

SUPPLEMENTARY INFORMATION

Planning Committee

18 July 2019

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If you need any further information about the meeting please contact Aaron Hetherington, Democratic and Elections aaron.hetherington@cherwellandsouthnorthants.gov.uk, 01295 227956

**CHERWELL DISTRICT
COUNCIL
PLANNING COMMITTEE**

18 July 2019

WRITTEN UPDATES

Agenda Item 7

Proposed Pre-Committee Site Vists

Officers would like to recommend that the Committee agrees to hold pre-committee site visits for the following applications, which are expected to be brought before the Committee for determination at the next meeting:

None proposed

Agenda Item 8

16/00472/OUT Grundons Merton St. Banbury

Additional representations received

1. Banbury Civic Society comment that

The Society made comments on this site in 2017 (?) and we hope these will be reflected in the report to Committee. We note that Network Rail have also made extensive critical remarks concerning the use of this site for housing, notwithstanding its allocation for that purpose in the Approved Local Plan. It seems to us that, despite the urgent need for social housing, this site has many disadvantages to that end, especially given the complaints that have already arisen from existing nearby residents citing noise, vibration and other disturbance to the detriment of their living conditions.

However, the Society is most concerned about retaining the long term possibility of extending Higham Way southwards to either a) connect with the proposed South-to-East link road between Bankside and Chalker Way (see Banbury Vision and Masterplan), OR b) to swing eastwards around the perimeter of Ban 6 also to link with Chalker Way, thereby also providing access possibilities to the presently undeveloped remainder of Ban 6. The Indicative Layout, as posted, does not engender confidence that either of these options would be possible.

Both of the above options would provide a secondary access to / from both the area south of Causeway and the railway car park. This would contribute towards relieving, to a greater or lesser degree depending on other construction, the congestion at the Middleton Road / Merton Street junction and provide improved connectivity to the whole area.

It is argued that, as the area south of Causeway is predominantly social housing in character, traffic generation is low. Observation at various times of the day indicates that this assumption is not true and therefore any opportunity to alleviate the situation should be promoted.

Furthermore the alignment of Higham Way extension into the proposed development, as shown on the submitted drawings, is very much of 'switchback' in nature and is barely suitable for an estate access road. It would certainly not be suitable if a further extension southwards, as envisaged, is ultimately achieved.

If Committee is minded to support the southward extension of Higham Way, we would suggest a reappraisal of the layout in order to make it suitable for both those living nearby and those who might be using it as a through route to (say) the railway car park.

2. **Councillor Shaida Hussain** objects

3. **A resident of Alma Road** objects on the grounds that

I believe the area is already overdeveloped in terms of housing and there are far too many homes in too close a proximity.

The road network cannot cope with the current amount of traffic and cannot sustain further housing development in the area. There is a huge issue of slow moving traffic and congestion in the whole area around Middleton Road, Merton Street, Higham Way, Alma Road, Bridge Street and beyond.

There is a massive issue with air quality in the area and the effects of traffic fumes and pollution for pedestrians and people who live and work locally.

4. The **applicants agent** have updated their layout plan to show the safeguarded route of connecting route towards the proposed link road

Officer comment

With regards to the comments of the Civic Society the current illustrative layout plan demonstrates that it is possible to form a new route through the site to connect to the Ban 6 site and therefore potentially to the proposed link road

Change to recommendation

None

Agenda Item 9

19/00722/F 29 Murdoch Road, Bicester OX26 4PP

Additional Representations received

APPLICANT'S AGENT:

An amended Noise Assessment was submitted to the Council which now refers to No.30 rather than No.28 in respect of the neighbouring commercial property.

An email was also received (17/07/2019) with further clarification as to whether there was scope to use electric karts as part of the scheme, issues in relation with pollution, and storage of fuel within the site. The clarification is as follows:

TeamSport have advised me that the pollution generated from the karts is minimal due to the technologies that they use and the small size of the engines which are approximately the same size as a lawnmower engine. In addition TeamSport have recently invested in installing advanced catalytic converters on karts which reduce pollution levels by around 85% from existing. In contrast to the lawful use of the premises which could constantly have heavily polluting diesel powered engines running around the clock pollution from the premises is considered to be low. Unfortunately there are limited opportunities for installing solar panels on the premises due to the property not being owned by TeamSport.

It is also noted that TeamSport's operation is fitted out and maintained to National Karting Association (NKA) guidelines, which were produced in consultation with, and signed off by the HSE in relation to air quality. TeamSport operate many venues in similar locations and settings and there have been no reported air quality concerns.

Petrol is stored within individual metal jerry cans which are then stored in a lockable metal container. The container is approximately 1m x 0.5m in size and is fire retardant up to 1 hour in accordance with standards.

Officer comment

The amended Noise Assessment makes it clear that assessment has been undertaken with regards to the impact on the adjoining commercial property. The noise assessment appears to show acceptable levels of noise in this regard.

The additional information has clarified that the applicant feels there is no scope for the use of electric karts on the site. While there have been a number of concerns raised with regards to the pollution produced by the proposed use, the additional information highlights that measures have been taken to reduce pollution levels as much as possible. The operation is fitted out and maintained to National Karting Associations guidelines which were produced in

consultation with and signed off by the HSE in relation to air quality, and it is also noted that while the unit is not currently in use, an industrial use that would not require permission could be carried out which would result in higher amounts of pollution being produced.

It was also confirmed that petrol would be stored on site in accordance with the current standards.

Change to recommendation

None

Agenda

Item 10

19/00617/F Warriner School, Bloxham

Additional information received

The Local Highway Authority have confirmed they would want to see pedestrian crossings on the A361 as part of the works to the A361 and full details of this are proposed to be conditioned under condition 18.

Additional Representations received

The Landscape Officer has confirmed that the proposed planting plan is acceptable.

Some additional comments from the Parish Council were not included in the original officer report. A copy of these are set out below

Bloxham Parish Council put forward for consideration the following comments on the submitted Site Option Appraisal for the Proposed Bloxham Grove Academy: -

Bloxham Parish Council are not in any position to dispute the need for a Special Education Need School provision in the north of Oxfordshire. Such a need would have been apparent for some time especially with the planned housing growth in this area.

As such it would have been reasonable to expect the inclusion of such a provision in Cherwell District Council's Local Plan Part 1 in line with other Education Provision as shown below.

- Policy villages 5 puts forward both Primary and Secondary Education provision at Upper Heyford
- Policy INF1 identifies that Cherwell District Council would work with Government and local Partners to provide Education provision: - would this not have been the appropriate time to bring this pressing need to the forefront?
- Policy BSC 7 references Education provision in sustainable locations.

Bloxham has a “made” Neighbourhood Plan and during the consultation period, where Oxfordshire County Council made representation, no mention was made of the need to consider the provision of an additional school in the village.

Cherwell District Council in their representation to the Consultation of the Bloxham Neighbourhood Plan also made no mention of the need for provision of another school in any location in Bloxham.

The proposed development site is outside of the built limit of Bloxham Village and as such is contrary to Policy BL2 of the “made” Bloxham Neighbourhood Plan.

➤ LocatEd were commissioned in April 2017 and meetings were held in December 2017 and March 2018 with the Parish Council regarding this provision. Yet it is noted that the date of the report is March 2019. This again does not give confidence in the impartiality of this report.

➤ At 1.1 the following statement included in the report by Oxfordshire County Council should have been reflected in the Hearings for the Cherwell District Council Local Plan Part 1 held in December 2014 and sought for inclusion at that time.

“identified a specific need for a free school with the key features of The Iffley Academy in the Bicester / Banbury area. This is because of a number of factors, including the population growth, the shortage of places in existing special schools: the lack of appropriate provision and to offer parents choice of placements”.

➤ The criteria selected for site exploration appear to be very specific as below: -

- a quiet, natural, rural or semi-rural setting,
- good transport links

No evidence or justification is given for these particular selection criteria. It could lead to a cynical view that the site had been chosen and now the criteria were being put in place to justify it.

➤ At 1.2 the report goes on *“This automatically directed focus to the outskirts and surrounding areas of towns and villages”.*

➤ At 1.4 *“The Trust also wished to identify sites that had the opportunity of readily accessing an operational farm for educational and experience purposes”.* Again, there is no evidence presented as to why this is an essential element when searching for a site. Leading to further support the view that the decision had been made the site identified and the criteria established to fit.

➤ Mention is made that the school *“aims to provide a curriculum which includes land management and farm studies as well as animal care. Notwithstanding this desire, care would need to be taken to find the right type of farm, taking into account factors such as safeguarding and costs”* No reason, evidence or perceived benefits are made clear to support these requirements, leading to the conclusion that the decision has been made and the site pre-selected. The existing School in Iffley makes no mention of curriculum aims to provide farm studies, in fact the

emphasis is in the main arts based. Again this leads to the conclusion that the curriculum proposed is being made to fit the predetermined site.

➤ At 1.4 comment *“There were no farms of suitable size nor landowners willing to dispose of part of their holdings at the time of the search”*. In the list of farms/sites reviewed no mention is made of HELAA100 Milton Road. which may be viewed as a reasonable alternative site.

➤ It is ironic that both sites in Bloxham scored highly, despite there being severe access, transport and highways issues. Both sites would adversely affect an open landscape, one being adjacent to the Bloxham Conservation Area.

➤ In the assessment for the Bloxham Grove site and the Church site it is referenced that Bloxham is the third largest settlement after Banbury and Bicester. This statement is inaccurate as Kidlington is the third largest settlement in Cherwell. If Oxfordshire County Councillors made their decision on this option report, they were misled.

➤ There is concern regarding the assertion that the “acquisition price is at nil consideration”

➤ It should be noted that the Bloxham Grove site is not designated in the Local Plan, as it is outside the built limit of Bloxham and in open Countryside.

➤ It is also part of a Ridge and furrow field.

➤ The access via Bloxham Grove road is said to be achievable. However, the Parish Council were informed at the consultation meeting that this would require: -

- the removing/alterating of the present car parking arrangement on Bloxham Grove Road, put in at Oxfordshire County Council Expense not long ago.
- The removal/alteration of this parking area would have an adverse impact on the management of Warriner School parking problems.
- Substantial expenditure would be required to achieve the widening of the road to facilitate ease of traffic movement and the installation of a 2.0m wide footpath
- No mention is made of how the traffic flow would be accommodated to avoid further exacerbation of the existing problems experienced at both this junction and the A361 through Bloxham.

➤ The major difference between this site on Bloxham Grove Road and the one on the corner of Ells Lane and the A361 appears to be that the landowner may be unwilling to sell and the cost may be higher. This again calls into question why there is no cost attributed to the acquisition of the Warriner land.

- The reasons for rejecting the site at Upper Heyford are so weak as to be derisory and do indicate and endorse the view that there is a definite bias in this report.
- The Upper Heyford site has an allocation for Education, it will not always be a construction site, it has excellent transport links to the whole of North Oxfordshire, it is surrounded by Farmland.
- The continued emphasis on the need for a rural location whilst laudable does call for comparison with the existing site in Oxford.
- The discounting of the Banbury School on Ruskin Road, due to the land owner being unwilling to sell or requiring high land value, again calls into question the statement that the Warriner land will be a nil cost acquisition. Would there not be a case for Compulsory purchase?

Summary

It is the view of the Parish Council that in agreeing to this school being located in Bloxham, Oxfordshire County Council have not carried out due diligence, they have not taken into account Policies contained within

- Bloxham Neighbourhood Plan
- Cherwell District Council Local Plan Part 1
- National Planning Policy Framework

This allocation is not part of a Plan Led approach nor is it included in the Policies of the two made plans listed above.

It does not follow the criteria for a plan led approach, which is at the heart of the National Planning Policy Framework (NPPF).

The Site Option Report appears to be heavily biased towards the Bloxham Grove Site.

There is no inclusion within either this site Options Report, or the accompanying Application information, on what effective remedial solutions will be proposed to alleviate the traffic impact at the Junction of Bloxham Grove Road and the A361. Bloxham is not served by a sustainable transport infrastructure, and there are no direct rail links to Bloxham.

All staff and pupils would need to use private vehicles, especially given the proposed start time of the school day.

There is no cycle way linking directly to Banbury, the NR5 goes from Bloxham to Bodicote.

The emphasis on close links with a farm to provide a focus for the curriculum are not evidenced in the Report and do not at present form part of the curriculum of the school based in Ifley.

As Parish Councillors our role is to be mindful of the safety of the residents of Bloxham, the NPPF at Para 95 promotes the need for Public safety, Para 109 and 110 especially promote the need to create safe places that minimise conflict between pedestrians, cyclists and the motorists. By reducing the existing car

parking on Bloxham Grove Road it is likely that conflict would arise both on Bloxham Grove Road and the surrounding side streets adjacent to the Warriner School.

Officer comment

The comments raised by the Parish Council are addressed in the report. Further to the landscape officer comments and following discussion with the applicant a number of small alterations are proposed to the conditions. These are outlined below.

Change to recommendation

The recommendation remains to approve subject to the alterations to the conditions outlined below:

Condition 3 – Access

Prior to the first occupation of the development hereby approved, the means of access between the land and the highway on Bloxham Grove Road, including position, layout and vision splays shall be constructed and laid out in accordance with drawing number 45479/5501/03 Rev A and 45479/5501/005 unless otherwise agreed in writing by the Local Planning Authority. Thereafter the mains of access and visibility splays shall be 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.

Condition 11 - Landscaping

Prior to the first use of the building hereby approved the landscaping for the site shall be carried in full and in strict accordance with landscaping scheme shown on drawing numbers ADP-00-ZZ-DR-L-1920 Rev S3 P07, ADP-00-ZZ-DR-L-1900 Rev S3 P07, ADP-00-ZZ-DR-L-1901 Rev S3 P07, ADP-00-ZZ-DR-L-1940 Rev S2 P01, ADP-00-ZZ-DR-L-1941 Rev S2 P02 unless otherwise agreed in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with

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

Condition 16 – Protection of Pedestrian Footway

Prior to the first use of the building, the measures to physically protect the section of walkway running between the car parking spaces to the front of the site shall be carried out in accordance with drawing number ADP-00-ZZ-DR-L-1900 Rev S3 P07. Thereafter, the footpath(s) shall remain protected and available for use throughout the development in accordance with the approved details.

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

Agenda Item 11

19/00777/F – Land rear 23-29 Crouch St. Banbury

Additional information received

None.

Additional Representations received

- Councillor Dhesi has requested that the application be deferred for a site visit.
- Additional letters of objection have been received from residents which raise concerns regarding access, heritage and ecology which are already detailed in the report. One of the owners of Cork Lane has also commented on the scheme stating they will not allow any further access along Cork Lane and will not allow access for construction vehicles.
- The applicant has also raised a query with officers regarding how they would provide cycle stores if permitted development rights have been removed for the new dwellings in relation to outbuildings.

Officer comment

Councillor Dhesi request for deferral and a Members site visit needs to be considered by Planning Committee.

In regard to the access as set out in the report the access along Cork Lane is included within the red line of the application site and the applicant has stated that notices have been served on all the registered owners. The applicant has also provided a copy of the title for part of the land which would appear to suggest that they have rights of access along the lane. However as stated in the committee report, the right of access over Cork Lane is a private legal matter which the applicant and subsequent owners would need to satisfy themselves of. If the applicant cannot access Cork Lane or use it for construction vehicles they would be unable to construct the development or access it. Furthermore they would be unable to comply with the planning conditions which require the access to be provided and retained.

In response to the applicants queries regarding cycle stores it is recommended that the wording of condition 26 be revised to allow for the approval and provision of cycle storage. This is outlined below.

Change to recommendation

The recommendation remains to approve the development as set out in the report subject to the alteration to condition 26 as outlined below:

Notwithstanding the provisions of Classes A-E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no extension, alteration or outbuilding shall be provided without the grant of further specific planning permission from the Local Planning Authority with the exception of outbuilding/structures approved under condition 24 of this permission.

Reason: To protect the character and appearance of the Conservation Area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996

Agenda Item 12

18/01259/F – Summer Place, Blackthorn Road,

Additional information received

Applicant

On 16th July Mr Chris Marshall, agent acting for the applicant in respect of the existing site, sent the local planning authority details of the septic tank agreed pursuant to the requirements of the original planning permission (ref. 13/00279/F) for two pitches, one dayroom and hardstanding.

Additional Representations received

Tony Brummell, Building Control Manager

The proposal to increase the number of pitches from 4 to 8 raises two issues which will need to be resolved.

1. It seems a septic tank has been specified of capacity 3,800 litres which according to the supplier's data-sheet will serve up to 10 persons. The potential aggregate occupation of 8 pitches needs to be established. If more than 10 the specified tank will be inadequate.
2. The means of treated effluent disposal needs to be established. This could either go to ground via a drainage field or to a ditch/watercourse. I note there is a ditch/watercourse nearby.
If to ground, I will need to see how the drainage field (the underground system receiving and percolating effluent into the ground) has been sized. This will have regard to the population served and to the porosity of the ground. I know the ground in this vicinity to have very poor porosity so I am doubtful whether a drainage field is feasible.

If to a ditch/watercourse, an environmental permit will be needed from the Environment Agency. I note that one has been obtained for the 4 pitch proposal. You will need to establish whether this will also cover the 8 pitch proposal.

Applicant

On 17th July Mr Marshall, in respect to further questions from planning officers with regard to the information submitted 16th July, replied:

I'm puzzled by your suggestion that effluent flows from the septic tank.

1. *The septic tank was installed by an independent specialist contractor.*
2. *The whole point of a septic tank is that only clear, clean water is discharged from the tank.*
3. *The clean water runs into a series of two gravel soakaways and then is filtered naturally into the normal water table.*
4. *The water table and the surface water filters naturally into the brook.*
5. *The capacity of the septic tank is 3800 liters more than adequate to serve the residents on the site.*
6. *The septic tank was passed by Rob Lowther an officer in your council in November 2013. Clearly nothing has changed so why was it made a condition in subsequent planning approval?*
7. *No effluent flows or ever has flowed into a water course or on to other property.*
8. *If the Council writes to inspect the tank then Mr Conner's will be more than happy to accommodate them.*

To sum up,

A – The septic tank works perfectly and always has.

B- The planning condition regarding surface water drainage is and always been complied with indeed SDS Consulting, who I understand are now in contact with you.

Officer comment

Officers had asked Mr Marshall (1) whether it was proposed to discharge the septic tank effluent into the watercourse, or to ground through a drainage field; (2) how many people, in total, would be living on site if permission was approved for these additional pitches.

Officers comment as follows in respect of Mr Marshall's 17th July response:

Mr Marshall seems to suggest that the septic tank is only dealing with surface water and not sewerage. It is not clear, therefore, what methods are being used to manage sewerage.

Mr Marshall has confirmed that the output from the septic tank is discharged through a drainage field rather than into a watercourse. Tony Brummell's advice is that the size of the drainage field needs to be established before it can be determined whether it would be appropriate for surface water and foul water drainage to be managed via a septic tank but that in any case the ground in the vicinity of the site is known to have very poor porosity so it is doubtful as to whether a drainage field would be feasible.

Mr Marshall has not answered officers' second question.

Tony Brummell's advice is that the septic tank approved for the first two pitches would probably cope with the further two pitches approved in 2017 but would not satisfactorily deal with surface and foul water from 8 pitches i.e. the 4 additional pitches proposed as well as the 4 approved.

Tony Brummell advises that an environmental permit would be required for effluent disposal from the additional 4 pitches.

Change to recommendation

None

Agenda Item 13
19/00388/F Symmetry Park, Morrell Way, Ambrosden

Additional representations received

PLANNING POLICY comments received as below

The provision of B8 and ancillary uses on this site is broadly consistent with adopted Policy Bicester 12 and the principle of employment development is already established under extant permission 16/00861/HYBRID. However, the design and place shaping principles listed above should be considered when assessing application 19/00388/F proposals as well as material considerations including NPPF paragraphs 80 and 82.

Letter from APPLICANT'S AGENT

I thought it would be appropriate to summarise the provisions of this application which addresses Climate Change, as provided for in policies ESD1 -5 of the Local Plan.

1.1 Paragraph B.184 of the Local Plan states that, whilst renewable energy needs to be promoted, it would be counter productive to encourage renewable energy if energy is being wasted by inefficiency. Policy ESD 2 sets an energy hierarchy when seeking to achieve carbon emission reductions to achieve this. At the top of the energy hierarchy is the 'Reducing energy use, in particular by the use of sustainable design and construction measures'.

1.2 By the use of improved building fabric U values and high efficiency plant, and by focusing on the building shell and system design, the construction of the adjacent Unit B (approved in June 2018) has achieved a 20% betterment in energy efficiency and CO2 emission reductions above the targets included in Part L2A of the Building Regulations (Conservation of Fuel and Power in New Buildings Other than dwellings). This does not include the additional energy and CO2 betterment achieved by the installation of Photovoltaic cells covering 25% of the office roof. The system designs employed on Unit B will be reflected on Unit C.

1.3 Construction methods employed for Unit B, to be replicated for Unit C include:

- Reducing heat loss;
- Low air infiltration rates (air tightness exceeds Building Regulations);
- High efficiency heat recovery ventilation systems;
- Specific Fan Powers (SFP's) compliant with Building regulations;
- Open plan office areas have VRF heating and cooling systems benefiting from heat recovery;
- All lighting is LED energy efficiency systems, with occupancy detection and daylight sensing being used for internal lighting;
- Whole building power factor correction¹, greater than 0.95 is to be provided.

1.4 Unit C will be constructed to the same standard and will achieve these betterment levels. As with Unit B, photovoltaic cells will further improve energy efficiency and reduce CO2 emissions, by covering 25% of the second-floor office roof structure.

1.5 Level 2 of the energy hierarchy seeks to 'supply energy efficiently and to give priority to decentralised energy supply'. The LZC (Low and Zero Carbon

Technologies) report² for Unit B assessed a range of renewable sources including District Heating (DH) Combined Heat and Power (CHP) and biomass fuelled Combined Heat and Power (CHP). The suitability of decentralised energy sources is dependent upon the building base load requirements for heat and power. It has been accepted by the Council that the scale of operation and the base load requirements did not support a decentralised energy system for Unit B. Whilst the power load for Unit C will be proportionately greater due to the size difference, it will not be sufficient to support decentralised energy systems.

- 1.6 Level 3 of the energy hierarchy relates to 'making use of renewable energy'. An assessment of the potential to make use of renewable energy systems is included in the Energy Statement that accompanies the Unit C planning application. Further detailed assessment of the potential for renewables energy is included in the the Bicester Symmetry Park LZC Report for the approved adjacent Unit B. Photovoltaic cells were the only viable and practical method of installing renewable energy within the energy supply strategy. This was accepted by the Council for Unit B, there is no reason why this assessment would be any different to Unit C.
- 1.7 Planning policy (ESD3) seeks sustainable Construction, and particularly, that any new non-residential development will be expected to meet at least BREEAM 'very good'. The applicant has committed to meeting this threshold in addition to it being conditioned. Approved, built out Units B, A1 and A2 on the wider employment site meet these targets. In addition, all units on Symmetry Park meet EPC 'A'.
- 1.8 Logistic building design utilises a steel frame structure with light weight walls and roof cladding. This minimises the load bearing capacity of the structure, particularly relating to the roof. The roof structure above the office has been designed to take the additional load of the proposed photovoltaics cells.
- 1.9 The construction methods of the approved Unit B and the proportion of photovoltaics covering the office roof has been agreed by the Council. The same approach is proposed to be adopted in the construction of Unit C.

2.0 Conclusions

- 2.1 The planning application is accompanied by an Energy Statement that includes a high-level energy strategy for the wider Symmetry Park employment site. The energy strategy has been refined, and the standards of construction, energy efficiency measures and reduction in CO₂ emissions, have been agreed by the Council for Unit B, and will be incorporated in the construction of Unit C.
- 2.2 As required under planning policy, a hierarchal approach to energy efficiency and reducing CO₂ emissions has been taken, with sustainable construction techniques achieving a betterment in energy efficiency and CO₂ reduction, over and above that required by Building Regulations. The inclusion of Photovoltaics cells covering 25% of the second floor office roof will further add to this.
- 2.3 The Proposed Development complies with the policies ESD1,2,3,4 and 5 in ensuring that only sustainable development takes place.

Officer comment

These matters are dealt with in the officers report

Change to recommendation

Full text of recommended conditions

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

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

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: 4036-C02-001 P10 Plot C Masterplan Layout; 4036-C02-006 P04 Elevations and Section; 4036-C02-008 P03 Roof plan; 4036-C02-010 P04 Parking Details; 4036-C02-011 P06 Fencing Plan; 4036-C02-013 P03 Parameters Line Comparison Plan; 4036-C02-014 P02 Sprinkler Installation; 4036-C02-015 P02 Gate House Details; 4036-C02-020 P02 Site Section; 4036-C02-100 P01 Site Location Plan; 4036-C02-101 P03 Application Red Line Plan; 4036-C02-102 P05 Site Layout Plan Plot C; 4036-C02-103 P03 External Surface Finishes; Vehicle Tracking Sheet 1 C11238-HYD-00-ZZ-C-8000-P2; Vehicle Tracking Sheet 2 C11238-HYD-00-ZZ-DR-C-8001-P1; Lighting Plan 18/1093/E/011 Rev A; Edp2606-d050-o-Illustrative Landscape Plan; Edp2606-d140-B Detailed Landscape Design Unit C; Edp2606-r027-B Landscape Management Plan Unit C (June 2019); Design and Access Statement 4036-C02 (February 2019); Energy Statement 32765-3003 (September 2016 prepared by Peter Brett); PV Report CPW-ME-181093-P01 (February 2019) prepared by CPW; Energy Statement bREEAM (Letter dated April 2017) prepared by CPW; FRA 32765/4001 Rev C (December 2015) prepared by Peter Brett; Environmental Statement (February 2019); Planning statement (February 2019); Transport Assessment 3276515501 Rev D dated April 2016; Framework Travel Plan 32765/5501 Rev E December 2016; Biodiversity Method Statement and Management Plan dated March 2017; Phase II Ground Investigation 16.02.026 dated May 2016; WSI WFBO/3057 dated December 2016; Archaeological Recording Action Report MK141/18 dated October 2018; Archaeological Trial Trench Evaluation Report MK050/16; Air Quality Technical Note SPC-HYD-XX-ZZ-RP-Y-2001-P02 dated June 2019 and FRA Technical Note Designers response to OCC Objection C-11238-HYD-00-ZZ-TN-C-7002 P1 dated June 2019.

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

3. No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of times for construction traffic and delivery vehicles to access the site, which must be outside of peak network hours. Thereafter, the approved Construction Management Plan shall be implemented and operated in accordance with the approved details for the duration of the construction phase of the development.

Reason – In the interests of highway safety and residential amenities of neighbouring properties, to comply with Policies ESD13 and ESD15 of the Cherwell

Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework. This information is required prior to the commencement of the development as it must be implemented from the point the development is commenced.

4. Prior to the first occupation of the building hereby approved, and unless alternative details are first submitted to and approved in writing by the Local Planning Authority, the external lighting shall be installed strictly in accordance with the details shown on drawing number 18/1093/E/11 rev A and the submitted lighting schedule.

Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2015, saved Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building or on completion of the development, whichever is sooner and thereafter maintained and managed in accordance with the Landscape Management Plan dated June 2019 (edp 2606-r0276). Any trees, herbaceous planting and shrubs, which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

6. All existing topsoil that is disturbed by construction works shall not be removed from the site but shall be carefully removed and stored within the curtilage of the site and thereafter re-used during the preparation of the site and implementation of the approved landscaping scheme.

Reason – To ensure the protection and conservation of the on-site top soil as a viable growing medium for the approved landscaping scheme and in the interests of the visual amenities of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 and saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

7. Except to allow the provision of the footpath/cycle link into the adjacent site along the western boundary (as shown on Drawing No: 4036-C02- 001 P10), the existing hedgerows to the northern, southern and western boundaries shall be retained and properly maintained, and if any hedgerow plant dies within five years from the completion of the development, it shall be replaced in the current/next planting season with others of similar size and species and thereafter be properly maintained in accordance with this condition.

Reason – In the interests of the visual amenities of the area, in the interests of biodiversity and to provide an effective screen to the proposed development and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

8. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note 'Using the Planning Process to secure Travel Plans' and its subsequent amendments shall be submitted to and approved in writing by the Local Planning authority. The plan shall incorporate site specific details of the means of sharing and encouraging reduced reliance on the use of private cars related to the development in favour of other modes of transport and means of implementation and methods of monitoring. Thereafter the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason – In the interests of sustainability, to ensure a satisfactory form of development and to comply with policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

9. The development hereby permitted shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA) dated April 2016/32765-4001-Rev C produced by Peter Brett, the Flood Risk Technical Note C11238-HYD-00-ZZ-TN-C-7000-P2 and C-11238-HYD-00-ZZ-TN-C-7001 Rev P2 dated 2nd May 2019 and response to OCC objection produced by Hydrock C11238-HYD-00-ZZ-TN-C-7002 P1 dated 27th June 2019 and the mitigation measures detailed within the FRA, Drainage Statement and Technical Note referred to above:

- Limiting the surface water run-off by the <100-year return event> critical storm to 19.8 i/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site

- Limiting the surface water run-off generated by the <1-year return event> critical storm to 16.8 i/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site

- Use of SuDS Underground Attenuation, Crate Tank, Swales, Hydrocarbon Interceptor and Variable Complex Pump as described in the Drainage Strategy, Technical Note and drawings titled 'Drainage Layout' (Drawing Ref: C11238-HYD-00-ZZ-DR-C-7002 Rev P05 and C11238-HYD-00-ZZ-DR-C-7003 Rev P04)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

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 ESD6 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

10. Development shall not begin until a detailed surface water drainage scheme for the site, 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:

- A compliance report to demonstrate how the scheme complies with the 'Local Standards and Guidance for Surface Water Drainage on Major Development on Oxfordshire'

- Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change

- A Flood Exceedance Conveyance Plan

- Detailed design drainage layout drawings of the SuDS proposals including cross section details

- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and

- Details of how water quality will be maintained during construction

Reason - To ensure that the development is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

11. The development hereby approved shall not be occupied until confirmation has been provided that all water network upgrades required to accommodate the additional flows from the development have been completed.

Reason – The development may lead to no/low water pressure and network enforcement works are anticipated to be necessary to ensure sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with policy ESD8 of the Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

12. Following the first occupation of the unit hereby approved, no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the express planning consent of the Local Planning Authority.

Reason – In order to safeguard the visual amenities of the area and residential amenities of nearby residential properties in accordance with saved Policies ENV1 and C28 of the Cherwell Local Plan 1996 and policy ESD15 of the Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

13. Cumulative noise output from any mechanical ventilation or fixed plant associated with the development shall be noise attenuated or mitigated so that it achieves the following levels at 1m from the nearest receptors (listed below):

- Daytime (0.700-23.00) Wretchwick Farm Cottages and Wretchwick Farm: 43dB LAeq; Little Wretchwick Farm: 34dB LAeq

- Night time (23.00-0.700) Wretchwick Farm Cottages and Wretchwick Farm: 31dB LAeq; Little Wretchwick Farm: 28dB LAeq

Reason – To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

14. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until 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 the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance within the National Planning policy Framework.

15. Prior to and within two months of the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm 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 mitigation scheme.

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.

16. No development shall take place until a strategy has been submitted to and agreed in writing by the Local Planning Authority which sets out how Apprenticeships and Training Opportunities will be encouraged to be provided during the construction phase and by the occupiers of the unit. The strategy shall include details of the number of apprenticeships and training posts, over what period of time they will be employed, where the apprentices may be placed within the company and where apprentices will be taken from. The strategy shall be implemented in accordance with the approved details.

Reason – In the interests of ensuring appropriate and adequate apprenticeships are made available in accordance with policy BSC7 of the Cherwell Local Plan 2011-2031, the Council's SPD on Developer Contributions (2018) and Government guidance within the National Planning Policy Framework.

17. The building hereby approved shall be constructed to at least BREEAM 'Very Good' standard.

Reason – To ensure sustainable construction and reduce carbon emissions in accordance with Policies ESD1-5 of the Cherwell Local Plan and Government guidance within the national Planning Policy Framework.

18. Prior to the first occupation of the building hereby approved, the electricity charging points for vehicles shall be provided in accordance with the details shown on the approved plans.

Reason – In the interests of sustainability and to comply with Policies SLE4 and ESD1-5 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

19. Prior to the first occupation of the building hereby approved, Photovoltaic (PV) cells shall be installed on at least 25% of the roof coverage on the first floor offices in accordance with the approved roof plan (Drawing number 4036-C02-008 P03) and the PV report (CPW ref CPW-ME-181093-P01 dated February 2019). The PV cells shall thereafter be retained and maintained in accordance with the approved details.

Reason – In the interests of sustainable development, and to comply with Policies ESD1-5 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

20. The premises shall be used only for purposes falling within Class B8 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason : To protect the amenities of nearby residents, in the interests of highway safety, and to safeguard the provision of strategic employment land, in accordance with Policies SLE1, SLE4, ESD15 and Bicester 12 of the Cherwell Local Plan 2011 – 2031 Part 1.

Agenda item 14

14/01968/F. new highway re-aligning Howes Lane Bicester

Additional representations received

BICESTER TOWN COUNCIL is largely in support of the scheme, however concerns are raised regarding the Shakespeare Drive junction. It is considered that the proposed road should end with a roundabout at the Bure Park end and consideration should be given to the linkage between the existing Nature Reserve on Bure Park and the new development.

OXFORDSHIRE COUNTY COUNCIL as Lead Local Flood Authority have not confirmed that their objection can be overcome by condition, however a condition is drafted within the recommended conditions and will be reviewed with the Team. It is considered that this is a reasonable condition on the basis that the only change to the scheme since the application was previously resolved to be approved related to the design of the railway bridge.

Officer comment

Planning Conditions have been drafted but have not been shared with the applicant and their agent or checked with technical consultees, including Oxfordshire County Council, which is necessary.

Change to recommendation

The recommendation is for APPROVAL with delegation to be provided to Officers to make any necessary changes once the conditions have been shared with the applicant/ agent and other technical consultees (which may involve discussion with Network Rail regarding the practicalities relating to the construction of the tunnel/ underbridge) as well as a review to ensure all correct policies are referred to within the reasons for the conditions.

Draft conditions are attached as an appendix

Agenda item 15

19/00770/F Embankment NE Aldershot Farm, Bicester

Additional representations received

The design of the underpass has been progressing since the committee report was completed and an amended drawing is to be provided, which will be presented at committee. The amended drawing has an amended design to improve the buildability of the underpass. This involves narrowing the wing walls which leads to the need to excavate less material and ensure the underpass is more robust. In addition, this has benefits in terms of requiring less work on the railway line during the track possession. Given the lack of third party comment and the fact that it is unlikely consultees would comment upon this change, the plan will be accepted as an amendment and there is no need to re-consult.

Officer comment

Conditions have been discussed with the applicant and are generally agreed except for two requested changes, which have been accepted. In condition 5,

the request was that the pre-commencement ecological check could happen 3 months in advance rather than 2 months and this is agreed by the Council's Ecologist. In respect to condition 8, the reference to evidence of soakage tests was requested to be removed and this is considered acceptable given the arrangement is likely to be temporary until such time that development happens either side of the underpass and the wording of the condition still requires details of a drainage strategy. A further amendment has also been proposed based upon a review of the wording of the previously drafted condition.

Change to recommendation

Conditions 2, 5 and 8 are proposed to be amended to the following:

2. 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: Drawing number 38616-1501-112 Rev P02

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.

5. Prior to, and within three months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

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 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

8. No development shall take place until a drainage strategy for the underpass to include how it will be drained and a management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the drainage works shall be carried out and completed in accordance with the approved strategy and implemented prior to the first opening of the pedestrian underpass.

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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Agenda Item 16

19/00446/F 36/37 Heyford Park, Camp Road

Additional comments:

Mid Cherwell Neighbourhood Plan Forum on the officer's report

- Under planning policy on p.255 (page 1 of the report) it is stated the site is allocated under the Mid-Cherwell Neighbourhood Plan which is incorrect
- Under policies listed on page 266
 - PH6 is unnecessary
 - PD5 does not apply to Heyford Park
- Policy PD6 Control of Light Pollution is not mentioned. On Policy PD6 officers would advise that the development will have limited effect or harm bearing in mind all 3 sites are in the development envelope and have further development surrounding them, they will not have an effect outside the development site i.e. Heyford Park, they are all on sites where there are extant planning permissions so there will be no significant difference or impact beyond what the applicant can already undertake, all three parcels are for houses/flats which in themselves are unlikely to generate unacceptable degrees of light pollution, no street lighting is part of this application, there is no designated area of nature conservation part of the application site or adjacent to it, and the design of the residential units should have no detrimental impact on surrounding occupiers. In conclusion the development is not contrary to the policy

Oxfordshire County Council: OCC support the delivery of Local Plan Policy Villages 5: Former RAF Upper Heyford, and recognise that this application in particular facilitates the delivery of additional affordable housing. OCC does however have a number of technical objections relating to highways and drainage; these could be overcome with amendments and further detail. The application will need to contribute to the overall mitigation package for Policy Villages 5.

OCC-Transport: object

- The County reserves the right to request a comprehensive transport impact assessment of the cumulative effects of additional development.
- For units that do not have garages the County would expect to see the provision of sheds suitable to accommodate cycles.
- The full site wide Residential Travel Plan must be completed and approved prior to the occupation of this development.
- A Travel Plan Statement is required for this development and should be linked to the objectives in the main travel plan.
- Travel Information Packs are required for all new residents in this phase of the development.
- Phase 8C car park layout requires amendment.
- Trenchard refuse vehicle tracking requires clarification.
- A Section 106 contribution will be required in line with that being determined for the PV5 allocation. This should include contributions towards:
 - Mitigation of off-site highway impacts as identified in Transport Assessment of PV5 allocation and in ongoing analysis.
 - Provision of new bus services linking the site to Oxford and Bicester, in accordance with the public transport strategy.
 - Enhanced and new bus stops around the site.
 - Towards mitigation works to Oxford Canal towpath.
 - And Travel Plan Monitoring Fee

An obligation to enter into a S278 Agreement will be required to secure highway works. This is secured by means of S106 restriction not to implement development until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

OCC-Lead Local Flood Authority: objects:

- Not demonstrated that proposals are in line with local and national SuDS Standards.
- Refers to an outdated Flood Risk Assessment.
- Overland surface water flood risk to Trenchard development area from northern carpark not investigated or addressed.

CDC-Environmental Protection:

- Noise: Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be

carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

- Contaminated Land: Having studied the documents provided I have no further comments providing any recommendations in the reports are carried out in full.
- Air Quality: Any dwelling(s) hereby permitted shall not be occupied until it has been provided with a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling.
- Odour: No comments
- Light: No comments

CDC-Leisure Projects Officer

Financial contributions required to:

- Indoor Sport – Contribution sought towards the provision / improvement of indoor sports facilities within the vicinity at Heyford Park of £751 per dwelling x 57 dwellings = £42,807;
- Outdoor Sports Contribution – Contribution sought towards the development of sports pitches and an associated sports pavilion at Heyford Park of £2,017.03 per dwelling x 57 dwellings = £114,970.71;
- Community Facility – Contribution sought towards the provision of a community hall at Heyford Park of £1,925 per dwelling x 57 dwellings = £109,725;

RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO **GRANT PERMISSION SUBJECT TO RESOLVING THE OBJECTIONS FROM OXFORDSHIRE COUNTY COUNCIL AND SUBJECT TO CONDITIONS** (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE ITEMS SET OUT IN PARAGRAPH 9.69 TOGETHER WITH THOSE SET OUT ABOVE BY THE COUNTY COUNCIL AND THE CDC LEISURE PROJECTS OFFICER (AND ANY AMENDMENTS AS DEEMED NECESSARY)

Time Limit

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.

Compliance with Plans

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents:

PHASE 5D

- Design and Access Statement –Phase 5D 0521-PH5C. 18th February 2019. Focus on Design
- Flood Risk Assessment Compliance – Phase 5C Version 2. January 2019. 16871/B4. Woods Hardwick
- Topographical Survey 0521-PH5C-5D-5(R)-100 Rev.A
- Planning Layout 0521-PH5D-102.
- Street Scene 0521-PH5C-5D-5(R)-103
- External Works Layout 0521-PH5C-5D-5(R)-104
- Tracking Layout 0521-PH5C-5D-5(R)-105
- Vehicle
- External Detailing 0521-PH5C-5D-5(R)-106
- Adoption Plan 0521-PH5C-5D-5(R)-107
- Material Layout 0521-PH5C-5D-5(R)-108
- Garages, Bins & Cycle Store 0521-PH5C-5D-5(R)-109
- Refuse Plan 0521-PH5C-5D-5(R)-111
- Housetype Booklet 0521-PH5C-5D-5(R)-HTB Issue 2
- Detailed Planting Proposals 1619 A8 5C 01 Rev.H
- Parking Matrix Issue 10521-PH5C-5D-5(R)

PHASE 8C

- Planning Layout 0521-PH8C-102 Rev.A
- External Works Layout 0521-PH8A-8C-104 Rev.A
- Vehicle Tracking Layout 0521-PH8A-8C-105 Rev.A
- Material Layout 0521-PH8A-8C-108 Rev.A
- Refuse Plan 0521-PH8A-8C-111 Rev.A
- Service Easements 0521-PH8A-8C-115 Rev.A
- House type Booklet 0521-PH8C-HTB Issue 2

TRENCHARD CIRCLE

- Planning Layout 0521-TR-1002 Rev.B
- External Works Layout 0521-TR-1004 Rev.B
- Vehicle Tracking Layout (Sheet 1 of 2) 0521-TR-1005-1 Rev.A
- Vehicle Tracking Layout (Sheet 2 of 2) 0521-TR-1005-2 Rev.A
- Adoption Plan 0521-TR-1007 Rev.A
- Issue 4 Housetype Booklet 0521-TR-HTB

COMPOSITE PLAN and REPORTS

- Application Forms, Notices and Certificates
- Location Plan 0521-PH5D-8C-TR-101
- Arboricultural Statement 11th February 2019. LANDARB Solutions
- Dorchester Living Construction Specification Revision 17
- Extended Phase 1 Habitat and Preliminary Bat Survey Issue 1. 3rd March 2019.- 4 Acre Ecology
- Planning, Heritage and Affordable Housing Statement (incorporating draft S106 Heads of Terms) February 2019 – Pegasus Group
- Planning Statement Addendum July 2019 –Pegasus Group
- Transport Statement Ref: 39304. February 2019 –PBA/Stantec

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.

Facing materials

3. No materials other than those as shown on the approved materials plans are to be used in the new development. There shall be no variation of these materials without the prior written consent of the Local Planning Authority. 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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Planting Maintenance

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code

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

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

Tree Protection

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

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

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

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

Boundary Treatment

6. That all enclosures along all boundaries of the site shall be as shown on the approved plans and such means of enclosure shall be erected prior to the occupation of any dwelling.

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 Policies C28 and C30 of the adopted Cherwell Local Plan.

Electrical Vehicle Charging

7. Any dwelling(s) hereby permitted shall not be occupied until it has been provided with a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling.

Reason – To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

New Estate Roads.

8. Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.

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.

Parking and Manoeuvring Areas Retained.

9. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas 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 and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

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

Cycle Parking Provision.

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

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

Travel Plan

11. Prior to the first occupation of the development hereby approved, a Residential 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 and a Travel Plan Statement setting out how this phase will contribute to the overall site wide Residential Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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

Travel Information pack

12. Prior to first occupation of any dwelling hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

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

Construction Environment Management Plan

13. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site

together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

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

Remediation Strategy

14. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Verification Report

15. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

No Ground Water Infiltration

16. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Until the contaminative status of this parcel of land is established, the surface water drainage plans for this site should not include the use of soakaways. This condition is necessary to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Landscape and Ecology Management Plan

17. Prior to the first occupation 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 C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

Informatives

1. The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively, the developer may wish to

consider adoption of the estate road under Section 38 of the Highways Act.

2. The developer is encouraged to register the development site with Openreach in a timely fashion to ensure the development benefits from superfast (FTTP - Fibre to the Premise) broadband installed during the build. Please be aware you may need to register your site at least nine months before the date that you want Openreach to provide service to the first new property, or if you're installing a lift, at least nine months before the lift commissioning date. This must be at least eight weeks before you actually start on the site construction. Developers building sites of 30+ new premises may qualify to get FTTP superfast broadband installed in their site for free during the build of the development as long as they register in a timely fashion. Please refer to: <https://www.ournetwork.openreach.co.uk/property-developers/site-registration.aspx> for further information and guidance on how to register.

Agenda item 17

19/00487/F 6 Chalker Way, Banbury

No update

Agenda item 18

19/00209/DISC former Admiral Holland site, Woodgreen Ave. Banbury

No update

Agenda item 19

19/00194/DISC The Hill, Dover Ave. Banbury

No update

Agenda Item 21 Appeals progress report

Application 17/02394/OUT – Berry Hill Road, Adderbury is shown as an appeal in progress, but it has been withdrawn.

Written update - APPENDIX

Draft Planning Conditions for 14/01968/F

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. The development shall not be carried out otherwise than in complete accordance with the approved plans: TO BE ADDED and other details contained within TO BE ADDED unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reason : To clarify the permission and for the avoidance of doubt.

3. Prior to the commencement of the development hereby approved, a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved phasing plan.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to understand how the site will be developed and therefore to the acceptability of the scheme.

Conditions requiring compliance prior to the construction of a phase

4. No development of a phase shall take place, including any works of demolition until a Construction Method Statement for that phase has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a) The position of site compounds;
 - b) The parking of vehicles of site operatives and visitors;
 - c) The routeing of HGVs to and from the site;
 - d) Loading and unloading of plant and materials;
 - e) Storage of plant and materials used in constructing the development;
 - f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - g) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - h) Measures to control the emission of dust and dirt during construction;
 - i) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - j) Delivery, demolition and construction working hours;
 - k) The mitigation measures recommended at 5.5.1.1, 7.5.1.1, 8.5.1.1, 9.5.1.1, 11.5.1.3, 11.5.1.5, 11.5.1.8, 11.5.1.11 and 14.5.2.1 of the submitted Environmental Statement (November 2014)

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. No development of a phase shall commence until full details of a scheme for the protection of all retained trees and hedgerows on that phase, in accordance with the recommendations contained within the tree survey report submitted with the application (Report number 5003-UA005241-UE21R-01-Arb-App-3 dated 3rd December 2014) shall be submitted to and approved in writing by the Local Planning Authority. All approved tree protection measures shall be installed prior to the commencement of the development on that phase and shall be retained for the duration of the construction phase.

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 Saved Policy C28 of the adopted Cherwell Local Plan 1996 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

6. Prior to, and within three months of the commencement of a phase of development, the phase shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

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 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. No development of a phase shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
 - a) Risk assessment of potentially damaging construction activities;
 - b) Identification of 'Biodiversity Protection Zones';
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - d) The location and timing of sensitive works to avoid harm to biodiversity features including reptiles and nesting birds;
 - e) The times during construction when specialist ecologists need to be present on site to oversee works;
 - f) Responsible persons and lines of communication;

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs;
- i) The mitigation measures recommended at 6.5.1.7, 6.5.1.8, 6.5.1.10, 6.5.1.11, 6.5.1.17, 6.5.1.20 of the submitted Environmental Statement (November 2014)

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

8. No development of a phase shall take place until a detailed surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage scheme shall be in accordance with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire" and must include but not be limited to:
 - Evidence that priority has been given to providing adequate conveyance and Source control SuDS measures throughout the site, setting parameters to ensure these are delivered in each phase of development through detailed design;
 - Evidence that the proposed flows from the site will be restricted to greenfield run-off rates for all events up to and including events up to and including the 1 in 100 year event + allowance for climate change (Currently 40%);
 - Evidence that the proposed runoff volume will not increase the existing greenfield volume for the corresponding event;
 - Details of how the drainage scheme has been designed to incorporate SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;
 - Infiltration tests in accordance with DG 365;
 - Where high groundwater levels are likely to be present, detailed Groundwater monitoring over a period of at least 6 months which should include the winter months and up to May to ensure the mean groundwater peak level period is included;
 - Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
 - Where the development is affected by the Flood Zones 2 and 3, a detailed evaluation of the existing 1 in 100 and 1 in 1000 year flood levels on the site will be required to ensure all drainage attenuation features will operate during peak flood levels;
 - Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change event to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
 - Details of how the scheme shall be maintained and managed after completion;

- Phasing Plans to ensure key strategic drainage features are delivered before further development begins on site;
- Construction phase surface water management plan including details of how water quality shall be maintained during and after construction; and
- The submission of evidence relating to accepted outfalls from the site, particularly from any third party network owners;

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

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

9. No development of a phase shall take place until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse for that phase, 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 plan.

Reason: To ensure the soil resource is managed on site in accordance with adopted Cherwell Local Plan policy Bicester 1.

10. No development of a phase shall commence until a Site Waste Management Plan, targeting zero waste to landfill for that phase, has been submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Management Plan shall thereafter be implemented in accordance with the approved details.

Reason - to ensure the appropriate management of waste in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework

11. No development of a phase shall commence until a Training and Employment Management Plan setting out how apprenticeship training opportunities are to be provided during the construction of the phase has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved Training and Employment Management Plan.

Reason : In the interests of ensuring appropriate and adequate apprenticeships are made available in accordance with Policy BSC7 of the Cherwell Local Plan 2011-2031, the Council's SPD on Developer Contributions (2018) and Government Guidance within the National Planning Policy Framework.

12. No development of a phase containing road infrastructure shall take place until a scheme to mitigate the impact of the development on farmland birds shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved scheme.

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 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

13. No development of a phase containing road infrastructure shall take place until, details of biodiversity enhancement measures including the location of bird nesting boxes and bat boxes has been submitted to and agreed in writing by the Local Planning Authority. Prior to the construction of the road infrastructure, the biodiversity enhancement measures shall be provided and retained thereafter.

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 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme

14. Notwithstanding the submitted details, no development of a phase containing road infrastructure shall take place until full details of the access vision splays for each junction, including layout and construction has been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the road the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.

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

15. No development of a phase containing road infrastructure shall take place until details of the final surface treatment of any road, cycleway and footway within that phase has been submitted to and approved in writing by the Local Planning Authority. The phase of development shall be carried out in accordance with the details so approved.

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.

16. Notwithstanding the submitted details, no phase of development containing road infrastructure shall take place until revised positions for the bus stops, which shall be Real Time Information enabled and details of the bus stop infrastructure and street furniture as well as details of future maintenance arrangements for the bus stop infrastructure have been submitted to and approved in writing by the Local Planning Authority. The bus stops shall be provided in the approved positions and provided with the approved bus stop infrastructure prior to the first use of the development and shall be maintained in accordance with the approved details thereafter.

Reason – The position of bus stops must be designed into the road infrastructure at the earliest opportunity and in the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

17. Notwithstanding the submitted details, no phase of development containing road infrastructure shall take place until revised details of the junction ellipses within that phase have been submitted to and approved in writing by the Local Planning Authority. The junction ellipses in the phase shall be provided in accordance with the approved details.

Reason - In order to ensure the satisfactory appearance of the completed development that is also in the interests of highway safety and to meet Oxfordshire

County Council's Standards for Adoption and to comply with Government guidance contained within the National Planning Policy Framework.

18. No development of a phase containing road infrastructure shall take place until a scheme for the closure and use of the existing parts of Howes Lane and Bucknell Road that are proposed to be closed through a formal Traffic Regulation Order, has been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the road, the scheme shall be constructed and implemented in accordance with the approved details.

Reason – In order to secure the proper planning of the area and the comprehensive development of adjoining land and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. No development of a phase containing road infrastructure shall take place until full details of the design of the ponds in that phase has been submitted to and approved in writing by the Local Planning Authority. The design of the ponds shall be implemented in accordance with the approved details.

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

20. Prior to any demolition on the site, the commencement of any development that contains road infrastructure 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.

21. Prior to any demolition on the site, the commencement of any development that contains road infrastructure hereby approved and following the approval of the first stage Written Scheme of Investigation referred to in condition 20, 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.

22. No development of a phase containing road infrastructure shall take place until details of existing and proposed levels for the road infrastructure within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure high quality design and sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

23. Notwithstanding the submitted details, no development of a phase containing road infrastructure shall commence until full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees within that phase, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and specifications.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

24. No development of a phase containing road infrastructure shall commence until a landscaping scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the phase shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
- (b) details of the proposed location of translocated hedgerows

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

25. No development of a phase containing road infrastructure shall take place until full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, including details of any required engineering solution methods for development within the Root Protection Area of any tree/ hedgerow within that phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

26. No development of a phase containing road infrastructure shall take place until full details of the road bridge over the watercourse including details of safe crossings for large mammals and details demonstrating damage to the watercourse banks will be minimised have been submitted to and approved in writing by the Local Planning

Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason – In the interests of visual amenity and to mitigate the impacts of the development upon ecology and to comply with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Conditions requiring compliance prior to the opening of the road infrastructure

27. Prior to the first use of the road infrastructure hereby approved, a Landscape and Ecology Management Plan (LEMP) covering areas to be offered for adoption until such time that the land is adopted and land outside of the adoptable area 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.

Conditions requiring compliance following the opening of the road infrastructure

28. Within 4 months from the first use of the road infrastructure hereby approved, a post construction noise survey shall be carried out to assess whether there are any adverse effects from the road once in operation on any existing residential dwelling that would exceed the levels set out in BS8233:2014, which shall be submitted to and approved in writing by the Local Planning Authority. Should any adverse effects be identified, a scheme for the remediation of any such impacts shall be identified within the report and shall be approved in writing by the Local Planning Authority. The identified remediation shall be carried out within 3 months from the written approval of the remediation scheme.

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.

Compliance only conditions relating to all phases of development

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy has been submitted to the local planning authority for its written approval. The remediation strategy shall include details how this unsuspected contamination shall be dealt with. The remediation strategy shall thereafter be implemented as approved.

Reasons: To ensure that any unexpected contamination encountered is dealt with, such that it does not pose an unacceptable risk to ground or surface water quality as required by PPS1 Policy ET17 and the NPPF.

30. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the final surface course of the road/ footways being completed. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development

die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Saved Policy C28 of the adopted Cherwell Local Plan 1996 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

31. All phases of the development shall be constructed to meet a minimum of CEEQUAL Standard 'Very Good'.

Reason – To ensure the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns.

Planning notes

1. Before granting this planning permission the Council has taken into account the environmental information relating to the development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
2. The applicant is advised that at the time that reserved matters applications are submitted for development surrounding the road hereby approved, it is considered likely that further informal crossing points will be required along the route to aid pedestrian and cycle movements. It is expected that at that time and once it can be established where such crossing points may be required, that these will be provided in accordance with details to be approved through those future reserved matters applications.
3. No materials, plant, temporary structures or excavations of any kind, should be deposited / undertaken on or adjacent to the Public Right of Way/ Bridleway (Route Codes 129/9 and 148/4) which crosses the site, other than the development directly affecting the Public Right of Way/ Bridleway set out in the plans accompanying the application, that may obstruct or dissuade the public from using the public right of way whilst development takes place.