

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 16 January 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chairman)
Councillor Amanda Watkins (Vice-Chairman)
Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Dr Isabel Creed
Councillor David Hingley
Councillor Fiona Mawson
Councillor Lesley McLean
Councillor Rob Parkinson
Councillor David Rogers
Councillor Les Sibley
Councillor Dr Kerrie Thornhill

Substitute Members:

Councillor Dr Chukwudi Okeke (In place of Councillor Becky Clarke MBE)
Councillor Douglas Webb (In place of Councillor Ian Harwood)

Apologies for absence:

Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor Grace Conway-Murray
Councillor Ian Harwood

Officers:

Paul Seckington, Head of Development Management
Carlos Chikwamba, Principal Planning Officer
Katherine Daniels, Principal Planning Officer
Rebekah Morgan, Principal Planning Officer
Lewis Knox, Senior Planning Officer
Hansah Iqbal, Planning Officer
Karen Jordan, Deputy Principal Solicitor
Martyn Surfleet, Democratic and Elections Officer
Matt Swinford, Democratic and Elections Officer

Declarations of Interest

8. Land Opposite Hanwell Fields Recreation Adjacent to Dukes Meadow Drive, Banbury

Councillor Kerry Thornhill, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Rebecca Biegel, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Dr Isabel Creed, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Chukwudi Okeke, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

10. Playground, Morton Close, Kidlington

Councillor Fiona Mawson, Other Registerable Interest, as a member of Kidlington Parish Council which had been consulted on the application.

Councillor Lesley McLean, Other Registerable Interest, as a member of Kidlington Parish Council which had been consulted on the application.

11. Bicester Gateway Business Park, Wendlebury Road, Chesterton

Councillor Les Sibley, Other Registerable Interest, as a member of Bicester Town Council which had been consulted on the application.

12. Cherwell District Council, Lock 29, Castle Quay, Banbury, OX16 5UN

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

13. Proposed Sports Pavilion and Sport Field, Whitelands Way, Bicester

Councillor Les Sibley, Other Registerable Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

92 **Requests to Address the Meeting**

The Chairman advised that requests to address the meeting would be dealt with at each item.

93 **Minutes**

The Minutes of the meeting held on 5 December 2024 were agreed as a correct record and signed by the Chairman.

94 **Chairman's Announcements**

The Chairman made the following announcement:

1. The Head of Development Management requested that item 14 - TPO 21/2024 be withdrawn from the agenda to facilitate further consideration and clarification of the trees to be protected and update/correct the plans where required. The item was therefore withdrawn from the agenda and would be scheduled to come back to the next planning committee meeting.

95 **Urgent Business**

There were no items of urgent business.

96 **Proposed Pre-Committee Site Visits (if any)**

There were no proposed pre-committee site visits.

Land Opposite Hanwell Fields Recreation Adjacent to Dukes Meadow Drive, Banbury

The Committee considered application 24/02514/OUT, an Outline planning application for up to 114 dwellings and associated open space with all matters reserved other than access - re-submission of 23/03366/OUT at Land Opposite Hanwell Fields Recreation Adjacent to Dukes Meadow Drive, Banbury, for Mr & Mrs Donger & Manor Oak Homes.

Geoff Armstrong, Agent, addressed the meeting in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, and the addresses of the public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission subject to:

- i. The conditions set out below (and any amendments to those Conditions as deemed necessary) and
- ii. 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 following (and any amendments as deemed necessary):
 - a) Highway Works (1) - £232,239 (index linked)
 - b) Transport Infrastructure Contribution - £18,712 (indexed linked)
 - c) Travel Plan Monitoring - £9,220 (index linked)
 - d) Payment of the District Council and County Council monitoring costs – (TBC)
 - e) That the developer commits to enter into.

CONDITIONS AND REASONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1 Quantum of Development

The development hereby permitted shall comprise a maximum floorspace of 11, 929 sqm and shall be used only for purposes falling within Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), of which no more than 50% (5, 964.5 sqm) shall be utilised for purposes falling within Class E(g)(i) (including ancillary uses) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to retain planning control over the use of the site.

2 Statutory Time Limit

The development hereby permitted shall be begun before the expiration of three years from 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.

