

Consultee Response

Case Ref: 24/02664/PIP	Date: November 6th 2024
From: NatureSpace	Response: Ecological information required

Comments:

This planning application is for: **Planning Permission in Principle is sought for the provision of 3-7 dwellings within the area outlined in red on the accompanying Ordnance Survey Map**

Summary:

- The development falls within the amber impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the amber impact zone, there is suitable habitat and a likelihood of great crested newt presence.
- There are 3 ponds within 500m of the development proposal.
- There is good connectivity between the site and surrounding landscape.

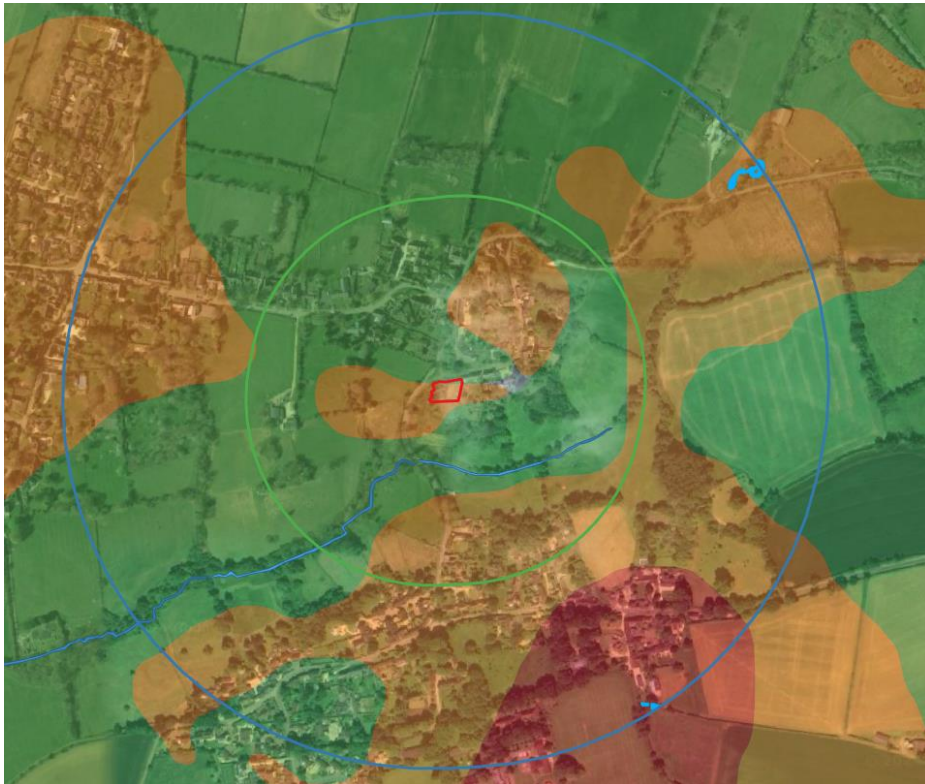


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Ecological Information

The applicant has not provided any ecological information for the site. Therefore, it cannot be determined if there is a likely impact.

Conclusion

The applicant should submit an ecological report to determine the likely impacts to protected species, including great crested newt.

The applicant also has the option to enter the Cherwell District Council's District Licence by submitting a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through. This method of licensing removes the need for survey work and provides compensatory habitats off site.

Please note that NatureSpace can be contacted at any time for a quote to enter the District Licensing scheme, which does not require further seasonally constrained newt survey work. More details on the District Licensing Scheme operated by the council can be found at www.naturespaceuk.com

Contact details: info@naturespaceuk.com

Relationship between NatureSpace and Cherwell District Council

Cherwell District Council holds a Great Crested Newt Organisational (or "District") Licence granted by Natural England. This is administered by NatureSpace Partnership through their District Licensing Scheme as the council's delivery partner. A dedicated 'Newt Officer' is employed by NatureSpace to provide impartial advice to the council and help guide them and planning applicants through the process. All services and arrangements are facilitated in an unbiased, independent and transparent manner. You can find out more at www.naturespaceuk.com

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2023), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 'The validation of planning applications' states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations before permission is granted."

Great crested newts

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it is illegal to deliberately capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection (see the legislation or seek legal advice for full details). Local planning authorities have a statutory duty in exercising of all their functions to 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity,' as stated under section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), as well as a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to have regard to the requirements of the Habitats Directive. As a result, GCN and their habitats are a material consideration in the planning process.

Lifespan of Ecological Reports and Surveys

Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, *“the report authors should highlight whether they consider it likely to be necessary to update surveys”*. If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old *“The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated”*.

Consultee Comment for planning application 24/02664/PIP

Application Number	<input type="text" value="24/02664/PIP"/>
Location	<input type="text" value="The Pheasant Pluckers Inn Street Through Burdrop Burdrop OX15 5RQ"/>
Proposal	<input type="text" value="Planning Permission in Principle is sought for the provision of 3-7 dwellings within the area outlined in red on the accompanying Ordnance Survey Map"/>
Case Officer	<input type="text" value="Katherine Daniels"/>
Organisation	<input type="text" value="Drainage (CDC)"/>
Name	<input type="text" value="Tony Brummell"/>
Address	<input type="text" value="Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
Type of Comment	<input type="text" value="Comment"/>
Type	<input type="text"/>
Comments	<input type="text" value="No comments or objections."/>
Received Date	<input type="text" value="12/10/2024 12:17:51"/>
Attachments	

Lynne Baldwin

From: Miah, Najiha - Oxfordshire County Council <Najiha.Miah@Oxfordshire.gov.uk>
Sent: 05 November 2024 10:00
To: Katherine Daniels
Cc: DC Support; Planning; Transport CDC Minor
Subject: 24/02664/PIP - The Pheasant Pluckers Inn, Street Through Burdrop, Burdrop, OX15 5RQ



**OXFORDSHIRE
COUNTY COUNCIL**

LOCAL HIGHWAY AUTHORITY CONSULTATION

To: District Council

Planning Application No	24/02664/PIP	Planning Officer	Katherine Daniels
CC ref No		CC Officer	Najiha Miah
Date	05/11/2024	Comments	Objection

Location: The Pheasant Pluckers Inn, Street Through Burdrop, Burdrop, OX15 5RQ

Description: Planning Permission in Principle is sought for the provision of 3-7 dwellings within the area outlined in red on the accompanying Ordnance Survey Map

Please find my comments on the above planning application consultation as follows:

Recommendations

Oxfordshire County Council, as the Local Highway Authority, notify the District Planning Authority that they **object** to the granting of a planning in principle permission for the following reasons:

- The application does not provide sufficient information about the proposed development. Information such as access arrangement, parking and site layout as well as property configuration are required at this stage to enable us make an informed decision on the impact of the development.

Please Note: The applicant may be able to overcome this objection by the submission of additional information which adequately addresses the concerns raised in the detailed comments below.

Comments

The small single-track road onto the main hill is not suitable for the on-road parking. The rural nature of the surrounding roads notably narrow and without footpaths make it more sensitive to additional parking demand. Should the development not facilitate adequate parking, then the local roads may experience unsafe parking tendencies that the County as the Highways Authority shall not support.

The applicant has not provided any information regarding the proposed access. Further information regarding the access, including access drawings and visibility splays (vehicular and pedestrian access) will need to be provided in order to be able to assess the highway safety.

In addition to the above, the submitted documents do not show any provisions for cycle parking.

If you should have any queries, please do not hesitate to contact me.

Signed: For Oxfordshire County Council as Local Highway Authority

Officer Name: Najiha Miah

Officer Title: Assistant Transport Development Officer

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Lynne Baldwin

From: Planning
Sent: 22 October 2024 15:32
To: DC Support
Subject: FW: Planning notification for application reference: 24/02664/PIP

From: Archaeologydc - E&E <Archaeologydc@Oxfordshire.gov.uk>
Sent: 22 October 2024 15:10
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: RE: Planning notification for application reference: 24/02664/PIP

Dear Sir/Madam,

Ref: 24/02664/PIP

Thank you for consulting us on the above planning application. The site is located within an area of archaeological interest close to the historic core of the hamlet of Burdrop. Although no medieval settlement evidence has been directly recorded for the hamlet, a possible medieval croft boundary back has been recorded from aerial photographs 50m west of the proposal site (PRN 28064). A late 17th century house is recorded 15m east of the site (PRN 18877) and the early edition OS maps show that further buildings extended onto the development site. These appear to form a row of dwellings with this house and could therefore be of a similar date. Further 17th century listed buildings are located in the immediate vicinity with one 30m north east (PRN 18872) and another 30m east (PRN 18876).

It is therefore possible that this development will encounter evidence of the early medieval development of the hamlet and could encounter further evidence of the post-medieval settlement.

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 along the lines of:

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 (2023).

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 (2023).

If the applicant contacts us at the above address, we shall be pleased to outline the procedures involved, provide a brief upon which a costed specification can be based.

Kind regards,

Oxfordshire County Archaeological Service

From: CDC Development Management <planning@cherwell-dc.gov.uk>

Sent: Tuesday, October 8, 2024 11:33 AM

To: Archaeologydc - E&E <Archaeologydc@Oxfordshire.gov.uk>

Subject: Planning notification for application reference: 24/02664/PIP

Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 planning@cherwell-dc.gov.uk www.cherwell.gov.uk Find us on Facebook www.facebook.com/cherwelldistrictcouncil Follow us on Twitter @Cherwellcouncil

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From: [Planning](#)
To: [DC Support](#)
Subject: FW: Planning notification for application reference: 24/02664/PIP
Date: 28 October 2024 18:50:18

From: sibford.gower.pc@thesibfords.org.uk <sibford.gower.pc@thesibfords.org.uk>
Sent: 28 October 2024 17:54
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: RE: Planning notification for application reference: 24/02664/PIP

CAUTION: This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I have tried to submit a response using the link but when I click submit I get a '403 forbidden' error.

Please see below a comment re this application.

Sibford Gower Parish Council currently has 5 councillors, 2 of which are the owners of the property that this application relates to, and 1 of which is their next door neighbour. The Monitoring Officer has recently made the decision that the neighbour cannot vote on applications relating to this property - therefore, the Parish Council does not have a quorum of councillors able to vote on a response to this application (3 are required). In the absence of a substantive Parish Council response, the Parish Council asks the District Council to have due regard to each of the representations submitted by members of the local community.

Regards

Kirsty Buttle
Clerk/RFO
Sibford Gower Parish Council
Tel: 07419 126 206

*Please note: The clerk is only employed for **20 hours per month** so responses may not be immediate.*

From: CDC Development Management <planning@cherwell-dc.gov.uk>
Sent: 08 October 2024 11:35
To: Kirsty Buttle <Sibford.gower.pc@thesibfords.org.uk>
Subject: Planning notification for application reference: 24/02664/PIP

Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 planning@cherwell-dc.gov.uk

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