

Case Officer: Nick Wyke

Recommendation: Approve,
subject to conditions.

Applicant: Upper Heyford Parish Council

Proposal: Outline planning application with All Matters Reserved: The Upper Heyford Heat Network is to provide low-carbon heat supply to 156 buildings in Upper Heyford Village. The buildings comprise 153 Domestic buildings and 3 non-domestic buildings comprising The Barley Mow (public house), Upper Heyford Reading Rooms and Upper Heyford Village Hall. The three main construction components to the work: 1 - Drilling of 134 no. boreholes to accommodate the closed loop ground source pipework which will provide the long-term low-grade heat for the heat network; 2 - A newly constructed, single storey energy centre building housing internal Ground Source Heat Pump (GSHP) units, thermal storage and other heat generation and supply infrastructure - the building will have external Air Source Heat Pump (ASHP) units and associated pipework; 3 - Approximately 6,614m of trench work to connect pipework from the boreholes to the energy centre and the primary heat distribution system to all the participating buildings via dedicated, in property heat interface units (HIU)

Expiry Date: 11 April 2025

Committee Date: 10 April 2025

**SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO
CONDITIONS AND RESOLVING HIGHWAYS AND DRAINAGE MATTERS**

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site extends to 3.20 HA and currently comprises agricultural land used for the growing of crops. The site is located to the north of Camp Road and is located between Upper and Lower Heyford.

2. CONSTRAINTS

- 2.1. Conservation Area, Flood Zone 1, Archaeology.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposed development forming the basis of this application is for the construction of 134 bore holes to accommodate the closed loop ground source pipework which will provide the long term-term low carbon heat which will supply 156 buildings in Upper Heyford Village. In addition to the boreholes will be the single storey energy centre building housing an internal ground source heat pump units, thermal storage and other heat generation and supply infrastructure. The building will have an external Air Source Heat Pump units and associated pipework. There will be approximately 6,614m of trench work to connect pipework from the boreholes to the energy centre and the primary heat distribution system to all participating building.

3.2. The application has been submitted in outline with all matters reserved.

4. RELEVANT PLANNING HISTORY

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

5. PRE-APPLICATION DISCUSSIONS

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

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a Site Notice displayed near the site, expiring, by advertisement in the local newspaper expiring **28 December 2024** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **28 December 2024**.

6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

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

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. The Mid Cherwell Neighbourhood Plan Forum have commented on the application confirming their support for the proposals. They have stated that *the provision of a local heating network for the village strong accords with the sustainability principles of the Mid-Cherwell Neighbourhood Plan. In addition, we consider that the outline scheme accords with a number of MCNP Policies affecting the site namely policies PD3,4 and 7 and should ultimately result in improvements to the local environment, particularly in respect of air quality and reduction in carbon emissions.*

STATUTORY CONSULTEES

7.3. CHERWELL DISTRICT COUNCIL LEGAL SERVICES: **No objections.** Have confirmed that no Public Rights of Way are directly affected by this proposal and there are no proposed diversions required. No further comments have been provided by the CDC Legal Services team.

7.4. OXFORDSHIRE COUNTY COUNCIL ARCHAEOLOGY. **No objections.** have advised that there could be archaeological remains on site and have requested an archaeological written scheme of investigation is prepared. This can be agreed as part of a condition.

7.5. CHERWELL DISTRICT COUNCIL ENVIRONMENTAL HEALTH **No objections.** have confirmed they have no comments on the application.

7.6. THAMES VALLEY POLICE: have confirmed they have **no objection** to this application. They have raised concerns that the development could be target for crime and any damage or intrusion into the energy centre buildings could have a knock on

impact to residents who would be reliant on the supply of electricity. TVP have asked that the energy centre is designed with appropriate physical security features, and appropriate management features such as CCTV and or alarms.

- 7.7. OXFORDSHIRE COUNTY COUNCIL HIGHWAYS **have objected** to the application for the following reasons:

The application documents provide insufficient detail regarding access to the site. This is contrary to NPPF 114 (b).

The proposal fails to show the correct route of Upper Heyford bridleway 388/1 and is not making it usable. This is contrary to Cherwell District Council Policy ESD17: Green Infrastructure and Oxfordshire County Council LTCP Policy 5.

- 7.8. CHERWELL DISTRICT COUNCIL BUILDING CONTROL have advised that a building regulations application will be required.
- 7.9. CHERWELL DISTRICT COUNCIL CONSERVATION OFFICER have confirmed they have **no objections** to the proposals on heritage grounds.
- 7.10. HISTORIC ENGLAND have confirmed they have **no comments** on the application.
- 7.11. OXFORDSHIRE COUNTY COUNCIL FIRE AND RESCUE have advised that a Building Regulations Application will be required should planning consent be granted.
- 7.12. OXFORDSHIRE COUNTY COUNCIL LOCAL LEAD FLOOD AUTHORITY have requested clarification on the drainage strategy and have advised that the proposed works and associated infrastructure might require a drainage strategy to collect and discharge surface water in a sustainable manner. This needs to be clarified in a SuDS compliance report.

OTHER CONSULTEES

- 7.13. No comments have been received from other consultees.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

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

- PSD 1 – Presumption in Favour of Sustainable Development
- SLE 4 – Improved Transport and Connections
- ESD 1 – Mitigating and Adapting to Climate Change
- ESD 2 – Energy Hierarchy and Allowable Solutions
- ESD 4 – Decentralised Energy Systems
- ESD 5 – Renewable Energy
- ESD 7 – Sustainable Drainage Systems

- ESD 10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 11 – Conservation Target Areas
- ESD 13 – Local Landscape Protection and Enhancement
- ESD 15 – The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design, and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

MID-CHERWELL NEIGHBOURHOOD PLAN (Draft)

- PD3: Development adjacent to Heyford Park
- PD4: Protection of important views and vistas
- PD5: Building and Site Design

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Rousham, Lower Heyford and Upper Heyford Conservation Area Appraisals
- RAF Upper Heyford Conservation Area Appraisal

9. APPRAISAL

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

- Principle of development
- Highways
- Ecology
- Heritage.
- Drainage.

Principle of Development.

9.2. The site is currently in agricultural use and the proposal would involve the change of use of the land to a sui-generis use for the generation of renewable energy and the creation of an energy centre.

9.3. Cherwell District Council declared a Climate Change Emergency in 2019 and seeks to enable a zero carbon Cherwell by 2030. Policies ESD1, ESD4 and ESD5 of the Cherwell Local Plan (2015) promote the use of decentralised and renewable or low carbon energy where appropriate. This support for decentralised and renewable or low carbon energy is also contained in the National Planning Policy Framework. Paragraph 168 (B) of the NPPF requires *local planning authorities to recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions*. Paragraph 161 of the NPPF emphasises the need to *support renewable and low carbon energy and associated infrastructure*.

9.4. Planning Practice Guidance provides guidance to help local councils in developing policies for renewable and low carbon energy and identify the planning considerations. Paragraph 001 of the PPG states that Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK

has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

- 9.5. The Mid Cherwell Neighbourhood Plan does not contain specific policies covering renewable or low carbon energy. It does however support sustainable development (Paragraph 3.2.1).
- 9.6. Policy PD3 identifies a zone of non-coalescence on the western boundary of Heyford Park. The purpose of this designation is to prevent coalescence of any development proposals at Heyford Park with the village of Upper Heyford. Policy PD3 states that within the zone of coalescence the land should remain predominantly in agricultural use.
- 9.7. The proposals will result in the loss of an area of agricultural land extending to approximately 11,000 sqm. The majority of the remaining land will however remain in agricultural use. I therefore consider that the application site will predominantly be in agricultural use. With the exception of the energy centre, the majority of the development will remain underground. I do not therefore consider that a development such as this would give rise to coalescence.
- 9.8. There is clearly support at both a local and national level towards reducing greenhouse gas emissions and promoting the use of decentralised and renewable or low carbon energy such as this. The proposed development will provide low carbon heat supply to 156 buildings in Upper Heyford. These include 153 domestic buildings and 3 non-domestic buildings comprising the Barley Mow Public House, Upper Heyford Reading rooms and Upper Heyford Village Hall. The proposed development is therefore considered to accord with Policies ESD1, ES4 and ES5 of the Cherwell Local Plan. The principle of development is therefore considered acceptable subject to matters surrounding highways, ecology, design, and impact on the character of the area.

Highways

- 9.9. Policy SLE4 of the Cherwell Local Plan states that development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.
- 9.10. Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 9.11. Oxfordshire County Council Highways have objected to the proposed development requesting further information on the location of the access point into the site. They have also requested that junction and visibility splays and dimensions must be in accordance with 30 MPH visibility splays of 70 meters and dedicated to OCC if they fall out of the existing highway boundary. A Stage 1 Road Safety Audit (RSA 1) has also been requested.
- 9.12. The application has been submitted in outline with all matters reserved. Matters surrounding access will therefore be agreed through reserved matters. Final details on the location of the proposed access point, the need to achieve the required visibility splays and the provision of an RSA will be agreed through conditions should planning consent be approved.

Ecology

- 9.13. Policy ESD10 seeks to protect and enhance biodiversity and the natural environment through a net gain in biodiversity.
- 9.14. Policy ESD11 states that where a proposal within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement.
- 9.15. Policy PSD5 of the Mid Cherwell Neighbourhood Plan seeks to achieve biodiversity enhancements wherever possible as part of all development proposals.
- 9.16. The applicant has submitted a Preliminary Ecological Appraisal and biodiversity net gain metric as part of the application. The Ecological Appraisal identified the application site is adjacent to the Ardley and Upper Heyford Conservation Target Area. In order to minimise any impacts on the Conservation Target Area a 10 m buffer between the application site and the Conservation Target Area boundary will be maintained.
- 9.17. The ecological appraisal did not identify any priority habitats of conservation concern within the application site. A soft landscaping plan was recommended as part of the Ecological Appraisal in order to designate wildlife corridors and incorporate these into the design of the scheme.
- 9.18. The site is identified as having high potential for bats, with the scattered trees and hedgerow being of high potential for foraging bats. An artificial lighting plan is required in order to understand the impact of lighting on bats. The requirement for this can be dealt with through a planning condition.
- 9.19. The ecological appraisal recognises that the site has the potential to support local reptilian populations. A reptile survey would therefore be required prior to the commencement of development.
- 9.20. Badger sets have been identified nearby through a separate confidential Ecological Appraisal. Due to the confidentiality and sensitivity of these protected species it is not possible to provide further information on this matter. It is however considered that the development can mitigate against these constraints.
- 9.21. The Biodiversity Net Gain Metric submitted as part of the application shows a 11.43% net gain in habitat units and a 36.31% gain in hedgerow units. Based on the metric submitted it is considered that a net gain in biodiversity can be achieved.
- 9.22. We are still awaiting comments from the Cherwell District Council Ecologist at the time of writing this report. A written update will therefore be made prior to the application being considered at Planning Committee. It is however considered that by the nature of the proposals and based on the information submitted that the objectives of policy ESD10, ESD11 and PSD5 can be achieved.

Heritage.

- 9.23. Policy ESD15 states it is essential that development in the vicinity of any of the District's historical assets delivers a high quality design.
- 9.24. Policy PD4 of the Mid Cherwell Neighbourhood Plan states that development should not harm the conservation area and its setting, other heritage assets, or historic streets and village views and longer distance vistas. Development proposals within the plan area must demonstrate sensitivity to the important views and vistas described in Table 4 of the Neighbourhood Plan.

- 9.25. Paragraph 212 of the NPPF requires *great weight to be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 9.26. Paragraph 213 of the NPPF states any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification.
- 9.27. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 9.28. The proposed development lies within the Upper Heyford and the Rousham, Lower Heyford Conservation Area and the RAF Heyford Conservation Area. The site is within the protected skyline for the Upper Heyford Church Tower as identified in figure 8 of the Neighbourhood Plan. The site is not within any of the key views or vistas identified in Upper Heyford or Rousham Conservation Area appraisal.
- 9.29. The application is in outline with all matters reserved, details surrounding the scale, appearance and layout of the energy centre will therefore be dealt with through the submission and consideration of reserved matters. The applicant refers to the energy centre being a single storey building. The boreholes and pipework will all be underground. It is not therefore expected that the proposals will lead to substantial harm to this identified view. Policy PD4 is therefore accorded with.
- 9.30. The Cherwell District Council Conservation Officer has commented on the proposals and advised that as the equipment proposed is largely below ground, this is considered to have limited impact on built heritage. The conservation officer also highlighted the fact the energy centre is above ground and maybe visible from parts of the conservation area in the immediate vicinity. The Conservation Officer went onto state it is not believed that the proposal will be readily visible from further away or in the wider landscape and it is unlikely it would be harmful to the significance of the heritage assets. The Conservation Officer has advised that *Care needs to be taken when developing the design and materials to be used in the building to ensure an agricultural character is maintained.* Matter surrounds the appearance of the Energy Centre including the materials to be used will be covered through reserved matters surrounding appearance.
- 9.31. Based on the above it is considered that no harm will arise to the above heritage assets. Paragraph 215 of the NPPF is not therefore engaged. Given most of the development will be below ground and matters surrounding appearance will be dealt with through reserved matters it is considered the development will accord with Policy ESD15, PD4 and the NPPF.

Drainage.

- 9.32. Policy ESD6 – Sustainable Flood Risk Management requires a site specific flood risk assessment to accompany development proposals for all development of 1 hectare or more located in flood risk zone 1.
- 9.33. Policy ESD7 requires all development to use sustainable drainage systems. (SuDS) for the management of surface water.
- 9.34. Paragraph 170 of the NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk of flooding.

- 9.35. The proposed development falls within flood risk zone 1 and extends to 3.20 HA. A flood risk assessment would ordinarily be required to accompany any application. The proposed development is not however considered inappropriate development and is within an area of low flood risk. A flood risk assessment is not required for this application.
- 9.36. The LLFA have commented on the application and requested that clarification is provided on the drainage strategy. The LLFA advise that the proposed works and associated infrastructure might require a drainage strategy to collect and discharge surface water in a sustainable manner. The Flood Risk Map for Planning identifies areas at risk of surface water flooding. According to the map the site is not considered at risk of surface water flooding. Only the energy centre is likely to require details on how surface water running off the building will be managed. The scale of the building will be agreed through reserved matters but based on the site plan submitted as part of the application it is not expected that this will be a large building that would lead to an increase in surface water run-off. It is therefore considered that details on how surface water will be managed can be dealt with through a surface water management condition.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social, and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 10.2. The proposed development will achieve the environmental objective of sustainable development which makes clear reference to moving to a low carbon economy.
- 10.3. The need to promote the use of decentralised and renewable energy or low carbon energy is contained in the Cherwell Local Plan against which this application is required to be assessed against. The proposed development will provide low carbon energy for 153 domestic buildings and 3 non-domestic buildings thereby reducing the reliance for these dwellings to extract energy from the grid which in-turn is generated by higher carbon generating methods. This accords with the wider objectives of the Cherwell Climate Change Emergency.
- 10.4. The NPPF makes clear reference to the *valuable contribution* that small scale and community led projects such as these make to cutting greenhouse emissions. Similarly, PPG refers to the important role that planning has in the delivery of new renewable and low carbon energy infrastructure.
- 10.5. As the application has been submitted in outline with all matters reserved the primary consideration is whether the principle of development is acceptable. As set out above, the principle of development is considered acceptable subject to matters surrounding highways and drainage being found acceptable. It is recommended that planning consent is granted subject to conditions.

9. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND TO RESOLVING THE ISSUES REGARDING

DRAINAGE AND HIGHWAYS

1. Statutory Time Limit (outline) – TL

Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance, access, and landscaping (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: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

Heat Network Layout. Drawing No. 2303 005a Rev 2.0

Trench Detail. Drawing No. 2303 015 Rev 1.0

Natural Heritage Constraints. Drawing No. 23030 006 Rev 3.0

Cultural Constraints. Drawing No. 2303 007 Rev 3.0

Landscape Character. Drawing No. 2303- 008 Rev 3.0

Heat Network Pipe Layout. Drawing No. 2303-009 Rev 3.0

Borehole Array Layout. Drawing No. 2303-013 Rev 3.0

Site Plan. Drawing No. 2303-001 Rev 3.0

Rights of Way Plan. Drawing No. 2303-003 Rev 3.0.

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

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

- Details of the proposed tree and shrub planting including their species, number, sizes, and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- Details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation;
- Details of the hard landscaping including hard surface areas, pavements, pedestrian areas, and steps.

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

All planting, seeding, or turfing included in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

5. No development shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local planning authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved and shall be maintained as such thereafter.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

6. No development shall commence until a surface water management strategy has been submitted to and approved in writing by the local planning authority. The works shall be undertaken in accordance with the approved strategy and no hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved.

Reason: To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework

7. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved CTMP.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework.

8. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, road safety audit, 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 strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

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

9. Prior to 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.

10. Following the approval of the Written Scheme of Investigation referred to in condition 9, 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 staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research, and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the 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.

11. Prior to the first use of the development hereby approved details of any external 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 operated and maintained as such at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell

Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. No development shall commence (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include as a minimum:

- Risk assessment and mitigation of potentially damaging construction activities
- Identification of 'Biodiversity Protection Zones'
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- The location and timing of sensitive works to avoid harm to biodiversity features
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

13. No development shall commence, including any demolition and any works of site clearance, unless and until a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.

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

14. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:

A non-technical summary

The roles and responsibilities of the people or organisation(s) delivering the HMMP

The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan

The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development.

The monitoring methodology and frequency in respect of the created or enhanced habitat

Notice in writing shall be given to the local planning authority when the:

HMMP has been implemented.

Habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the local planning authority.

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

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

Case Officer: Nick Wyke