3 Compliance with plans

The development shall not be carried out otherwise than in complete accordance with the approved plans:

- Site Location Plan, ref; 23022-TP-001, dated 11 April 2024
- Proposed Site Plan, ref; 23022-TP-002C, dated 13 November 2024
- Proposed Site Finishes Plan, ref: 23022-TP-002C, dated 13 November 2024
- Proposed Ground and First Floor Plan – Unit 13, ref; 23022-TP-004, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 13, ref; 23022-TP-005, dated 11 April 2024
- Proposed Elevation – Unit 13, ref; 23022-TP-007, dated 11 April 2024
- Proposed Section – Unit 13, ref; 23022-TP-006, dated 11 April 2024
- Proposed Ground and First Floor Plan – Unit 14, ref; 23022-TP-008, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 14, ref; 23022-TP-009, dated 29 January 2024
- Proposed Elevation – Unit 14, ref; 23022-TP-011, dated 11 April 2024
- Proposed Section – Unit 14, ref; 23022-TP-010, dated 11 April 2024
- Proposed Ground and First Floor Plan – Unit 15, ref; 23022-TP-012, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 15, ref; 23022-TP-013, dated 11 April 2024
- Proposed Elevation – Unit 15, ref; 23022-TP-015, dated 11 April 2024
- Proposed Section – Unit 15, ref; 23022-TP-014, dated 11 April 2024
- Cycle Shelter Details, ref; 23022-TP-016, dated 12 April 2024
- Refuse Enclosure Details, ref; 23022-TP-017, dated 12 April 2024
- Entrance Canopy Details, ref; 23022-TP-018, dated 12 April 2024
- Fencing and Barrier Protection Details, ref; 23022-TP-019, dated 12 April 2024
- External Finishes Sample Board, ref; 23022-TP-019, dated 12 April 2024
- Detailed Soft Landscaping Proposals Sheet 1-6, ref; LB467_D01F, dated 7 November 2024.
- HGV Tracking Charles Shouler Way, ref; 26019-04-TRK-C, dated 8 October 2024
- Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes - Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3) dated 15 October 2024
- Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024
- Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024
- Typical Drainage Details, ref; S1502-04B, dated 9 May 2024
- FW Drainage Layout, ref; S1502-03E, dated 14 October 2024
- SW Drainage Layout, ref; S1502-02E, dated 14 October 2024
- External Works and Levels, ref; S1502-01H, dated 11 October 2024.
- Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024
- Existing Habitat Features Plan, ref; 16582/P01, dated December 2024
- Proposed Habitat Features Plan, ref; 16582/P02, dated December 2024
- Energy Statement by ESC, dated 9th May 2022.
- Catalyst Phase 4 / Bicester Gateway BREEAM Pre-Assessment Cover Letter, ref;

503766, dated 7 March 2024

- Catalyst Phase 4 / Bicester Gateway BREEAM Assessment Tracker by Scott White and Hookins, dated 4 March 2024.

-Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording by Cotswold Archaeology, ref; CA Project MK1025, dated May 2024

-Arboricultural Impact Assessment by Tyler Grange, ref; 16562-R10a, dated 6 November 2024

- Highways Technical Note Addendum by DTA Transport Planning Consultants, ref; SKP/26019-05, dated 12 September 2024.

-Landscape Management Plan (awaiting receipt of amendment)

-Detailed Soft Landscaping Specifications (awaiting receipt of amendment)

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

4 Prohibition of Outside Storage

No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities 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.

5 Flood Risk

The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3) dated 15 October 2024, Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024, Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024, Typical Drainage Details, ref; S1502-04B, dated 9 May 2024, FW Drainage Layout, ref; S1502-03E, dated 14 October 2024, SW Drainage Layout, ref; S1502-02E, dated 14 October 2024 and External Works and Levels, ref; S1502-01H, dated 11 October 2024.

The development shall thereafter be implemented in accordance with the approved surface and foul water drainage scheme (including flood mitigation measures) and shall not be occupied until the approved surface and foul water drainage scheme has been full laid out and completed.

Reason - In accordance with paragraph 170 of the National Planning Policy Framework

to reduce the risk of flooding on-site and elsewhere in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

6 SuDS

Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reasons: To ensure that the principles of sustainable drainage are incorporated into this proposal.

