in this instance. In making revisions to the scheme through this resubmitted application, the applicant has improved the position in terms of impact to heritage assets and provided further certainty through the revised Design and Access Statement and sketch street scenes that the character and appearance of the area will be preserved and enhanced. In addition, design and materials can be controlled through condition to any approval to further ensure that any harm would be very limited.
- 8.33. The site has also been subject to archaeological assessment which as identified a number of archaeological features. As set out above the County Archaeologist advises that these are not of national importance and therefore do not pose a constraint. Further archaeological investigations are required but these will be secure through the imposition of a planning condition.

Transport

- 8.34. The National Planning policy Framework is clear that transport policies have an important role to play in facilitating sustainable development with encouragement provided to sustainable modes of transport to reduce reliance on the private car. It is also clear that applications should be accompanied by Transport statement if it would generate significant amounts of movement. This is reflected in Policy SLE4 of the Local Plan. Policy SLE4 and Villages 2 both emphasise the need for consideration to be given to whether safe and suitable access can be achieved.
- 8.35. The Transport Statement to support the application identifies a relatively low number of trips from the development, indicating that the impact upon the Highway Network will be low. The Local Highway Authority accepts the conclusions in this regard.
- 8.36. As mentioned previously, the village has lost its regular bus service other than a one per week service that runs to Banbury. There would also be no basis on which to seek improvements to public service in the village given that this is unlikely to be sustained in the long term. It is therefore anticipated that to access facilities wider than those available in the village, individuals would be reliant on the private car.
- 8.37. The Highway Authority are also content with the main access to the site from Spring Lane and are satisfied that the applicant has demonstrated that sufficient visibility can be achieved at both proposed accesses. The internal layout of the development will be reviewed at the detailed design stage.
- 8.38. A public right of way runs through the site. The indicative layout indicates this being retained along its current alignment coming in to the site at the north and running along the road and through an area of open space to the edge of the site. The

Highway Authority raises no objection to this subject to it being retained and unobstructed and means of improving public rights of way secured through a S106 contribution. This will be important given the link to wider countryside footpaths and wider village services.

- 8.39. The current application does not include the previous proposals for a car park to cater for the school given the issues raised during the consideration of that application and concern raised by officers in relation to development within the southern part of the site.

Trees, Landscaping and Open Space

- 8.40. Policy ESD10 of the Local Plan refers to the protection and enhancement of ecology and the natural environment. It requires the protection of trees amongst other ecological requirements. Policy ESD13 also encourages the protection of trees and retention of landscape features. Policy BSC11 sets out the Council's requirements for local outdoor space provision and play space.
- 8.41. There are a number of established trees on the site. These are considered in the submitted Arboricultural report, which is considered acceptable due to the majority of the existing tree cover being retained. Further information in relation to tree protection will be secured through planning condition.
- 8.42. The proposed development would require the provision of 0.21ha of general green space to be provided within the development in accordance with policy BSC11. Taking into account the areas of open space shown on the illustrative layout, it is considered possible to achieve the required area of open space on site.
- 8.43. With regard to play areas, there is a requirement for a LAP within the development. It is considered that the most acceptable location for this would be to the south of the proposed housing within a small area of green space.

Effect on Neighbouring Amenities

- 8.44. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development and this reflects the Core Principle of the NPPF, which confirms the need for a good standard of amenity for all existing and future occupants of land and buildings to be secured.
- 8.45. Due to the position of the site, there are a small number of existing residential properties that would be directly affected by the proposed development and these require consideration. Given that the current proposal no longer includes development within the southern part of the site, existing properties at 38 Station Road and Jalna are no longer affected by the proposal. Furthermore the reduction in the number of dwellings proposed in the central and northern part of the site and the revised approach to the indicative layout of the development has resulted in a much improved relationship with existing residential dwellings within this part of the site.
- 8.46. Neighbouring residents have raised concerns relating to the impact of the proposed development on their residential amenity including traffic movements and these comments are noted. However, based on the revised indicative layout and the reduction in the number of dwellings proposed and the predicted low traffic movements associated with the development, it is considered that the impact upon neighbouring amenity would not be sufficiently harmful to warrant refusal of the application.

