

<u>Consultee</u>	Date Sent	<u>Expires</u>	<u>Reply</u>
Deddington Parish Council	02.03.2021	23.03.2021	
Hook Norton Parish Council	02.03.2021	23.03.2021	23.03.2021
Archaeology OCC	02.03.2021	23.03.2021	
Building Control CDC	02.03.2021	23.03.2021	01.06.2021
Ecology CDC	02.03.2021	23.03.2021	
Environment Agency	02.03.2021	23.03.2021	12.03.2021
Environmental Health CDC	02.03.2021	23.03.2021	09.03.2021
Internal Drainage Board	02.03.2021	23.03.2021	15.03.2021
Landscape Services	02.03.2021	23.03.2021	
Drainage OCC – Local Lead Floor Authority	02.03.2021	23.03.2021	29.03.2021
Local Highways Authority OCC	02.03.2021	23.03.2021	
Planning and Property OCC	02.03.2021	23.03.2021	
Planning Policy CDC	02.03.2021	23.03.2021	
Recreation and Leisure CDC	02.03.2021	23.03.2021	22.03.2021
Strategic Housing CDC	02.03.2021	23.03.2021	23.03.2021
Thames Water	02.03.2021	23.03.2021	23.03.2021
Urban Design CDC	02.03.2021	23.03.2021	
Waste and Recycling CDC	02.03.2021	23.03.2021	
Local Highways Authority OCC	02.03.2021	23.03.2021	29.03.2021
BBO Wildlife Trust	22.04.2021	06.05.2021	

Ecology CDC	22.04.2021	06.05.2021
Ecology OCC	22.04.2021	06.05.2021
Drainage OCC – Lead Local Flood Authority	19.05.2021	02.06.2021
Landscape Services	25.05.2021	08.06.2021
Local Highways Authority OCC	14.06.2021	14.06.2021

# **Consultee Comment for planning application 21/00500/OUT**

Application Number	21/00500/OUT	
Location	Land North Of Railway Ho	use Station Road Hook Norton
Proposal	Erection of up to 43 new attenuation pond	homes, access from Station Road and associated works including
Case Officer	Wayne Campbell	
Organisation	Building Control (CDC)	
Name		
Address	Building Control Cherwell OX15 4AA	District Council Bodicote House White Post Road Bodicote Banbury
Type of Comment	Comment	
Туре		
Comments	The proposed development	nt will require a Building Regulations application
Received Date	01/06/2021 12:26:40	
Attachments		

From: Slade, Dominic Sent: 12 March 2021 16:08 To: Planning <Planning@Cherwell-DC.gov.uk> Subject: 21/00500/OUT

#### **Dear Sirs/Madams**

This planning application is for development we do not wish to be consulted on. Please see the attached which was issued to your council to screen applications before sending to us. **Please only consult us on planning applications that fall within the categories in the attached list.** 

Ensuring your authority **only** consult us on the development we wish to comment on, saves time for both our organisations which can be better spent on other higher risk developments requiring our input.

#### For development that falls within a flood risk area:

For certain development types, we have supplied your authority with Flood Risk Standing Advice (FRSA). Please refer to this in accordance with the table below. Please consult the Environment Agency for development **not** covered by FRSA.

Flood	Minor development
Zone 3	Non-domestic extensions of 250 square metres or less
	Change of use (except a change to more or highly vulnerable or a
	change from water compatible to less vulnerable)
	Refer to Table 2 of the Flood risk and coastal change NPPG for
	vulnerability definitions
	https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1-
	Flood-Zones
Flood	Minor development
Zone 2	Non-domestic extensions of 250 square metres or less
	Water compatible (including essential accommodation within a water compatible development), more vulnerable (except landfill, a waste
	facility or a caravan or camping site), less vulnerable (except landin, a waste
	treatment site, mineral processing site, water treatment plant, or
	sewage treatment plant)
	Refer to Table 2 of the Flood risk and coastal change NPPG for
	vulnerability definitions
	https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1- Flood-Zones
	11000-201165

#### Permitting and licencing advice for applicants:

Although we are not providing bespoke comments on this planning application, the applicant should be made aware that they may require an Environmental Permit or Licence from us for some types of development.

Environmental	Under the Environmental Permitting (England and Wales)
permits	Regulations 2016, permits are needed to carry out a wide range of

	specified activities lawfully.
	Examples include: installations, medium combustion plant, specified generator, waste or mining waste operations, water discharge or groundwater activities, or work on or near a main river or sea defence.
	For more information visit: <u>https://www.gov.uk/topic/environmental-management/environmental-permits</u>
Licences (water abstraction or impoundment)	In order to manage water resources and water quality activities which abstract or impound water may require an abstraction or impoundment licence.
. ,	For more information visit: <u>https://www.gov.uk/topic/environmental-</u> management/water

If you require any further assistance understanding the attached list, please do not hesitate to contact me directly.

Kind regards,

#### **Dominic Slade**

Environment Agency | Red Kite House, Howbery Park, Wallingford, OX10 8BD

#### **Rachel Tibbetts**

From:	Neil Whitton
Sent:	09 March 2021 10:34
То:	Wayne Campbell
Cc:	DC Support
Subject:	21/00500/OUT - Land North Of Railway House Station Road Hook Norton

Environmental Protection has the following response to this application as presented:

Noise: Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, 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 shall be carried out in accordance with approved CEMP.

Contaminated Land: The full contaminated land conditions (J12 – J16) will need to be applied to any approved permission

Air Quality: The dwelling(s) hereby permitted shall not be occupied until it/they has/have been provided with a system of electrical vehicle charging to serve that dwelling.

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

Odour: No comments

Light: No comments

If you wish to deviate from the suggested conditions then this should be discussed with the officer making these comments to ensure the meaning of the condition remains and that the condition is enforceable and reasonable.

NB: Please note my new working pattern below, I will only respond on the days appropriate to the email content Mon – Weds: Environmental Protection, Thurs – Fri: Health Protection and Compliance

Kind Regards

Neil Whitton BSC, MCIEH Environmental Health Officer Environmental Health and Licensing Cherwell District Council Tel - 01295 221623 Email - Neil.Whitton@cherwell-dc.gov.uk

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#### Hook Norton Parish Council Foxglove Cottage Kings Road BLOXHAM OX15 4QE

#### e-mail: rosemary.watts@hnpc.org.uk

Mr Wayne Campbell (by email) Cherwell District Council Planning Department Bodicote House Bodicote OX15 4AA

23<sup>rd</sup> March 2021

Dear Mr Campbell

## OBJECTION TO Planning Application 21/00500/OUT: 43 New Homes on Land North of Railway House, Station Road, Hook Norton.

I am writing on behalf of Hook Norton Parish Council, which wishes to object to this application on the following grounds.

The previous application (14/01738/OUT) was strongly opposed by Hook Norton Parish Council (HNPC), many other statutory consultees and local residents who wrote separately to Cherwell District Council.

The revised application is from a company called Greystoke Land Ltd which specialises in planning appeals and has gone back over the reasons why the original application was rejected, using independent experts to challenge or amend the application to address the concerns raised. However, Hook Norton Parish Council does not think that the evidence provided is strong enough to overturn rejections and it stands by its original decision.

After all the planning appeals, Greystoke Land Ltd are clearly submitting this as a speculative and opportunistic application. Residential development has previously been refused on the site and the reasons for refusal remain. In particular:

- The site is in open countryside and beyond the existing built-up limits to the village
- There is a significant change in levels from Station Road to the site, meaning visually intrusive engineering works would be required to access the site, which would be out of keeping with the local character
- Creation of the access would require a significant loss of established field boundary vegetation with significant harm to biodiversity, character and visual amenity
- The rising landform, including Council Hill, to the north of the site, is an important element of the local landscape and setting of Hook Norton. The local landscape character and visual amenity would be harmed by residential development of the site
- Public Right of Way 253/21/10 is immediately adjacent to the site and is a very well used route. There are open and close views of the site from this path and development of the site would have a severe and harmful visual impact

#### Social infrastructure needs

The revised application does not meet the required 35% threshold for social housing in a rural setting, at 34.8%.

The Hook Norton Neighbourhood Plan (HNNP) requires any development to protect and enhance the local landscape (policy HN-CC1), and this includes making a positive contribution to the locally distinctive character and context of the village. *This application does not address the fundamental landscape and visual objections to development of the site, such as the relationship with local landscape and Council Hill, the open views from the PROW immediately north of the development and open views from Station Road. The suggested boundary planting will not be of sufficient height or depth.* 

Since the traditional pattern of growth is fundamental to the character of Hook Norton and the application does not accord with that traditional pattern of growth, it is also contrary to HN-CC1 of HNNP. The applicants D&A statement references that there will be loss of openness which is contrary to the character of the village.

The application is contrary to Policy HN-CC2 of HNNP which requires any proposal to demonstrate that it is of high-quality design. The application fails to provide sufficient information to allow a proper assessment of design. The original objection from the Parish Council highlighted concerns that the application did not adhere to Policy HN-CC2 of the HNNP, which requires any proposal to demonstrate that it is of high-quality design. It is not acceptable for an outline application to lack parameters and design guidance to ensure high quality at any subsequent Reserved Matters. There is no reference in the revised application to the standard of design of the houses; the only change appears to be in a reduction to the numbers of houses; the Council cannot be assured that the development will adhere to and maintain the current character of the village.

#### Type of development proposed

The HNNP provides for sustainable housing growth in policy HN-H1. This allows proposals for up to 20 dwellings; justified by objectively assessed local housing need. This revised application seeks to justify the proposal for 43 dwellings by reference to the CDC 5-year land supply. However, if this argument is pursued without any reference to a spatial situation, development of any size may be proposed in a village, resulting in villages becoming more like towns and their defining village characteristics being lost. This is contrary to the NPPF which stresses the interrelationship of the 3 elements of sustainable development – economic, environmental and social. *The spatial policies of the Cherwell Local Plan are not rendered out of date because of a drop in 5 YHLS – they remain fundamental to the plan led approach as set out in the NPPF. This application is contrary to policy HN-H1.* 

HNNP notes (in HN-CC3) that the traditional pattern of growth which characterises Hook Norton should be small scale and of gradual change. This policy requires that "this must be reflected in the extent and amount of any development in Hook Norton". *The Parish Council objected to a previous proposal for 48 houses on this site as it does not comply with HN-CC3. It objects to this proposal for 43 houses because this is also contrary to HN-CC3. It does not accord with the settlement pattern.* 

There has been much in the press over whether Neighbour Plans are valid when considering new housing developments and last year, neighbourhood plans appeared to be back on track when the then housing minister Gavin Barwell announced that they would still hold weight, as long as planning authorities could prove a three-year housing land supply.

The Council's current position on housing land supply is published in the 2020 Annual Monitoring Report (AMR) which involved a comprehensive review of land supply.

The AMR includes consideration of the effect of COVID and notes (para 5.65): 'MHCLG housing supply indicators data for England (30 September 2020) report a fall on housing starts and completions reflecting the coronavirus lockdown'.

The Cherwell AMR notes that "a number of large sites are expected to move forward" and crucially for Cherwell in regard to the required Housing Land Supply, (as per AMS paras. 5.74 & 5.75), "whilst the Council presently cannot demonstrate a five-year supply, its position exceeds the current three-year housing land supply requirement as set out in the Written Ministerial Statement therefore paragraph 11(d) of the NPPF is not engaged for reasons of housing land supply.

Furthermore, HNNP describes Hook Norton in a group of 6 villages required to provide housing of 252 up to the year 2031; all of which have had recent approvals for up to 528 dwellings which exceed this.

Following the developments in Hook Norton at Bourne Lane, Scholars Gate and The Grange (Stanton Engineering site), the village of Hook Norton has increased in size well above the level anticipated by local planning policy. The physical and social infrastructure, however, has not matched this increase. Further development is unsustainable, particularly when considered cumulatively with the already consented and implemented developments. Local opinion regarding the extent, location and size of future residential development has been very clearly expressed and evidenced during consultations associated with the preparation of a HNNP. The application is contrary to the findings on which the HNNP policies are based.

#### Transport and PROW

The original planning application assessed existing traffic conditions, but it did not allow in its traffic counts and projections for the effect on traffic of the 107 dwellings which have recently been built at Bourne Lane and The Grange, along with a further 54 at Scholars Gate. All the very recent development which has taken place have cumulatively impacted traffic and parking levels whilst the village road network has remained unchanged. A village does not and should not have urban style roads: the narrowness and bends are part of the rural character.

The Transport Statement submitted with the application includes an independent report which argues that traffic volumes going into the village will be minimal as most facilities are in walking distance. However, the traffic count on which the Statement is based was carried out at the end of July 2020 when the roads were quieter as residents were staying indoors more because of COVID-19 and also during school holidays. *HNPC would argue that the results from the survey are not an adequate basis from which to draw conclusions. In addition, it is clear that the site is not well located in relation to local services and the Transport Statement fails to acknowledge the trips made by car to access local amenities.* 

Regarding the "S106 offer" to improve the bus stop, the Parish Council can confirm that this merely demonstrates the lack of consultation with the community – which is not only good practice but also strongly encouraged in planning policy. The Hollybush Road bus stop is being provided with a shelter by the Parish Council, with work currently ongoing. Residents of the proposed estate will need to travel directly through the village if they wish to travel in any direction other than directly eastwards such as Banbury direction, thus greatly increasing traffic through the village centre.

Hook Norton is in an isolated position and the roads serving the village are minor roads, often cut off for periods during the winter. Increased traffic would also directly impact the surrounding villages which must be passed to reach Hook Norton. Public transport does

not serve the working population well and cycle commuting is impractical. The road into the village is a constant series of blind bends and barely wide enough for two cars to pass. The pavements from the site into the village are very narrow and non-existent in places and you are required to step onto the road to allow on-coming people to pass. You also have to keep crossing the road due to the foot path changing sides and, as this is the nature of the village, it cannot be changed so, any increased walking and traffic would only endanger life more.

Provision of a Transport Plan cannot make up for the poor sustainability rating of Hook Norton (as found in CDC's Local Plan evidence base document CRAITLUS) – no Travel Plan can overcome the fact that the location and size of the proposal is inappropriate. The HNNP takes account of CRAITLUS and provides in HN-H1 for measured growth. This application is contrary to the HNNP.

The application makes no enhancement to the PROW network as sought in policy HN-COM2 – it only detracts from the existing PROW which is immediately adjacent to the site.

#### Site location

Under policy HN-H2 of the HNNP, any applications for housing development will be assessed for suitability of location according to a set of criteria. The application fails to meet the following criteria because:

The application does not comply with policies in the plan, as set out in this submission:

- The application is on a greenfield site.
- Access to the site will be via a significant slope given the lay of the land.

Plans in the Transport Statement show that the creation of the visibility splays would significantly impact the existing vegetation. Furthermore, if the visibility splay to the west is to be achieved, it appears to be reliant on works to third party property and trees – for which there appears to be no agreement.

The Topography Survey clearly shows the significant level difference and also notes that it was "unable to survey" some of the area of the proposed access.

No consideration is given to how the proposed access will be created with reference to the differing levels of site and Station Road – no sections are provided and no drawings provided of the engineering work needed to create the access – yet access is not a reserved matter, it is to be determined by this application.

The swept path plans show that vehicles need to cross the Station Road carriageway. This is clearly a safety concern.

The Parish Council is also concerned that no account appears to have been taken of the proximity of the proposed site access to the existing access to The Grange.

In addition, unobstructed visibility is required between 0.6 and 2m. Sag and summit curves may affect visibility requirements. All junctions require adequate visibility in accordance with the requirements detailed in the design. Unfortunately, the slope into the development will prohibit required level of visibility along with the closeness to the junction of The Grange.

#### Utilities

The current electricity infrastructure is recognised as marginal for existing needs and would need expansion to cope with an increased population. The water supply struggles to meet current demand, water pressure is low, and the sewage treatment facilities are inadequate. Feedback from residents to the Bourne Lane, The Grange and more recently

Scholars Gate developments confirms this is the case. This situation has worsened because of the new developments at Bourne Lane and Scholars Gate.

#### Education

Chipping Norton school, the nearest secondary school and the one in catchment for Hook Norton, is eight km away, is accessible only by subsidised school bus and private car and is fully subscribed.

#### Communications

Mobile telephone service is poor with no single provider allowing full coverage over the village. The existing mobile masts are often at full capacity resulting in dropped calls. 3G coverage is patchy at best and often unavailable. This is barely adequate to support existing needs let alone encourage additional home working.

#### Case of need

There is clearly no case of need for a new housing development and the application does not evidence any benefits that will be derived, given that:

- 1. Hook Norton has already had substantial recent housing developments in the village which fulfil and exceed (by over 200%) the need for housing as identified by Cherwell District Council including social housing needs.
- there are no economic advantages to be derived from this development; from this
  perspective it would be better redirected into a town where retail is weak now
  especially because of COVID-19 and unused retail space could be converted into
  social housing and flats to help stimulate growth through encouraging restaurants
  and bars.
- 3. the village is now not in a sustainable position to support this as local amenities are fully utilised from the recent three housing developments bringing further 107 homes into the village.
- 4. the location and size of the site is not in line with the HNNP; the access road is very close to other junctions and given the ground level of the development would require engineering works which are insufficiently considered and would inevitably be harmful.
- 5. It would not help reduce traffic or air traffic pollution and the Transport Statement is based on traffic data which is at best questionable and which underestimates the number of people that will drive to use the facilities in the village.
- 6. the Hook Norton Low Carbon Society have been considering environmental requirements for the village and are proposing creating a wildlife belt; this development would cut right through this.

Society is in a very different place now because of COVID-19 and environmental issues, so these should be on the forefront of any decision relating to housing developments. There is no evidence to sense check that these have been taken into consideration.

In a recent letter to householders the Leader of the Council, Barry Wood, referenced the four strategic priorities for Cherwell District Council in 2021/22 including:

- Housing that meets your needs including promoting innovative housing schemes and delivering local plans
- Leading on environmental sustainability including protecting our natural environment and improving air quality
- Enterprising economy with strong and vibrant local centres such as securing infrastructure to support growth in the district
- Healthy resilient and engaged communities supporting community and cultural development and create a more inclusive 'including everyone' community.

Clearly this development cuts across these priorities as it does not meet local needs, is not innovative, is not in line with local plans, offers no environmental benefits, will worsen air quality and noise, will not help stimulate growth in local town centres and is not aligned with the views nor supported by the local community.

#### Conclusion

Hook Norton Parish Council (HNPC) strongly objects to the proposed development. It is an entirely speculative proposal with inadequate supporting documentation. The site has in principle objections due to landscape, visual and access matters. The proposal conflicts with the HNNP.

There is clearly no case of need or perceived benefits to be derived from sighting these houses in Hook Norton, it does not accord with Cherwell Five Year Land for Housing Supply and is not in line with Cherwell District Councils Strategic Priorities.

Hook Norton is a village which has already undergone significant expansion and the HNNP has been prepared to manage future growth. Such an approach accords with the Government's localism agenda and the NPPF core planning principle requiring planning to be plan-led and empowering local people.

## For this and all the reasons stated above, Hook Norton Parish Council would urge that this application be refused.

Hook Norton Parish Council requests that this application be determined by planning committee and wishes to attend to confirm its strong objections.

Councillors would be happy to discuss any aspect of the above further if you wish.

Yours sincerely

R Watts

Rosemary Watts **Clerk to Hook Norton Parish Council** cc. HNPC; Victoria Prentis MP; County Cllr George Reynolds; District Cllr Hugo Brown

# **Consultee Comment for planning application 21/00500/OUT**

Application Number	21/00500/OUT
Location	Land North Of Railway House Station Road Hook Norton
Proposal	Erection of up to 43 new homes, access from Station Road and associated works including attenuation pond
Case Officer	Wayne Campbell
Organisation	Internal Drainage Board
Name	
Address	
Type of Comment	Comment
Туре	
Comments	You are advised that this site is outside the Board?s district, in this instance the Board has no comment to make.
Received Date	15/03/2021 09:36:29
Attachments	

#### Wayne Campbell

From:Tim ScreenSent:05 March 2021 18:02To:Wayne CampbellSubject:21/00500/OUT - Land North Of Railw

05 March 2021 18:02 Wayne Campbell 21/00500/OUT - Land North Of Railway House, Station Road, Hook Norton

Hi Wayne

Hope you are well.

Having considered the these development proposals under a PREAPP (with a recent site visit and consideration of the landscape consultant MHP's LVA/viewpoint analysis and baseline study) I am unable to support this application because for the following reasons (reiterating my previous response/I see no reason to wait for another LVIA).

#### Visual Receptors - prolonged exposure

The visual receptor will experience a view of the development along sections of the PRoW RC 253/21/10 to the northeast, Council Hill, especially so during the winter months when the there are no leaves on the intervening trees and hedgerows. Prolonged receptor exposure will occur on a stretch of 277 m (approx.) between viewpoints 9 and 8. The receptor will experience the residential development as a focal point within the landscape. A currently unspoilt landscape with substantial woodland as a strong landscape characteristic. This development will be rather incongruous where the exiting urban edge is mainly hidden by trees because there is no similar residential edge character in which to associate with this proposed development.

This means a Magnitude of Change of **very high** (there is a large number of receptors, and the duration of the view is prolonged, uninterrupted and unavoidable), and adverse (proposals result in the total, permanent loss of a highly valued view, and a total and complete change in the composition of the view the introduction features and elements not currently experienced during the transition from VP 9 to VP8), a visual receptor sensitivity of **high** (observers whose attention or interest will be focussed on the landscape and recognised views in particular. The setting of St Peter's Church may be harmed by this development). This justifies a Significance of Effect of **high adverse** (The development would cause major alteration to the landscape by including elements totally uncharacteristic of the current visual experience). In reference to The Hook Norton Neighbourhood Plan, section 4.2 Location of development Policy background and reasoning. The presumption of the village beyond existing settlement limits. From the recorded viewpoints and my experience of walking the route it is self-evident that the development will be isolated from this type of development and deemed to be an unwanted 'expansion beyond existing settlement limits'.

#### Approaching VP 4 - PRoW RC 253/21/10

The localised impact and effect to visual receptors is very harmful when experienced at close quarters from the PRoW adjacent to the northern site boundary. The route goes across the slope and the edge of the northern boundary can be seen and the site gradually becomes open to view (almost to its full extent) as one walks up to the tope of the slope. I judge the Magnitude of Change to be **very high**, the receptor sensitivity is **high** (with very low receptivity to change for receptors) resulting in a Significance of Effect of **high adverse**.

#### Landscape Receptor

Adopted Cherwell Local Plan 2011-2031 (Part 1) Policy ESD 13: Local Landscape Protection and Enhancement included Areas of High Landscape Value - land of particular environmental quality of which the site and its immediate environs. The policy was removed in favour of the a character-based approach to conserve and enhance the distinctive and highly valued local character of the entire District. I judge the landscape on the northern edge of Hook Norton to be both distinctive and highly valued locally and therefore must be protected from this inappropriate development.

Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB) - 109 High priority will be given to the protection and enhancement of the Cotswolds AONB and the Council will seek to protect the AONB <u>and its setting</u> (my emphasis) from potentially damaging and inappropriate development.

Development proposals within the AONB will only be permitted if they are small scale, sustainably located and designed, and would <u>not conflict with the aim of conserving and enhancing the natural beauty of the area.</u> (my emphasis)

Furthermore, consider the Hook Norton Neighbourhood Plan.4.2 Location of development. Policy background and reasoning The presumption of the National Planning Policy Framework is avoidance of new isolated homes in the countryside. This was supported in consultation for the Neighbourhood Plan. <u>Respondents were clearly not in favour of a general expansion of the village beyond existing settlement limits.</u> (my emphasis)

Best regards Tim

**Tim Screen CMLI** Landscape Architect Environmental Services Cherwell District Council

Direct Dial 01295 221862 Mobile 07854 219751 www.cherwell.gov.uk Follow us: Facebook: www.facebook.com/cherwelldistrictcouncil Twitter: @Cherwellcouncil



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#### Wayne Campbell

From:	Tim Screen
Sent:	08 June 2021 10:20
То:	Wayne Campbell
Subject:	21/00500/OUT - Land North Of Railway House, Station Road , Hook Norton

#### Good morning Wayne

In consideration of the amended landscape response of 14th May from MHP

Item 1:

This statement does not provide reassurance that the 7.5 m planting buffer to its job in terms of screening the site from visual receptors identified in my previous response of 5<sup>th</sup> March.

In order to achieve screening of this development the establishment period for these trees (depending on species selected, maintenance, climate and soil) is approximately 25 years. For example the growth rates of feathered trees may achieve a height of 9.5 - 9.7 m at 20 years. This will mean the rooflines will still be clearly seen by the visual receptors at viewpoints 8 and 9 with prolong exposure to visual harm on the route between this viewpoints.

Furthermore there are factors that will prevent the successful establishment of this 7.5m buffer.

- 1. Lack of landscape maintenance where dead trees are not replaced at the correct time.
- 2. Poor maintenance access prevents appropriate arboricultural and landscape maintenance at the correct times
- 3. Area of woodland is not publicly accessible and therefore not subject to natural surveillance which may encourage residents to encroach on the woodland buffer in order to extend their gardens by cutting down trees and opening up harmful views of the development.
- 4. The woodland casts shade and generates leaf litter to gardens and homes and residents complain about this to the management body and expect trees to be removed.

#### Item 2:

The statement highlights the inter-visibility between the 'old' Church and the proposed 'new' incongruous development. As mentioned above the development could take up to 25 years to effectively screen it and the setting of the Church could effectively be harmed for that period.

Item 3:

When applied to visual receptors, in particular in respect of Council Hill PRoW and a walker's appreciation of a panoramic view that encompasses the Cotswolds AONB, its 'border lands' and the proposed development, will result in the walker/visual receptor experiencing harm from a spoiled panorama, and visual amenity harmed.

#### Item 4:

In response to this statement note that the application site was referenced in the Neighbourhood Plan as: 'The area between Iron Stone Hollow and the old railway evoked a <u>close split between respondents</u> (my emphasis) who thought it appropriate for housing and those who did not'.

The respondents would no doubt expect a comprehensive planning application where the landscape and visual implications are fully explored to enable viable evidence-based decisions to be made. If, indeed, a precedent has a been set with other similar developments outside the curtilage of the village, these developments have been rigorously tested through the planning process. Just because 'a precedent' has been set this does not make this development a fait acompli.

#### Item 5:

This proposed development does not respect or enhance the local landscape character and the development cannot be integrated successfully into the local landscape. I again stress that 'I judge the landscape on the northern edge of Hook Norton to be both distinctive and highly valued locally and therefore must be protected from this inappropriate development'.

Amended Landscape Note - Site Access. 26<sup>th</sup> May.

I support Parish Council's response and objection to the highway access.

There is a significant change in levels from Station Road to the site, meaning visually intrusive engineering works would be required to access the site, which would be out of keeping with the local character. The highway access would urbanise the approach from a characterful experience of Station Road with its gradual introduction to the built up village to a very harmful and abrupt urban impact where more of the hedgerow and trees will have to be removed to accommodate bank stabilisation and vis splay, culminating in visual harm not only from the access but the development itself.

Creation of the access would require a significant loss of established field boundary vegetation with significant harm to biodiversity, character and visual amenity. Agreed. Also it appears that the hedgerow to the eastern field was removed and this access/vis splay would compound the loss of biodiversity, character and visual amenity.

Best regards

Tim

**Tim Screen CMLI** Landscape Architect Environmental Services Cherwell District Council

Direct Dial 01295 221862 Mobile 07854 219751 www.cherwell.gov.uk Follow us: Facebook: www.facebook.com/cherwelldistrictcouncil Twitter: @Cherwellcouncil



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#### Wayne Campbell

From:	Madgwick, Will - Communities < Will.Madgwick@Oxfordshire.gov.uk>
Sent:	07 June 2021 10:14
То:	Wayne Campbell
Subject:	FW: Hook Norton Outline application 21/00500/OUT

Hi Wayne

I forwarded your comments onto our Road Agreements team as the queries were more in their area of expertise. I have had the below email back.

It may be worth sending this onto the applicant and asking them to comment on how they meet each point.

Let me know if you have any questions.

Many thanks

Will

Will Madgwick Transport Planner Oxford City, Cherwell & West Oxfordshire Locality Oxfordshire County Council T: 07760297307

From: Mowlem, Daniel - Communities <Daniel.Mowlem@Oxfordshire.gov.uk> Sent: 03 June 2021 10:19 To: Madgwick, Will - Communities <Will.Madgwick@Oxfordshire.gov.uk> Subject: RE: Hook Norton Outline application 21/00500/OUT

Hi Will,

I am well thank you, I hope you are doing well too.

I have had a look at the document and provided the attached comments taking into account my previous comments, however I believe the majority of the comments still stand:

The use of permeable or impermeable block paving is acceptable to OCC for the highway construction provided that the drainage calculations have been carried out to determine whether the soil below is able to soakaway the water.

Minimum width of access road to be 5.5m, please refer to the OCC Design Guide (2015) Section 5 Road Types.

The carriageways that are straight for over 70m will require some form of traffic calming to ensure vehicle speeds are less than 20mph. The main straight seems excessively straight with no proposed bends or calming.

No property should be within 500mm to the proposed highway, some houses appear very close to the footway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.

There are no visibility splays indicated. Junction and Forward Visibility Splays must be in accordance with the OCC Residential Design Guide Second Edition (2015) and dedicated to OCC if they fall out of the existing highway boundary.

Kph	30	40	50	60	70	85	100	120
Mph	19	25	31	37	43	53	62	75
SSD (m)	33	45	70	90	120	160	215	295

#### Table of Required Sightline ('Y')-Distance for Speed on Through Road

#### Table of Required Forward Visibility Distance for Speed on Through Road

Kph	16	20	24	25	30	32	40	45	48	50	60
Mph	10	12	15	16	19	20	25	28	30	31	37
SSD (m)	9	12	15	16	20	22	31	36	40	43	56

OCC require a swept path analysis for an 11.6m in length refuse vehicle for all manoeuvres in forward gear passing an on-coming or parked family car throughout the layout. The swept path does not indicate how an oncoming or parked car and evidence will be required if this layout is to be adopted. The carriageway will also require widening on the bends as indicated in the OCC Residential Design Guide Second Edition (2015) Para 6.28.

Stage 1 road safety audit should be undertaken to ensure that the initial proposals do not have any safety concerns.

Long section details should be provided to ensure that the gradients are acceptable for highway safety.

No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented.

Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.

Trees must not conflict with streetlights and must be a minimum 10 metres away. Trees that are within 5m of the carriageway or footway will require root protection. Given the number of trees indicated it would be helpful that the proposed street lighting is provided as trees will have to be located at least 10 metres away to ensure the streetlights can perform effectively.

Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.

The Visitor parking bays parallel to the carriageway, can be adopted but accrue a commuted sum. Any other bays (echelon or perpendicular) or private bays will not be considered for adoption. No Highway materials, construction methods, adoptable layouts and technical details have been

approved at this stage. The detailed design will be subject to a full technical audit.

Minor residential roads that serve four or less properties will not be considered for adoption. Roads serving 5 or more houses can be considered for adoption but will need to meet adoptable criteria set out in the OCC Residential Design Guide Second Edition (2015).

The Highway boundary needs to be checked with OCC Highway Records

(<u>highway.records@oxdfordshire.gov.uk</u>) to determine whether or not it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.

OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.

If you have any queries please let me know.

Kind regards,

#### Daniel Mowlem AMIHE - Engineer

Road Agreements | Environment and Place | Oxfordshire County Council County Hall | New Road | Oxford | OX1 1ND | Tel: 07393 001029

Road Agreements Team email: <u>roadagreements@oxfordshire.gov.uk</u>

Further information available at: <u>https://www.oxfordshire.gov.uk/cms/content/section-38-section-278-and-private-street-agreements</u> and <u>www.oxfordshire.gov.uk</u>

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### COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 21/00500/OUT

**Proposal:** Erection of up to 43 new homes, access from Station Road and associated works including attenuation pond

Location: Land North of Railway House Station Road Hook Norton

Response date: 29th March 2021

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

#### Assessment Criteria <u>Proposal overview and mix</u> /population generation

OCC's response is based on a development as set out in the table below. The development is based on a SHMA mix.

Residential	
1-bed dwellings	0
2-bed dwellings	10
3-bed dwellings	27
4-bed & larger dwellings	6
Extra Care Housing	
Affordable Housing %	%

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	
Nursery children (number of 2 and 3 year olds entitled to funded places)	3.86
Primary pupils	15.29
Secondary pupils including Sixth Form pupils	10.54
Special School pupils	0.31
65+ year olds	8.84

#### Strategic Comments

The application is for a residential development on a non-allocated site. As such the application will be subject to the planning policies set out in the Adopted Cherwell Local Plan 2011-2031 Part 1, including Policy Villages 1 which identifies Hook Norton as a Category A Village which is suitable for developments within the 'built up limits of the settlement'.

The County Council is raising a Drainage objection. Also attached are Transport, Education and Archaeology comments.

Officer's Name: Jonathan Wellstead Officer's Title: Principal Planner Date: 26/03/2021 Location: Land North of Railway House Station Road Hook Norton

### **General Information and Advice**

#### Recommendations for approval contrary to OCC objection:

If within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and to be given an opportunity to make further representations.

#### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

#### Where a S106/Planning Obligation is required:

- Index Linked in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- > Administration and Monitoring Fee £1,500

This is an estimate of the amount required to cover the monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will adjusted to take account of the number of obligations and the complexity of the S106 agreement.

OCC Legal Fees The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

**Security of payment for deferred contributions -** Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

• the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more;

• where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

#### Application no: 21/00500/OUT

Location: Land North of Railway House Station Road Hook Norton

## Transport Schedule

#### Recommendation:

#### No objection subject to:

- S106 Contributions as summarised in the table below and justified in this Schedule:
- > An obligation to enter into a S278 & S38 agreement as detailed below.
- > Planning Conditions as detailed below.

#### S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Public transport services	£52,550 (£1,051 per dwelling)	December 2020	RPI-x	Public Transport Services serving Hook Norton

#### Key points

- Proposal seeks outline planning permission for up to 50 dwellings accessed from Station Road.
- Site was previously refused on sustainability grounds in 2014, however, due to proximity of bus stops and local facilities within Hook Norton, the Local Highway Authority do not object to this application.
- In order to gain access to the site, a new bellmouth junction will be required on Station Road, visibility splays have been provided for this and are in line with Manual for Streets. A S278 Agreement will be required for this.
- A Section 38 Agreement will be required for the access road, further detail on the requirements for this are described below.
- Car and cycle parking will be agreed at reserved matters stage; however, these will need to be in line with Oxfordshire County Council standards. All cycle parking should be covered, secure and accessible without having to wheel bikes through properties.
- In order to make the site acceptable on sustainability grounds, 2 new bus shelters will be required at the nearest bus stops either side of Station Road, these should be provided through a Section 278 Agreement. A financial contribution towards the 488 bus service will also be required through a S106 Agreement.

#### Comments:

#### Site Location

The site is located on Station Road to the eastern side of Hook Norton. The highway is restricted to a 30mph speed limit at the point of access, approximately 115 metres further east of the access the highway returns to national speed limit.

A previous planning application in 2014 was refused on sustainability grounds and although this is not as sustainable as other parts of the county, Hook Norton is categorised as a Category A village which benefits from a number of local amenities, including a primary school, doctors' surgery and post office. The north side of Station Road has a footway which runs into the centre of Hook Norton and the facilities previously mentioned.

#### Public Transport

The 488 bus service runs hourly Monday to Friday (08:00-18:00) and two-hourly on Saturdays (09:00-17:00). There is no current Sunday service and the service is reliant on financial support from the county council. The current COVID-19 pandemic also increases the risk to this and other services across the county. It is therefore important that new developments on the corridor contribute to firstly ensure the service remains in place and then improve the times of the service where possible to make the route more frequent. A financial contribution of £1,051 (index-linked) per dwelling has therefore been requested which will be required through a Section 106 Agreement.

To improve bus use, it is important to upgrade waiting areas for users. The nearest bus stops are on Station Road, approximately 135 metres from the proposed site junction and can be accessed via the aforementioned footway on the north side of Station Road. The northern stop currently has a flag and pole which is in relatively poor condition whilst there is no marked point on the southern side. It is considered that to ensure the site is sustainable, these stops should be improved via a S278 Agreement which the applicant suggests in the Transport Statement, this is welcomed.

New pole and flags are required on either side as well as two-bay shelters and improved hard-standing areas. On-street 'cages' will also be required, and each stop will come with a commuted sum for future maintenance.

#### Site Access

The applicant has proposed a simple priority junction in the form of a bellmouth which will act as the site access. Manual for Streets states that visibility splays of 43 metres should be provided within 30mph speed limits, the Transport Statement shows that the 85<sup>th</sup> percentile speed at the point of access is 42mph eastbound and 39 mph westbound. Visibility splays required for 42mph in line with MfS are 71 metres, as the applicant has shown that visibility splays of 120m can be provided within the highway boundary, this is considered acceptable.

The applicant has provided accident data for the vicinity of the site, although there have been 10 incidents over the 5-year period supplied, the majority would be considered 'driver error' and do not indicate a highway safety issue. In terms of traffic generation, the impact assessment undertaken is considered realistic and shows 37

trips in the AM Peak hour (08:00-09:00) and 31 trips in the PM Peak hour (17:00-18:00), this level is not considered severe and is unlikely to cause significant impact upon the network.

2 metre footways are provided either side of the site access which will connect with the existing pedestrian network and continue throughout the site, this is beneficial to pedestrian movement and considered appropriate.

#### Car and Cycle Parking

Parking will be agreed at reserved matters stage; however, the following will apply:

- Car parking will need to be in line with Oxfordshire County Councils parking standards
- All spaces will need to adhere to standard dimensions (5m x 2.5m if unobstructed, 5m x 2.7m if obstructed on one side, 5m x 2.9m if obstructed on both sides and 6m x 3m for garages).
- Cycle parking numbers will need to be in line with Oxfordshire's Cycling Design Standards and the Oxfordshire Street Design Guide which will be released within the next few months.
- All cycle parking should be covered, secure and have level access without having to wheel bikes through properties.

#### Detailed Design

- The access road should have a minimum width of 5.5m.
- The carriageways that are straight for over 70m will require some form of traffic calming to ensure vehicle speeds are less than 20mph. The main straight seems excessively straight with no proposed bends or calming.
- A long section indicating the vertical alignment will be required to determine appropriate carriageway and footway gradients. They will need to be DDA compliant i.e. maximum 1:20 or 5%.
- OCC require a swept path analysis for an 11.6m in length refuse vehicle for all manoeuvres in forward gear passing an on-coming or parked family car throughout the layout.
- No property should be within 500mm to the proposed highway, some houses appear very close to the footway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.
- No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented.
- Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.
- Trees must not conflict with streetlights and must be a minimum 10 metres away. Trees that are within 5m of the carriageway or footway will require root protection. Given the number of trees indicated it would be helpful that the proposed street lighting is provided as trees will have to be located at least 10 metres away to ensure the streetlights can perform effectively.

- Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.
- The Visitor parking bays parallel to the carriageway, can be adopted but accrue a commuted sum. Any other bays (echelon or perpendicular) or private bays will not be considered for adoption.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.
- Minor residential roads that serve four or less properties will not be considered for adoption. Roads serving 5 or more houses can be considered for adoption but will need to meet adoptable criteria set out in the OCC Residential Design Guide Second Edition (2015).
- The Highway boundary needs to be checked with OCC Highway Records (highway.records@oxdfordshire.gov.uk) to determine whether or not it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.
- OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.

#### S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- The construction of two 2-bay bus shelters either side of Station Road at the existing locations with adequate hard standing, pole and flags and on-street bus cages.
- The creation of the proposed access on Station Road in line with Oxfordshire County Council design standards.

#### Notes:

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

#### S38 Highway Works

An obligation to provide a spine road as part of the highway network be required for the development. The S106 agreement will secure delivery via future completion of a S38 agreement.

The S106 agreement will identify for the purpose of the S38 agreement;

- Approximate location of spine road and information as to provision eg minimum width of carriageway, footways etc as appropriate.
- $\succ$  Timing this may be staged.
- Additional facilities/payments

#### Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

#### Access: Full Details

Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on Station Road, including position, layout and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details.

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

#### **Cycle Parking Provision**

No dwelling of the development hereby permitted shall be occupied until cycle parking has been provided according to a plan showing the number, location and design of cycle parking for the dwellings that has previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

#### **Travel Plan**

A Residential Travel Information Pack is required prior to first occupation and then distributed to all residents at the point of occupation.

*Reason – to ensure all residents are aware of the travel choices available to them from the outset.* 

#### Swept Path Analysis

Before the development permitted is commenced a swept path analysis shall be submitted to, and approved in writing by, the Local Planning Authority to demonstrate that for a modern family vehicle and refuse vehicle can safely and easily pass oneanother throughout the development site.

Reason: In the interest of highway safety.

#### **Construction Traffic Management Plan**

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify; • The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,

• Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),

• Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,

- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,

• Details of times for construction traffic and delivery vehicles, which must be outside network peak hours,

• Engagement with local residents

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

#### Officer's Name: Will Madgwick Officer's Title: Transport Planner

Date: 26 March 2021

## <u>Drainage</u>

#### **Recommendation:**

Objection

#### Key issues:

LLFA appreciate the information submitted. Unfortunately, we require more information in order to assess the application in detail.

There are discrepancies between the report and the calculations provided. This needs to be clarified;

• Rate used in Microdrainage 3.23 x  $10^{-5}$ m/s, but rate stated on investigation report and FRA is 3.31 x  $10^{-5}$ m/s

Infiltration trial locations stated in the plan do not correlate with the drainage layout. The trial locations must be where infiltration has been proposed.

As there are numerous infiltration locations proposed, several tests are needed in order conclude with a conservative rate.

There is no mention soft standing and hard standing areas in the report. A total of 0.062ha is used in the microdrainage calculations, this needs to be clarified.

Maintenance plan and exceedance plan are not submitted.

Officer's Name: Sujeenthan Jeevarangan Officer's Title: LLFA Planning Engineer Date: 17 March 2021

## **Education Comments**

This proposed development would have an impact on educational infrastructure, which includes childcare and nursery education providers, primary schools, secondary schools and Special Educational Needs (SEN) schools.

The site lies in the designated area of Hook Norton Primary School, which the county council has recently expanded to meet the needs of local housing growth, and would have sufficient capacity to meet the needs of the proposed development. For secondary education the site lies within the designated area of Chipping Norton School, which would have sufficient capacity to meet the needs of the proposed scale of development.

As such, the county council does not seek s106 contributions from the proposed development.

Officer's Name: Louise Heavey Officer's Title: Access to Learning Information Analyst Date: 16/03/2021

## **Archaeology**

#### **Recommendation:**

No objection subject to conditions

#### Key issues:

#### Legal agreement required to secure:

#### Conditions:

1. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2019).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2019).

#### Informatives:

#### **Detailed comments:**

The site is located in an area of some archaeological potential as indicated by the accompanying archaeological desk-based assessment. A Roman road has been recorded to the north of the site and Roman finds have been recorded for the area. Although parts of the site have been extensively quarried the archaeological desk-based assessment highlights that parts of the site do not appear to have been quarried and there is therefore the potential for previously unknown archaeological deposits to survive within these areas. A programme of archaeological investigation will therefore be required ahead of any development of these areas of the site.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition as suggested above.

Officer's Name: Richard Oram Officer's Title: Lead Archaeologist Date: 12 March 2021

#### COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell Application no: 21/00500/OUT

**Proposal:** Erection of up to 43 new homes, access from Station Road and associated works including attenuation pond

Location: Land North Of Railway House, Station Road, , Hook Norton, Oxfordshire

Date: 11 June 2021

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or Informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.
# Application no: 21/00500/OUT

Location: Land North Of Railway House, Station Road, , Hook Norton, Oxfordshire,

# **General Information and Advice**

## Recommendations for approval contrary to OCC objection:

If within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and to be given an opportunity to make further representations.

## **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

# Where a S106/Planning Obligation is required:

- Index Linked in order to maintain the real value of S106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- Administration and Monitoring Fee TBC
   This is an estimate of the amount required to cover the monitoring and
   administration associated with the S106 agreement. The final amount will be
   based on the OCC's scale of fees and will adjusted to take account of the
   number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

**Security of payment for deferred contributions -** Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

# Local Lead Flood Authority

# Recommendation:

No Objection Subject to Conditions

# Conditions:

Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- 1. A compliance report to demonstrate how the scheme complies with the <u>"Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";</u>
- 2. Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- 3. A Flood Exceedance Conveyance Plan;
- 4. Comprehensive infiltration testing to BRE DG365; If numerous infiltration locations are proposed, testing must be carried out at these locations to prove grounds capabilities of infiltration.
- 5. Detailed design drainage layout drawings of the SuDS proposals including cross section details;
- 6. Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- 7. Details of how water quality will be managed during and post construction

# SuDS – Design Documentation Plans

Prior to occupation, a record of the approved SuDS and site wide drainage details shall be submitted to and approved in writing by the Local Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include: As built plans in both .pdf and .shp file format;

Photographs to document each key stage of the drainage system when installed on site;

Photographs to document the completed installation of the drainage structures on site.

Management company information must be provided clearly identifying the name of the company and contact details.

## Reason:

In accordance with section 21 of the Flood and Water Management

Officer's Name: Sujeenthan Jeevarangan Officer's Title: LLFA Planning Engineer Date: 11 June 2021

# **Application no: 21/00500/OUT Location:** Land North Of Railway House, Station Road, , Hook Norton, Oxfordshire,

# **Archaeology**

# **Recommendation:**

Select Recommendation

Key issues:

Legal agreement required to secure:

**Conditions:** 

Informatives:

**Detailed comments:** 

The submitted amendments do not alter our original comments.

Officer's Name: Richard Oram Officer's Title: Archaeology Lead Date: 2 June 2021

#### PLANNING CONSULTATION

Planning Reference	21/00500/OUT
Development Location	Land North of Railway House, Station Road, Hook Norton
Development Proposal	Erection of up to 43 new homes, access from Station Road and associated works including attenuation pond.

CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all the following three tests:

- They are necessary to make the development acceptable in planning terms
- They are directly related to the development
- They are fairly and reasonably related in scale and kind to the development.

Planning Obligations S106	Requested Costs	Justification	Policy Links
Community Hall Facilities	Average occupancy per dwelling = $10 \times 1.85 (2 \text{ bed}) = 18.50$ $27 \times 2.88 (3 \text{ bed}) = 77.76$ $6 \times 3.96 (4 \text{ bed}) = 23.76$ Average occupancy = $120.02/43 =$ 2.79  residents. $0.185\text{m}^2$ community space required per resident. $43 \text{ dwellings } \times 2.79 = 119.97$ residents	We are seeking a contribution towards improvements at Hook Norton Memorial Hall.	Policy BSC 12 – The council will encourage the provision of community facilities to enhance the sustainability of communities.
	119.97 x 0.185m <sup>2</sup> = 22.19m <sup>2</sup> 22.19 x £2,482.00 = <b>£55,075.58</b>		

Outdoor Sport Provision	Based on (£2,017.03/2.49) x 2.79 =	We are seeking a contribution	Policy BSC 10 Ensuring proposals for
		-	
	£2,260.05 per dwelling	towards the enhancement of off-	new development contribute to
		site outdoor sports facilities at Hook	sport and recreation provision
	43 x £2,017.03 = <b>£97,182.15</b>	Norton Sport and Social Club.	commensurate to the need
			generated by the proposals.
			Policy BSC 11 – Local standards of
			provision – outdoor recreation
Indoor Sport Provision	Based on £335.32 per person	We are seeking an off-site indoor	Policy BSC 10 Addressing existing
	43 x 2.79 = 119.97	sport contribution towards	deficiencies in provision through
	119.97 x £335.32 = <b>£40,228.34</b>	improvements at Hook Norton	enhancements of provision,
		Memorial Hall to provide an	improving access to existing
		increase in capacity for the	facilities. Ensuring proposals for
		provision of indoor sport activity.	new development contribute to
		······	sport and recreation provision
			commensurate to the need
			generated by the proposals.
			generated by the proposals.
			Policy BSC 12 – Indoor Sport,
			Recreation and community
			Facilities. The council will encourage
			the provision of community facilities
			to enhance the sustainability of
			communities – enhancing quality of
			existing facilities and improving
			access.
			access.

Public Realm / Public Art	Based on £200 per dwelling plus 7%	We are seeking a contribution	SPD 4.130 Public Realm, Public Art
	maintenance and 5% management	towards the provision of public art	and Cultural Well-being. Public
	fees.	in the vicinity of the development.	realm and public art can plan an
		The public art will respond to the	important role in enhancing the
	Total = £9,632.00	unique features of the location and	character of an area, enriching the
		engage with the local community.	environment, improving the overall
			quality of space and therefore
			peoples' lives.
			SPD 4.132 The Governments
			Planning Practise Guidance (GPPG)
			states public art and sculpture can
			plan an important role in making
			interesting and exciting places that
			people enjoy using.

The above figures are in line with the Development Contributions Supplementary Planning Document (SPD). These figures will need to be index linked up to 2021.

DirectorateWell-beingNameHelen MackDate22 March 2021

Planning Application Comments

Planning Application Number: 21/00500/OUT

Drawing Number(s): 20147.101 Rev B - Illustrative Layout

Site Name: Land North of Railway House, Station Road, Hook Norton

Planning Officer: Wayne Campbell

Date of Comments: 23rd March 2021

**Comments by:** Natalie Harvey

This Planning Application proposes the erection of up to 43 new homes. In accordance with Policy BSC 3 in the Cherwell Local Plan 2011 - 2031, this would provide up to 15 affordable units, calculated at 35% of the overall number of dwellings. Tenure proportions would be split 70/30 between Rented units/Shared Ownership units and we would seek social rent.

There has been a relatively large amount of housing growth already in the village which has yielded a number of new affordable homes (most recently 20 new dwellings at Bourne Lane) so we would firstly need to determine if there is sufficient need for more affordable homes in the area by way of a Parish Needs Survey. Any new affordable homes that were provided must be appropriate to the findings from this and be in-line with the housing policies outlined in the Hook Norton Neighbourhood Plan 2014 – 2031.

The conclusion at Point 4.1 of the applicant's Planning Statement states that the provision of affordable housing should be given substantial weight, but we could only agree with this if it addressed our – yet to be identified - housing needs. Additionally, point 2.6 in the applicant's Planning Statement references policies HN CC1 – CC5 in the Hook Norton Neighbourhood Plan but does not mention any of the relevant housing policies in the Neighbourhood Plan (HN H1 – H5) and instead refers to general planning considerations. As stated above, our intention is to accommodate the housing policies set out in the Neighbourhood Plan.

Although there is a District-wide need for more affordable housing, new affordable housing provided in the village should primarily meet a local need. It is noted that the house types which are proposed are 2, 3 and 4-bedroom homes but as these house types have already been provided on recent new sites in the village we may seek other house types such as 1-bedroom houses or bungalows in addition to these.

In terms of space, dwellings must comply with the DCLG Technical housing standards – nationally described space standard. The indicative size of the proposed dwellings are, on the whole, too small to fulfil this criteria.

To ensure the creation of mixed and cohesive communities, affordable housing should be fully integrated with market housing. It should also be visually indistinguishable from the market housing and evenly distributed across the site.

We expect at least 50% of the rented dwellings to meet Approved Document Part M4(2) Category 2.

We also expect that 1-bedroom dwellings will have a minimum of 1 parking space per unit, and all 2, 3- and 4-bedroom dwellings should have a minimum of 2 parking spaces per unit. Car parking spaces for units compliant with Part M4(2) should meet the requirements of the relevant part of the document.

The Registered Provider taking on the affordable housing units would need to be agreed with the Council.

# **Rachel Tibbetts**

From: Sent: To: Subject: BCTAdmin@thameswater.co.uk 23 March 2021 10:56 Planning 3rd Party Planning Application - 21/00500/OUT

Cherwell District Council Planning & Development Services Bodicote House Bodicote, Banbury Oxon OX15 4AA Our DTS Ref: 68849 Your Ref: 21/00500/OUT

23 March 2021

Dear Sir/Madam

Re: LAND NORTH OF RAILWAY HOUSE, STATION ROAD, HOOK NORTON, BANBURY, OXFORDSHIRE, OX15

#### Waste Comments

Following initial investigations, Thames Water has identified an inability of the existing FOUL WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services

#### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes

Yours faithfully Development Planning Department

Development Planning, Thames Water, Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ Tel:020 3577 9998 Email: devcon.team@thameswater.co.uk

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The Lodge 1 Armstrong Road Littlemore Oxford OX4 4XT

**Cherwell District Council** 

FAO: Wayne Campbell

By email only

23rd March 2021

Dear Wayne,

21/00500/OUT

Land North of Railway House Station Road Hook Norton

Erection of up to 43 new homes, access from Station Road and associated works including attenuation pond

**Objection:** 

- 1. Potential hydrological (water quality and water quantity) impact on Cradle and Grounds Farm Banks LWS and on the River Swere
- 2. Application does not provide evidence of a net gain in biodiversity

As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology on and around the application site.

# 1. Potential hydrological (water quality and water quantity) impact on Cradle and Grounds Farm Banks LWS and on the River Swere

The application site is located in close proximity, and uphill from the River Swere, which then flows soon after into the Cradle and Grounds Farm Banks LWS.

We are concerned about potential indirect impacts on the nature conservation interest of the LWS, and the River Swere, due to possible changes to the hydrology (water quality in particular, and water quantity). The LWS contains Lowland Fen habitat which is sensitive to hydrological changes. Lowland fen is a priority habitat and an irreplaceable habitat.

We do not consider that the application has demonstrated that it will not result in any deterioration of the lowland fen habitat in Cradle and Grounds Farm Banks LWS. As such we consider that at present it is contrary to Policy ESD 10 of the Cherwell Local Plan.

5.2.1 of the PEA states: "Given the habitats present on site and the separation and distance of the site from Hook Norton Cutting and Banks SSSI and the non-statutorily designated sites within 2km, no mechanism has been identified associated with the proposed development which is likely to affect identified non statutorily designated sites, directly or indirectly."

However, we are concerned that there could be a mechanism by which the development could impact negatively on the LWS and the rare and fragile fen habitat that it contains, by means of hydrological impact, in terms of water quantity, and in particular water quality, during either or both of construction and operation. This is due to its close proximity in a downstream direction from the proposed development site. We are concerned that the ecology report does not appear to us to have considered this mechanism, and we could not find a description of mitigation measures to ensure that there is no impact on the LWS and the fen habitat that it contains.

We also consider that the design of the SuDS scheme must take into account the need for assuring that there is no change in either water quality or water quantity leaving the site and that the scheme will be maintained and replaced so that such benefits must remain in perpetuity, for as long as the land remains developed, specifically in order to ensure the development does not and will not cause any changes in flow rates and water quality in the River Swere and that there is no risk of impact on the LWS and its vulnerable fen priority habitat. Fen habitat is extremely vulnerable to changes in both water quality and water quantity.

As such, we consider the application in its present form to be contrary to the following paragraph of policy ESD 10 of the Cherwell local plan part 1:

"Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity"

Although we do not have recent data, we believe that the River Swere is one of the most biodiverse of the rivers of Oxfordshire, and amongst the cleaner rivers in the county as well. As such it would be particularly vulnerable to changes in turbidity (silt levels), to nutrients which cause eutrophication, and to chemical pollution. As already stated above the proposed development site is uphill from, and within about 250 m of the River Swere. It also lies closer still, as recognised in the Drainage Report, to a tributary of the River Swere to the NE of the development site, that flows into the River Swere close to the Local Wildlife Site.

#### Irreplaceable Habitats

The NPPF states:

*"175. When determining planning applications, local planning authorities should apply the following principles:.....* 

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and"

The revised NPPF (2018) Glossary states (with our underlining):

*"Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and <u>lowland fen</u>."* 

This suggests that the lowland fen habitat of Cradle and Grounds Farm Banks LWS may meet the definition of irreplaceable habitat.

The fen habitat is fragile and vulnerable to changes in water quality and water quantity. The application has not demonstrated that its potential indirect impacts will not result in the deterioration of the fen habitat and the LWS. As such we do not consider that it is compatible with the above mentioned paragraphs of the NPPF.

## 2. Application does not provide evidence of a net gain in biodiversity

Whilst we note that there is some green space provided in the development, we could not find a reference in the ecology report to address the policy requirement for a net gain in biodiversity to be achieved by development. Nor could we find any kind of biodiversity accounting metric calculation to demonstrate a net gain in biodiversity. As such we consider the application at present to be contrary to Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment of the Cherwell Local Plan:

*"In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources."* 

and contrary to Cherwell District Council's Community Nature Plan:

https://www.cherwell.gov.uk/info/118/communities/532/community-nature-plan

which states:

"Seek a minimum of 10% net gain in biodiversity when considering proposals for development."

The NPPF states:

*"170. Planning policies and decisions should contribute to and enhance the natural and local environment by:.....* 

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

174. To protect and enhance biodiversity and geodiversity, plans should:...

*b)* promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

We hope that these comments are useful. Please do not hesitate to get in touch should you wish to discuss any of the matters raised.

Yours sincerely

Nicky Warden

Public Affairs and Planning Officer

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust

# Wayne Campbell

From:	Nicky Warden <nickywarden@bbowt.org.uk></nickywarden@bbowt.org.uk>
Sent:	14 June 2021 16:08
То:	Wayne Campbell
Subject:	RE: Application Reference: 21/00500/OUT Land North of Railway House Station
	Road Hook Norton

Hi Wayne

Thank you for drawing the applicant's additional comments to my attention and asking for our comments.

We agree that a planning condition requiring details of the SuDS arrangement should be submitted and approved by the LPA prior to the development commencing. We consider that the condition should specifically mention the LWS and should demonstrate that the hydrology will not be altered as a result of the scheme drainage design. We agree that it would be appropriate for the condition to require details of a maintenance regime to be included in accordance with the principles set out in the SuDs Manual.

We also agree that a planning condition should be imposed requiring the detailed landscaping proposals to be submitted at the reserved matter stage and these should demonstrate how Biodiversity Net Gain will be delivered using an updated metric.

Many thanks

Nicky Warden

Public Affairs and Planning Officer Berks, Bucks & Oxon Wildlife Trust 01865 775476 The Lodge, 1 Armstrong Road, Littlemore, Oxford, OX4 4XT

I work Monday to Thursday



From: Wayne Campbell <wayne.campbell@cherwell-dc.gov.uk>
Sent: 01 June 2021 15:53
To: Nicky Warden <nickywarden@bbowt.org.uk>
Subject: RE: Application Reference: 21/00500/OUT Land North of Railway House Station Road Hook Norton

## Hi Nicky

Many thanks for the comments on this application. In response the applicant has provided addition comments / information to address the concerns raised in your response. I re-consulted the BBOWT 22/04/2021 but I've not had any further comments back. I was therefore wondering if the applicants revised / additional comments have addressed your concerns. If you could let me know that would be great

Many thanks.

Wayne Campbell MRTPI Principal Planning Officer – General Developments Planning Team Development Management Environment and Place Directorate Cherwell District Council Direct Line: 01295 221611 www.cherwell.gov.uk

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From: Nicky Warden <<u>nickywarden@bbowt.org.uk</u>> Sent: 24 March 2021 11:11 To: Wayne Campbell <<u>wayne.campbell@cherwell-dc.gov.uk</u>> Subject: Application Reference: 21/00500/OUT Land North of Railway House Station Road Hook Norton

21/00500/OUT
Erection of up to 43 new homes, access from Station Road and associated works including
attenuation pond
Land North of Railway House Station Road Hook Norton Hello Wayne

#### Hello Wayne

Many thanks for consulting us on the above application.

Please find attached the BBOWT response.

As a wildlife conservation focused organisation, our comments refer specifically to impacts to wildlife which may occur as a result of the proposed application.

Please confirm receipt of our response.

Please contact us should you wish to discuss further.

Kind regards

Nicky Warden

Public Affairs and Planning Officer Berks, Bucks & Oxon Wildlife Trust 01865 775476 The Lodge, 1 Armstrong Road, Littlemore, Oxford, OX4 4XT

I work Monday to Thursday



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