7 Landscape Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development (whichever is the sooner) and shall be maintained for a period of 5/10 years from the completion of the development. Any trees and/or shrubs which within a period of five/ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with 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.

8 Landscape Management Plan

Wording TBC as waiting for amended document.

9 Land Contamination not Previously Identified

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

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

10 Archaeology

Prior to any demolition on the site and the commencement of the development (other than in accordance with the submitted document Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording CA Project MK1025 Cotswold Archaeology 2024), a programme of archaeological mitigation shall be carried out by the commissioned archaeological

organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

PRE COMMENCEMENT CONDITIONS

11 Construction Management Plan (CMP)

No development shall take place, including any works of demolition until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall be appropriately titled (site and planning permission number) and as shall provide for at a minimum; Routing of construction traffic and delivery vehicles including means of access into the site;

- Details of and approval of any road closures needed during construction;
- Details of and approval of any traffic management needed during construction;
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway;
- Measures to control the emission of dust and dirt during construction;
- Measures to mitigate noise pollution arising from construction of development;
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions;
- The erection and maintenance of security hoarding / scaffolding if required;
- A regime to inspect and maintain all signing, barriers etc;
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided;
- Details of the loading and unloading of plant and materials and the use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc;
- Details of arrangements for site related vehicles (worker transport etc);
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc;
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted;
- Any temporary access arrangements;
- Delivery, demolition and construction working hours (which must be outside network peak hours);
- Storage of plant and materials used in constructing the development;
- scheme for recycling/ disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the

construction period for the development.

Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with 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.

12 Construction Environmental Management Plan (CEMP) for Biodiversity

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) based on the measures outlined in the Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024 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;
- 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

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.

13 Arboricultural Method Statement (AMS)

No development shall take place until an Arboricultural Method Statement (AMS) (which includes tree protection measures), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing built environment and to comply with Policy C28 of the adopted 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.

14 Materials

No development of the building and associated structures above slab level shall take place until samples including sample panels of the materials to be used in the construction of the external surfaces has been submitted and approved in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved samples, which shall not be removed from site until the completion of the development.

Reason – To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011–2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

15 Biodiversity Enhancement Management Plan (BEMP) (pre-com)

Wording TCB by Ecology.

16 Habitat Management and Maintenance Plan (pre-com)

Wording TBC by Ecology.

17 Air Quality

Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include damage cost calculations where applicable along with detailed mitigation measures proposed by the developer, in order to address any adverse impacts on local air quality. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Awaiting comments for Environment Protection on acceptability of AQA before finalising the condition to either a pre-commencement or compliance condition.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

18 Framework Travel Plan

Prior to the first occupation of the development hereby approved, a Framework Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

19 Travel Plans

Prior to the first occupation of the development hereby approved, individual Travel Plans for the three units, prepared in accordance with the Department of Transport's

Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and reflecting the measures set out in the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

20 Thames Water

No development shall be occupied until confirmation has been provided that all water network upgrades required to accommodate the additional demand to serve the development have been completed.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

21 Water Use

Prior to the first occupation of each unit, details of the measures to be installed in that unit to minimise water consumption shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.

Reason - In the interests of sustainability in accordance with the requirements of Policy

ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

22 Boundary enclosures

Prior to the occupation of any unit, 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 any unit.

Reason: To ensure the satisfactory appearance of the completed development to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

23 Lighting strategy

Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, 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 document.

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 the National Planning Policy Framework.

24 Energy Measures

Prior to the construction of any building above slab level, details of the materials, specifications, location of the measures outlined in the submitted Energy Statement by ESC, dated 9th May 2022, to increase energy efficiency and thermal performance and reduce carbon emissions including the provision of renewable energy measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of materials, specifications and measures and the provision of renewable energy measures shall be installed prior to the first occupation of the building.

Reason: To encourage the use of renewable and low carbon energy in accordance with

Policy ESD1-5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance

contained within the National Planning Policy Framework.

25 Electric Vehicle Charging

No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve the development has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provided in accordance with the approved details prior to the first occupation of the dwelling it serves.

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 in accordance with Government guidance contained within the National Planning Policy Framework.

26 Scheme of Public Art

Wording to TBC.

98 **Dewey Sports Centre, Barley Close, Bloxham, OX15 4NJ**

The Committee considered application 24/01906/F, for front and rear extensions and alterations to the Dewey sports centre, installation of 12no sports lighting columns, 5no netball/tennis courts, 1no artificial cricket wicket, 1no replacement long jump pit, 1no storage container, improvements to existing access and car parking, provision of additional car parking, associated drainage, renewable energy and sustainability measures, hard and soft landscaping and biodiversity enhancements at Dewey Sports Centre Barley Close Bloxham OX15 4NJ, for Bloxham School

Councillor Robert Pattenden addressed the Committee as Local Ward Member.

David Bunn, Chairman of Bloxham Parish Council, addressed the meeting in objection to the application.

Matt Bull on behalf of the applicant, addressed the meeting in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the addresses of the public speakers and the written updates.

It was proposed by Councillor Hingley and seconded by Councillor Parkinson that application 23/03290/F be refused, contrary to the officer recommendation.

On being put to the vote, the proposal was lost, and the motion subsequently fell.

In line to the officer recommendation, it was proposed by Councillor Creed and seconded by Councillor Biegel that application 24/01906/F be approved.

On being put to the vote, the proposal was won, and the motion was subsequently upheld.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission subject to:

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 form and following approved plans:

- Proposed Site Masterplan (Summer) 2104_0041_P05
- Proposed Site Masterplan (Winter) 2104_0040_P18
- Proposed Site Plan Sheet 1 of 2 2104_0045_P15
- Proposed Site Plan Sheet 2 of 2 2104_0050_P21
- Proposed Sections 2104_0065_P03
- Proposed Elevations 2104_0060_P05
- Proposed Ground Floor Plan 2104_0055_P09
- Proposed First Floor Plan 2104_0056_P08
- Proposed Detailed Site and Roof Plan 2104_0051_P21
- Landscape Mitigation and Enhancement (Sports Centre) (1 of 2) 1205 806 F
- Landscape Mitigation and Enhancement (Sports Pitches) (2 of 2) 1205 807 F
- Column Specification HL250S12 Rev A
- Lighthouse Specification

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 commence including any demolition unless and until a

professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area, and which has been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the National Planning Policy Framework.

4. Following the approval of the Written Scheme of Investigation referred to in condition 3, and prior to the commencement of the development including any demolition (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the fieldwork being completed.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the National Planning Policy Framework.

5. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with an approved Biodiversity Gain Plan and including:
 - (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy ESD10 of the Cherwell Local Plan 2011-2031.

6. The development hereby permitted shall be carried out in accordance with the

recommendations set out in the Ecological Assessment of Bloxham School by Ecology Solutions dated May 2024 unless otherwise agreed in writing by the local planning authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and government guidance contained within the National Planning Policy Framework.

7. Prior to the construction of each phase (floodlights, Dewey Sports Centre Extension, car park extension and additional courts) no development of the relevant phase shall take place until the existing tree(s) to be retained as shown on approved plan Tree Protection Plan have been protected in accordance with the Arboricultural Impact Assessment by Tree Frontiers dated 31st May 2024. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until the development is completed. Nothing shall be stored or placed within the areas protected by the barriers.

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, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

8. The development shall not be carried out other than in accordance with the Flood Risk Assessment prepared by Cole Easdon dated September 2024 unless otherwise previously approved in writing by the local planning authority.

Reason: To protect the development and its occupants from the increased risk of flooding in accordance with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

9. No development shall commence above slab level unless and until a schedule of materials and finishes to be used in the external walls and roofs of the extension has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: 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.

10. No development of any relevant phase (Floodlighting, dewey sports centre extension, car park extension and additional courts) shall commence above slab level unless and until a scheme for landscaping the relevant phase of the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated

with plant and grass establishment i.e. depth of topsoil, mulch, etc.),

- details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,
- details of the enclosures along the boundaries of the site.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included in the approved details of landscaping shall be carried out 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, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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 next planting season with others of similar size and species. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and 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.

11. No development above slab level of the extension hereby permitted shall take place until a scheme for the soundproofing of the extension has been submitted to and approved in writing by the local planning authority. The approved soundproofing measures shall be implemented in strict accordance with the approved details prior to the occupation/use of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. Full details of any proposed air source heat pumps and solar panels used shall be submitted to and approved in writing by the local planning authority prior to their installation. The development shall not be carried out other than in accordance with those approved details and shall be retained and maintained as such thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Prior to the first installation of the floodlighting hereby approved details of the specification of the floodlighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

14. The floodlighting hereby permitted shall not be illuminated outside the following times 09:00 to 18:00 Monday to Saturday, nor at any time on Sundays.

Reason: To protect the amenities of nearby residents, safeguard visual amenity, in the interest of protected species and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

15. Prior to the first use of the floodlights, 5no netball/tennis courts and/or Dewey building extensions, a Community Use Agreement for that respective element shall be submitted to and approved in writing by the local planning authority. The development shall not be used other than in accordance with the approved Community Use Agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with National Planning Policy Framework.

16. 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 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.

17. Prior to the first use/occupation of the development hereby approved, or in accordance with an alternative timetable/phasing plan, that has been first submitted to and approved in writing by the Local Planning Authority, the parking and manoeuvring area shall be provided in accordance with the plan approved (Drawing No. [0045 Rev P15 and shall be 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.

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Playground, Morton Close, Kidlington

The Committee considered application 24/02712/F, for Erection of 6 no. dwellings, with associated open space, landscaping, parking and other associated works at Playground, Morton Close, Kidlington, for Ede Holdings Ltd

Councillor Ian Middleton addressed the Committee as Local Ward Member.

Harry Ramsey on behalf of the agent, addressed the meeting in support of the application.

In reaching its decision the Committee considered the officer's report and presentation and the addresses of the public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission subject to:

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:

- Application form
- Planning Statement
- Drawing number K54/P/01 Rev B – [Floor plans, elevations and block and location plans]
- Tree survey report, impact appraisal and tree protection details prepared by Venners Arboriculture dated August 2024
- Ecological Impact Assessment and Biodiversity Net Gain Assessment prepared by Windrush Ecology dated November 2024
- Biodiversity Report prepared by Thames Valley Environmental Records Centre dated 10/09/2024.
- Biodiversity Metric
-

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. A schedule of materials and finishes to be used in the external walls and roofs of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality 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.

4. 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 prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy 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.

5. Prior to the first occupation of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of odour/flies/vermin/litter in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. Notwithstanding the submitted plans, 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 to be first 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 2015 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the construction of the parking and manoeuvring area 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, to ensure the provision of adequate

off-street car parking and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2015 and Government guidance contained within the National Planning Policy Framework.

8. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:

- a non-technical summary
- the roles and responsibilities of the people or organisation(s) delivering the HMMP
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
- the monitoring methodology and frequency in respect of the created or enhanced habitat
- Notice in writing shall be given to the local planning authority when the:
 - HMMP has been implemented
 - habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the local planning authority. Monitoring reports shall be submitted to the local planning authority in writing for approval in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

9. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for badgers (and provision for fox), which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, 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 details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a Biodiversity Improvement and Management Plan (BIMP) has been submitted to and approved in writing by the Local Planning Authority. The BIMP shall include as a minimum:

- a) Location and type of habitats to be retained and enhanced;
- b) Location and type of habitats to be created;

- c) Specification, number and location of bird, bat, invertebrate and hedgehog boxes;
- d) Management measures for each habitat and species box; and
- e) Monitoring regime for ensuring compliance against the Net Gain Plan for the 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, in accordance with the Environment Act 2021 and Government guidance contained within the National Planning Policy Framework.

11. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) 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;
 - 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; and
 - h) Use of protective fences, exclusion barriers and warning signs
- The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly 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 Part 1 and Government guidance contained within the National Planning Policy Framework.

12. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and to comply with Government guidance contained within the National Planning Policy Framework.

13. No part of the development hereby permitted shall take place until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its

written approval that it is satisfied that no potential risk from contamination has been identified.

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

14. If a potential risk from contamination is identified as a result of the work carried out under condition 13, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

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

15. If contamination is found by undertaking the work carried out under condition 14, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

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

16. If remedial works have been identified in condition 15, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 13. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. 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 or other sensitive properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with the occupiers of those properties 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 1996 and Government guidance contained within the National Planning Policy Framework.

18. The dwellings shall not be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

19. Prior commencement of the development, an arboricultural method statement (in line with BS58737:2012) setting out protective measures and working practices to ensure the retention of T7, T8 and T9 (third party trees), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved arboricultural method statement

Reason: In the interests of the visual amenities of the area and to comply with good arboricultural practice and government guidance contained within the National Planning Policy Framework.

20. The development hereby approved shall be carried out in accordance with the 'Tree Survey Report, Impact Appraisal and Tree Protection Details' report prepared by Venners Arboriculture dated August 2024.

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 Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

21. Prior to commencement of any works to the trees on the site, full details of replacement tree planting, including number, location, species and size at time of planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the replacement tree(s) shall be planted in the first planting season (mid-November to end of March) following the removal of the tree(s) for which consent has been granted and any tree which, within a period

of five years from being planted dies, is removed or becomes seriously damaged or diseased, shall be replaced in the current/next planting season in accordance with the approved details and the wording of this condition.

Reason: In the interests of the visual amenities of the area and to comply with good arboricultural practice and Government Guidance contained within the National Planning Policy Framework.

Planning Notes

1. Please note if works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. This is separate from any planning permission that may be granted. (Contact – 0845 310 1111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action).

2. In accordance with mandatory Biodiversity Net Gain requirements, the application is reminded of the requirement to submit a Biodiversity Gain Plan as set out in the PPG 'Biodiversity Net Gain'.

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Bicester Gateway Business Park, Wendlebury Road, Chesterton

The Committee considered application 24/01372/F, for Employment development (Use Classes E(g)i and/or E(g)ii and/or E(g)iii), and associated infrastructure, access (including diverted public right of way), parking, and landscaping at Bicester Gateway Business Park Wendlebury Road Chesterton, for Albion Land (Three) Limited

Emma Lancaster, on behalf of the agent, addressed the meeting in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the addresses of the public speakers and the written updates.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission subject to:

Conditions and reasons

Time limits and general implementation conditions

1 Quantum of Development

The development hereby permitted shall comprise a maximum floorspace of 11, 929 sqm and shall be used only for purposes falling within Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), of which no more than 50% (5, 964.5 sqm) shall be utilised for purposes falling

within Class E(g)(i) (including ancillary uses) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to retain planning control over the use of the site.

2 Statutory Time Limit

The development hereby permitted shall be begun before the expiration of three years from 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.

3 Compliance with plans

The development shall not be carried out otherwise than in complete accordance with the approved plans:

- Site Location Plan, ref; 23022-TP-001, dated 11 April 2024
- Proposed Site Plan, ref; 23022-TP-002C, dated 13 November 2024
- Proposed Site Finishes Plan, ref: 23022-TP-002C, dated 13 November 2024
- Proposed Ground and First Floor Plan – Unit 13, ref; 23022-TP-004, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 13, ref; 23022-TP-005, dated 11 April 2024
- Proposed Elevation – Unit 13, ref; 23022-TP-007, dated 11 April 2024
- Proposed Section – Unit 13, ref; 23022-TP-006, dated 11 April 2024
- Proposed Ground and First Floor Plan – Unit 14, ref; 23022-TP-008, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 14, ref; 23022-TP-009, dated 29 January 2024
- Proposed Elevation – Unit 14, ref; 23022-TP-011, dated 11 April 2024
- Proposed Section – Unit 14, ref; 23022-TP-010, dated 11 April 2024
- Proposed Ground and First Floor Plan – Unit 15, ref; 23022-TP-012, dated 11 April 2024
- Proposed Second Floor and Roof Plan – Unit 15, ref; 23022-TP-013, dated 11 April 2024
- Proposed Elevation – Unit 15, ref; 23022-TP-015, dated 11 April 2024
- Proposed Section – Unit 15, ref; 23022-TP-014, dated 11 April 2024
- Cycle Shelter Details, ref; 23022-TP-016, dated 12 April 2024
- Refuse Enclosure Details, ref; 23022-TP-017, dated 12 April 2024
- Entrance Canopy Details, ref; 23022-TP-018, dated 12 April 2024
- Fencing and Barrier Protection Details, ref; 23022-TP-019, dated 12 April 2024
- External Finishes Sample Board, ref; 23022-TP-019, dated 12 April 2024
- Detailed Soft Landscaping Proposals Sheet 1-6, ref; LB467_D01F, dated 7 November 2024.
- HGV Tracking Charles Shouler Way, ref; 26019-04-TRK-C, dated 8 October 2024

- Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes
- Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3) dated 15 October 2024
- Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024
- Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024
- Typical Drainage Details, ref; S1502-04B, dated 9 May 2024
- FW Drainage Layout, ref; S1502-03E, dated 14 October 2024
- SW Drainage Layout, ref; S1502-02E, dated 14 October 2024
- External Works and Levels, ref; S1502-01H, dated 11 October 2024.
- Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024
- Existing Habitat Features Plan, ref; 16582/P01, dated December 2024
- Proposed Habitat Features Plan, ref; 16582/P02, dated December 2024
- Energy Statement by ESC, dated 9th May 2022.
- Catalyst Phase 4 / Bicester Gateway BREEAM Pre-Assessment Cover Letter, ref; 503766, dated 7 March 2024
- Catalyst Phase 4 / Bicester Gateway BREEAM Assessment Tracker by Scott White and Hookins, dated 4 March 2024.
- Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording by Cotswold Archaeology, ref; CA Project MK1025, dated May 2024
- Arboricultural Impact Assessment by Tyler Grange, ref; 16562-R10a, dated 6 November 2024
- Highways Technical Note Addendum by DTA Transport Planning Consultants, ref; SKP/26019-05, dated 12 September 2024.
- Landscape Management Plan (awaiting receipt of amendment)
- Detailed Soft Landscaping Specifications (awaiting receipt of amendment)

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

4 Prohibition of Outside Storage

No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities 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.

5 Flood Risk

The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3)

dated 15 October 2024, Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024, Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024, Typical Drainage Details, ref; S1502-04B, dated 9 May 2024, FW Drainage Layout, ref; S1502-03E, dated 14 October 2024, SW Drainage Layout, ref; S1502-02E, dated 14 October 2024 and External Works and Levels, ref; S1502-01H, dated 11 October 2024.

The development shall thereafter be implemented in accordance with the approved surface and foul water drainage scheme (including flood mitigation measures) and shall not be occupied until the approved surface and foul water drainage scheme has been full laid out and completed.

Reason - In accordance with paragraph 170 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

6 SUDS

Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reasons: To ensure that the principles of sustainable drainage are incorporated into this proposal.

7 Landscape Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development (whichever is the sooner) and shall be maintained for a period of 5/10 years from the completion of the development. Any trees and/or shrubs which within a period of five/ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with 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.

8 Landscape Management Plan

Wording TBC as waiting for amended document.

9 Land Contamination not Previously Identified

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

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

10 Archaeology

Prior to any demolition on the site and the commencement of the development (other than in accordance with the submitted document Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording CA Project MK1025 Cotswold Archaeology 2024), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

PRE COMMENCEMENT CONDITIONS

11 Construction Management Plan (CMP)

No development shall take place, including any works of demolition until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall be appropriately titled (site and planning permission number) and as shall provide for at a minimum;

- Routing of construction traffic and delivery vehicles including means of access into the site;
- Details of and approval of any road closures needed during construction;
- Details of and approval of any traffic management needed during construction;
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle
- tyres/wheels, from migrating onto adjacent highway;
- Measures to control the emission of dust and dirt during construction;
- Measures to mitigate noise pollution arising from construction of
- development;
- Details of appropriate signing, to accord with the necessary
- standards/requirements, for pedestrians during construction works, including
- any footpath diversions;
- The erection and maintenance of security hoarding / scaffolding if required;
- A regime to inspect and maintain all signing, barriers etc;
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided;
- Details of the loading and unloading of plant and materials and the use of
- appropriately trained, qualified and certificated banksmen for guiding
- vehicles/unloading etc;
- Details of arrangements for site related vehicles (worker transport etc);
- Layout plan of the site that shows structures, roads, site storage, compound,
- pedestrian routes etc;
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final
- correspondence is required to be submitted;
- Any temporary access arrangements;
- Delivery, demolition and construction working hours (which must be outside
- network peak hours);
- Storage of plant and materials used in constructing the development;
- A scheme for recycling/ disposing of waste resulting from demolition and
- construction works. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with 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. 12 Construction Environmental Management Plan (CEMP) for Biodiversity No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) based on the measures outlined in the Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024 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;
 - 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
- 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.

13 Arboricultural Method Statement (AMS)

No development shall take place until an Arboricultural Method Statement (AMS) (which includes tree protection measures), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing built environment and to comply with Policy C28

of the adopted 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.

14 Materials

No development of the building and associated structures above slab level shall take place until samples including sample panels of the materials to be used in the construction of the external surfaces has been submitted and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved samples, which shall not be removed from site until the completion of the development.

Reason – To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011–2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

15 Biodiversity Enhancement Management Plan (BEMP) (pre-com)

Wording TCB by Ecology.

16 Habitat Management and Maintenance Plan (pre-com)

Wording TBC by Ecology.

17 Air Quality

Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include damage cost calculations where applicable along with detailed mitigation measures proposed by the developer, in order to address any adverse impacts on local air quality. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified. Awaiting comments for Environment Protection on acceptability of AQA before finalising the condition to either a pre-commencement or compliance condition.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

18 Framework Travel Plan

Prior to the first occupation of the development hereby approved, a Framework Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the

Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

19 Travel Plans

Prior to the first occupation of the development hereby approved, individual Travel Plans for the three units, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and reflecting the measures set out in the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

20 Thames Water

No development shall be occupied until confirmation has been provided that all water network upgrades required to accommodate the additional demand to serve the development have been completed.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

21 Water Use

Prior to the first occupation of each unit, details of the measures to be installed in that unit to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

22 Boundary enclosures

Prior to the occupation of any unit, 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 any unit.

Reason: To ensure the satisfactory appearance of the completed development to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

23 Lighting strategy

Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, 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 document.

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 the National Planning Policy Framework.

24 Energy Measures

Prior to the construction of any building above slab level, details of the materials, specifications, location of the measures outlined in the submitted Energy Statement by ESC, dated 9th May 2022, to increase energy efficiency and thermal performance and reduce carbon emissions including the provision of renewable energy measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of materials, specifications and measures and the provision of renewable energy measures shall be installed prior to the first occupation of the building.

Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD1-5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

25 Electric Vehicle Charging

No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve the development has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provided in accordance with the approved details prior to the first occupation of the dwelling it serves.

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 in accordance with Government guidance contained within the National Planning Policy Framework.

26 Scheme of Public Art

Wording to TBC.

101 **Cherwell District Council, Lock 29, Castle Quay, Banbury, OX16 5UN**

The Committee considered application 24/03319/NMA, for Works to the existing canal elevation are simplified. 2no arched windows (type B) are retained as existing, no amendments to extend the windows or alterations to the existing lean-to roof below. A third window (new) will match the existing arched windows. 2no new windows type A remain as per the original application to match the existing adjacent windows (proposed as nonmaterial amendment to 24/00600/CDC) at Cherwell District Council Lock 29 Castle Quay Banbury OX16 5UN, for Cherwell District Council.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, approval be granted in accordance with the drawing number: 40468_01_ELEV01.

102 **Proposed Sports Pavilion and Sport Field, Whitelands Way, Bicester**

The Committee considered application 24/03197/DISC, for Discharge of Condition 7 (means of access) of 15/01615/F at Proposed Sports Pavilion and Sport Field, Whitelands Way, Bicester, for Cherwell District Council

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, planning condition 7 of 15/01615/F be discharged based upon the following:

Condition 7

In accordance with drawing numbers 5131 Rev P2 'Proposed Service Road GA' and NTBS3971_01 'Proposed Plan'.

103 **Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA**

The Chairman advised that application TPO 21/2024 had been withdrawn from the agenda as issues had been discovered with the submitted plans that required correction. The application would be submitted to a future meeting.

104 **Appeals Progress Report**

The Assistant Director Planning and Development submitted a report which informed Members about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 7.45 pm

Chairman:

Date: