

**Case Officer:** Sarah Greenall

**Applicant:** Henaud Developments

**Proposal:** Demolition of existing dwellinghouse, garage and outbuilding. Erection of 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking, and alterations to access and landscaping. (Resubmission of 21/03017/F)

**Ward:** Kidlington West

**Councillors:** Cllr Conway, Cllr Tyson and Cllr Walker

**Reason for Referral:** Called in by Councillor Billington for the following reasons: (1) The development would represent an overdevelopment of the plot; (2) Significant public interest.

**Expiry Date:** 19 April 2022

**Committee Date:** 19 May 2022

---

## **SUMMARY OF RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is located on the north side of The Moors within the built-up area of Kidlington and contains a detached bungalow externally faced in brick and situated on a generous plot. The existing dwelling benefits from a rear conservatory and a detached single garage to the eastern boundary of the plot with a further outbuilding being located to the rear of the dwelling adjacent to its western boundary. The dwelling benefits from two accesses onto the highway and front of the plot is laid to hardstanding sufficient for the parking of several vehicles. There is open land to the rear of the site, with a two-storey brick dwelling to the east and a bungalow to the west. There is a telegraph pole situated on highway land to the front of the site which would need to be repositioned at the applicant's expense to facilitate the proposed access.
- 1.2. The Moors is characterised by detached dwellings in a range of scales and architectural styles situated on generous plots. The application site forms a point of change in the street scene with larger two storey dwellings being common place to the west of the site and bungalows being the dominant form of development to the east; the established building line shifts further into the plots to the west with the existing dwelling being positioned in the mid-point of this change.

### **2. CONSTRAINTS**

- 2.1. The application site is within Flood Zone 1, the area of least flood risk; however, there is a drainage ditch to the rear of the site that has been known to result in localised drainage issues. The site is not within a conservation area and does not contain or impact on the setting of any listed buildings. There are no protected species or trees identified on the site however there is an oak tree subject to a Tree Protection Order within the curtilage of the adjacent dwelling, no. 94 the Moors.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application proposes the demolition of the existing detached bungalow and the erection of two 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking, and alterations to access and landscaping.
- 3.2. Both dwellings would have two parking spaces to the front and access to the rear along the side boundaries. The vehicular accesses to each dwelling would be separated by landscaping and bin stores provided behind hedging. Air source heat pumps would also be installed to the rear of the dwellings.
- 3.3. The dwellings themselves would be in a similar position to the existing bungalow set back from the road in line with the surrounding neighbouring properties. They would be detached and feature a gable end design fronting onto the road and would be finished with a tiled roof, facing brick and render walls and reconstituted stone cills and lintels.

### **4. RELEVANT PLANNING HISTORY**

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

21/03017/F: Demolition of existing dwellinghouse, garage and outbuilding. Erection of 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking, and alterations to access and landscaping. *Application withdrawn.*

- 4.2. The application was withdrawn following Officers raising concern that the development would have a detrimental impact on the character and appearance of the street scene, and that the development would result in oppressive relationship with the neighbouring properties at 92 and 96 The Moors.

### **5. PRE-APPLICATION DISCUSSIONS**

- 5.1. The following pre-application discussions have taken place with regards to this proposal:

21/04279/PREAPP: Demolition of existing dwellinghouse, garage and outbuilding. Erection of 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking and alterations to access and landscaping.

- 5.2. The proposed dwellings were reduced in height and redesigned to create a gable end facing onto the road to allow the eaves on the boundaries of the neighbours to be lowered further. The principle of the development was previously considered acceptable and the amendments were considered to allow the design to be generally acceptable; however, it was advised that the height of number 94 should be reduced to allow for a more suitable relationship with the adjacent bungalow. The impact on neighbour amenity was likely to be considered acceptable and it was highlighted that providing there were no objections from the Local Highway Authority and the telegraph pole would be relocated at the applicant's expense, it was likely the scheme could be considered acceptable in highways safety terms.

### **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by way of a site notice displayed near the site, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was

**16 April 2022.** There were 6 objections, no submissions of support and no comments received.

- 6.2. The comments raised by third parties are summarised as follows:
- Objections due to concerns about parking provision in the area.
  - Scale of the proposed dwellings would be out of keeping with the surrounding dwellings.
  - Concerns about protected species on the site.
  - Two dwellings would cause strain on sewage.
  - Would constitute overdevelopment of the plot.
  - Impact on light and privacy to neighbouring property.
- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## **7. RESPONSE TO CONSULTATION**

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

### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. KIDLINGTON PARISH COUNCIL: **Objects** on the grounds of impact on the character of the area; adding to parking problems in the area; lack of ecology statement.

