

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 5 September 2024 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 Becky Clarke MBE  
Councillor Jean Conway  
Councillor Grace Conway-Murray  
Councillor Dr Isabel Creed  
Councillor Ian Harwood  
Councillor David Hingley  
Councillor Lesley McLean  
Councillor Rob Parkinson  
Councillor David Rogers  
Councillor Les Sibley  
Councillor Dr Kerrie Thornhill

#### Apologies for absence:

Councillor Fiona Mawson

#### Also Present:

Councillor Douglas Webb (Speaking as Ward Member on application 23/00831/F)

#### Also Present Virtually:

Councillor Ian Middleton (Speaking as Ward Member on application 23/02098/OUT)  
Councillor Fiona Mawson (Speaking as Ward Member on application 23/02098/OUT)

#### Officers:

Paul Seckington, Head of Development Management  
Caroline Ford, Team Leader - South Area Major Developments

Andrew Thompson, Principal Planning Officer  
Katherine Daniels, Principal Planning Officer  
Karen Jordan, Deputy Principal Solicitor  
Matt Swinford, Democratic and Elections Officer  
Martyn Surfleet, Democratic and Elections Officer

50 **Declarations of Interest**

**8. Begbroke Science Park Begbroke Hill Begbroke OX5 1PF.**

Councillor Dr Isabel Creed, Other Registerable Interest, as employed by an Oxford University College but had no part in the application.

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

**10. Turpins Lodge Tadmarton Heath Road Hook Norton Oxfordshire OX15 5DQ.**

Councillor Amanda Watkins, Declaration, as the applicant was a friend and would leave the meeting for the duration of the item.

51 **Requests to Address the Meeting**

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

52 **Minutes**

The Minutes of the meeting held on 1 August 2024 were agreed as a correct record and signed by the Chairman.

53 **Chairman's Announcements**

The Chairman made the following announcements:

1. Advised members of the public attending the meeting that only registered speakers may address the Committee and requested that they did not cause a disturbance.
2. Advised Members of the Committee of an email from Bicester Motion to all Committee Members inviting the Committee Members to visit the site to show Members the site in anticipation of development of the site.

54 **Urgent Business**

There were no items of urgent business.

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

There were no proposed Pre-Committee site visits.

56 **Begbroke Science Park Begbroke Hill Begbroke OX5 1PF**

The Committee considered application 23/02098/OUT, an outline application with all matters reserved, for a multi-phased (severable), comprehensive residential-led mixed use development comprising: Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units) within Use Class C3/C4 and large houses of multiple occupation (Sui Generis); Supporting social infrastructure including secondary school/primary school(s) (Use Class F1); health, indoor sport and recreation, emergency and nursery facilities (Class E(d)-(f)). Supporting retail, leisure and community uses, including retail (Class E(a)), cafes and restaurants (Class E(b)), commercial and professional services (Class E(c)), a hotel (Use Class C1), local community uses (Class F2), and other local centre uses within a Sui Generis use including public houses, bars and drinking establishments (including with expanded food provision), hot food takeaways, venues for live music performance, theatre, and cinema. Up to 155,000 net additional square metres (gross external area) of flexible employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park; Highway works, including new vehicular, cyclist and pedestrian roads and paths, improvements to the existing Sandy Lane and Begbroke Hill road, a bridge over the Oxford Canal, safeguarded land for a rail halt, and car and cycle parking with associated electric vehicle charging infrastructure; Landscape and public realm, including areas for sustainable urban drainage systems, allotments, biodiversity areas, outdoor play and sports facilities (Use Class F2(c)); Utility, energy, water, and waste water facilities and infrastructure; together with enabling, site clearance, demolition and associated works, including temporary meanwhile uses at Begbroke Science Park, Begbroke Hill, Begbroke, OX5 1PF for Oxford University Development (OUD).. The Proposed Development affected the setting of a listed building and included potential alterations to public rights of way. The application was accompanied by an Environmental Statement.

Councillor Ian Middleton and Councillor Fiona Mawson addressed the Committee as Local Ward Members.

Steve Smith, on behalf of Yarnton Flood Defence, addressed the Committee in objection to the application.

Tom Clarke and Anna Strongman, on behalf of the applicant, Oxford University Development, addressed the Committee 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 for application 23/02098/OUT, subject to:

1. Resolution to the objection of Network Rail to the satisfaction of the Assistant Director for Planning and Development
2. Resolution to the objection of the Environment Agency to the satisfaction of the Assistant Director for Planning and Development
3. The Conditions set out as below (and any amendments to those conditions as deemed necessary)
4. 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, necessary mitigation as set out in the annex to the Minutes, as set out in the Minute book (and any amendments deemed necessary):
  - a) Provision of 50% affordable housing on site based on the conclusions of the viability exercise and the offer of the applicant to 80% Intermediate: 20% Social Rent. With viability review mechanism to amend tenure mix at appropriate stages through the development
  - b) Payment of financial contributions towards on/off site community, sports and recreation including the delivery of on-site sport at the future Secondary School for the wider benefit of the community.
  - c) Payment of contributions towards transport and public transport enhancements and feasibility work towards a new station and sustainable transport (e.g. travel plan monitoring)
  - d) Payment of contributions and land towards Secondary School, SEND and Primary Schools.
  - e) Payments of contributions to Police and Health infrastructure.
  - f) Payments of contributions to Canal Towpath enhancement and a connecting bridge to Allocation PR7b
  - g) Payment of contributions towards archaeology storage, library enhancement and waste services
  - h) Appropriate monitoring fees for the delivery of the s106

It was further resolved that: If the Section 106 agreement/undertaking was not completed within 12 Months of the resolution and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse application 23/02098/OUT for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure contributions required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents

and contrary to Policies PR2, PR4a, PR4b, PR5, PR8 and PR12 of the Cherwell Local Plan Partial Review, Policies BSC7, BSC10, BSC11, BSC12, SLE4 and INF1 Cherwell Local Plan 2015 and the aims and objectives of the National Planning Policy Framework

## **Conditions**

### **Time Limits**

1. The first Reserved Matters Application shall be made to the local planning authority no later than 3 (three) years from the date of this permission.

Reason: In accordance with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be Commenced either before the expiration of 3 (three) years from the date of this permission, or before the expiration of 2 (two) years from the date of the last Reserved Matters Application to be approved, whichever is the later.

Reason: To prevent the accumulation of unimplemented planning permissions, in accordance with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended).

3. Application(s) for approval of all the Reserved Matters shall be made to the local planning authority before the expiration of 8 (eight) years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended).

4. Details of the layout, scale, appearance, landscaping and access (other than shown on the approved plans) (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: In accordance with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended) and the Development Management Procedure Order.

### **Compliance with Plans**

5. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans:  
Site Location Plan - BEG-HBA-SW-ZZ-DR-A-080100 (Rev P1)  
Development Zones - Parameter Plan 1 (BEG-HBA-SW-ZZ-DR-A-080101 Rev P2)

Maximum Building Heights - Parameter Plan 2 (BEG HBA SW 22 DR A 080 102 Rev P1)

Green Infrastructure - Parameter Plan 3 (BEG HBA SW 22 DR A 080 103 Rev P2)

Access and Movement - Parameter Plan 4 (BEG HBA SW 22 DR A 080 104 Rev P2)

Existing Site Levels - Supporting Plan 1 (BEG HBA SW 22 DR A 080 105 Rev P1)

The following plans are illustrative only but have formed part of the application submission:

Illustrative Site Levels (BEG HBA SW 22 DR A 080 106 Rev P1)

Illustrative Demolition Plan (BEG HBA SW 22 DR A 080 107 Rev P1)

Illustrative Masterplan (BEG HBA SW 22 DR A 080 108 Rev P1)

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.

### **Compliance with the Environmental Statement**

6. The development shall be carried out in accordance with the mitigation measures summarised in Paragraph 18.1.2 of the Environmental Statement, and Tables 18.1 Summary of Construction Effects and Table 18.2 Summary of Completed Development Effects, and Tables 18.3 Summary of Cumulative Effects – Completed Development and the monitoring and review provisions outlined in Paragraphs 18.2.1 and 18.2.2 in the Environmental Statement.

Reason: To ensure that the development takes place in accordance with the schedule of mitigation contained within the Environmental Statement.

### **Approved Uses**

7. The following table represents the approved uses as part of the development.

<b>Use (Town and Country Planning (Use Classes) Order 1987, as amended)</b>	<b>Amount</b>
<b>Residential</b>  within Use Class C3/C4 and large houses of multiple occupation (Sui Generis)	Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units). Minimum of 1600 under Use Class C3 *for the avoidance of doubt,

	these figures are the gross external areas of the buildings that are usually occupied by people and, therefore, exclude plant rooms, spaces for parking, servicing, circulation and ancillary storage and on-site energy generation that are delivered in support of the principal residential use.
<b>Science Park Extension/Employment</b>  Employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park	155,000sqm (or equivalent of 14.7ha employment)
<b>Local Centre and other supporting uses - set out as below:</b>	
Retail (Use Classes E(a), (b), and (c))	Up to 3,500 sqm GEA
Hotel (Use Class C1)	Up to 10,000 sqm GEA
Non-residential and leisure institutions, including medical or health services, indoor sport or fitness facilities, and creches and/or nurseries.  (Use Class E(d), (e), and (f))	Up to 5,600 sqm GEA
Halls and meeting places (use Class F2(b))	Up to 1,200 sqm GEA
Sui generis uses including (but not limited to) public houses, wine bars or drinking establishments	Up to 700 sqm GEA
<b>Secondary school</b>	8.02ha or 11,400sqm GEA
<b>Up to 2 Primary schools</b>	5.4ha or 8,400sqm GEA
<b>Open Space and Play</b>	Open space and play space shall be provided in accordance with the standards set out in the Policy BSC11: Local Standards of Provision – Outdoor Recreation in the Cherwell Local Plan 2011-2031 Part 1.

Reason: To ensure that the development takes place in accordance with the schedule of mitigation contained within the Environmental Statement

and to define the maximum amount of development approved by the permission.

8. The development hereby approved shall be carried out in accordance with the approved documents as set out below, except to the extent that those details are superseded or expanded by an approved Design Code or by any Reserved Matters approval or other approval pursuant to any condition of this planning permission
  - Development Specification;
  - Strategic Design Guide;
  - Framework Site Wide Travel Plan;
  - Framework Construction Traffic Management Plan
  - Framework Delivery and Servicing Management Plan;
  - Framework Energy and Sustainability Strategy;
  - Framework Lighting Strategy;
  - Outline Landscape and Ecological Management Plan;
  - Outline Construction Environmental Management Plan;
  - Operational Waste Management Plan;
  - Site Waste Management Plan; and
  - Outline Drainage Strategy.

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990, and to ensure that the details and approach are consistent with good planning, in accordance with Policy PR8 of the Cherwell Local Plan (Partial Review)

### **Phasing**

9. No development shall commence until a Site Wide Phasing Plan which accords with the s106 triggers and Transport Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. It shall define a key phase and include the expected sequence of delivery of development within a Development Area, or sub area, or the provision of any other element or to any other applicable trigger point. The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority. The Phasing Plan shall, by written agreement with the Local Planning Authority, be updated from time-to-time to reflect increased certainty of delivery of infrastructure. The Site Wide Phasing Plan shall include but not be limited to the sequence of providing the following elements:
  - a. A plan showing defined key phases
  - b. Residential development parcels, including approximate housing numbers;



- c. Local centre, mixed use and employment use areas, including commercial floorspace and broad delivery timescales;
- d. Local bus services;
- e. Major distributor roads/routes within the site, including timing of provision and opening of access points into the site and connections to neighbouring developments;
- f. Strategic footpaths and cycleways;
- g. Community facilities;
- h. Strategic foul and surface water features and SUDS;
- i. Formal and informal public open space, park/square, allotments, community orchard and parks, NEAPs, LEAPs and SIPs;
- j. Strategic electricity, telecommunications and gas networks;
- k. Infrastructure for the provision of fibre optic cables;
- l. Biodiversity net gain;
- m. Environmental mitigation measures;
- n. A mechanism for its review and where necessary amendment

Reason: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy PR8 of the Cherwell Local Plan (Partial Review) and the aims and objectives of ensuring clear development monitoring and delivery in the NPPF.

### **Development Brief/Coding**

10. Prior to the submission of the first of the reserved matters applications for each Phase of the development except for enabling works or strategic engineering works, a Design Code for that Phase shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be prepared for each Key Phase in accordance with the principles and parameters established in the Approved Documents submitted with the Outline Planning Application. It shall include both strategic and more detailed elements.

The Design Code shall explain its purpose, structure, and status; indicate who should use the document and how to use it; set out the mandatory and discretionary elements and be clear how these apply.

Where relevant the Design Code shall address the interface with adjoining areas, whether they have already been subjected to design coding or not, and indicate appropriate cross boundary design responses, both within the Application Site and across the Allocated Site, in accordance with the principles of the outline planning permission or Policy PR8 of the Cherwell Local Plan, unless otherwise demonstrated. The detail of the requirements of the Design Code are at Appendix B.

Reason: To ensure high quality design and coordinated development and to facilitate comprehensive development through cumulative phases of development in accordance with Policies PR4a, PR5, PR8 of the Cherwell Local Plan Partial Review, Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD16, ESD17 and SLE4 of the Cherwell Local Plan 2011-2031 and saved Policies C28 and C30 of the Cherwell Local Plan 1996

### **Site Wide Construction and Environmental Management Plan (CEMP)**

11. Prior to the commencement of development, a detailed site wide Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CEMP shall be based on the principles outlined in the submitted Strategic Construction Environmental Management Plan shall include the following:
  - i) Implementation of earthworks and details of any piling, noise, vibration and associated mitigation;
  - ii) Implementation air quality and dust suppression management measures through a Dust Management Plan;
  - iii) The protection of the environment and implement best practice guidelines for works within or near water and habitats, including the appointment of a qualified ecologist to advise on site clearance and construction, in particular any works that have the potential to disturb notable ecological features;
  - iv) Measures to minimising energy requirements and emissions from equipment and plant (including minimising the use of diesel- or petrol-powered generators and instead using mains electricity or battery powered equipment; powering down of equipment / plant during periods of non-utilisation; optimising vehicle utilisation; use of energy efficient lighting)
  - v) Construction management measures to ensure the preservation of on-site heritage assets and to ensure the preservation of on-site designated heritage assets within the site
  - vi) An Emergency Response / Spill Response Plan to be produced by the Principal Contractor(s) for the protection from contamination
  - vii) Measures to minimise greenhouse gas emissions associated with the production of waste including the reuse and recovery of materials where possible, avoid excavation waste, management of water and water

resources, the reuse and/or recycling of construction waste on-site in subsequent stages of the development

- viii) Measures to reduce the impact on neighbouring and nearby residents and associated temporary fencing, lighting and construction compounds and activity through the operational phase of development
- ix) Details of site management including a method for creation of logging of visitors and contractors on site, the monitoring incidents and complaints), including monitoring and reporting (including site inspections, soiling checks, compliance with Dust Management plan, etc) and, where appropriate, CCTV and tracking of contractor vehicles to ensure appropriate routing of vehicles

The development shall be carried out in accordance with the approved CEMP.

Reason: To manage construction process and to ensure that the impacts to soils, air quality, contamination and ground conditions, ecological habitats, cultural heritage, noise and vibration, heritage assets, transport and waste as well as neighbouring and nearby residents and climate impacts are managed in accordance with the mitigation outlined in the Environmental Statement and in accordance with Policies ESD1, SLE4 of the Cherwell Local Plan Part 1 2011- 2031, Policy PR8 of the Cherwell Local Plan Partial Review and the aims and objectives of the NPPF.

### **Construction Traffic Management Plan (CTMP)**

12. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CTMP shall detail traffic routing, temporary access and haul roads to ensure construction vehicles, materials and logistics saving measures are managed.

The development shall be carried out in accordance with the approved CTMP.

Reason: To manage construction process and to ensure that the impacts to local transport infrastructure and the strategic highway network is managed in accordance with the mitigation outlined in the Environmental Statement and in accordance with Policies ESD1, SLE4 of the Cherwell Local Plan Part 1 2011- 2031, Policy PR8 of the Cherwell Local Plan Partial Review and the aims and objectives of the NPPF.

### **Site Wide Landscape and Ecology Management Plan (LEMP)**

13. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) covering a period of no less than 30 years shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the site shall be managed in accordance with the details of the approved LEMP.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policies PR5 and PR8 of the Cherwell Local Plan Partial Review, Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Local Centre Delivery Strategy (LCDS)**

14. Prior to or concurrent with the approval of any Reserved Matter Applications for new built development including local centre uses (as defined in National Planning Policy) or residential uses to be located within the local centre and other local centres (as identified on the Parameter Plans, Phasing Plan or Design Code), a Local Centre Delivery Strategy (LCDS) will be submitted to and approved in writing by the Local Planning Authority

The LCDS shall combine to provide a strategy that will encourage delivery of a sustainable and dynamic local centre to aid its short and long -term planning and ensure an appropriate mix of residential, employment, retail, civic and community land uses. Such a strategy shall have regard to the spatial principles of the Design and Access Statement and Design Principles. The settlement centre boundaries should be defined broadly in the LCDS, reflecting any Design Codes already approved and then refined as necessary through subsequent Phase Design Codes. Development in the defined local centre and other economic areas shall be carried out in accordance with the LCDS.

Reason: To ensure the appropriate development of the local centres and other employment areas, in accordance with Policy PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Science Park Extension Delivery Strategy (SPEDS)**

15. Prior to or concurrent with the approval of any Reserved Matter Applications for new built development defined for the purposes of extending the Science Park or employment development located within the area shown in the Parameter Plans, Phasing Plan or Design Code, a Science Park Delivery Strategy (SPEDS) will be submitted to and approved by the Local Planning Authority

The SPEDS shall combine to provide a strategy that will encourage delivery of a sustainable and dynamic employment to aid its short and long-term planning and ensure an appropriate mix of employment-led development and supporting land uses. Such a strategy shall have regard to the spatial principles of the Strategic Design Statement and Development Specification and integrate with surrounding uses and a cohesive public realm. The Science Park boundaries should be defined broadly in the SPEDS, reflecting any Design Codes already approved and then refined as necessary through subsequent Phase Design Codes.

Development in the defined Science Park Extension shall be carried out in accordance with the SPEDS.

Reason: To ensure the appropriate development of the extension of the Science Park for the equivalent of 14.7ha of employment areas, in accordance with Policy PR8 of the Cherwell Local Plan 2011 – 2031

### **Housing Mix**

16. Prior to the submission of the first application for approval of Reserved Matters relating to the first Development Parcel including residential development within each Phase a housing mix strategy shall be submitted to and agreed in writing by the Local Planning Authority. The submitted strategy shall set out in relation to that Phase details of affordable housing and how this contributes to provision across the whole site and to ensure that there is no significant difference between market and affordable housing provision which would compromise the integration of affordable housing within the development.

Reason: To ensure the appropriate development of the housing in accordance with Policies PR2 and PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Self-Build Strategy**

17. Prior to the submission of the first application for approval of Reserved Matters in each Phase a Strategy to enhance or support the opportunity for the delivery of self/custom build homes shall be submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with the agreed details.

Reason: To ensure the appropriate development of the housing in accordance with Policies PR2 and PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF. Parking Strategy

18. i) Prior to, or concurrently with, the submission of the first Development Area Brief, a Site Wide Car and Cycle Parking Strategy shall be submitted to the local planning authority for approval. No occupation shall commence until such time as the Strategy has been approved in writing by the local planning authority. The Strategy shall:

- a) set car, coach, bus, cycle and motorcycle parking levels for different uses in relation to targets associated with the Site Wide Travel Plan agreed pursuant to the Section 106 Agreement and provide a mechanism for review;

- b) provide a distribution strategy and hierarchy for all types of parking;

- c) provide principles for temporary car parking and its phasing;
- d) set levels for and principles relating to the location and type of electric vehicle charging points.
- e) provide a phasing plan for the reconfiguration of the existing Science Park car parking
- ii) Any Reserved Matters Application which includes parking shall be accompanied by a Parking Plan submitted to the local planning authority for its approval which details how the proposed development complies with the Site Wide Car and Cycle Parking Strategy. The Parking Plan shall be implemented before the buildings permitted by approval of the Reserved Matters Application are first occupied and shall thereafter be maintained thereafter.

Reason: In order to provide consistent and sustainable parking management across the Site to help minimise impact on the network and promote sustainable modes of travel, reduced reliance on the private car and opportunities to maximise the use of public transport, walking and cycling in accordance with Policy PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Hotel stay**

19. The maximum cumulative stay in any aparthotel (falling within use class C1) by any individual occupier shall be no more than 90 (ninety) days in any 12 (twelve)-month period. The aparthotel shall keep records of the length of stay of all individual occupiers and shall retain them for 24 (twenty-four) months. The said records shall be made available to the local planning authority on request, within 7 (seven) days.

Reason: To ensure that any aparthotel rooms are not used as permanent residential accommodation or student accommodation, which would give rise to different impacts in accordance with Policies PR2 and PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Contamination Verification Strategy**

20. A verification report that demonstrates the effectiveness of the remediation laid out in the Hydrock Remediation Strategy and Verification Plan (ref: 19114-HYDXX-XX-RP-GE-01004-S2-P04 dated 27/06/2023) shall be submitted to and approved in writing by the Local Planning Authority. Any change to the proposed remediation strategy must be submitted to and approved by the Local Planning Authority prior to works commencing.

Reason: To ensure that any aparthotel rooms are not used as permanent residential accommodation or student accommodation, which

would give rise to different impacts in accordance with Policy PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Unexpected Contamination**

21. If during the course of development, contamination not previously identified is found to be present at the Site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development within the area subject to the contamination (unless otherwise agreed in writing with the local planning authority) shall be carried out until the applicant has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how the unsuspected contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Other commercial uses delivery and Reserved Matters detail (Class E)**

22. Prior to first occupation a strategy for meanwhile and temporary commercial uses during the course of the development shall be submitted to and agreed in writing by the Local Planning Authority. No development of commercial permanent floorspace over 200sqm shall be permitted outside of the defined Local Centre or Science Park Extension area unless otherwise set out in the Local Centre Delivery Strategy.

Reason: To ensure that any ancillary or further commercial development does not compromise the delivery of the Local Centre, Science Park or the vitality or viability of Kidlington. Temporary or meanwhile uses can deliver the benefits early in the development process whilst permanent solutions are delivered but should not be at the expense of permanent solutions. High levels of floorspace outside the defined areas would give rise to different impacts which could potentially conflict with Policies PR4a and PR8 of the Cherwell Local Plan 2011 – 2031 Partial Review and the aims and objectives of the NPPF.

### **Delivery Servicing and Management Plan**

23. No development shall take place until a detailed Delivery Servicing and Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate any adverse impact from the development on the A34 and to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety in accordance with Policies PR8 and PR11 of the Cherwell Local Plan Partial Review and Policy SLE4 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF.

**Archaeology condition(s)**

24. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be 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 NPPF (2023).

25. Following the approval of the Written Scheme of Investigation referred to in condition 24 (above), and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), 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.

**Ecology/BNG condition(s)**

26. Prior to the commencement of works, a detailed Biodiversity Improvement Management Plan (including updated survey work as appropriate) detailing how the 29.9ha of land will be converted and managed as a Local Nature Reserve and the requirements set out in Policy PR8 shall be submitted to and approved in writing by the Local Planning Authority. The management plan should set out:
- how the development would provide appropriate buffers to the Rushy Meadows SSSI;
  - the retention and enhancement of the Rowel Brook and surrounding landscaping;
  - retention and enhancement of existing ponds and ditches on the Site.



- detail associated with the creation of new greenspaces adjacent to the Rowel Brook and the Oxford Canal, including marshland and wet meadows,
- creation of at least 6 new of ponds on the Site,
- the creation of Sustainable Drainage System wetland; and
- enhance the extent and connectivity of habitat suitable for protected species including otters and water voles.

Reason: To ensure that the development follows the Ecology mitigation identified in the Environmental Statement, submits appropriate information in relation to Biodiversity Management outlined in Policies PR5 and PR8 of the Cherwell Local Plan Partial Review, Policies ESD10, ESD13 and ESD16 of the Cherwell Local Plan 2011-2031 and meets the requirements of the NPPF in mitigating and achieving biodiversity net gain

27. a) Prior to the first Reserved Matters a detailed strategy for the achievement of Biodiversity Net Gain across the whole site shall be submitted to and agreed in writing by the Local Planning Authority.
- b) As part of each subsequent Reserved Matters details of Biodiversity Net Gain to be achieved over the Reserved Matters submission and how this contributes to the overall development aims shall be submitted to and approved in writing by the Local Planning Authority.
- c) The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development meets the requirements of the NPPF in mitigating and achieving biodiversity net gain and in accordance with Policies PR5 and PR8 of the Cherwell Local Plan Partial Review, Policies ESD10, ESD13 and ESD16 of the Cherwell Local Plan 2011-2031

### **Sustainable Construction Strategy**

28. a) Prior to or concurrently with the submission of the first Development Parcel Reserved Matters application, a strategy shall be submitted detailing how the development will progress the aims of net zero carbon to include targets for each element that:
- As a minimum, complies with national and local requirements for low and zero carbon.
  - Create a Development that is resilient to energy price fluctuation and the impacts of climate change.
  - Supports the transition towards Net Zero Carbon.
  - Reduce potable water demand through the efficient use of water to a maximum of 105 litres per person per day
  - Include details for the management of wastewater (e.g. through rainwater harvesting) – Manage water run-off through the incorporation of SuDS

- Minimise the generation of and increase the reuse of waste associated with demolition, excavation and construction
- Provide systems for efficient waste management during operation
- Provide for the sustainable use of materials and resources, considering embodied impacts, sourcing, conservation and reuse
- Promote and enable efficient low-carbon means of transport and prioritise active transportation by providing a minimum appropriate cycle storage within dwellings and providing staff cycle storage and changing facilities within workplaces
- Ensure the reduction in energy use for heating and cooling
- Provide for electric charging points on all private properties, communal parking spaces, and on all disabled parking spaces with the provision of passive capability to install future electric vehicle charging points
- Sustainable buildings that deliver high levels of enhanced economic, social and environmental outcomes including lower operational costs.

b) As part of the Reserved Matters submissions for each Development Parcel a compliance statement for that Development Parcel shall be submitted demonstrating how the proposal meets or exceeds the requirements of Site wide sustainability standards and a strategy for implementation in relation to that Development Parcel.

c) The development of each Development Parcel shall be implemented in accordance with the relevant agreed details and timescales for that Development Parcel.

Reason: To ensure that the proposals meet the challenge of the legislation set out in the Climate Act 2008 as set out by the aims and objectives set out in the NPPF, Policies PR5, PR8 and PR11 of the Cherwell Local Plan Partial Review and Policies ESD6, ESD7 and ESD8 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF.

### **Landscape Reserved Matters**

29. Any Reserved Matters Application for landscaping details pursuant to this approval shall, where relevant, include detailed landscape designs and specifications for the associated Reserved Matters Area. The details shall be accompanied by a design statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of the Approved Design Code for a Phase and shall include the following:

#### **Soft Landscaping**

- a) Full details of planting plans and written specifications, including details of cultivation to soils before seeding and turfing, proposals for maintenance and management associated with plant and grass establishment for a 5- year establishment and maintenance period, details of the mix, size, distribution, density of all trees/hedges/shrubs to be planted and the proposed planting season. The planting plan

shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants.

- b) 1:500 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the site.
- c) The landscape treatment of roads (primary, secondary, tertiary, and green) through the development.
- d) A specification for the establishment of trees, including within hard landscaped areas including details of space standards (target rooting volumes for trees and distances from buildings and/or development parcels.) and tree pit details.
- e) The planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate.
- f) Full details of any existing, altered, or proposed watercourses/drainage channels.
- g) Full details of the location of any services and utilities relative to existing and proposed soft landscaping.
- h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882: 2015, proposed levels and contours to be formed and sections through construction to show make-up.  
Hard Landscaping
- i) Full details, including cross-sections, of all bridges and culverts.
- j) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs, and lighting columns/brackets.
- k) 1:500 plans (or at a scale otherwise agreed) including cross sections, of roads, paths, and cycleways.
- l) Details of all hard-surfacing materials (size, type, and colour)

Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

The landscaping within the Reserved Matters Area shall be implemented in accordance with the approved plans for implementation and for their replacement.

Reason: To ensure an appropriate level of information is contained within the application documentation in accordance with Policies

### **Surface Water Strategy**

- 30. As part of any application for reserved matters relating to layout, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, including principles of future management, shall be submitted to and approved in writing by the

Local Planning Authority. The scheme shall not be implemented other than in accordance with the approved details and shall be implemented before the development is completed. It shall thereafter be managed in accordance with the approved details. The scheme shall also include:

- i. a compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"
- ii. full drainage calculations for all events up to and including the 1 in 100 years plus 40% climate change;
- iii. a Flood Exceedance Conveyance Plan;
- iv. comprehensive infiltration testing across the site to BRE DG 365 (if applicable);
- v. detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- vi. detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and; details of how water quality will be managed during construction and post development in perpetuity;
- vii. confirmation of any outfall details; and
- viii. consent for any connections into third party drainage systems.

Reason: To manage on site drainage and sustainable drainage systems across the site in accordance with Policies PR5 and PR8 of the Cherwell Local Plan Partial Review, Policies ESD6, ESD7, ESD8, ESD10, ESD13, ESD15 and ESD16 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF

### **Foul Water Strategy**

31. The development shall be undertaken in accordance with a Development and Infrastructure Phasing Plan which shall be submitted for approval by the LPA prior to development commencing. As a minimum the Plan should include the anticipated commencement and occupation of development phases and how the necessary upgrade works and their timescales for delivery have been taken into account. Occupation of the development (or part of the development) shall only take place in accordance with the Development and Infrastructure Phasing Plan."

Reason: Oxford sewage treatment works does not have capacity to accommodate all flows from the development. While acceptable in principle, development needs to be aligned with upgrades to the sewage treatment works to avoid adverse impacts on the environment.

32. The development shall not be occupied until confirmation has been provided to the LPA that all foul water network upgrades required to accommodate the additional flows from the development are operational with that time period anticipated as being within 3 years of the date of this consent".

Reason: The local sewerage network does not have capacity to accommodate all flows from the development. While acceptable in principle, development needs to be aligned with upgrades to the sewerage network to avoid adverse impacts on the environment.

33. The development shall not be occupied until confirmation has been provided to the LPA that all foul sewage treatment upgrades required to accommodate the additional flows from the development are operational with that time period anticipated as being within 3 years of the date of this consent".

Reason: The local sewage treatment works does not have capacity to accommodate all flows from the development. While acceptable in principle, development needs to be aligned with upgrades to the sewerage network to avoid adverse impacts on the environment in accordance with Policies PR8 and PR11 of the Cherwell Local Plan Partial Review and Policies INF1 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF.

### **Framework Travel Plan**

34. Prior to first occupation an updated Framework Travel Plan shall be submitted to and approved by the Local Planning Authority and implemented thereafter. The Travel Plan shall include mechanisms for review and updating dependent on delivery timescales. The development shall be carried out in accordance with the Adopted Travel Plan.

Reason: To promote and implement sustainable transport measures and reduce the reliance on the car in accordance with Policies PR4a, PR8 and PR11 of the Cherwell Local Plan Partial Review and Policies INF1 and SLE4 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF

### **Residential Travel Plan**

35. Within three months of first occupation of each Phase a Travel Plan for the residential dwellings of that Phase shall be submitted to and approved by the Local Planning Authority and implemented thereafter. The Travel Plan shall include mechanisms for review and updating dependent on delivery timescales. The development shall be carried out in accordance with the Adopted Travel Plan.

Reason: To promote and implement sustainable transport measures and reduce the reliance on the car and promote cycling, walking and the use of public transport in accordance with Policies PR4a, PR8 and PR11 of the Cherwell Local Plan Partial Review and Policies INF1 and SLE4 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF

### **School Travel Plan**

36. Within 12 months of the first occupation of each school within the development site, a School Travel Plan shall be submitted to and approved by the Local Planning Authority and implemented thereafter. The Travel Plan shall include mechanisms for review and updating dependent on delivery timescales. The development shall be carried out in accordance with the Adopted Travel Plan.

Reason: To promote and implement sustainable transport measures and reduce the reliance on the car and promote cycling, walking and the use of public transport in accordance with Policies PR4a, PR8 and PR11 of the Cherwell Local Plan Partial Review and Policies INF1 and SLE4 of the Cherwell Local Plan 2011-2031 and the aims and objectives of the NPPF

### **Youth and Play Strategy**

37. Prior to or concurrently with the submission of the first of the reserved matters submission for Strategic Engineering or Strategic Landscaping element, whichever is earlier, a Strategy for Youth Facilities and Children's Play provision across the Phase, in accordance with the principles set out in the submitted Environmental Statement and the principles of the Design Code (approved under Condition 8), shall be submitted to the Local Planning Authority for approval. The Youth and Play Strategy shall include sufficient details to demonstrate the implementation of the Sports strategy within the Strategic Design Guide including specifications, location and phasing and include details of management, maintenance and governance. Reserved matters submissions shall take account of and be submitted in accordance with the approved strategy.

Reason: To ensure that the proposals deliver appropriate an amount and variety of sport and recreational opportunities for all ages in accordance with the submitted Environmental Statement, Sports Strategy and Landscape Strategy and Policies PR5 and PR8 of the Cherwell Local Plan Partial Review and Policy BSC10, BSC11, ESD10, ESD13, ESD15, and ESD17 of the Cherwell Local Plan 2011-2031, 2031, saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the NPPF.

### **Formal Sport**

38. Should any Formal Sport provision be provided, the playing pitches shall not be laid out unless and until:
- a) a detailed assessment of ground conditions of the land proposed for the new playing pitches has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
  - b) based on the results of the assessment to be carried out pursuant to (a) above of this condition, a detailed remediation scheme to ensure that the playing fields will be provided to an acceptable quality

(including appropriate drainage where necessary) and which sets out an implementation strategy for the works and approach to public access has been submitted to and approved in writing by the Local Planning Authority

- c) Detailed submissions with regard to the layout, lighting (including light spillage details), permanent sports equipment and practice areas. The development of the playing pitches shall be carried out in accordance with the approved scheme and retained thereafter.

Reason: To ensure that the proposals deliver appropriate an amount and variety of sport and recreational opportunities for all ages in accordance with the submitted outline details and in accordance with the requirements of Policies PR3, PR5 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD13, ESD15 and ESD17 of the Cherwell Local Plan

### **Formal Play (NEAPS, LEAPS)**

- 39. a) A Reserved Matters submission which includes a Multi-Use Games Area (MUGA), Neighbourhood Equipped Area of Play (NEAP), and Local Equipped Areas of Play (LEAPs) or other formal play provision shall be carried out in accordance with the Site Wide Youth and Play Strategy and shall include details of site levels, play features and facilities for an appropriate age of children and youth provision, seating, pathways, planting and landscaping relating to that play facility and a strategy for its implementation and management shall be submitted for the approval of the Local Planning Authority. The play equipment shall be designed in a manner to reflect the location and to ensure that there is individual identity and design to distinguish the play facility from other play facilities in the application site. b) The development of the play provision shall be carried out in accordance with the relevant agreed details and retained thereafter. c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver an appropriate amount and variety of recreational opportunities for all ages in accordance with the submitted outline application and in accordance with Policies PR5 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

### **Informal Play (LAPs, SiPs)**

- 40. a) A Reserved Matters submission which incorporates additional Local Areas of Play (LAPs), Sites for Imaginative Play (SiPs) or other areas of informal play shall be carried out in accordance with the Site Wide Youth

and Play Strategy shall include details of site levels, play features, seating, pathways, planting and landscaping relating to that LAP, SiP or other area of informal play and a strategy for their implementation and management shall be submitted for the approval of the Local Planning Authority.

b) The development of each informal play area shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages in accordance with the submitted outline application and in accordance with Policies PR5 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

### **Community Orchard/Edible Landscape**

41. a) As part of the Reserved Matters submission which incorporates new groups of tree planting, shall consider the provision of community orchards and an edible landscape, and should those be proposed the following details relating to any such provision shall be submitted to the Local Planning Authority for approval in writing:

i. details of site levels and soil preparation,

ii. planting to promote an edible landscape including fruit trees, shrubs and bushes,

iii. boundary treatment and hedgerow planting,

iv. any ancillary features such as seating, bins (including dog bins),

v. arrangements for implementation and management of the area for the future community.

b) The development of such community orchards shall be carried out in accordance with the agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.



Reason: To ensure that the proposals deliver appropriate opportunities for tree planting, healthy lifestyles and wildlife foraging and in accordance with Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

### **Central Park Delivery Strategy**

42. The Reserved Matters submissions for any Development Parcel or Landscaping Element which relates to the Central Park shall, where appropriate, include the following details:
- a) Details of areas of formal and informal play
  - b) Ancillary buildings and structures
  - c) Tree planting
  - d) Details of new planting
  - e) Ecological measures
  - f) Ground contamination management
  - g) Pathways and movement through the park
  - h) Fencing and boundary treatment
  - i) Street furniture, lighting and CCTV
  - j) Opportunities for public art
  - k) Proposed finished levels
  - l) Landscape management for a period of 15 years.

Reason: To ensure that the proposals deliver appropriate opportunities for tree planting, healthy lifestyles and wildlife foraging and in accordance with Policies PR5 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

### **Allotments Strategy**

43. The Reserved Matters submissions for any Development Parcel or Landscaping Element which incorporates allotment provision shall, where appropriate, include the following details:
- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
  - b) Confirmation that the site of the proposed allotments is free from contamination and capable of growing fruit and vegetables for human consumption;

- c) Proposed management arrangements for the allotments (including topsoil and soil provision/management) including consultation with relevant bodies;
  - d) Access and parking arrangements to allow easy and safe access to the allotments;
  - e) Details of the ancillary features (e.g. bins, seats, water butts, greenhouses and sheds);
  - f) Boundary treatment, including security arrangements for the allotments;
  - g) Water supply, including use of stored rainwater and SuDS for watering crop and drainage arrangements to ensure that the proposed site for the allotments is free draining and does not impact on the wider drainage network (e.g. through silting up of the drainage network).
- ii) The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that the detail of allotments are delivered in a manner that delivers an appropriate allotments for future users in accordance with the requirements of Policies PR5 and PR8 of the Cherwell Local Plan 2011- 2031 (Partial Review), Policies ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

### **Social Farm/Agricultural Land Delivery Strategy**

44. As part of the Reserved Matters for the relevant Phase of Development the submission shall detail how the development will contribute to the delivery of 12hectares of agricultural land.

The details of the Social Farm Delivery shall also be submitted in terms of the management, agricultural tenure and holding and detail of how the scheme will differentiate itself from allotments to provide an Agricultural Holding.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development maintains and delivers the aim of Policies PR5 and PR8 of the Cherwell Local Plan 2011- 2031 (Partial Review) to ensure that 12ha of agricultural land is provided as part of the development.

### **Footpaths, Cycleways and Green Corridors**

45. Prior to or as part of the Reserved Matters submission with regard to the relevant phase the submission shall detail:
1. Footways and cycleways to promote active travel for recreation and commuting across the site and connections to neighbouring developments.
  2. The creation of Green Corridors including landscaping, seating, signage and public art
  3. The creation of recreational links and access across the land to the East of the Railway in a manner that would be compatible with Green Belt and ecological aims including active travel links, canal towpath links and downgrading of Sandy Lane, including a review of surfacing, existing signals, access to existing properties and safeguarding of land to deliver connections across the canal.

Reason: To ensure that the detail of footways, cycleways and other routes are delivered in a manner that delivers an appropriate recreational facility for future users in accordance with the requirements of Policies PR5 and PR8 of the Cherwell Local Plan 2011- 2031 (Partial Review), Policies SLE4, ESD13, ESD15, ESD16 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

### **Community Use Agreement**

46. Within 12 months of the first use of the secondary school, a community use agreement for the indoor and external facilities shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to playing fields and sports facilities, including any artificial grass pitch, sports hall changing facilities associated with sports facilities and other facilities as appropriate. Details shall include details of pricing policy, hours of use, access by non-school users, management responsibilities, implementation timetable and review mechanism. The community use agreement shall be implemented fully in accordance with the approved details and timetable.

Reason: To secure well managed safe community access to the sports facility/facilities to ensure sufficient benefit to the development of sport and in accordance with Policy PR8 of the Local Plan Partial Review, Policies BSC7, BSC8 and ESD15 of the CLP2015 and the aims and objectives of the NPPF in seeking an integrated community.

### **Lighting Strategy**

47. Prior to or concurrently with each Reserved Matters details of a site-wide lighting strategy taking account of the principles in the Framework Lighting Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include:
- i. Lighting for play
  - ii. Lighting for residential areas

- iii. Lighting for commercial areas
- iv. Lighting for public realm and walking and cycling routes
- v. Areas of ecological areas where lighting will be prohibited.
- vi. A strategy for lighting roads and development parcels.
- vii. A strategy for mitigation to reduce light pollution during construction.

No occupation shall take place on any phase until the detailed lighting strategy has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance Policies PR3, PR5 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

### **Tree Management Strategy**

48. As part of the Reserved Matters submission, a tree management strategy and associated plans for the following insofar as they relate to that Reserved Matters shall be submitted to and agreed in writing by the Local Planning Authority.
- i) A strategy for the ongoing management, felling and replacement planting of any trees within existing mature trees and hedgerows in accordance with the principles of the outline planning permission.
  - ii) A strategy for other standalone and groups of trees and hedgerows within the Reserved Matters submission
  - iii) Details of tree protection measures relating to that Reserved Matters submission in accordance with BS5837:2012 (or succeeding and/or replacement legislation) to be maintained throughout construction.
  - iv) Details of new landscaping features (e.g. seats, dog bins, and footpaths) within the existing tree belts within the Reserved Matters submission
  - v) A strategy for implementation and retention of new and existing trees, hedgerows or tree belts within the Reserved Matters submission
- b) The development of each Reserved Matters shall be implemented in accordance with the agreed strategy and timescale and retained thereafter.

Reason: To ensure that the proposals deliver appropriate management and retention of the existing tree cover to the site in accordance with the submitted Environmental Statement and Policies PR5 and PR8 of the Cherwell Local Plan Partial Review and the aims and objectives of the National Planning Policy Framework.

### **Noise Mitigation Strategy**

49. Prior to the development commencing a report shall be submitted to and approved in writing by the local planning authority that shows that all habitable rooms within the dwelling and external areas will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) for indoor and external noise levels (if required then the methods for rating the noise in BS4142:2014 should be used, such as for noise from industrial sources).

Thereafter, and prior to the first occupation of the dwellings affected by this condition, the dwellings shall be insulated and maintained in accordance with the approved details. If alternative means of ventilation are required, then an overheating assessment should be carried out in accordance with details submitted to and approved by the Local Planning Authority and the approved details shall then be implemented into the development.

Reason: To ensure that the proposals provide an appropriate mitigation to road and railway noise arising from neighbouring land uses in accordance with Policy PR8 of the Cherwell Local Plan Partial Review and the aims and objectives of the National Planning Policy Framework.

### **Low Emission Strategy**

50. Prior to the submission of the first Reserved Matters a Low Emission Strategy shall be submitted to and agreed in writing to mitigate, improve and enhance, wherever possible, the air quality and sustainable transport options to the surrounding area. The development shall be carried out in accordance with the approved strategy.

Reason: To ensure that the proposals provide an appropriate mitigation to road and railway noise arising from neighbouring land uses in accordance with Policies PR4a, PR4b and PR8 of the Cherwell Local Plan Partial Review and the aims and objectives of the National Planning Policy Framework.

### **Fibre Optic Installation**

51. a) Prior to the commencement of any Reserved Matters, a scheme detailing the provision of open access ducting for fibre optic cable to serve a range of telecommunication services, shall be submitted to and approved in writing by the Local Planning Authority, including site infrastructure plans. The scheme shall ensure:
- i) that a site-wide network is in place and provided as part of infrastructure works;
  - ii) that the site-wide network includes the provision of open access ducting for fibre optic cable to the boundary of the site; and iii) a strategy for implementation of the works and access and connections to neighbouring Development Parcels.
- b) As part of the Reserved Matters submission for layout, a strategy shall be submitted to and agreed in writing by the Local Planning Authority to

demonstrate the completion of infrastructure to facilitate the provision of fibre optic cable to each property upon the completion of the infrastructure. The scheme shall be implemented in accordance with the agreed timescales and retained thereafter.

Reason: To provide appropriate and sustainable infrastructure for high-speed internet connection in accordance with Policies PR8 of the Cherwell Local Plan 2011- 2031 (Partial Review), Policies BSC9 and ESD15 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

### **Residential Space Standards**

52. A Reserved Matters Submission within the redline of the outline application shall be accompanied by a statement outlining that all proposed residential properties are in compliance with national or local space standards, whichever provides a higher level of space.

Reason: To achieve an appropriate standard of housing in accordance with Policy PR2 and PR8 of the Cherwell Local Plan 2011-2031 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

### **Appendix A – Definitions**

‘Associated Works’: means any works or operations associated with and incidental to the development including; erection of temporary buildings; creation of access routes; temporary use of land for car parking; or any other works or operations to enable such works to take place.

‘Commencement’: means the initiation of development as defined in Section 56(4) of the Town and Country Planning Act 1990, with the exception of Enabling Works, Associated Works and site access works, and

“Commence” or “Commenced” shall be construed accordingly.

‘Design Guide Statement of Compliance’: means a statement which demonstrates how a proposed Reserved Matters Application accords with and gives effect to the guiding principles set out within an associated approved Design Guide.

‘Design and Access Statement’: means the Design and Access Statement submitted with the application in its consolidated form in 2024

‘Strategic Design Guide’: means the guide submitted with the application. The Design Guide shall cover but not be limited to the items set out in the Design Specification Document submitted with the application.

'Development Area': means the areas identified on the Land Use Parameter Plan as development areas.

'Development Area Brief': means a brief prepared in relation to either any other sub area of that as may be agreed with the local planning authority, setting out the matters described in the Development Area Brief Specification.

Development Parcel means a phase or part of the development excluding Enabling Works and Strategic Engineering and Landscape Elements. For instance, this would include a phase or part of the development comprising housing, employment, a local centre, a school site and/or playing fields.

'Environmental Statement': means the documents titled Volumes I to II, dated 2023, and the ES Addendum, dated April 2024.

'Enabling Works': means preparation works to make the Site ready for construction. Such works include (but are not exclusive to): Site or ground clearance; construction of temporary accesses and/or highway works to facilitate the carrying out of the development; archaeology; ecological surveys, investigations or assessments; site preparation; construction of boundary fencing or hoardings including for site security; provision of underground drainage and sewers; the laying and diversion of other services and service mediums; erection of temporary facilities for security personnel; the erection of security cameras; excavation; interim landscaping works; construction of temporary internal roads; erection of fencing, gates or enclosures, installation of CCTV or other works or operations to enable any of these works to take place including site and ground works.

'Existing Science Park': means the existing Begbroke Science Park in its current form and layout which is identified in the Environmental Statement accompanying the application.

'Housing Waiting List': means the list defined and prepared in accordance with Schedule xx of the Section 106 Agreement.

CLPPR: Means the Cherwell Local Plan Partial Review adopted September 2020

CLP2015: Means the Cherwell Local Plan adopted in 2015  
CLP1996: Means the saved policies within the Cherwell Local Plan adopted in 1996

NPPF: means the National Planning Policy Framework (December 2023) or succeeding national planning policy guidance.

'Reserved Matters': means details of the access, appearance, landscaping, layout and scale as defined by the Town and Country

Planning (Development Management Procedure) Order 2015 (as amended) or succeeding legislation.

'Reserved Matters Application(s)': means an application for the approval of Reserved Matters which will relate to individual development parcels or infrastructure needed for a particular stage of development and will comprise the information.

'Reserved Matters Specification': means the specification

'Section 106 Agreement' means the agreement made between pursuant to section 106 of the Town and Country Planning Act 1990 and dated xxxx

'Site': means the land edged in red on the Existing Site Plan (drawing reference)

Strategic Engineering includes principal foul and surface water drainage infrastructure works, other utilities provision including protection and diversion, accesses, flood risk infrastructure works, primary roads, attenuation features, land re-profiling and raising that fall outside or connecting to Development Parcels.

Strategic Landscape Elements include strategic open space and landscape works and planting (including allotments), and similar related works that fall outside or connecting to Development Parcels.

## **Appendix B - Design Code Requirements**

The Design Code shall include, as relevant to each Phase:

a. The vision for the Phase. This should clearly articulate how the Phase contributes to the realisation of the Vision for the Site as a whole, as articulated in the Design and Access Statement and Design Principles, with emphasis upon the overall framework for movement, land use and landscape. The framework for development should be presented within the context of the Application Site and the wider area.

b. The Design Code shall include a 'framework masterplan' that establishes the framework for development within that Phase. The 'framework masterplan' is the key plan associated with the Design Code and the content of the plan and its associated key will guide the structure of the Design Code.

c. A movement hierarchy for the Phase (which is to secure a legible, permeable and connected network), and the principles and extent of the highway that would potentially be offered for adoption (the extent of adoption will be agreed following Reserved Matters approval).

d. Typical street cross-sections which will include details of tree planting, landscaping, service runs, traffic calming and on street parking.



- e. How the design of the streets and spaces will address the needs of all users and give priority to sustainable travel.
- f. Principles to guide block structure and built form including design principles to address the relationships between land use; height and mass; primary frontages; pedestrian access points; fronts and backs; threshold definition; important buildings/groupings; building materials and design features.
- g. Approach to incorporation of ancillary infrastructure/buildings (such as substations, street name plates, pumping stations, pipes, flues, vents, meter boxes, external letterboxes, required by statutory undertakers as part of building design) and the routing of utilities.
- h. The approach to vehicular parking across the phase including the location and layout of parking for people with disabilities and for each building type, including the approach that will be adopted to access points into, and the ventilation of any undercroft or underground parking or any separate parking structures.
- i. The approach to cycle parking for all uses and for each building type, including guidance on the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles, following the principles of the LTN1/20
- j. The approach to the landscape framework including the integration of the existing retained landscape features and new structural planting in the key public open spaces and along the primary and secondary streets, together with guidance on tree/planting specification, and the interface with surface water drainage features, the design of which will also be addressed.
- k. The provision of outdoor sports and children's play space provision including the formal playing fields and any Neighbourhood Equipped Area for Play (NEAP), Local Equipped Play Area for Play (LEAP) and Local Area of Play (LAP) with reference to the relevant open space/play space guidance and standards extant at that time
- l. The approach to the treatment of footpaths, cycleways, and bridleways through the site.
- m. The conceptual design and approach to key public spaces including the integration of public art (identifying appropriate locations) and guidance on materials, signage, utilities, and any other street furniture.
- n. The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, to maximise energy efficiency, minimise light pollution and avoid street clutter.

- o. Details of waste and recycling provision for all building types, in accordance with RECAP principles.
- p. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscape, orientation, massing, and external building features.
- q. Design features to support biodiversity and ecological enhancement aligned with the relevant Phase Ecological Management Plan.
- r. Measures to minimise opportunities for crime.
- s. Details of the proposed design review procedures and circumstances where design review will be undertaken.

Reserved matters applications for that phase shall be submitted in accordance with 'a Design Guide Statement of Compliance' with the details approved as part of the Design Code for that Phase.

57 **Part Of OS Parcel 7700 Adjoining B4035 And Swalcliffe Road Upper Tadmarton**

The Committee considered application, 23/00831/F for the erection of a single storey 18 stable block with 2 storey frontage and for feed and bedding storage with tractor access in a courtyard arrangement associated storage, the formation of a 30x60m outdoor riding arena, lunge pen, horse walker and covered trailer parking and a temporary dwelling for a period of 3 years at part of OS Parcel 7700 adjoining B4035 and Swalcliffe Road Upper Tadmarton for Ms Katie Lavin.

Councillor Douglas Webb addressed the Committee as Local Ward Member.

Jane Fitzpatrick, on behalf of Tadmarton Parish Council, addressed the Committee in objection to the application.

Katie Lavin, the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers' report and presentation, addresses from 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 for application 23/00831/F, subject to the conditions set out below, and any amendments to those conditions as deemed necessary.

**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 following plans and documents: Proposed scheme site plan (Titled: 5426-29 Rev G), Stables – plans/elevations/section (Titled: 5426-24 Rev C), Areal Elevations (Titled: 5426- 25), Temporary Dwelling (Titled: 5426 27), Proposed Scheme Sections (Titled: 5426-22 Rev C).

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 unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in full accordance with the approved details prior to the first use or occupation of the development and shall be retained as such thereafter.

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

4. No development shall commence unless and until a Construction Environment and Traffic Management Plan (CETMP) has been submitted to and approved in writing by the Local Planning Authority. The CETMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods and shall include working hours. The approved CETMP shall be implemented and operated in accordance with the approved details. The CETMP must be appropriately titled, include the site and planning permission number and must include the following:
  - a. Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
  - b. Details of and approval of any road closures needed during construction.

- c. Details of and approval of any traffic management needed during construction.
- d. Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- e. Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- f. The erection and maintenance of security hoarding / scaffolding if required.
- g. A regime to inspect and maintain all signing, barriers etc.
- h. Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- i. The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
- j. No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked, and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- k. Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- l. 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.
- m. Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- n. Any temporary access arrangements to be agreed with and approved by Highways Depot.
- o. Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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

- 5. No development shall commence unless and until a schedule of materials and finishes to be used in the external walls and roof(s) of the buildings and riding arena has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full 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.

6. No development shall commence unless and until a scheme for landscaping the site has been submitted to and approved in writing by the Local Planning Authority which shall include:

(a) 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.),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,

(d) details of the enclosures along the boundaries of the site.

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.

7. No sound-amplifying equipment shall be installed or operated on the premises.

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

8. Prior to the first use of the development hereby approved details of the external lighting/security lighting including the design, position, orientation and any screening of the lighting 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 retained and operated 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.

9. 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 any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. If a potential risk from contamination is identified as a result of the work carried out under condition 9, 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 any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. If contamination is found by undertaking the work carried out under condition 10, 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 any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. If remedial works have been identified in condition 10, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 11. 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 any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. 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 any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. The development hereby permitted shall be carried out in accordance with the recommendations set out in [\*\*] of the [\*\*] by [\*\*] dated [\*\*] 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 Government guidance contained within the National Planning Policy Framework.

15. A method statement for enhancing the biodiversity 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 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.

16. Notwithstanding the provisions of Schedule 2, Part 1, Classes A-D inclusive of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order with or without modification) no enlargement of the dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason: Taking into account the density of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that the amenities of the adjoining occupier(s) are not adversely affected in accordance 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.

17. The living accommodation hereby approved shall be occupied solely in conjunction with and ancillary to equine use hereby approved and shall not be sold, leased or occupied as a separate unit of accommodation.

Reason: This consent is only granted in view of the special circumstances and needs of the applicant, which are sufficient to justify overriding the normal planning policy considerations which would normally lead to a refusal of planning consent, in accordance with saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. At the expiration of three years from the date hereof the temporary dwelling shall be removed from the site and the land shall be restored to its former condition on or before that date.

Reason: Planning permission has only been granted in view of the essential need for a new dwelling in accordance with saved Policy H18 of the CLP 1996 and government guidance contained within the National Planning Policy Framework and because of the temporary nature of the building.



The Committee considered application 23/03408/F, for the erection of a riding school building including grooms' accommodation and forage store at Turpins Lodge, Tadmarton Heath Road, Hook Norton, Oxfordshire, OX15 5DQ for John Romer.

Matt Chadwick, on behalf of the agent for the applicant, JPPC, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers' report, presentation, address from the public speaker 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 for application 23/03408/F subject to

- The conditions set out below (and any amendments to those conditions as deemed necessary) and
- The completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) Details for the future use of the existing stables and arena to be submitted to the Council
  - b) To ensure the extant permission is not used as grooms' accommodation.
  - c) The receipt of a Nature Space Licence

### **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 form and following approved plans Site Location Plan, Site Plan Topography Plan with excavation, indoor arena ground floor, indoor arena first floor, indoor area second floor, indoor arena south elevation,

indoor arena west elevation, indoor arena east elevation, indoor arena north elevation, forage barn floor plan, forage store east elevation, forage store north elevation, forage store south elevation, forage store west elevation, application forms, ecological appraisal.

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 buildings shall be submitted to and approved in writing by the Local Planning Authority prior to any foundations work. The development shall thereafter be implemented in accordance with the approved details and shall be retained as such thereafter.

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

4. No development shall commence above slab level unless and until a scheme for landscaping the site has been submitted to and approved in writing by the Local Planning Authority which shall include:

(a) 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.),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,

(d) details of the enclosures along the boundaries of the site.

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.

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.

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.

5. The living accommodation hereby approved shall be occupied solely in conjunction with and ancillary to Turpins Lodge Riding School and shall not be sold, leased or occupied as a separate unit of accommodation.

Reason: This consent is only granted in view of the special circumstances and needs of the applicant, which are sufficient to justify overriding the normal planning policy considerations which would normally lead to a refusal of planning consent, in accordance with Policies BSC1 and ESD1 of the Cherwell Local Plan 2011-2031, saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. No development shall commence above slab level until details of the construction, including cross sections, of the proposed windows/doors, etc to a scale of not less than have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first use of the indoor arena and shall be retained as such thereafter.

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 and Government guidance contained within the National Planning Policy Framework.

## 59 **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.

## 60 **Planning Performance Report**

The Assistant Director Planning and Development submitted a report that detailed the Council's performance in determining planning applications against the Government's targets on speed and quality, as well as general performance figures.

In introducing the report, the Head of Development Management advised that the Council was meeting all measures except the quality measure in respect of major applications being allowed at appeal which had marginally gone over the target by 1%.

**Resolved**

- (1) That the report be noted.

The meeting ended at 6.52 pm

Chairman:

Date: