

**Part Of OS Parcels 0625 And 0914 North Of
Coopers
Buckingham Road
Bicester**

17/01428/F

Applicant: LNT Care Developments Ltd/Greenlight Developments Ltd

Proposal: Erection of two-storey 64 bed care home for older people (Class C2 Use) with associated new access (off Skimmingdish Lane), parking and landscaping, and new linear park/public open space

Ward: Bicester East

Councillors: Cllr Sean Gaul
Cllr Richard Mould
Cllr Tom Wallis

Reason for Referral: Major Application

Expiry Date: 13 October 2017 **Committee Date:** 26 October 2017

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the north of Coppers Green, south of Skimmingdish Lane, east of Buckingham Road, and west of Sunderland Drive recreation ground.
- 1.2. The application site comprises a large rough grassed area with dispersed trees and shrubs, enclosed by hedgerows and tree lined boundaries. The site is currently used for informal recreation purposes such as dog walking and is crossed by a series of unmarked paths. It should however be noted that the site is not in public ownership and the current use is unauthorised.
- 1.3. The application site is located to the south of the RAF Bicester designated Conservation Area which contains a number of listed and locally listed buildings as well as Bicester Airfield Local Wildlife Site .
- 1.4. The application site is part of a proposed District Wildlife Site and is adjacent to Skimmingdish Lane Balancing Pond, an area of high ecological value.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Planning permission is being sought for the erection of a two-storey 64 bed care home with associated access, parking and landscaping incorporating a linear park and public open space.
- 2.2. The care home would be located to the southern part of the site (proportionally 54% of the application site) with the proposed linear park located to the north (proportionally 46%). The building would take the form of a rotated 'H' shape and would incorporate two courtyards with formal gardens to serve residents. The

building footprint would be 1,680m² and the overall height of the building would be approximately 9.5m.

- 2.3. The building would be constructed predominantly from brick with elements of render and cladding with a slate (or similar) roof. Full material details are to be confirmed.
- 2.4. The building would be accessed via an access road off Skimmingdish Lane and would be served by a car park with provision for 20 cars including 2 disabled spaces and a drop off zone.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no recent planning history considered directly relevant to the current proposal although previous development proposals include:

| <u>Application Ref.</u> | <u>Proposal</u> | <u>Decision</u> |
|-------------------------|---|----------------------------------|
| 96/02065/OUT | Nursing home. OUTLINE. | Refused (Appeal Dismissed) |
| 00/00005/OUT | Foodstore, 2 non-food retail units, 4 neighbourhood shops, social/community uses and car parking. (OUTLINE) | Refused |
| 00/02147/OUT | Foodstore and carpark. (OUTLINE) | Refused |
| 00/00358/OUT | Foodstore, 4 neighbourhood shops and car parking. Construction of new access onto highway. (OUTLINE) | Refused |
| 02/02513/F | Erection of 1.8 metre high security fence | Refused |
| 04/01610/OUT | Erection of 85 No. dwellings at a gross density of 73 No. dwellings per hectare including three storey dwellings and means of access (OUTLINE) | Refused (Appeal Dismissed) |
| 05/01091/OUT | Resubmission of 04/01611/OUT: Erection of 85 No. dwellings at a gross density of 73 No. dwellings per hectare including three storey dwellings and means of access (OUTLINE). | Refused |

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Pre-application discussions have taken place with regards to the current proposal. Issues including the principle of development, balance between open space and built development, ecology, open space management, archaeology, access and S106 requirements were considered.

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 17 August 2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. Comments have been received from 3 local residents and the local CPRE branch. Their comments are summarised as follows:
 - The site is recognised by TVERC as a District Wildlife Site
 - The loss of such sites around the County must be stopped
 - Access to wildlife sites is important for the health and wellbeing of residents
 - The Council needs to protect green spaces especially those with an identified environmental importance
 - The access is in a dangerous position and crossed a footway and cycle path
 - The access will compromise vehicles trying to access the aerodrome
 - The proposed open space is intended to be reserved for the creation of a dual carriageway and not for improving biodiversity
 - Local residents would lose their present close access to one of the few remaining green spaces
 - Children attending Coopers School would suffer increase pollution from traffic on Skimmingdish Lane as the loss of vegetation that currently helps to absorb this would be lost
 - The site is very liable to flooding and would result in further flooding of nearby areas
 - Bicester is regularly promoted in the news as an Eco Town and with a Healthy Town Initiative, how does the building on a nature reserve – one of the few remaining open spaces in Bicester fit in with this?
 - There is provision for 46 staff but only 20 spaces – where is the additional parking?
 - There is a risk of overspill parking on nearby residential roads
 - The flood survey indicates a low probability of flooding, this is incorrect as the area floods on a regular basis
 - No consideration has been made for the current level of traffic created by the new development on the ring road
 - East ward is short of 4.36 hectares of open space (2011 report)
 - The plans will narrow the wildlife corridor along Skimmingdish Lane which has already been severely compromised by new housing and a new electricity substation to the east

- If this natural space is reduced in area, then residents of the East ward will be much deprived of this type of accessible well-used open space
- The site should not be developed as it is an important part of Bicester's green infrastructure and provides a sponge for rain water, shade, air purification and noise absorption.
- The land has been reserved as open space for many years (Policy R1, 1996 Local Plan)

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. Bicester Town Council: Objection.

- Skimmingdish Lane is already a very busy ring-road. Traffic trying to access and egress the site will have considerable difficulty cutting across the traffic, more so should Skimmingdish Lane become a dual carriageway as expected. The entrance is also very near the Buckingham Road roundabout and will cut across the cycleway and footpath increasing the risk of an accident.
- The application states there are 25 parking spaces however only 20 spaces can be identified on the plan and there will be 46 staff not to mention visitors, ambulances etc. This lack of sufficient parking is likely to cause parking issues in the nearby Coopers Green or Caversfield.
- This area of land is part of an area of natural/semi-natural space which has been selected by Thames Valley Environmental Record Centre as having district value for wildlife, as it is a priority habitat (unimproved lowland fen and marsh with a Thames Water attenuation pond). The Care Home proposal will negatively impact on the area's biodiversity as about half of the existing natural open space will be lost. The plans will narrow the wildlife corridor along Skimmingdish Lane which has already been severely compromised.
- This land is also subject to flooding and there is concern as to where to water will be dispersed if the land is built on. It is also used by dog walkers and for leisure activities. Bicester Town Council would wish to see protection of this site by resolution of Cherwell District Council as an amenity site identified in the Bicester Masterplan.
- Whilst a Care Home is to be welcomed in the town, this is in the wrong place both for the above reasons and for residents of the Care Home. If they are able bodied, then they have no nearby facilities to enjoy and if they are dementia sufferers this is an extremely dangerous area for them to negotiate should the worst happen and they get out of the home without supervision. Bicester Town Council therefore recommends REFUSAL.

STATUTORY CONSULTEES

6.3. Local Highways Authority: No objection subject to conditions and legal agreements.

- Trip generation will have a minimal impact upon the surrounding highway network from an operational and traffic safety point of view
- Conditions are required in relation to the proposed access, access road, turning areas, car parking provision, cycle parking provision, drainage, Construction Traffic Management Plan (CTMP) and Travel Plan
- A S106 contribution of £22,500 is required to provide improvements to the S5 bus service which would serve the development
- A S106 contribution of £1,240 is required to enable the travel plan to be monitored for a period of 5 years
- A S278 agreement is required for works within the highway
- A S278 contribution of £2,600 is required towards the cost of creating a legally enforced 'no right turn' from the site onto Skimmingdish Lane
- Comments in relation to the potential dualling of Skimmingdish Lane should be noted

6.4. Planning Archaeologist: No objection subject to conditions.

- The site is located in an area of archaeological interest as identified through an archaeological field evaluation which recorded evidence of a Late Iron Age enclosure settlement that continued in use into the Roman period. A programme of archaeological investigation will be required ahead of any development on the site which can be secured through an appropriately worded condition.

6.5. MOD Safeguarding Officer: No safeguarding objections.

NON-STATUTORY CONSULTEES

6.6. Planning Policy:

- The application site together with adjacent land to the north has been used for informal recreation purposes over a number of years, (albeit with no formal public access), for dog walking and by residents in development to the south west of the site to access the Town Council recreation site and school recreation land to the south east and south west of the site respectively. The site is identified as a District Wildlife Site and an area of potentially contaminated land is recorded in the southern part of the site.
- The application site is reserved for recreation use under saved and retained Policy R1 of the 1996 Cherwell Local Plan. The policy indicates that proposals that would conflict with recreation use will be resisted. A number of previous planning applications for development of the site, including for a care home (96/02065/OUT, Appeal ref APP/C3105/A/97/283860), have been refused with refusal reasons including proposals being contrary to Policy R1.

- The adopted Cherwell Local Plan 2011-2031 (Part 1) is a strategic plan and does not bring through the retained non-strategic policies other than indicated in Appendix 7 of the Plan, or seek to allocate new non-strategic areas of land for recreation or open space.
- The adopted Local Plan Part 1 does however contain Policy Bicester 7, which is directly relevant to the application and seeks to protect the existing network of green spaces and secure new open space and linear route provision, to create a circular route around the town. This is the continuation of a long term objective contained in previous local plans to improve accessibility to open space and link residential and employment areas.
- The PPG17 Study (2006), Green Spaces Strategy (2008) and Open Space Update 2011 evidence base documents informing the preparation of Local Plan Part 1 did not record the site as existing open space, as it was not a secured open space in terms of having official public access. However the evidence base does refer to the site in the context of the recommendations for addressing the deficiencies in provision identified:
 - The PPG17 Study recommendations included long term planning to be undertaken for new park sites on the periphery of Bicester (P and G 2) and investigating a new allotment site in the north of Bicester.
 - The Green Spaces Strategy 2008 refers to land along Skimmingdish Lane in the Action Plan: Parks and Gardens: “Develop an “urban edge” park totalling at least 10.9ha around the outskirts of the town (including land designated along Skimmingdish Lane), linking existing green spaces and with signposted footpaths and cycleways connecting to the town centre, and Allotments: Provide 5.4ha of space, with priority provision in North and West Ward (Skimmingdish Lane).
- These objectives were re-affirmed in the Open Space Update 2011, which indicated a shortfall in open space provision in Bicester East Ward.
- The review of non-strategic policies such as Policy R1 is a matter for on-going work on Local Plan Part 2 and has a relationship with on-going work on the Bicester Garden Town Masterplan. Paragraph B.161 of Local Plan Part 1 explains that the open space evidence base will be updated through work on the Bicester Masterplan and Local Plan Part 2 and that “the identification of sites for new provision, other than those identified on the Policies Map (see Appendix 5: Maps) and related to the strategic sites identified in the Local Plan, will be identified in Local Plan Part 2.” This was acknowledged in the Inspector’s report (paragraph 150).
- The Council’s open space evidence base is currently being updated to inform the preparation of Local Plan Part 2. This will update deficiencies in provision, help identify how any deficiencies in provision will be addressed, inform whether existing sites allocated for recreation use should be retained, and advise on delivery. It is anticipated that the open space, sport and recreation assessments will be completed later in 2017 but at this stage updated information on deficiencies in provision relevant to consideration of this application is not available.
- The site is a district wildlife site and in accordance with policy ESD10, an application would need to be supported by ecological surveys, and

demonstrate a net biodiversity gain and no net loss of any important habitats and species on the site.

- Adopted Policy BSC4 Housing Mix indicates that provision of specialist housing for older and/or disabled people will be encouraged in suitable locations close to services and facilities.
- The application site is assessed in the HELAA 2017 (part of larger site HELAA066) as being unsuitable for development, with reference made to the District Wildlife Site designation and the allocation for recreation use in the adopted 1996 Cherwell Local Plan.
- Development of the site would be contrary to saved Policy R1.
- The supporting information submitted as part of the application refers to a planning consent granted for residential development on land off Skimmingdish Lane in 2015 (14/00697/F), which was also a site reserved for recreation use under saved Policy R1. However at the time that application was submitted, the Council did not have a 5 year housing land supply and the Cherwell Local Plan Part 1 was not adopted. The Plan is now adopted and the 2016 AMR (March 2017) shows that the District presently has a 5.4 year housing land supply for the period 2016-2021 and a 5.6 year housing supply for the period 2017-2022 (commencing 1 April 2017).
- The proposals include provision of a linear park/public open space on the eastern part of the site. The Design and Access Statement accompanying the application (paragraph 5.8) indicates that the objectives of the public open space would be to:
 - design the open space as an area of natural/semi natural green space/amenity green space and management and maintenance of the land into the future and
 - develop a formal public right of way/pedestrian access through and across the land, in order to contribute to the delivery of a linear park.
- The public open space /linear park element of the proposal (comprising 46% of the site) would make some contribution towards the objectives of open space policy in securing some public open space with a linear route through connecting to the existing footpath/cycleway along Skimmingdish Lane, and with the potential to connect to land to the north of the application site and the recreation ground to the south.
- However the proposals would result in an overall loss of land reserved for open space use and it is noted from OCC's response that should the potential dualling of Skimmingdish Lane go ahead, land within the site boundary may be required to create lanes leading to the Buckingham roundabout, which could result in the loss of some of the land currently proposed as public open space. Further information would be needed to establish whether this is likely.
- The proposal is contrary to Saved Policy R1 in that it would result in overall loss of land reserved for recreation use. However the proposals would secure formal public access to open space on nearly half of the site with a linear route through, making some contribution towards the objectives of Policy Bicester 7 (provided there is some assurance that the linear park/open

space would not be significantly impacted by the potential dualling of Skimmingdish Lane).

- If it is considered that the policy issues identified above, including the ecological value of the site, have been sufficiently addressed so that on balance the benefits of the scheme and the contribution it would make to meeting the objectives of Policy Bicester 7 outweigh the overall loss of land reserved for recreation use, it should be ensured that:
 - public use of the linear park/open space land is secured
 - footpath cycleway connections are made through the site to connect with existing provision on Skimmingdish Lane and provide potential connections to both the existing recreation ground to the south and the balancing reservoir land to the north
 - the design of the open space maximises biodiversity gain

6.7. Ecology Officer: No objection subject to conditions.

- The Ecology Officer has provided written and verbal comments in relation to this application and has concluded that the information submitted demonstrates that there would be no biodiversity loss and that no Biodiversity Impact Assessment (BIA) is required however, there are further opportunities for biodiversity gain and this can be achieved through conditions requiring a Landscape and Ecology Management Plan and a Construction Environmental Management Plan.

6.8. Landscape Officer: No objection subject to conditions and legal agreement.

- The Landscape Officer has provided written and verbal comments in relation to this application and has requested conditions requiring a Landscape and Ecology Management Plan, a Construction Environmental Management Plan, Tree Survey, Arboricultural Method Statement and hard and soft landscaping scheme.
- S106 contributions of £3,620 and £55,600 will be sought towards the future maintenance of hedgerows and informal open space respectively.

6.9. Leisure and Recreation: No objection.

- Provided that there are adequate community facilities within the care home, then no contributions will be requested – as per the SPD which indicates no sport or recreation facilities requirement from care home developments.

6.10. Strategic Housing: This is a Use Class C2 application. There is therefore no requirement towards affordable housing on this site.

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)

- Policy PSD1: Presumption in Favour of Sustainable Development
- Policy BSC4: Housing Mix
- Policy BSC10: Open Space, Outdoor Sport and Recreation Provision
- Policy BSC 11: Local Standards of Provision Outdoor Recreation
- Policy ESD6: Sustainable Flood Risk Management
- Policy ESD7: Sustainable Drainage Systems
- Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- Policy ESD13: Local Landscape Protection and Enhancement
- Policy ESD15: The Character of the Built and Historic Environment
- Policy ESD17: Green Infrastructure
- Policy Bicester 7: Meeting the Need for Open Space, Sport and Recreation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- Policy R1: Allocation of land for recreation use
- Policy C28: Layout, design and external appearance of development of new development
- Policy C30: Design control
- Policy ENV12: Contaminated land

NON-STATUTORY CHERWELL LOCAL PLAN (2011)

- Policy R1: Allocation of land for recreation use
- Policy ENV17: Development on contaminated land

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
- Access and transport
- Appearance
- Layout
- Scale
- Landscaping
- Biodiversity
- Drainage
- Planning contributions
- Other matters

Principle of development

- 8.2. The principle of development is guided by Policy PSD1 (CLP 2031 Part 1) which states that the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and will work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and, to secure development that improves the economic, social and environmental conditions in the area.
- 8.3. The proposed development is anticipated to generate between 40-50 new employment opportunities which are intended to be offered to suitable candidates from the local area. There is therefore an economic benefit associated with the proposed development.
- 8.4. The proposed development would provide a 64 bedroom care facility, designed to meet the identified needs of the local community, specifically older people and those requiring personal and dementia care on a residential basis. There is therefore a social benefit associated with the proposed development, with the development providing specialist housing for older and disabled people to meet the needs of the local community, as required by Policy BSC4 (CLP 2031 Part 1). The development would also contribute towards health and wellbeing as required by Policy BSC6 (CLP 2031 Part 1).
- 8.5. The proposed development is considered to provide an environmental benefit through biodiversity gain as required by policy ESD10. These benefits are considered in more detail later in this report.
- 8.6. Retained Policy R1 (CLP 1996) allocates the application site for recreational use and there has been a long term ambition for the site to become part of a linear park around the periphery or urban edge of Bicester. The policy ambitions for the site are outlined in detail in the consultation response from Planning Policy.
- 8.7. The development proposal therefore conflicts with Policy R1 (CLP 1996); however it has been recognised by Planning Policy and Development Management that the development of part of this application site could act as an enabler towards achieving the policy ambition for a recreation space in this location, which until now has not been forthcoming.
- 8.8. As part of the development proposal, 46% of the application site has been proposed as public open space. Importantly, this public open space would be transferred to the Council (via the Section 106 mechanism), enabling the site to become publically accessible. Although the design of the public open space is yet to be finalised, it is anticipated that a pathway will provide an alternative walking and cycling route through the site, with the park connecting existing green spaces and recreational areas and providing a green corridor along Skimmingdish Lane. The proposal is therefore considered, on balance, to enable the Council to meet its ambitions with regards to Policy R1 (CLP 1996) and Policy BSC10 (CLP 2031 Part 1), subject to conditions relating to landscaping and biodiversity enhancements.
- 8.9. On balance, taking into account the social, economic and environmental benefits of the proposal and the limited harm caused by the partial conflict with Policy R1, the principle of development is considered acceptable.

Access and transport

- 8.10. The proposed access arrangements are considered acceptable and are unlikely to cause harm in terms of highways safety subject to the conditions and requirements specified by the Local Highways Authority. The level of car parking provision for staff

and visitors is considered acceptable however precise details of the car park layout and cycle parking provision are required.

- 8.11. The Local Highways Authority has requested a contribution of £22,500 towards improvements to the S5 bus service and a contribution towards the cost of monitoring the travel plan associated with the development. A full justification for these contributions has been provided in the Local Highways Authority consultation response. The justification provided is considered to satisfy the tests outlined in the NPPF and CIL Regulations.
- 8.12. Although the development is located on the periphery of Bicester, it is located in a relatively sustainable location by virtue of its connections to existing walking and cycling networks and proposed improvements to the bus service. The proposal is therefore considered to comply with Policy SLE4 (CLP 2031 Part 1).

Appearance

- 8.13. The proposed development would be constructed predominantly from brick with elements of render and cladding with a slate (or similar) roof. The materials proposed are considered acceptable however full details of the materials proposed will need to be provided via condition. The appearance of the building is consistent with buildings of similar age and function and is considered to be compatible within the local context.

Layout

- 8.14. The proposed development is 'H' shaped and would incorporate two courtyards with formal gardens to serve residents. The building would be accessed via an access road which passes through the proposed public open space. The proportion of building form to open space is considered to be acceptable.

Scale

- 8.15. The two-storey building would have a footprint of 1,680m² and overall ridge height of 9.5m, the scale of the building is therefore relatively large but this mass is broken up by the 'H' shape design and the use of projecting gables on each elevation.

Landscaping

- 8.16. There are two key elements of landscaping associated with the proposal. The first is the landscaping associated with the care home and the second is the landscaping associated with the public open space.
- 8.17. The landscaping associated with the care home is formal with grassed areas, trees, shrubs and paths.
- 8.18. The landscaping associated with the public open space is informal and designed primarily for biodiversity gain. The existing scrub is to be retained where possible and will intersperse the open grassland. The boundary between the public open space and formal area will be strengthened with trees and shrubs. A path will run through the public open space, connecting the adjacent balancing pond with the site and Skimmingdish Lane. It is anticipated that this path will be suitable for both pedestrians and cyclists.
- 8.19. Although an indicative landscape plan has been submitted with the application, additional information regarding the design and management of the landscaping is required. It is recommended that this is sought by condition.

- 8.20. The Landscape Officer has requested planning contributions towards the future maintenance of the public open space and hedgerows. As the public open space and hedgerows are to be transferred to the Council and will need to be managed on an ongoing basis, these contributions are considered necessary and reasonable and satisfy the tests outlined in the NPPF and CIL Regulations.

Biodiversity

- 8.21. The application site is part of a proposed District Wildlife Site and is adjacent to Skimmingdish Lane Balancing Pond which is an area of high ecological value. During the course of the application it has become apparent that there is some confusion as to the weight which should be attributed to District Wildlife Sites so it would be helpful to briefly explain their significance.
- 8.22. District Wildlife Sites are likely to have significant value for wildlife and support many different habitats and species. District Wildlife Sites are recommended to the Council by the Thames Valley Environmental Records Centre (TVERC) based on local expertise and knowledge. District Wildlife Sites are not considered sufficient to be of County importance but are worthy of recognition at the District level and with the appropriate management can attain the Local Wildlife Site designation. Until District Wildlife Sites proposed by TVERC have been adopted by the Council, they do not have the same weight as District Wildlife Sites. The application site is a proposed District Wildlife Site; therefore the weight which can be attributed to this designation is limited. This does not however mean that the ecological significance of the site is in anyway reduced and there is a still a requirement for the applicant to demonstrate that the proposal would not cause adverse harm to biodiversity.
- 8.23. The Ecology Assessment submitted by the application states that on the basis of the ecology surveys undertaken, the application site is not considered to be of high intrinsic value from an ecology and nature conservation perspective and that the design of the proposed development and implementation of the identified mitigation measures will ensure that there are no adverse effects on any designated sites or protected species as a result of development at the application site.
- 8.24. The Council's Ecologist has reviewed the information submitted with the application and agrees that the development would not result in biodiversity loss but there are opportunities for biodiversity gain and this can be achieved through conditions requiring a Landscape and Ecology Management Plan and Construction Environmental Management Plan. These conditions are considered both necessary and reasonable considering the limited level of detail provided by the application in relation to biodiversity enhancements. Subject to these conditions, the proposal is considered to comply with Policy ESD10 (CLP 2031 Part 1).

Drainage

- 8.25. The application site is not located within flood zones 2 or 3 but is at risk of surface water flooding from the adjacent balancing ponds should they exceed their capacity. The proposed development therefore needs to be able to accommodate this potential flooding in terms of surface water drainage and storage, however the probability of a flooding event occurring is low. The applicant has submitted a drainage scheme as part of the application and this has been considered by the Lead Local Flood Authority (Oxfordshire County Council). Whilst the Lead Local Flood Authority has raised no objection to the proposal, it has concluded that the drainage scheme is still of an outline nature and has requested that a full detailed drainage design and supporting calculations are submitted via condition. Subject to this condition, the proposed scheme is considered to comply with Policies ESD6 and ESD7 (CLP 2031 Part 1).

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposed development would result in the development of a care home which is considered to provide social, economic and environmental benefits which on balance, taking into account representations made by consultees and members of the public, are considered to outweigh the partial loss of an allocated recreation site to development. However, the public benefit arising from the provision of public open space for the purposes of recreation is significant and should not be underestimated, especially given the long held aspirations for the creation of a linear park in this location.
- 9.3. The application is therefore recommend for approval subject to the completion of a satisfactory S106 agreement to incorporate the transfer of the public open space to the Council and necessary planning contributions and the conditions outlined below.

10. RECOMMENDATION

Resolve to grant planning subject to:

- a) Delegation of the negotiation of a satisfactory S106 agreement.
 - b) The following conditions with delegation provided to the Development Services Manager to negotiate final amendments to the wording of conditions:
- 1 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 - 2 Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application Forms, Planning Statement, Design and Access Statement, Geo-environmental Appraisal, Transport Statement, Travel Plan, Arboricultural Appraisal, Ecological Appraisal, Drainage and Flood Risk Assessment and Drawings Numbered OX26 4XJ-P-05 Rev. D, OX26 4XJ-P-06 Rev. C, OX26 4XJ-P-03 Rev. A, OX26 4XJ-A-04 Rev. D, OX26 4XJ-A-02

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.
 - 3 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

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

- 4 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the development, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the rooms, the access, driveways and turning areas shall be constructed in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- 5 Prior to the commencement of the development hereby approved, a plan showing car parking provision to be accommodated within 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 parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

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

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

- 7 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features
- Sizing of features - attenuation volume
- Infiltration in accordance with BRE365 (Soakage Testing)
- Detailed drainage layout with pipe numbers
- SUDS - (Trench Soakaways)
- Network drainage calculations
- Phasing
- Maintenance and management of SUDS features (including details of who

will be responsible for maintaining the SUDS & landowner details).

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 8 Prior to the commencement of the development hereby approved, and notwithstanding the details submitted, full details of the construction of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction shall be carried out in accordance with the approved details. A Construction Traffic Management Plan (CTMP) will need to incorporate the following in detail (where necessary):

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

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| 9 | <p>Prior to the first occupation of the development hereby approved, and notwithstanding the details submitted, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.</p> |
| | <p>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.</p> |
| 10 | <p>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:-</p> <ul style="list-style-type: none"> (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. <p>Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.</p> <p>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, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.</p> |
| 11 | <p>Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas, other than for privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.</p> <p>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, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.</p> |
| 12 | <p>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</p> |

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, a schedule of materials and finishes, including samples, for the external walls and roof 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 and material samples.

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.

- 14 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.

- 15 Notwithstanding any details shown to the contrary in the approved plans, all windows to be installed on buildings within the development shall be flush fitting balanced casements that are recessed a minimum of 75mm within the window surrounds unless otherwise agreed in writing by the local planning authority.

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

- 16 Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out 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.

- 17 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be

taken to ensure that construction works do not adversely affect biodiversity, 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 CEMP.

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.

- 18 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 and Government guidance contained within the National Planning Policy Framework.

- 19 Prior to the first occupation of the development hereby approved, a public art scheme shall be submitted to and approved by the Local Planning Authority. Thereafter, the public art scheme shall be implemented, maintained and retained in accordance with the approved details.

Reason - To enhance the setting and environment of the proposed building in accordance with policy C28 of the adopted Cherwell Local Plan.

- 20 Prior to the commencement of the development hereby approved, full details of the proposed temporary access (to be used for construction purposes) shall be submitted to and approved in writing by the Local Highway Authority. Thereafter, it will be formed, laid out, and constructed strictly 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.

17/01428/F

**Part Of OS Parcels 0625
And 0914 North Of Coopers
Buckingham Road
Bicester**

78.7m

CR

ED & Ward Bdy
SKIMMINGDISH LANE

Mast

Recreation Ground

N

1:1,000

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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

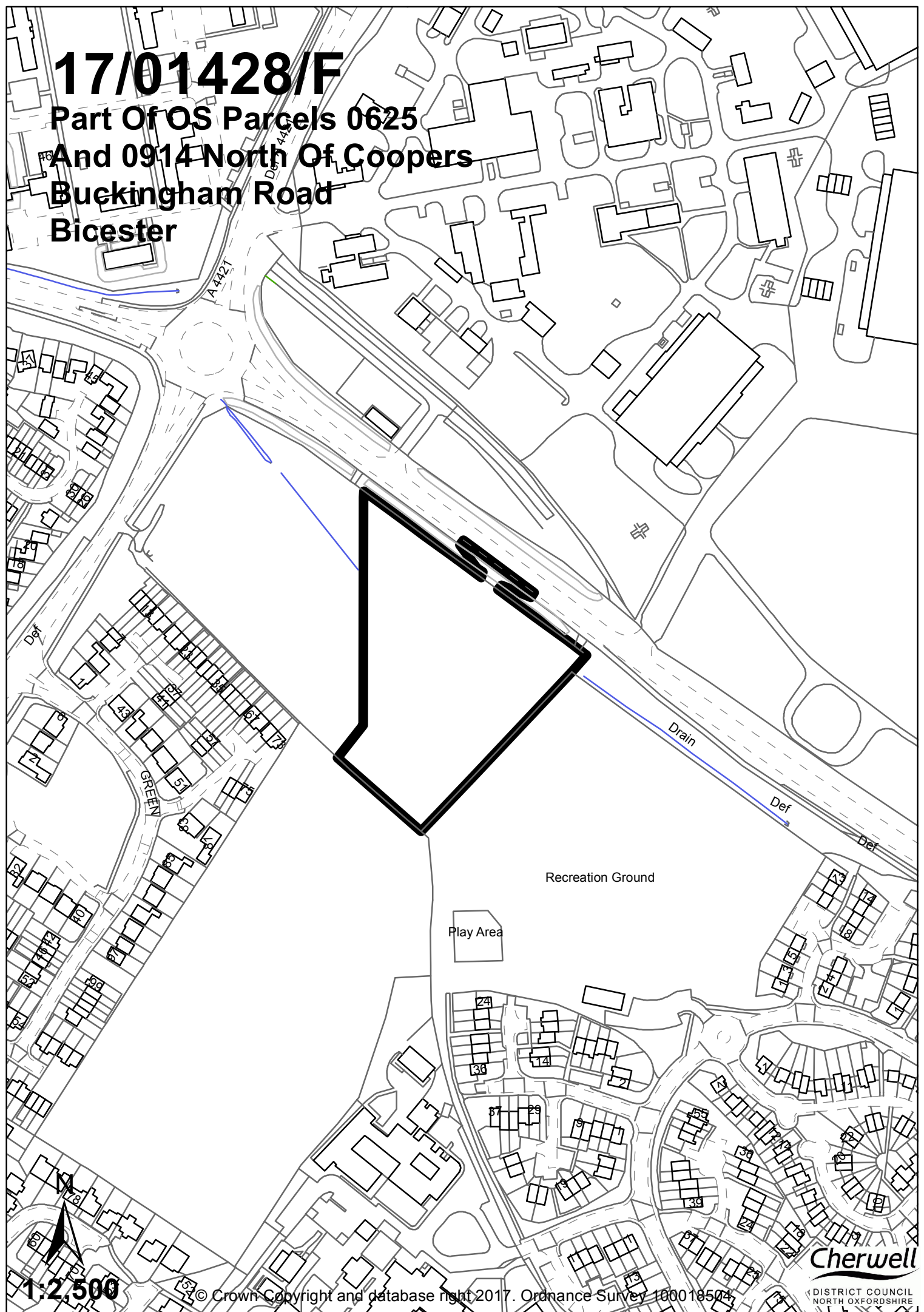
17/01428/F

Part Of OS Parcels 0625

And 0914 North Of Coopers

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1:2,500

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