- 8.47. The detailed layout and design of the site will be considered at reserved matter stage at which time a careful and considered approach to design will ensure that any impact to neighbouring amenity would be minimised. At this (outline) stage, Officers are satisfied that the current proposed residential development can be accommodated within the site without adverse impact to neighbouring amenity and adequate flexibility remains within the site area taking into consideration any constraints to enable the applicant to make adjustments to the layout to ensure an adequate level of amenity can be achieved for existing and future residents in accordance with Policy ESD15 of the Cherwell Local Plan.

Noise and living conditions

- 8.48. The NPPF at paragraph 109 advises that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.
- 8.49. The application is accompanied by a noise assessment which follows the guidance provided in BS8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings' and British Standards relating to vibration. This assessment finds that the main sound sources affecting the site are the train movements on the adjacent railway and road traffic on Station Road. Through appropriate design, the proposed residential development would be subject to satisfactory internal and external acoustic environments and appropriate levels of external amenity will be achieved.
- 8.50. The Council's Environmental Protection Officer advises that providing the mitigation measures proposed are employed and agreed with the Council, no objections are raised and the potential for noise nuisance during the construction phase should be addressed through the submission of a CEMP prior to commencement.
- 8.51. On this basis and the fact that the Council's Environmental Protection Team is content with the submission, it is considered that the development could be accommodated and that an acceptable acoustic environment could be provided.
- 8.52. The application is also accompanied by a lighting assessment which finds that the overall impact of lighting to the site will be minor adverse. It advises that a carefully designed lighting scheme would be required so that a safe and secure environment can be provided for residents whilst being sympathetic to local surroundings, local residential properties and without being distracting to train drivers. The Council's Environmental Protection Officer raises no concerns with the conclusions of the lighting report, however suggests a final scheme should be agreed.
- 8.53. The application is also accompanied by a Site Investigation and an Air Quality Assessment. The Environmental Health Officer is satisfied with the submitted information and recommends a CEMP to address dust nuisance during the construction phase.
- 8.54. Overall, Officers are content that the proposal is acceptable in respect to environmental/ living condition considerations such that development of the site could be accommodated in this regard.

Ecological Implications

- 8.55. The Framework sets out that Planning should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and provide net gains in biodiversity where possible. Policy ESD10 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. The Authority

also has a legal duty set out at the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that “every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”

- 8.56. The application is accompanied by an Ecological Survey which finds that the site comprises species poor semi-improved grassland and two UK BAP Habitats of Principal Importance - an area of mixed plantation woodland on the western boundary, and an area of traditional orchard on the eastern part of the site. However the orchard was dominated by hawthorn and lacked the diversity of fruit trees therefore was not assessed as reaching the traditional orchard habitat. The site comprises a mosaic of habitats including grassland, woodland, tall ruderal and scrub, adjacent to wildlife corridors (the railway embankments on the western boundary and watercourse on the southern boundary) and is considered likely to support a range of wildlife. Records within the local area include grass snake, bat, badger and water vole. There are a number of swift records in the village.
- 8.57. From the proposed plans, although the proposals will result in the loss of species-poor semi-improved grassland, there appears to be some good opportunities for biodiversity enhancements on site, in particular through the appropriate management and enhancement of the existing woodlands.
- 8.58. Whilst the proposals result in the loss of a large area (approx. 4.9ha) of existing species-poor semi-improved grassland, scattered scrub and tall ruderal habitat and they are likely to result in a net loss to biodiversity, given the ecological enhancements proposed it does appear that it may be possible to achieve a net biodiversity gain on site.
- 8.59. A Reptile Method Statement will be required prior to any site clearance, as part of the CEMP to ensure that no harm to reptiles would occur.
- 8.60. With regard to other protected and notable species, the assessment found an active badger sett on the site, which is proposed to be retained, albeit due to the proximity of works to the sett, a licence to disturb would be required from Natural England. With regard to bats, the hedgerow and woodland areas were found to be potentially suitable for foraging and commuting and these would be retained. Mitigation in the form of buffers to habitats and a carefully considered lighting scheme, as well as the provision of bat boxes are proposed. Enhancement opportunities are also identified for birds as well as recommending that works are not carried out during the bird nesting season.

Flood Risk and Drainage

- 8.61. A flood risk assessment is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework, given the site extends to over 1ha in area and is predominantly in Flood Zone 1, with the southern part of the site, within flood zone 2/3. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District.
- 8.62. The FRA finds that the residential elements of the scheme would be positioned within flood zone 1 and therefore outside the area at risk of flooding. The FRA concludes that the proposed development would not be affected by current or future flooding and that the development would not increase flood risk elsewhere. It is considered therefore that the proposal could be accommodated without risk of flooding or increasing flood risk elsewhere.

- 8.63. The OCC Drainage team recommend that a condition be imposed to secure a surface water drainage scheme prior to the commencement of development.

Sustainability and Energy Efficiency

- 8.64. The Cherwell Local Plan includes a number of energy policies in order to seek development which mitigates and adapts to the future predicted climate change. This relates to locating development in sustainable locations as well as seeking to reduce energy use, making use of renewable energy and sustainable construction techniques. The policies are however now out of date taking into account more recent Government guidance. Energy efficiency of homes is now a matter for the Building Regulations. Policy ESD3 does however require all new homes to achieve a water efficiency standard of no greater than 110 litres/person/day. Mitigating and adapting to climate change in order to move to a low carbon economy is a key part of the environmental role of sustainable development set out in the Framework.
- 8.65. The application is accompanied by a Sustainability and Energy Statement which concludes that the development would be designed in accordance with the energy hierarchy and is expected to deliver low carbon homes through a range of fabric and energy efficiency measures. The information provided is noted and Officers would intend to condition that the proposal would be required to meet the higher Building Regulation standards for water consumption. The site does not meet the scale set out within Policy ESD5 for the provision of onsite renewables.

Effect on Infrastructure/Planning Obligations

- 8.66. A S106 Legal agreement will be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the Local Plan can be met, which seeks to ensure that the impacts of development upon infrastructure including transport, education, health, social and community facilities can be mitigated. This includes the provision of affordable housing. The Authority is also required to ensure that any contributions sought meet the following tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):

- Necessary to make the development acceptable in planning terms;
- Directly relate to the development; and
- Fairly and reasonable related in scale and kind to the development

- 8.67. The following are sought through this application:

- Affordable housing – 35% overall, with a split of 70% affordable/ social rent and 30% intermediate together with arrangements for its provision.
- Play provision in the form of a LAP
- Contribution towards primary and pre-school education
- Contribution towards the improvement of public rights of way
- Contribution towards community halls
- Contribution towards community development
- Contribution towards public art

- Commuted sums for the future maintenance of woodland, informal open space, play areas and hedgerows.

8.68. Delegated authority is sought to secure these obligations through a S106 agreement.

Local Finance Considerations

8.69. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. This can include payments under the New Homes Bonus. The scheme has the potential to generate £181,101 for the Council under current arrangements once the homes are occupied together with additional payments for the affordable units. However, officers recommend that such funding is given no weight in decision making in this case given that the payments would have no direct relationship to making this scheme acceptable in planning terms and Government guidance in the PPG states that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

9. PLANNING BALANCE AND CONCLUSION

9.1. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.

9.2. The proposal seeks permission for a large scale residential development on the edge of a Category A Village. The principle of the proposal therefore falls to be considered against Policy Villages 2 of the Cherwell Local Plan and a full range of other policies relating to detailed matters. Policy Villages 2 sits alongside the wider strategy of the Local Plan which seeks to direct residential development to the most sustainable settlements in the District and it includes a number of criteria in order to assess this. Cropredy is a small village but offers a primary school, GP practice, shop, community facilities, recreation facilities and public houses as well as being in close proximity to higher order services, facilities and employment available at Banbury. However due to the recent loss of a regular bus service, it is not as sustainable as other category A villages in terms of transport accessibility. On balance though, officers are satisfied that if all other matters were to be found acceptable in planning terms, Cropredy is a sufficiently sustainable settlement to accommodate some development without having undue environmental impacts for such reasons as the effect on overall village character or development that is excessively reliant on private car travel.

9.3. This particular site is well contained from the wider landscape and could accommodate some development taking into account site constraints. The proposal would bring some social benefits including a contribution to the District's ongoing five year supply as well as the provision of affordable housing and the site is well located to the village and its services and facilities with good access to them by walking and cycling. New development also commonly brings economic benefits including providing some construction opportunities and supporting further the village facilities.

9.4. The revised application which proposes a substantial reduction in the number of residential units and a concentration of development within the most contained parts of the site which has limited wider landscape impacts is considered to be acceptable. The indicative layout submitted satisfactorily demonstrates that the

proposed housing numbers can be achieved on site whilst taking into consideration the site constraints, setting and context. The additional information submitted to supplement the Design and Access Statement also demonstrates further that a vernacular form and appearance of development can be achieved which would be locally distinctive and further consider local context and character.

- 9.5. Officers therefore consider that the revised application has taken on board previous concerns and adequately demonstrates that the previous reasons for refusal have been overcome and that a satisfactory form of development can be achieved through careful consideration and design at the reserved matters stage to secure a development which would be sympathetic to its location and context and the character of the village whilst ensuring adequate levels of residential amenity for existing and future occupiers.

RECOMMENDATION

That permission is granted, subject to the following conditions

1. No development shall commence until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) of the hereby approved development have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. In the case of the reserved matters, no application for approval shall be made later than the expiration of three years beginning with the date of this permission.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: (TO BE UPDATED)

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.

4. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roofs of the development hereby approved 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 schedule.

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

6. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on and adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority including full details of ground levels, earthworks and excavations to be carried out near to the railway boundary. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason - To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to protect the adjacent railway and the embankment to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of the development hereby approved, the buildings and structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site.

Reason - In order to achieve a satisfactory form of development, to ensure that the site is not overdeveloped and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved details, prior to the first occupation of those dwellings.

Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1.

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 any provisions contained within the Town and Country Planning (General Permitted Development Order) 2015 (and any Order or Statutory Instrument amending, revoking or re-enacting that order), all water supply, foul water, energy and communication infrastructure to serve the proposed development shall be provided underground and retained as such thereafter unless with the prior written approval of the local planning authority.

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

12. 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.

13. Prior to the commencement of the development hereby approved, full details of both 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.

14. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) produced by RPS Group, dated 16 March and the following mitigation measures detailed within the FRA:

- There will be no built development within the parts of the site that fall into Flood Zone 2 and/or 3 as shown on Drawing Number CAT101 – 4002, Dated 16 March 2017 in Appendix B of the FRA.

Reason: This condition is sought in accordance with paragraphs 102 and 103 of the National Planning Policy Framework (NPPF):

1. To prevent flooding elsewhere by ensuring that storage of flood water is provided.
2. To reduce the risk of flooding to the proposed development and future occupants for the lifetime of the development.

15. Prior to the commencement of the development hereby approved, a surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. Thereafter, the scheme shall be implemented in accordance with the approved details before development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDs
- Sizing of features – attenuation volume
- Infiltration tests to be undertaken in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing plans

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community in accordance with Government guidance contained within the National Planning Policy Framework.

16. 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.

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. 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 15, 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.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and 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.

18. Prior to the commencement of the development hereby approved, full details of the method of mechanical ventilation of the proposed dwellings 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 - 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 and Government guidance contained within the National Planning Policy Framework.

19. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing Biodiversity on site 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.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 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 or the translocation of any reptile, a reptile survey (which shall be in accordance with best practice guidelines) shall be carried out, and the findings, including a mitigation strategy if required, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works of mitigation shall be carried out 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 ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

21. Prior to the commencement of the development, a Construction Environment and Traffic 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.

INFORMATIVES

Thames Water

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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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.

Network Rail

The applicant's attention is drawn to the Network Rail response dated 24th April 2017 and informatives contained therein.

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