



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant:

Heyford Park Commercial Development Ltd
c/o Pegasus Group
Mr James Walker
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
GL7 1RT

Date Registered: 29th March 2018

Proposal: Non Material Amendment to 16/01000/F - Minor design changes and the introduction of a phased development

Location: Building 455 Heyford Park Camp Road Upper Heyford

Parish(es): Upper Heyford

APPROVAL OF NON MATERIAL AMENDMENT(S)

Cherwell District Council, as Local Planning Authority, hereby approves the non-material amendments described above in accordance with the Description of Design Amendments dated 27th March 2018 by Corde accompanying the letter from Pegasus Group to Cherwell District Council dated 28th March 2018, as amended by emails from Pegasus dated 24th and 25th April 2018 and the schedule of drawings contained within the latter email as set out below, and by variation to the original conditions imposed on planning permission 16/01000/F as set out below.

- 2 Except where other stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Transport Statement (August 2016); Arboricultural Survey, Impact Assessment and Tree Protection Plan (15.08.16); Suds Maintenance Regime (May 2016); Flood risk Assessment (May 2016), Ventilation Strategy (14.06.16); Design and Access Statement (August 2016) and drawings numbered:

Location Plan	2738-JW-001 P04
Building 457, Demolition Plan Ground Floor	CRD-03-00-DR-A-05020 S2-P2
Building 457, Demolition Plan Roof Level	CRD-03-R1-DR-A05021 S2-P2
Building 457, Proposed Ground Floor Plan	CRD-03-00-DR-A-05025 S2-P2
Building 457, Proposed First Floor Plan	CRD-03-01-DR-A-05026 S2-P2
Building 457, Proposed Roof Plan	CRD-03-R1-DR-A-05027 S2-P2
Building 457, Proposed Elevations	CRD-03-ZZ-DR-A-05055 S2-P2
Building 455, Demolition Plans, Ground Floor	CRD-01-00-DR-A05000 S2-C2
Building 455, Demolition Plans, First Floor	CRD-01-01-DR-A-5001 S2-C2

Building 455, Demolition Plans, Roof Level	CRD-01-R1-DR-A-5002 S2-C2
Building 455, Proposed Plan, Ground Floor	CRD-10-00-DR-A-05005 S2-C4
Building 455, Proposed Plan, First Floor	CRD-01-01-DR-A-05006 S2-C4
Building 455, Proposed Plan, Roof Level	CRD-01-R1-DR-A-05007 S2-C3
Building 455, Proposed North and South Elevations	CRD-01-ZZ-DR-A-05036 S2-C4
Building 455, Proposed East and West Elevations	CRD-01-ZZ-DR-A-05035 S2-C4
Building 455, Proposed North and South Elevations and Sections	CRD-01-ZZ-DR-A-05036 S2-C4
Proposed Canopy Link, Ground Floor Plan	CRD-02-00-DR-A-05010 S2-C2
Proposed Canopy Link, Roof Plan	CRD-02-R1-DR-A-05011 S2-C2
Proposed Canopy Link, Sections and Elevations	CRD-02-ZZ-DR-A-05045 S2-C3
Proposed Building Site Plan	CRD-00-ZZ-DR-A-01001-S2-C04

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

- 3 Prior to the commencement of each phase of the development hereby approved, a schedule of materials and finishes for the external walls and roofs for that phase of the development hereby approved 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 schedule.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 4 The full design details of the entrance glazing to the canopy link shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of phase 1. The development shall be carried out in accordance with the approved details.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan.

- 5 Prior to the commencement of each phase of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works seek to minimise the effect on residential properties adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development of each phase shall be carried out in accordance with the approved CEMP.

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

- 6 Notwithstanding the details submitted, prior to the commencement of each phase of the development hereby approved, full details of the method of mechanical ventilation of the proposed kitchen's extraction systems relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the any building in that phase of development, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell

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

- 8 The development for each phase shall be carried out in complete accordance with the approved Project Technical Memorandum regarding Village Centre South (prepared by Hann Tucker Associates, dated April 2017).

Reason: In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from noise in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 10 Prior to the commencement of each phase of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping for each phase of the site shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained (if any) as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
 - (d) full design details of the railings, means of enclosures, seats, bollards, tree grills, cycle hoops and any other street furniture.
 - (e) a landscape management plan, to include the timing of the implementation of the plan, design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas,

Thereafter the landscape scheme relating to that phase shall be carried out in accordance with the approved details.

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

- 11 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 of that phase, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of each phase 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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 12 Prior to the commencement of each phase of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development in that phase, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, shall be submitted to and

approved in writing by the Local Planning Authority. Thereafter, the development for each phase shall be carried out in accordance with the approved details.

Reason To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 14 Prior to the commencement of each phase of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features for that phase, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development for each phase shall be carried out in accordance with the approved details and specifications.

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

- 15 Prior to the commencement of each phase of the development hereby approved, full details of the means of access between the land and the highway for that phase, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any part of the development for that phase, the means of access shall be constructed and retained in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.

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

- 16 Prior to commencement of each phase of the development hereby approved, a Delivery and Servicing Plan for all elements of the development relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: To protect the safety and prevent obstruction of highway users and pedestrian and cyclist users of the public areas of the development

- 17 Notwithstanding the approved plans, the details of the parking layout shown on the submitted drawing shall be excluded and prior to the first occupation of each phase the development hereby approved, a revised plan showing car parking provision for vehicles to be accommodated within that phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of each phase of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

- 18 Prior to occupation of each phase of the development hereby approved, a Car Park Management Plan relating to that phase, including measures to protect the proposed car parking from long stay residential parking, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Management Plan shall be implemented in accordance with the approved plans.

Reason: In the interests of road safety and to prevent obstruction of the highway and public areas by inappropriate overspill parking.

- 19 Prior to the commencement of each phase of the development hereby approved, a full Construction Traffic Management Plan (CTMP) relating to that phase will be submitted to and approved in writing by the Local Planning Authority, including:
- Routing of construction traffic and delivery vehicles, and details of route signage
 - Details of any road closures and traffic management needed during construction.
 - Details of wheel wash facilities to be provided to prevent migration of mud onto highway
 - Details of appropriate signing for pedestrians during construction works, including any footpath diversions.
 - Details of a regime to inspect and maintain all signing, barriers etc.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - Details of parking of site related vehicles (worker transport etc.) in the vicinity
 - Layout plan of the site that shows structures, roads, site storage, parking, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highway Authority
 - A communications plan for engagement with local residents
 - Any temporary access arrangements as agreed with Highway Authority
 - 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 safeguard the amenities of the occupants of the adjacent dwellings during the construction period and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 20 Prior to the first use or occupation of each phase of the development hereby permitted, cycle parking facilities for that phase, including covered cycle parking for its staff, shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development."

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

- 26 Prior to the commencement of each phase of the development hereby approved, full details of any proposed external lighting for that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved plans.

Reason To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

- 1 The non-material amendment application hereby approved, does not nullify all other conditions imposed in respect of planning permission 16/01000/F. These conditions must be adhered to so as to ensure that the development is lawful.

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA



Paul Feehily

**Interim Director for
Planning and Regeneration**

Date of Decision: 25th April 2018

Checked by: RD (Officer initials)



NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTES TO THE APPLICANT

TIME LIMITS FOR APPLICATIONS

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply :

Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Where the planning permission is complete and is not in outline, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

OTHER NECESSARY CONSENTS

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular you are reminded of the following matters :

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before starting work on site.**
- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 0300 003 0200, fax 0300 003 0201 or E-mail at building.control@cherwellandsouthnorthants.gov.uk
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest from the Local Planning Authority.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.
- It is the responsibility of the applicant to ascertain whether his/her development affects any public right of way, highway or listed building.