### CONSULTEES

- 7.3. OCC HIGHWAYS: **No objections** but highlights the need for the applicant to relocate the existing telegraph pole at their own expense.
- 7.4. CDC ARBORICULTURE: **No comments** received at the time of writing this report.
- 7.5. CDC BUILDING CONTROL: **Comments** that a building regulations application will be required and notification of intended demolition will need to be made.
- 7.6. CDC LAND DRAINAGE: No objections to principle of the development; however, notes that the ditch at the northern boundary should be retained.

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council in 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1: Presumption in Favour of Sustainable Development

- Villages 1: Village Categorisation
- BSC1: District Wide Housing Distribution
- BSC2: The effective and efficient use of land - brownfield Land and Housing Density
- BSC4: Housing Mix
- SLE4: Improved Transport and Connections
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems
- ESD10: Protection and Enhancement and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

#### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (SPD) 2018
- Kidlington Framework Masterplan 2016
- Conservation of Habitats and Species Regulations 2017

### **9. APPRAISAL**

#### 9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety
- Land drainage
- Ecology

#### Principle of Development

- 9.2. The principle of residential development in Kidlington is assessed against Policy Villages 1 in the CLP 2015, with Kidlington being recognised as a Category A village, one of the most sustainable settlements in the District's rural areas and having physical characteristics and a range of services to enable it to accommodate some limited extra housing growth. Within Category A villages, residential development will be restricted to the conversion of non-residential buildings, infilling and minor development comprising small groups of dwellings on sites within the built-up area of the settlement.
- 9.3. The application site is located in an established residential area within Kidlington and contains a detached single storey dwelling situated on a generous plot. The application seeks planning permission for the demolition of the dwelling and its replacement with 2no 5-bedroom dwellings.
- 9.4. In determining the acceptability of the principle of new dwellings regard is paid to Government guidance contained within the NPPF. This explains that the purpose of

the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

9.5. Paragraph 10 of the NPPF states that, so sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that applying the presumption to decision-making means:

- approving development proposals that accord with up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes, for applications involving the provision of housing, situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites), granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
  - ii. or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

9.6. The position in which the most important policies are considered to be out-of-date because of the absence of a five-year housing land supply is often referred to as the 'tilted balance'. Cherwell's position on five-year housing land supply has recently been reviewed by officers and confirmed by executive on 10 January 2022 for the 2021 Annual Monitoring Report (AMR). Despite a strong record of delivery since 2015, the AMR presents a 3.5 year supply position for 2022-2027. This compares to the 4.7 years housing land supply for the period 2021-2026 reported in the 2020 AMR. According to the AMR, an additional 1,864 homes would need to be shown to be deliverable within the current 2021-2026 five-year period to achieve a five year supply as required by the NPPF.

9.7. However, paragraph 12 of the NPPF advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. In February 2021, the primacy of development plans in the planning system was reaffirmed by a Court of Appeal ruling on two appeals by land promoter Gladman, which emphasised that, where a council lacks the required five-year housing land supply, this may tilt the balance in favour of proposed residential schemes but it does not render grants of planning permission automatic.

9.8. The provision of additional housing within an existing residential area located in a sustainable Category A village weighs in favour of this proposal which has the potential of increasing the District's housing supply and therefore helps to address the current shortfall, albeit one providing one additional dwelling in this instance. However, any development proposal would need to be assessed against the other policies of the Development Plan.

9.9. The proposed development can therefore be considered acceptable in principle, with overall acceptability subject to compliance with the relevant Development Plan policies and the NPPF.

## Design, and impact on the character of the area

### *Policy Context*

- 9.8. Guidance contained within paragraph 126 of the NPPF covering good design states that *good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.*
- 9.9. Saved Policy C28 of the CLP 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.10. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and ensuring a high-quality design.
- 9.11. Paragraph 130 of the NPPF states that planning decisions should ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
  - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.*
  - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*
- 9.12 Section 6.4 of the Cherwell Residential Design Guide (SPD) 2018 relates to Scale. It advises the building scale should respond to local context and proposed character. As a principle for scale, it states “*Taller buildings may be appropriate in town centre locations, but individual buildings should be designed to fit comfortably with the general urban form*”.

### *Assessment*

- 9.13. In terms of the design of the buildings, concerns were raised with the original proposed (ref: 21/03017/F) in terms of their bulk, height and depth of the proposed dwellings and their relationship with the adjacent bungalow. Amended plans were submitted as part of the pre-application enquiry, that saw the buildings feature a gabled design to the front to allow for the pitched roof to slope towards the boundaries of the neighbours. The overall height of the buildings was also reduced by approximately 0.2 metres with the eaves of the dwelling closest to 92 The Moors reduced by approximately 0.6 metres.
- 9.14. The plans submitted with this application have, however, been further amended to reduce the height of the dwelling closest to number 92 The Moors. It is noted that the street scene is characterised by a variety of property types and it is not unusual for a two-storey building to be positioned next to a bungalow. Reducing the height of the dwelling closest to the bungalow to a similar height to the two-storey building seen at number 96 The Moors allows it to be read more as a two-storey dwelling incorporating additional rooms in the roof space rather than a three-storey dwelling, and which is considered more in keeping with the character of the surrounding area.

- 9.15. The gable fronting design is considered acceptable given that there is a diverse streetscene with a number of other properties also featuring a gable end on the front elevation. The houses are set back from the road a similar amount to the adjacent properties and would feature some greenery to the front to soften the large area of hardstanding that would incorporate the parking spaces. The materials proposed to be used include concrete roof tiles, facing brick and render with reconstructed stone cill and lintels which given the large variety of materials seen within the area already is also considered to be acceptable.
- 9.19 It is considered that the design of the development would be in keeping with the surrounding streetscene and would not result in harm to the visual amenities of the area, thus complying with Saved Policies C28 and C30 of the CLP 1996 and Policy ESD15 of the CLP 2015.

### Residential Amenity

#### *Legislative and policy context*

- 9.20. Saved Policy C30 of the CLP 1996 requires that a development must provide standards of amenity and privacy acceptable to the Local Planning Authority. Policy ESD15 of the CLP 2015 highlights, amongst other things, that new development should *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.*
- 9.21. The Cherwell Residential Design Guide (2017) states that a minimum distance of 22m back to back, between properties must be maintained and a minimum of 14m distance is required from rear elevation to two storey side gable. First floor habitable room windows must not be within 7m of neighbouring property.

#### *Assessment*

- 9.22. In objecting to the original application (ref: 21/03017/F) officers had concerns over the impact on the amenity of adjacent neighbours at numbers 92 and 96 The Moors. The proposed site plan does, however, show that the 45 degree lines of habitable room windows on number 96 would not be intervened by any of the two storey elements of 94A. The rear of the two-storey section of the proposed dwelling at 94A would also only slightly extend past the existing garage on number 96. While the single storey element of the proposal would slightly intervene the 45 degree angle from the rear window of number 96, the existing outbuilding on the site already intervenes this line and it is not considered that the single storey element would result in any additional impacts in this regard. The first-floor window on the side elevation would be obscurely glazed serving a bathroom, and therefore the impact on light, outlook and privacy of number 96 is considered to be acceptable.
- 9.23. The relationship with the number 92 is different given that the neighbouring property is a bungalow, and the proposed two storey building could be overbearing. The front elevation of number 92 does, however, sit further forward and is unlikely to be impacted by the development. The 45-degree angle taken from the rear elevation, which is an extension to number 92 with large openings and a glazed gable, would not be intervened by the proposed development. Further to this, the two-storey element of proposed number 94 would not extend past the rear elevation of number 92 and appears to have a garage structure in between.
- 9.24. The relationship with the western side elevation of number 92 has been addressed. Amendments to the proposals have reduced the height of the building and allowed the roof pitch to slope away from the neighbour to further help mitigate impacts in terms of loss of light. The extension appears to have relocated the kitchen diner to the rear of the property, however it is not clear what the original kitchen is now used

for. While this is the case, the outdoor area to the west of the property at number 92 benefits from a car port area with a plastic roof that extends all the way to the boundary. On site the roof looked to be particularly weathered and not visible to see through. Further, the western side elevation of number 92 is also located approximately 5 metres from the proposed development with a boundary fence and the roof of the carport in between. Given this, and considering the amendments made to the scheme to reduce the height and slope the roof away from the boundary, on balance it is unlikely that the impact on light or outlook to windows on the western elevation of this neighbour would be so significant to warrant a reason for refusal on this occasion.

- 9.25. There are no neighbours to the rear of the site that would be impacted by the proposed development.
- 9.26. The proposals are therefore considered to be acceptable in terms of residential amenity, thus compliant with Saved Policy C30 of the CLP 1996, Policy ESD15 of the CLP 2015 and Government guidance contained within the NPPF.

### Highway Safety

#### *Legislative and policy context*

- 9.10. Policy ESD15 of the CLP 2015 states, amongst other matters, that new development proposals should: be designed to deliver high quality safe places to live and work in.
- 9.11. Paragraph 108 of the NPPF states that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
  - b) safe and suitable access to the site can be achieved for all users; and*
  - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
- 9.12. In addition, paragraph 109 highlights that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

#### *Assessment*

- 9.13. Several concerns have been raised with regards to the parking provision proposed at the site, and the potential impact on highway safety. Two parking spaces are to be provided per property which is the maximum parking standards for urban areas within Cherwell. Further to this, the Local Highway Authority has raised no objections to the proposals and an informative note is recommended to make the applicant is aware that the telegraph pole would need to be moved at their expense.
- 9.14. The site is in a highly sustainable location, with frequent bus services within close proximity to the site along The Moors. Further to this, there are a number of nearby amenities close to the site, and there are good levels of cycling infrastructure nearby. The applicant has also indicated that cycle parking provision can be provided within the curtilage of each dwelling, which would further promote the use of sustainable forms of travel and can be secured by an appropriately worded condition.
- 9.15. Given the above, it is therefore considered the proposals comply with Policy ESD15 of the CLP 2015 and Government guidance contained within the NPPF and would therefore be acceptable in highway safety terms.



## Land Drainage

### *Policy Context*

- 9.16. The NPPF states at paragraph 163 that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.
- 9.17. Policies ESD 6 and ESD 7 of the CLP 2015 together resist new development where it would increase flood risk or be unduly vulnerable to flooding. They also seek to ensure that the proposals incorporate sustainable drainage systems in order to prevent increased risk of flooding.

### *Assessment*

- 9.18. The site lies within Flood Zone 1 the area at lowest risk of flooding, and therefore a Flood Risk Assessment was not required in support of the application. The applicants Design and Access statement acknowledges that a SuDS compliant drainage scheme will be required to serve the proposal however, it is considered that this could be secured by way of a suitably worded condition attached to any permission granted.
- 9.19. There is a drainage ditch located to the rear of the site and the Council's Land Drainage Officer has stated that while they have no objections in principle, the site is in a location where there is a risk of surface water flooding. This occurs where surface water can pond in low-lying areas due to not being able to flow freely away, and that soakaways as a means of surface water disposal will only be acceptable subject to satisfactory BRE 365 soakage tests, and the drainage ditch must not be adversely affected.
- 9.20. Having regard to the above, and considering the depth of the site and the fact that the site currently contains a dwelling, which benefits from permitted development rights, notwithstanding the fact that BRE 365 soakage testing would be required to inform the design of any proposed soakaways it is considered that this could be secured by way of a suitably worded condition and therefore the proposed development is considered acceptable in drainage terms and in accord with Policies: ESD6 and ESD7 of the CLP 2015.

## Ecology Impact

### *Legislative and policy context*

- 9.21. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.22. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.23. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.

9.24. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities (LPAs) should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

#### *Assessment*

9.25. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:

- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

It also states that LPAs can also ask for:

- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
- an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')

9.26. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and any species present are unlikely to be adversely affected by the proposed development. As such no formal survey is required and in the absence of which this does not result in a reason to withhold permission. An informative note reminding the applicant of their duty to protected species would instead be included on the decision notice should the application be approved and is considered sufficient to address the risk of any residual harm.

9.27. Given the Policy ESD10 of the CLP 2015 highlights that development proposals are expected to incorporate features to encourage biodiversity, a condition requiring a method statement for enhancing biodiversity on the site to secure this would be required.

## **10. PLANNING BALANCE AND CONCLUSION**

10.1. For the reasons set out in this report the proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

## **11. RECOMMENDATION**

**RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW**

### CONDITIONS

#### **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 conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents:
  - 21005-P01 - Site Location Plan
  - 21005-P05 - Proposed Site Plan
  - 21005-P06 - Floor Plans & Street Elevations
  - 21005-P07 - Elevations
  - Tree Survey Report, Impact Appraisal and Tree Protection Details dated August 2021
  - Planning Design and Access Statement dated February 2022

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

3. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. 21005-P05 Site Plan) demarcated and constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason: In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the first occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the first occupation of the development, the bin storage shall be provided on site in accordance with the approved drawing No. 21005-P05 Site Plan and shall be retained as such thereafter.

Reason: To encourage sustainable modes of transport, to ensure the satisfactory appearance of the completed development and to comply with Policies ESD1 and ESD 15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the first occupation of the development hereby approved full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Such approved means of enclosure shall be erected prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area and the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the first occupation of the dwellings hereby permitted, the electric vehicle charging infrastructure shall be provided on site in accordance with the approved plan Drawing No. 21005-P05 Site Plan, and shall be retained as such thereafter.

Reason: To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the 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.

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A to E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted or any building or structure erected or placed within the curtilage of the dwelling(s) hereby permitted without the grant of further specific planning permission from the Local Planning Authority.

Reason: In order to safeguard the character and appearance of the area in accordance 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.

9. All impermeable areas of the proposed development, including roofs, driveways, and patio areas shall be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations. The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. The ditch located at the northern boundary of the site shall be retained and maintained as existing.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National

## Planning Policy Framework.

11. A method statement for enhancing biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To provide a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby permitted, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

## INFORMATIVES

1. Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact – 08453101111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action).

Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered, you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 390