

# Public Document Pack

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 15 May 2025 at 4.00 pm

#### **Present:**

Councillor Barry Wood (Chairman)  
Councillor Amanda Watkins (Vice-Chair)  
Councillor Rebecca Biegel  
Councillor Chris Brant  
Councillor John Broad  
Councillor Becky Clarke MBE  
Councillor Jean Conway  
Councillor Ian Harwood  
Councillor David Hingley  
Councillor Fiona Mawson  
Councillor Lesley McLean  
Councillor Robert Parkinson  
Councillor David Rogers  
Councillor Les Sibley  
Councillor Dr Kerrie Thornhill

#### **Substitute Members:**

Councillor Dr Chukwudi Okeke (In place of Councillor Dr Isabel Creed)  
Councillor Dorothy Walker (In place of Councillor Grace Conway-Murray)  
Councillor Douglas Webb (In place of Councillor Phil Chapman)

#### **Apologies for absence:**

Councillor Phil Chapman  
Councillor Grace Conway-Murray  
Councillor Dr Isabel Creed

#### **Officers:**

Paul Seckington, Head of Development Management  
Karen Jordan, Deputy Principal Solicitor  
Nat Stock, Team Leader - North Area General Developments  
Caroline Ford, Team Leader - South Area Major Developments  
Ian Boll, Corporate Director Communities  
Sophie Browne, Principal Planning Officer  
Emma Harrison, Senior Conservation Officer  
Nick Wyke, Principal Planning Officer  
Matt Swinford, Democratic and Elections Officer

Officers Attending Virtually:

Carlos Chikwamba, Principal Planning Officer

137      **Declarations of Interest**

**10.     Church View, Manor Road, Great Bourton, OX17 1QP**

Councillor Chris Brant, Declaration, advised that he would speak a Local Ward Member on the item and then leave the meeting for the duration of the item after speaking as Ward Member on the item.

**11.     73 High Street, Kidlington, OX5 2DN**

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

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

Councillor Doroty Walker, Declaration, advised that he would speak a Local Ward Member on the item and then leave the meeting for the duration of the item after speaking as Ward Member on the item.

138      **Requests to Address the Meeting**

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

139      **Minutes**

The Minutes of the meeting held on 10 April 2025 were agreed as a correct record and signed by the Chairman.

140      **Chairman's Announcements**

The Chairman made the following announcement:

1.     Members of the public were reminded that only registered speakers were entitled to speak at the committee meeting at the time instructed by the Chairman and members of the public should remain quiet during the meeting and not cause disturbance.
2.     A reminder to Members that interests should be declared at item 2 of the agenda usually and if Members realised that they did not declare an interest before an agenda item starts, please declare your interest at the

start of that agenda item. All applications should be considered with an open mind, and your decision should be based on what is before you.

3. Members were reminded that the mandatory training for members appointed to the Planning Committee for the municipal year of 2025/26 would be held on Monday 2 June. The time would be confirmed in course.

141 **Urgent Business**

There were no items of urgent business.

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

The Head of Development Management advised members of a potential site visit for 24/00539/F (Oxford United stadium) on 1 July 2025 ahead of the application potentially being submitted to the 3 July 2025 Planning Committee meeting. Members would be updated should timeframes change.

143 **Land South Of 3 To 5 Hartshill Close Bloxham**

The Committee considered application 24/02541/F, an outline planning application (with all matters reserved except for primary means of vehicular access from the A361) for the residential development of up to 130 dwellings, alongside associated access, green and blue infrastructure (including public open space, a play area, and drainage), required ground remodelling and supporting infrastructure at Land South of 3 to 5 Hartshill Close, Bloxham for William Davis Homes, Rebecca Lyndsay Smith, Alista.

Councillor Rob Pattenden addressed the committee as Local Ward Member.

Amanda Baxter, on behalf of Bloxham Parish Council, addressed the Committee in objection to the application.

Mark Rose, agent for the application, addressed the Committee in support of the application.

It was proposed by Councillor Hingley and seconded by Councillor Brant that application 24/02541/F be refused, contrary to the officer recommendation, for the reasons that there was a lack of a S106 agreement, and that the proposed development would be unsustainable as well as cause harm to the surrounding village and it was contrary to policy reasons Village 1, Village 2, ESD10, ESD13 and saved policies C28 and C30.

The proposal was debated. On being put to the vote, the motion was lost and therefore fell.

It was subsequently proposed by Councillor Watkins and seconded by Councillor Okeke that application 24/02541/F be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation, 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 24/02541/F subject to conditions, a S106 legal agreement and subject to overcoming the objection by Thames Water.

## **Conditions**

### **Compliance with the Plans**

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out in accordance with the application form and the following plans and documents:
  - Site location plan. Drawing no. DE 196 001.
  - Development Concept Plan. Drawing no. DE 196 003 Rev L.
  - Bloxham Movement Plan. Drawing no. DE196\_006-7 Rev D.
  - Proposed Site Access Arrangement. Drawing No. 173902-ACE-XX-00-DR-C-0001 Rev D.
  - Proposed shared pedestrian and cycle access. Drawing no.173902-ACE-XX-00-DR-C-0005 Rev B.
  - Concept drainage strategy. Drawing no.17901002 Rev H

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.

## **Statutory Time Limit**

2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months 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 18 months 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).

## **Reserved Matters**

3. 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).

## **Design Code**

4. Prior to the submission of any reserved matters application, a Design Code to include the distribution of land uses, form of buildings, street frontage, materials, servicing, parking and sustainability features shall be submitted to and approved in writing by the local planning authority. Thereafter, each reserved matters application shall be submitted in accordance with the approved Design Code.

Reason: To ensure a high quality development and appropriate infrastructure in accordance with Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD17 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

## **Biodiversity Enhancement Strategy**

5. The recommendations of the Biodiversity Net Gain Assessment Design Stage Assessment and Ecological Impact Assessment prepared by CSA Environmental, dated April 2025, must be implemented prior to the occupation of the dwellings hereby approved. The development shall be carried out in accordance with these details and shall be retained as such thereafter.

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

## **Arboricultural Method Statement**

6. The Arboricultural Method Statement prepared by Barton Hyett Associates dated April 2025 submitted in support of the application shall be adhered to in full.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 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.

### **Retained Trees**

7. a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
- b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority. In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the commencement of development.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 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.

### **Planting, seeding or turfing**

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

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part

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

### **Landscaping and Treatment of Open Space**

9. No development shall commence above slab level unless and until full details of the provision, landscaping and treatment of open space within the site together with a timeframe for its provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space shall be landscaped, laid out and completed in accordance with the approved details and retained at all times as open space.

Reason: In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space and to comply with Policy BSC11 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Electric Vehicle Charging Points**

10. Prior to the first occupation of the development, a scheme for the provision of a vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve and retained as such thereafter.

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

### **Removal of Hedgerow**

11. No removal of hedgerows, trees or shrubs, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

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.

### **Construction Traffic and Environment Management Plan**

12. No development shall commence unless and until a Construction Traffic and Environment Management Plan (CTEMP) has been submitted to and approved in writing by the Local Planning Authority. The CTEMP should include:
- a. The CTMP must be appropriately titled, include the site and planning permission number;
  - b. 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;
  - c. Details of and approval of any road closures needed during construction;
  - d. Details of and approval of any traffic management needed during construction;
  - e. Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway;
  - f. Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions;
  - g. The erection and maintenance of security hoarding / scaffolding if required;
  - h. A regime to inspect and maintain all signing, barriers etc;.
  - i. Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided;
  - j. The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc;.
  - k. 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;
  - l. Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc;.
  - 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;
  - p. Details of the measures to be taken to ensure construction works do not adversely affect nearby residential buildings and the nearby Northern Valleys Conservation Target Area. Details shall also be provided of the consultation and communication to be carried out with local residents.

The development shall not be carried out other than in strict accordance with the approved CTMP.



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 and to ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Protected Species Check**

13. Within two months of the commencement of the development the site shall be thoroughly checked by an ecologist (member of the IEEM or similar related professional body) to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

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

### **Habitat Management Plan**

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. a non-technical summary
  - b. the roles and responsibilities of the people or organisation(s) delivering the HMMP
  - c. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan.
  - d. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
  - e. the monitoring methodology and frequency in respect of the created or enhanced habitat
  - f. Details and number and location of bird and bat boxes to be provided.

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.

### **Surface Water Management Strategy**

15. Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
  - a. A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
  - b. Full drainage calculations for all events up to and including the 1 in 100-year plus 40% climate change;
  - c. A Flood Exceedance Conveyance Plan;
  - d. Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
  - e. Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
  - f. Details of how water quality will be managed during construction and post development in perpetuity;
  - g. Confirmation of any outfall details;
  - h. Consent for any connections into third party drainage systems; and
  - i. Details of the management of the culvert running between the site and the recreation ground opposite to ensure it is kept clear from debris at all times.

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

### **SuDS As Built and Maintenance Details**

16. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the

Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

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

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

### **Travel Information Pack**

17. Prior to first occupation of any of the dwellings hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the local planning authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

### **Access**

18. 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 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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government Guidance contained within the National Planning Policy Framework.

### **Cycle Parking Provision**

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

Reason: To ensure acceptable cycle provision and to comply with ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government Guidance contained within the National Planning Policy Framework.

### **Contamination Intrusive Investigation**

20. 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 "Land Contamination Risk Management (LCRM)" 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.

### **Contamination Remediation**

21. If contamination is found by undertaking the work carried out under condition 20, 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 "Land Contamination Risk Management (LCRM)" 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.

### **Contamination. Completion of Remedial Works**

22. If remedial works have been identified in condition 20, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 21. 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.

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**Church View, Manor Road, Great Bourton, OX17 1QP**

The committee considered application 24/03218/F for the change of use of The Bell Inn Public House (Sui Generis Use) to use as a dwellinghouse (Class C3 Use) and associated minor external alterations to the building and works at Church View Manor Road, Great Bourton, OX17 1QP for Mr James Day.

Councillor Chris Brant addressed the Committee as Local Ward Member.

Christopher Handler, on behalf of Save the Bell Inn Group, addressed the Committee in objection to the application.

Will Whitelock, agent for the applicant, addressed the Committee in support to the application.

It was proposed by Councillor Webb and seconded by Councillor Watkins that application 24/03218/F be refused, contrary to the officer recommendation, for the reasons that the application was contrary to paragraphs P88 and P98 of the National Planning Policy Framework (NPPF), and that there would be substantial socio-economic and wellbeing harm to the surrounding village. The application was also contrary to policy S29.

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

**Resolved**

That, contrary to the officer's recommendation, application 24/03218/F be refused for the following reason:

1. The proposal would result in the unjustified loss of the public house, a valued village service and designated Asset of Community Value. The applicant has failed to robustly demonstrate that the pub is no longer financially viable. The loss of this important community facility would cause significant harm to the social and economic well-being of the village, contrary to saved Policy S29 of the Cherwell Local Plan 1996, which aims to retain community facilities, Paragraph 88 of the National Planning Policy Framework (NPPF), which seeks to retain public

houses, and Paragraph 98 of the NPPF, which guards against the unnecessary loss of valued facilities.

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### **Land Adjacent to Symmetry Park Morrell Way Bicester OX26 6GF**

The Committee considered application 24/03259/F for the erection of two Use Class B8 floorspace units (with ancillary office floorspace (Use Class E(G(i)))) with associated infrastructure including: a building for the use as an energy centre (details of the energy generation reserved for future approval); loading bays; service yards; external plant; bin stores, vehicle parking (HGV, lorry, car and motorcycle); cycle parking, amenity areas, landscaping including permanent landscaped mounds; sustainable drainage details. Demolition of three vacant agricultural building (and two smaller structures) to the northeast corner of the site. Access from the existing Symmetry Park estate road, at Land Adjacent to Symmetry Park Morrell Way Bicester OX26 6G, for Tritax Symmetry Bicester 3 Ltd.

Louise Steele addressed the Committee as the Agent in support of the application.

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

### **Resolved**

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/03259/F subject to:

- (i) The conditions set out below (and any amendments to those conditions as deemed necessary); and
- (ii) the completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following infrastructure provisions (and any amendments to those obligations as deemed necessary);
  - a) Public Transport services - £83,241.26 (index linked)
  - b) Walking and Cycling improvement - £80,575 (index linked)
  - c) Travel Plan Monitoring - £6,530 (index linked)
  - d) Payment of the District Council and County Council monitoring costs – TBC

### **Conditions**

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

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

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

Reason: In order to retain planning control over the use of the site and in accordance with Government guidance contained within the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any statutory instrument revoking and re-enacting the Order, no more than 20% of the Use Class B8 floorspace hereby approved shall include occupation by any use for 'Last Mile Parcel Delivery Services'.

'Last Mile Parcel Deliver Services' means the movement of goods by parcels to residential and business users where product is moved from the warehouse shelf (or distribution center) to the customer's doorstep by Light Goods Vehicle (LGV), as distinct from a retail warehouse and distribution centre where goods are distributed on pallets by Heavy Goods Vehicle (HGV).

Reason: To ensure, taking account of the material difference in traffic generation and impacts of last mile parcel delivery by LGV as compared to more traditional Use Class B8 uses with delivery by HGV, the traffic impact of which (above 20% occupancy) has not been assessed on the surrounding road network, in accordance with saved Policy TR1 in the Cherwell Local Plan 1996.

4. Notwithstanding the provisions of Schedule 2, Part 7 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building hereby approved shall be extended without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain a satisfactory overall level of parking provision and servicing on the site 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

5. Notwithstanding the provisions of section 55 (2A) of the Town and Country Planning Act 1990 (as amended by Section 49 of the 2004 Act), Part 10 of the Town and Country Planning (Development Management

Procedure) (England) Order 2015 (as amended) and Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no internal operations increasing the floor space available within any buildings permitted by this application shall be carried out without the prior planning permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the provision of additional floorspace in order to maintain a satisfactory layout and sustain an adequate overall level of parking provision and servicing, and traffic generation on the site in accordance with Policy SLE4 of the Cherwell Local Plan 2011 – 2031 Part 1 and paragraph 116 of the NPPF.

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

Site Location Plan, ref; 4036-X3-101 PL01, dated; 22 October 2024

Proposed Site Plan, ref; 4036-X3-100 PL02, dated; 19 November 2024

Proposed Site Plan, ref; 4036-X3-SK030PL02, dated 10 March 2025

Proposed Elevations – Unit E, ref; BSP-PHP-06-EL-DR-A-4036-300-PL01, dated; 16 October 2024

Proposed Elevations – Unit F, ref; BSP-PHP-07-EL-DR-A-4036-300-PL01, dated; 16 October 2024

Proposed Ground Floor Unit E, ref; BSP-PHP-06-00-DR-A-4036-200-PL01, dated; 16 October 2024

Proposed Ground Floor Unit F, ref; BSP-PHP-07-00-DR-A-4036-200-PL01, dated; 16 October 2024

Proposed Office Plan – Unit E, ref; BSP- PHP- 06- ZZ-DR- A- 4036- 201 PL01, dated 16 October 2024

Proposed Office Plan – Unit F, ref; BSP- PHP- 07- ZZ-DR- A- 4036- 201 PL01, dated 16 October 2024

Proposed Roof Plan – Unit E, ref; BSP-PHP-06-RL-DR-A-4036-202-PL01, dated; 22 October 2024

Proposed Roof Plan – Unit F, ref; BSP-PHP-07-RL-DR-A-4036-202-PL01, dated; 22 October 2024

Proposed Unit E External Finishes, ref; 4036-X3-105 PL02, dated; 19 November 2024



Proposed Unit F External Finishes, ref; 4036-X3-106 PL02, dated; 19 November 2024

Proposed Unit E Section, ref; BSP-PHP-06-SX-DR-A-4036-400-PL01, dated; 16 October 2024

Proposed Unit F Section, ref; BSP-PHP-07-SX-DR-A-4036-400-PL01, dated; 16 October 2024

Proposed Site Section, ref; 4036-X3-400 PL02, dated; 1 May 2025

Proposed Demolition Plan, ref; 4036-X3-SK040 PL01, dated; 19 November 2024

Proposed Levels, ref; 22281-HYD-XX-XX-DR-C-0100 -P02, dated; 26 September 2024

Proposed Levels, ref; 22281-HYD-XX-XX-DR-C-0101 -P02, dated; 26 September 2024

Detailed Proposed Landscaping Proposals Sheet 1, ref; edp7480\_d021c, dated 28 November 2024

Detailed Proposed Landscaping Proposals Sheet 2, ref; edp7480\_d021c, dated 28 November 2024

Detailed Proposed Landscaping Proposals Sheet 3, ref; edp7480\_d021c, dated 28 November 2024

Proposed Site Access Visibility, ref; 22281-HYD-XX-XX-DR-TP-0010 P01, dated; 10 March 2025

Proposed Energy Centre, ref; 4036-X3-107 PL01, dated; 01 May 2025

Air Quality Assessment, ref; 22281-HYD-XX-ZZ-RP-Y-2001-P04, dated; 21 November 2025

Arboricultural Impact Assessment, ref; edp7480\_r007, dated; November 2024

Phase 1 Desk Study (Part 1 to 8), ref; 22281-HYD-XX-XX-RP-GE-1003-S2-P01, dated; 18 September 2024

Drainage Strategy Report, ref; 22281-HYD-XX-XX-RP-C-0001, dated; 20 November 2024, including;

- Appendix A - Greenfield Run-Off Calculations
- Appendix B - Microdrainage Data & Results
- Appendix C – Drainage Strategy Drawings
- Appendix D – Simple Index Approach

Flood Risk Assessment, ref; 22281-HYD-XX-XX-RP-WENV-0001 P03, dated; 21 November 2024

Drainage Technical Note, ref; 22281-HYD-XX-XX-TN-C-0003, dated 29 January 2025

Written Scheme of Investigation for an Archaeological and Heritage Assessment, ref; edp7480\_r002a, dated; November 2024

Noise Impact Assessment, ref; 22281-HYD-XX-ZZ-RP-Y-3001, dated; 21 November 2024

Transport Assessment (Part 1-5), ref; 22281-HYD-XX-RP-TP-4001-P04, dated; 20 November 2024

Sustainability Statement (Part 1-7), dated; 25 November 2024, including appendices;

- Appendix A – BREEAM Pre-assessment report
- Appendix B – Low and zero carbon feasibility report
- Appendix C – Passive design assessment report

Ecological Appraisal (Parts 1-3), ref; edp7480\_r004c, dated; November 2024

Ecology Response Note, ref; edp7480\_r011, dated; February 2025

Landscape and Ecological Management Plan, ref; edp7480\_r008d, dated; April 2025

Ray Conservation Target Area (CTA) Briefing Note, ref; edp7480\_r012a, dated; March 2025

Biodiversity Net Gain Review, ref; edp7480\_r013a, dated; April 2025

Waste Management and Servicing Strategy, dated; November 2024

Construction Environmental Management Plan, dated; November 2024

Planning Statement, ref; LS/JB/10689, dated; November 2024

Design and Access Statement, ref; PL01, dated; November 2014

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.

7. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings (except in service yard areas)

hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996

8. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment, ref; 22281-HYD-XX-XX-RP-WENV-0001 P03, dated; 21 November 2024 and Drainage Strategy Report (including appendix A-D), ref; 22281-HYD-XX-XX-RP-C-0001, dated; 20 November 2024. The development shall thereafter be implemented in accordance with the approved surface and foul water drainage scheme (including flood mitigation measures) and shall not be occupied until the approved surface and foul water drainage scheme and flood mitigation measures have been full laid out and completed.

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

9. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register to demonstrate the SuDS and site wide drainage scheme has been implemented in accordance with the approved plans referenced in Condition 8. The details shall comprise:

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

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

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting

season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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

11. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

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

12. Prior to the commencement of development, an arboricultural method statement, which includes tree protection measures shall be submitted to and improved in writing by the Local Planning Authority. The development shall be carried out in accordance with the statement's recommendations and shall be retained in place for the duration of the construction of the development.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity in accordance with Policies ESD10 and ESD13 of the Cherwell Local Plan Part 1 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

13. As a potential risk from contamination was identified in the Phase 1 desk study, ref; 22281-HYD-XX-XX-RP-GE-1003-S2-P01, dated; 18 September 2024, 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 "Land Contamination Risk Management (LCRM)" 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.

Reasons: 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 Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. If contamination is found by undertaking the work carried out under condition [13], 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 "Land Contamination Risk Management (LCRM)" 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.

Reasons: 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 Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

15. If remedial works have been identified in condition [13], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [14]. A verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reasons: 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 Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy

ENV12 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. The development hereby permitted shall be carried out in strict accordance with the Construction Environmental Management Plan (CEMP), dated; November 2024.

Reason: To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. No mechanical equipment (including energy generating equipment within the energy centre) shall be installed on the site unless and until supplementary air quality and noise impact assessments have been submitted to and approved in writing by the Local Planning Authority. The noise impact assessment shall be based upon the finalised and confirmed plant details and demonstrate, by calculation, compliance with the noise limits proposed in Table 9 of the approved Hydrock Noise Impact Assessment 22281-HYD-XX-ZZ-RP-Y-3001, dated; 21 November 2024. The air quality assessment shall take into consideration the impact of emissions on, and associated with, the proposed new energy centre on existing receptors. The energy generating equipment shall not be provided other than in accordance with the approved details.

The mechanical plant shall be installed and thereafter maintained in accordance with the approved details.

Reason: To ensure the appropriate control of noise and air emission levels during operational phase of the development in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

19. Prior to the installation of any external lighting, the design, position, orientation, any screening of the lighting and a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved document.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage and harm to the environment from light pollution in accordance with Policy ESD10 of the Cherwell Local Plan 2011- 2031 Part 1, Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

20. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) based on the measures outlined in the Ecology

Appraisal by. has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

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

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

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

21. The development hereby permitted shall be carried out and maintained in strict accordance with the Landscape and Ecological Management Plan (LEMP), ref; edp7480\_r008d, dated; April 2025.

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

22. The development hereby approved shall not be first occupied or used until a Biodiversity Enhancement Management Plan (BEMP) for enhancing biodiversity on the site so that an overall net gain is achieved has been submitted to and approved in writing by the local planning authority. This shall also include a timetable for provision of measures. Thereafter, the biodiversity enhancement scheme shall be carried out 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.

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

- a non-technical summary
- the roles and responsibilities of the people or organisation(s) delivering the HMMP
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
- the monitoring methodology and frequency in respect of the created or enhanced habitat

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

- HMMP has been implemented
- habitat creation and enhancement work as set out in the HMMP have been completed.

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

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

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

24. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR150, or a 'Further Licence') and with the proposals detailed on plan "Land Adjacent to Symmetry Park: Impact plan for great crested newt District Licensing (Version 2)", dated 24th April 2025.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WMLOR150, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

25. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR150, or a 'Further Licence'), confirming that all necessary



measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

26. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR150, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR150, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

27. 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 approved CTMP shall be implemented and operated in accordance with the approved details. The CTMP will need to incorporate the following in detail:

- 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.
- Details of and approval of any road closures needed during construction.

- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions. The erection and maintenance of security hoarding / scaffolding if required.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
- 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.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0345 310 1111. Final correspondence is required to be submitted.
- 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.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- 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.

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

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

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

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

30. The scheme for parking, manoeuvring and the loading and unloading of vehicles shown on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

31. No development shall commence above slab level unless and until a layout of the cycle parking spaces and details of the covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and maintained in accordance with the approved details.

Reason – In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

32. The external surfaces of the development shall be constructed of the materials shown on the External Finishes Plan and Elevation Plans outlined in Condition 5.

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

33. Prior to their installation details and specifications of the Pump Station, PV Inverter, Sprinkler Tanks and Pump House outlined in the approved Proposed Site Plan, ref; 4036-X3-SK030PL02, dated 10 March 2025, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

34. Prior to the construction of any building above slab level, details of the exact energy output, materials, specifications, location of the measures outlined in the submitted Sustainability Statement (Part 1-7), dated; 25 November 2024, (including appendix A-C) to increase energy efficiency and thermal performance and reduce carbon emissions including the provision of renewable energy measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of energy output, materials, specifications, and the provision of renewable energy measures shall be installed prior to the first occupation of the buildings.

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

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

Reason - To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework

36. The buildings hereby approved shall be constructed to at least BREEAM 'Very Good' standard.

Reason - To ensure energy and resource efficiency practices are incorporated into the development in accordance with Policies ESD 1 - 5 of the Cherwell Local Plan 2011-2031 Part 1 and the Government's aim to achieve sustainable development as set out within the National Planning Policy Framework.

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

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

38. 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 (2024).

39. Following the approval of the Written Scheme of Investigation referred to in condition [38] 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 (2024).

40. Prior to any demolition and the commencement of the development information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information and no construction shall take place within 5m of the water main. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

The Committee considered application 24/03350/F for retrospective planning consent for a first floor extension over an existing garage with eaves height

increment to accommodate new windows at 73 High Street, Kidlington, OX5 2DN for Mr Rajinder Parshad.

Councillor Dorothy Walker addressed the committee as Local Ward Member.

Robert Packard, Local Resident, addressed the Committee in objection to the application.

Solape Shodunke, Agent, addressed the Committee in support of the application.

It was proposed by Councillor Conway and seconded by Councillor McLean that application 24/03350/F be refused, against the officer recommendation, as it was contrary to policies ESD15, C28, C30, The Kidlington Masterplan 2016 as well as government guidance within the National Planning Policy Framework (NPPF) (exact wording for reasons for refusal to be delegated to officers).

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

### **Resolved**

That, contrary to the officer's recommendation, application 24/03350/F be refused for the following reason:

1. The extension, by virtue of its size, scale and form, has an adverse impact on the character, appearance and significance of the application property, which is considered to be a non-designated heritage asset. The proposal therefore runs contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the Cherwell Local Plan 1996, The Kidlington Masterplan 2016 and government guidance contained within the National Planning Policy Framework.

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### **Botley West Solar Farm NSIP**

The committee considered a report of the Head of Development Management which sought approval of the Councils written representation and individual local impact report in response to an application for a Solar Farm (Nationally Significant Infrastructure Project) for Photovolt Development Partners and SolarFive Ltd.

The application site was split into three separate areas with part of the northern and central sections within the Launton and Otmoor and Kidlington West wards. The site also covered areas in West Oxfordshire District Council and the Vale of White Horse District Council.

The Committee was advised that the scale of this application means that it was defined as a Nationally Significant Infrastructure Project (NSIP). Developments of this type were determined by the relevant Secretary of State

(SoS) with the Planning Inspectorate (PINS) acting as the examining authority who made a recommendation to the SoS as to whether a Development Consent Order (DCO) should be granted. Local Authorities (LAs) were consultees in this process and were not determining authorities.

In considering the report, the Committee sought clarification on the process for agreeing the response and highlighted that, subject to the advice of the Monitoring Officer, further Member input may be necessary.

It was proposed by Councillor Wood and seconded by Councillor Conway that the report be referred to the Monitoring Officer, with consultation with the Leader of the Council and Chairman of the Planning Committee, to advise whether it would be appropriate for the decision to be determined at an extraordinary meeting of Full Council, or, if not, an extraordinary Planning Committee.

### **Resolved**

- (1) That, unless the Monitoring Officer provides advice to the contrary and considers it appropriate, the consultation response may be referred to an extraordinary meeting of Full Council, if not, subject to consultation with the Monitoring Officer, to an extraordinary Planning Committee meeting

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### **Appeals Progress Report**

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

### **Resolved**

- (1) That the position statement be accepted.

The meeting ended at 9.35 pm

Chair:

Date: