



**SUPPLEMENTARY INFORMATION**

**Planning Committee**

**12 March 2020**

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*If you need any further information about the meeting please contact Lesley Farrell, Democratic and Elections [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk), 01295 221591*

**CHERWELL DISTRICT COUNCIL  
PLANNING COMMITTEE  
12 March 2020**

## **WRITTEN UPDATES**

Item

### **7. Proposed Pre-committee site visits**

None

### **8. 19/02550/F Land e/o M40 and s/o A4095, Chesterton *Additional Consultation Responses and Representations received***

**England Golf (via CDC Recreation and Leisure):** COMMENT it is important that the provision of golf is maintained and protected, participation and membership is available and encouraged and is maintained as an important facility within the local community whether that be in its current form or that proposed by the agent. This could be in the shape of the described mitigation – an updated/upgraded 9 hole course with two sets of tees, excellent practice facilities (potentially with the latest technology such as Top Tracer) that are open to the public and a variation of membership and playing options, all of which appeals to new future generations and new markets, reflecting the changes within the sport to fit the wants and needs of modern society.

However, we must stress, and have done to the agent and the developers, that consideration should be taken to the detriment of the existing club, and the 250+ members. We would also like to state that any plans to change the golf offering at Bicester should come with a thorough feasibility study, business plans and commitment to maintaining golf on the site. England Golf would continue to offer advice and support to the management team at Bicester Golf Club.

**Oxfordshire County Council Highways – OBJECTION** The following comments have been received in respect of the updated Indicative Mitigation Works drawing (no. 1803047-17 Rev. A) and accompanying text.

- The single B430 northbound lane opens up to three lanes approximately 35m from the stop line. It is highly unlikely that all straight-through traffic will switch to the centre lane – some vehicles will remain in the left-hand lane (either mistakenly or deliberately) and will, therefore, have to merge back into the northbound flow rather than turning left. These manoeuvres will occur to the north of the junction where the carriageway diverts relatively sharply to the right and where a vehicle (or vehicles) may be waiting in the filter lane/box to turn right into Heyford Road.
- These merging movements carry the risk of side-swipe collisions. Furthermore, they will slow the progress of vehicles through the junction, which is an issue that would not be reflected in the modelling.
- As the majority of vehicles will be heading straight through, it will only take about five or six cars in the centre lane before the left- and right-turn lanes are blocked. The intention of the scheme is to increase capacity by adding the left-turn lane but it is unlikely that sufficient vehicles will be queueing in that lane to make a significant difference.
- We have concerns about the suitability of the east side crossing point. It is acknowledged that the footway is a substandard width at this location (exact width not given) and the carriageway narrows to roughly 2.6m, so it will not be a comfortable place to wait to cross as there will be little clearance for pedestrians from passing vehicles.

- The pedestrian refuge may introduce an obstruction to HGVs and buses moving east-west on the B4030. Swept path analysis for maximum-size vehicles has not been provided.
- OCC would need to see a Stage 1 and 2 Road Safety Audit for this design before considering it further as there are potential safety issues.
- Although not specifically a highways issue, there would be a significant visual impact from the substantial road widening.

It should be noted that there is not currently an agreed mitigation scheme at this junction for the Heyford Park Hybrid planning application (sometimes known as Phase 2). These proposed indicative changes are not necessarily compatible with whatever may be put forward to mitigate the Heyford Park application.

In conclusion, we still have significant concerns over the safety of the latest mitigation proposals, and doubts whether the capacity improvements could be achieved. Hence, we are still unable to remove our objection as outlined in our response to 19/02550/F.

**Tyrens (Consultants – water, resource and sustainability):** COMMENTS has been received in relation to the assessment of the proposed development against the ESD policies. Based on the report, Officers consider full compliance can be achieved via conditions.

**OCC Lead Local Flood Authority:** NO UPDATE

**CDC Conservation Officer:** COMMENT The proposed development is located a short distance from Chesterton Conservation Area. It is not immediately adjacent but is off-set from the area. The Northern Character Area is subject to the greatest impact and is identified as lying within ZTV visual barriers established within the Environmental Statement. Therefore, it is likely that the setting of the conservation area will be compromised to a degree.

*The NPPF states ‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.’* The proposed development is not considered to enhance or better reveal the setting of the Chesterton Conservation Area.

The Chesterton Conservation Area Appraisal also identifies that the Northern Character Area *‘suffers from the high levels of traffic, which uses the A4095, a popular short cut’*. The proposed development is likely to have a significant impact on traffic through and around the settlement which will negatively impact on the character and appearance of this rural setting.

The development is also located immediately adjacent to Bignell Park house and its associated parkland. This has not been formally designated as a non-designated heritage asset as it has not been assessed as part of any programme but would be considered to be a non-designated heritage asset and consideration should be given to the impact of its setting.

*The NPPF states ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing*

*applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*

**Chesterton Parish Council:** OBJECTION. Carter Jonas, on behalf of the PC, have responded to the latest letter from DP9 (agent) for Great Wolf. They state that "the DP9 letter does not change the Parish Councils view in any way. There are very limited material considerations that would suggest that the application is acceptable. The harms to landscape, character, loss of golfing facilities and transport are not outweighed by the suggested benefits."

No new material considerations are raised in the PC's response above those referred to in the committee report.

**Duns Tew Parish Council -** OBJECTION. For the following reasons:

- The surrounding roads including the A34, A41, A4095, and B430, are not able to cope with the increased volume of traffic this resort will generate either in the building phase or when fully operational.
- The surrounding villages are also unable to cope with the increase in volume of traffic.
- The development is not in keeping with the surrounding countryside or villages and will destroy the character of the landscape.
- The destruction of the local countryside and a substantial increase in air and noise pollution is not in keeping with the climate emergency declared by Cherwell or Oxford councils.

**Third Party Responses –** OBJECTIONS over 50 additional responses have been received objecting to the application. No new material considerations have been raised.

**Petition –** OBJECTIONS A petition against the application has been submitted with over 1200 signatures. It is important to note that many of these signatures will also have submitted their own individual letters of objection or concern.

### ***Recommendation***

No change

## **9. 19/00771/F Land ADJ M40 (Central M40) Banbury**

### ***Additional Representations received***

#### **Environment Agency**

1.1. Prior to the South Northamptonshire District Council Committee meeting on 5th March 2020, an update was provided by the Environment Agency. This update is summarised below:

- The modelling work carried out by the applicants is still not 'fit for purpose';
- Revised information has been requested from the applicants;
- They cannot withdraw their objection at this time;
- This is not a matter that can be dealt with by condition – it needs to be resolved before permission can be granted;

1.2. A further update has been provided from the EA on 10th March 2020, as summarised below:

- The latest submission has made a huge step forward;
- The addition of the ditch and survey data is positive;
- There are some issues that still require resolution;
- It is hope that the next submission these issues are addressed;

1.3. In response the Agent has confirmed the Drainage Engineers will be providing the requested information to the EA this week.

1.4. Therefore, the matter of flood risk has not been fully addressed currently, however, it is expected there would be a positive resolution once the modelling is acceptable.

1.5. As such, the Officer recommendation has been amended to reflect the recommendation of Officers at South Northamptonshire as outlined below.

### **Update to OCC Comments**

2.1. There is an error in the report, detailing that OCC object to the application on the grounds of Highways and Drainage subject to the S106 contributions and conditions.

2.2. Additional comments received confirm they do not object to the proposed development and recommend the S106 contributions and conditions as detailed in their response.

2.3. Officer comments: the S106 contributions are proposed to be secured and the conditions where relevant have been included as part of the recommendation.

### **Update to recommendation and conditions**

3.1. The members of the South Northamptonshire District Council unanimously agreed the below Officer recommendation on 5th March 2020:

Grant planning permission subject to conditions and a S106 Legal Agreement and the Environment Agency withdrawing their objection

3.2. As such, Officers at Cherwell District Council consider that as South Northamptonshire are the lead authority with the majority of the development within their jurisdiction, it is reasonable for the recommendation to reflect the decision taken by South Northamptonshire District Council.

3.3. The Officer recommendation on this application is:  
GRANT planning permission subject to conditions and a S106 Legal Agreement and the Environment Agency withdrawing their objection

3.4 Similarly, Officers at South Northamptonshire District Council have updated their conditions to reflect the on-going discussions with the agent.

3.5 The conditions outlined below reflect these updates, as well as ensuring that the relevant Cherwell District Council policies have been included

### **Revised recommendation**

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO:**

1. THE ENVIRONMENT AGENCY WITHDRAWING THEIR OBJECTION;
2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND
3. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING AND ANY AMENDMENTS DEEMED NECESSARY):

a) Safeguarding of the land for the South East Relief Road and the Western Link Road.

b). Contributions towards the bus service enhancement and travel plan monitoring

## CONDITIONS

### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from 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.

Submission to/Monitoring/Enforcement: CDC and SNC Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

### DRAWINGS:

Site Location Plan dwg. no. 6422-100 Rev F dated 26 April 2019;

Site Layout Plan dwg. no. 6422-101 Rev. J dated 19 September 2019;

Site Plan Illustrating Constraints dwg. no. 6422-102 Rev. H dated 19 September 2019;

Site Layout Plan External Finishes & Fencing dwg. no. 6422-103 Rev. G dated 19 September 2019;

Unit 10 Proposed Building Plan dwg. no. 6422-104 Rev. C dated 23 April 2019;

Unit 10 Proposed Ground, First & Second Floor dwg. no. 6422-105 Rev. B dated 23 April 2019;

Unit 10 Proposed Elevations dwg. no. 6422-106 Rev. D dated 23 April 2019;

Unit 10 Proposed Roof Plan dwg. no. 6422-107 Rev. B dated 26 March 2019;

Unit 9 Proposed Building Plan dwg. no. 6422-111 dated 05 April 2019;

Unit 9 Proposed Ground, First & Second Floor dwg. no. 6422-112 dated 08 April 2019;

Unit 9 Proposed Elevations dwg. no. 6422-113 dated 08 April 2019;

Unit 9 Proposed Roof Plan dwg. no. 6422-114 dated 08 April 2019; Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019;

Planting Plan overview dwg. no. 6849/ASP.PPDBS9.1.0 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.1 Rev G dated 23 September 2019;

Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.2 Rev G dated 23 September 2019;

Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.3 Rev G dated 23 September 2019;

Drainage Layout Sheet 1 Ref. C08749-HYD-XX-XX-DR-C-0001 Rev. P7 dated 16 September 2019;

Drainage Layout Sheet 2 Ref. C08749-HYD-XX-XX-DR-C-0002 Rev. P6 dated 16 September 2019;

Drainage Layout Sheet 3 Ref. C08749-HYD-XX-XX-DR-C-0003 Rev. P6 dated 16 September 2019;

Drainage Layout Sheet 4 Ref. C08749-HYD-XX-XX-DR-C-0004 Rev. P7 dated 16 September 2019; Standard Details Sheet 1 Ref: C08749-HYD-XX-XX-DR-C-0010 Rev. P2 dated 22 February 2019;

Standard Details Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0011 Rev. P2 dated 22 February 2019;

Standard Details Sheet 3 Ref: CM4-HYD-XX-XX-DR-C-0012 Rev. P1 dated 19 February 2019; Catchment Plan Ref. C08749-HYD-XX-XX-DR-C-0005 Rev. P7 dated 16 September 2019;

External Levels Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0101 Rev. P7 dated 16 September 2019;

External Levels Sheet 2 Ref: C08749-HYD-XX-XX-DR-C-0102 Rev. P8 dated 16 September 2019;

Cycle Shelter dwg no. 6422-035 dated 15 August 2019; REPORTS: Ecological Appraisal dated April 2019, ref. edp1419\_r015d; Reptile Mitigation Strategy dated April 2019, ref. edp1419\_r018b;

Biodiversity Impact Assessment ref. edp1419\_r014d received 16 May 2019;

Floodplain Technical Note dated June 2019;

Flood Risk Assessment dated 15 April 2019;

Hydraulic Modelling Report by Hydrock Ref: COB-HYD-XX-XX-RP-D-5002 dated 24 September 2019;

Technical Note - Drainage Statement by Hydrock Ref: C08749-HYD-XX-XX-RP-C001 Rev P5 dated 16 September 2019;

Technical Design Note by Hydrock in response to Environment Agency comments Ref: 8749-HYD-XX-XX-FR-TN-007 Rev P1-S2 dated 18 February 2020; Transport Assessment dated 29th April 2019;

Framework Travel Plan dated 29th April 2019; Phase 1 Desk Study dated 29th April 2019;

Landscape and Visual Impact Assessment dated April 2019 ref. 6489.LVIA.004;

Landscape Management Plan dated April 2019, ref. 6489.Land.Man.002;

Arboricultural Impact Assessment Ref. 10057\_AIA.001 Rev. C dated 23 September 2019;

Heritage Assessment dated April 2019, ref. AC947A; External Lighting report Rev. P06 dated 26 April 2019;

Odour Assessment dated April 2019;

Noise Assessment dated April 2019;

Project Specification for an Archaeological Evaluation and Geophysical Survey both dated 13th February 2018; Archaeological Evaluation Report by Thames Valley Archaeological Services dated September 2019;

Reason: To clarify the permission and for the avoidance of doubt.

Submission to/Monitoring/Enforcement: CDC and SNC Ecology

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Appraisal dated April 2019, ref. edp1419\_r015d; the Reptile Mitigation Strategy dated April 2019, ref. edp1419\_r018b and the Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement:

**CDC and SNC CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

4. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- a) The parking of vehicles of site operatives and visitors;
- b) The routeing of HGVs to and from the site;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;
- j) The ecological mitigation measures to be implemented in accordance with condition 3 of this permission;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy ESD10 and Government guidance contained within 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.

Submission to/Monitoring/Enforcement: CDC and SNC



5. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

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

Submission to/Monitoring/Enforcement: CDC and SNC

6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP: Biodiversity shall include as a minimum:

- 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 and all protective fencing and warning notices shall be erected on the site in accordance with the approved CEMP. All protective fencing and warning signs shall be maintained in accordance with approved details for the entirety of the construction phase.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 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.

Submission to/Monitoring/Enforcement: CDC and SNC

7. No development shall take place until the existing tree(s) to be retained in accordance

with Drwg No. 6489.ASP.PPDBS9.1.0\_Rev G dated 23 September have been protected in accordance with an Arboricultural Method Statement to be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

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 Policies ESD15 of the Cherwell Local Plan and Government guidance contained within 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. Submission to/Monitoring/Enforcement: CDC and SNC Archaeology

8. No development shall take place within the area of archaeological interest (as outlined in orange on the County Archaeologist's plan provided with the consultation response dated 15<sup>th</sup> October 2019) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority..

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
- (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, and the results made available, in accordance with NPPF Paragraph 199.

9. No development shall take place above slab level until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are

required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policies ESD6 and ESD7 of the Cherwell Local Plan and Government advice in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: SNC

10. Prior to the commencement of the development details of the surface water attenuation shall be submitted to and agreed in writing by the Local Planning Authority. The surface water attenuation shall be implemented in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority prior to its implementation.

Reason: To protect the adjacent railway from the risk of flooding, pollution and soil instability.

Submission to/Monitoring/Enforcement: CDC and SNC Levels details

11. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority. All changes to ground levels, earthworks and excavations close to the railway boundary shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of those works.

Reason: To protect the adjacent railway.

Submission to/Monitoring/Enforcement: CDC and SNC

#### CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained in accordance with the approved Landscape Management Plan Ref: 6489.Land.Man.002 dated April 2019. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species, 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 Policies ESD13 and ESD15 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC Highways

13. Details of the proposed construction, materials and surfacing of the access road and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the building(s) and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Policy SLE4 of the Cherwell Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC Lighting

14. Details of the external lighting/security lighting/floodlighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to comply with Policy ESD15 of the Cherwell Local Plan and Government advice in The National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

15. No external lighting shall be installed within the ecological mitigation area as identified on plan no. 6422-115 dated 02/05/2019.

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 and Government guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC Ecology

16. If the development hereby approved does not commence by April 2021. A revised ecological appraisal shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact of protected species. The survey results, together with any necessary changes to the mitigation plan or method

statement 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 ESD10 of the Cherwell Local Plan and Government guidance contained within 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.

Submission to/Monitoring/Enforcement: CDC and SNC Fire Hydrants

17. Full details of the fire hydrants and/or sprinklers to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants and sprinklers shall be provided in accordance with the approved details and retained as such thereafter.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

18. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Technical Note Drainage Statement ref C08749-HYD-XX-XXRP-C-001 issue P5 dated 16 th September 2019 prepared by Hydrock have 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:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Details of the drainage system are to be accompanied by full WinDES modelling or similar with the details on proposed discharge rates, simulating storms through the whole drainage system, with results of critical storms, demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD7 of the Cherwell Local Plan and Government advice in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: SNC

19. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until August inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

#### CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

20. Prior to the first occupation of the development, the walls and roofs of the buildings hereby approved shall be finished and thereafter maintained in accordance with the colour scheme approved as set out in drawings ref: Unit 9 Proposed Elevations dwg. no. 6422-113 dated 08 April 2019 and Unit 9 Proposed Roof Plan dwg. no. 6422-114 dated 08 April 2019 unless otherwise agreed in writing by the LPA.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

21. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first use of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason: In the interests of highway safety, to ensure the provision of adequate offstreet car parking and turning/loading/unloading to comply with SLE4 of the Cherwell Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

22. Prior to the first use or occupation of the development hereby permitted, details of a turning area which shall need to be identified and provided within land owned by the development so that buses may turn around, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of buses at all times thereafter.

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.

Submission to/Monitoring/Enforcement: CDC and SNC

23. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority based on the approved Technical Note Drainage Statement ref C08749- HYD-XX-XX-RP-C-001 issue P5 dated 16th September 2019 prepared by Hydrock

The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

Submission to/Monitoring/Enforcement: SNC

24. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - an infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason: - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Submission to/Monitoring/Enforcement: CDC and SNC

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

25. The existing trees and hedge along the northern boundary of the site shall be retained in accordance with the approved landscaping plans (Planting Plan overview dwg. no. 6849/ASP.PPDBS9.1.0 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.1 Rev G dated 23 September 2019; Planting Plan 1 dwg. no. 6849/ASP.PPDBS9.1.3 Rev G dated 23 September 2019; and the approved Landscape Management Plan Ref: 6489.Land.Man.002 dated April 2019 unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the

interests of visual amenity and to accord with Policies ESD13 and ESD15 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

26. All species used in the planting proposals associated with the ecological mitigation area as identified in the Area for Ecological Mitigation dwg. no. 6422-115 dated 02 May 2019 shall be native species of UK provenance.

Reason: To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy ESD10 of the Cherwell Local Plan and Government guidance contained within Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply Section 15 of the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC BREEAM

28. The development hereby permitted shall be constructed to at least a BREEAM Very Good standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

29. 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 the building hereby permitted 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 on the site in accordance



with Policy ESD15 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Submission to/Monitoring/Enforcement: CDC and SNC

30. Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) the approved building shall not be extended without the prior planning permission of 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.

Submission to/Monitoring/Enforcement: CDC and SNC

31. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings 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.

Submission to/Monitoring/Enforcement: CDC and SNC

32. The buildings hereby approved shall be used only for purposes falling within Classes B2 and B8 with ancillary office space and a retail use within Unit 10 of no more than 400sqm as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in 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: To ensure that there is adequate on-site parking provision in the interests of highway safety and to protect the vitality and viability of the town centre in accordance with Policies PSD1 of the Cherwell Local Plan.

Submission to/Monitoring/Enforcement: CDC and SNC

33. The development hereby approved shall not be allowed to increase working shifts beyond the agreed 3 shifts per day unless notification has been submitted to the Local Planning Authority.

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.

Submission to/Monitoring/Enforcement: CDC

**10. 19/02350/OUT**                      **Land at Deerfields Fm, Canal Lane**      **Bodicote**  
No update

**11. 19/02358/M106**                      **Car Park, Compton Rd, Banbury**  
Applicant withdrew the application on 9 March 2020

**12. 19/02973/DISC**                      **Land ADJ Vendee Drive, Bicester**  
No update

**13. 19/02948/F**                      **Land s/o South Side, Steeple Aston**  
***Additional Consultation Responses and Representations received***  
**Steeple Aston Parish Council – SUPPORT** Urges the Committee to approve the application.

The supporting letter highlights that the scheme has been the subject of numerous discussions between Rectory Homes (applicants) and the Parish over two years, and that the applicants have modified it several times in line with the recommendations the Parish have made.

The Parish express the view that the 10 dwellings currently proposed for this site represent the correct scale of development for this sensitive edge of village site, and that they would actively oppose a scheme of higher density. They are also satisfied that the housing mix is now appropriate for the village.

***Recommendation***

No change

**14. 19/02992/F**                      **Lessor Grange**      **Milcombe**  
No update

**15. 19/01774/F**                      **Units 2-4 Wildmere Park, Wildmere Road, Banbury**  
No update

**16. Appeals Update**

No Update – this includes the Sibford Ferris JR