

APPENDIX F

LIST OF CONDITIONS (13/01056/OUT)

1. That no development shall be commence until full details of the layout, scale, appearance and landscaping (thereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason – This permission is in outline only and is granted 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

2. That in the case of the reserved matters, application for approval shall be made not later than the expiration of one year beginning with the date of this permission.

Reason – This permission is in outline only and is granted 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

3. That the development to which this permission relates shall be begun not later than the expiration of one year 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.

Reason – This permission is in outline only and is granted 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

4. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: (to be agreed).

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.

5. Development shall not begin until a surface water drainage scheme for the site, based on the agreed Flood Risk Assessment for Fringford Road, Bicester (Ref13/0371/4804 revA) and supporting information contained in the Flood Routing Plan, text and other attachments in the two emails received from Alistair McShane date 26/9/13 and the email from Alistair McShane dated 25/9/2013 (enclosing runoff rates.pdf and Attenuation Pond-100yr cc.pdf) 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:

1. SuDS schemes as outlined in the FRA.
2. Proposed surface water run-off rates will not exceed 29.
3. l/s for events up to and including the 100 year event with a 30% climate change allowance.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of in accordance with Government guidance contained in the National Planning Policy Framework.

6. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy has been completed.

Reason – the development may lead to sewage flooding, to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community.

7. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implements in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion and a management plan in the event of a pump failure to ensure there is no risk of flooding to the site and the surrounding area.

Reason – To prevent the increased risk of flooding both on and off site in accordance with Government guidance contained in the National Planning Policy Framework.

8. Development shall not commence until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason – To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand and to comply with Government guidance contained in the National Planning Policy Framework.

9. No development shall commence on site for the development until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of the

development. This plan is to include wheel washing facilities, a restriction on construction and delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

Reason – In the interests of highway safety in accordance with Government guidance contained in the National Planning Policy Framework.

10. Prior to the commencement of work on site a Travel Plan is to be first submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority).

Reason - In the interests of highway safety in accordance with Government guidance contained in the National Planning Policy Framework.

11. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, an emergence survey for bats will be carried out and a mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative roosts or enhancements to be provided, along with the necessity for a licence shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

12. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, an entomological survey will be carried out and recommendations, or where necessary a mitigation strategy, which shall include timing of works, and the location, design and timing of any alternative features or enhancements to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

13. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, further information on the suitability of the terrestrial habitat on site for Great Crested Newts will be submitted with additional surveys of surrounding ponds if recommended and where necessary a full mitigation strategy for Great Crested Newts and the necessity for a licence shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

14. 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 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 C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

15. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for House Martins which shall include details of the location and design of alternative nest sites to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the alternative nesting sites shall be provided in accordance with the approved document.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

16. In the case where the development hereby approved has not commenced within 3 years from the date of the submitted Baseline Ecological report prepared by Betts Ecology, dated May 2013, prior to the commencement of the development hereby approved, an update survey shall be undertaken on site to establish changes in the presence, abundance and impact on any protected or notable species. The survey results, together with any necessary changes to the mitigation plans or method statements shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

17. The development hereby approved shall be carried out strictly in accordance with the recommendations set out in Pages 2 and 3 of the Baseline Ecological Site Audit

submitted with the application, referred to as 'Required further work for regulatory and good practice compliance' which was prepared by Betts Ecology dated May 2013. In reference to this a method statement for enhancing biodiversity on site shall also be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures 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 C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18. All species used in the planting proposals associated with the development shall be native species of local provenance.

Reason - To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Government guidance contained within the National Planning Policy Framework.

19. Prior to the commencement of development full details of the tree/hedgerow protection measures shall be submitted to and approved in writing by the Local Planning Authority and implements in accordance with the approved measures.

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.

20. All site clearance (including vegetation removal should be timed so as to avoid the bird nesting/breeding season between the 1st March and 31st July inclusive.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

21. 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 Decision Notice

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.

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.

22. Prior to the commencement of the development and notwithstanding the submitted details, an arboricultural survey, undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of identifying and retaining important trees on the site in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

23. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

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

24. Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details.

- a) Written confirmation of the contact details of the project arboriculturalist employed to undertake the supervisory role of relevant arboricultural issues.
- b) The relevant persons/contractors to be briefed by the project arboriculturalist on all on-site tree related matters
- c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturalist.
- d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and arboricultural incidents
- e) Details of appropriate supervision for the installation of load-bearing 'structural cell' planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (eg: reduced dig systems, arboresin, tree grills)

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.

25. Prior to the commencement 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, 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 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.

26. All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.

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.

27. Prior to the commencement 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, 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 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.

28. 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 Decision Notice.

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.

29. Prior to any demolition on the site, the commencement of the development hereby approved and any archaeological investigation, 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 – In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

30. Prior to any demolition on the site and the commencement of the development hereby approved, and following the approval of the Written Scheme of Investigation referred to in condition 29, 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.

Reason – To secure the proper recording of the building which is of archaeological or historic importance, to comply with Government advice on conserving and enhancing the historic environment contained within the National Planning Policy Framework.

31. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

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

32. If a potential risk from contamination is identified as a result of the work carried out under condition 31, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as

required by this condition.

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

33. If contamination is found by undertaking the work carried out under condition 32, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

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

34. If remedial works have been identified in condition 33, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 33. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

35. Prior to the first occupation of any dwelling on the site, a final Code Certificate, certifying that the dwelling in question achieves Level 4 of the Code for Sustainable Homes shall be issued, proof of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason – To ensure sustainable construction and reduce carbon emissions in accordance with Government guidance contained within the National Planning Policy Framework.

Additional highway conditions to follow under separate cover

