

**Case Officer:** Linda Griffiths

**Recommendation:** Approval

**Applicant:** BDW Trading Limited

**Proposal:** Discharge of Condition 20 (Site Environmental Management Plan), 21 (management, storage and/or disposal of spoil), 25 (archaeological Written Scheme of Investigation), 26 (on-site renewable energy provision) and 27 (34 space public car park) of 15/01326/OUT

**Expiry Date:** 11 January 2021

**Extension of Time:** 11 January 2021

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## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

1.1. This application relates to a part of the site which is situated within Bodicote Parish, and allocated as a strategic residential development under Policy Banbury 17 of the adopted Cherwell Local Plan 2011-2031. Outline consent was issued in December 2017 and reserved matters consent for the erection of 280 dwellings in July 2020 to Barratt/David Wilson Homes. Development has recently begun on site to create the new access into the site and the first section of the new spine road which will serve this development and link to the remainder of the site, which is being brought forward by 'another'.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

2.1. This application relates to a number of conditions imposed on the outline consent – conditions 20, 21, 25, 26 and 27.

## **3. RELEVANT PLANNING HISTORY**

3.1. The following planning history is considered relevant to the current proposal:

15/01326/OUT – outline consent granted for up to 280 dwellings and associated infrastructure; and

19/00895/REM – reserved matters consent granted for 280 dwellings.

## **4. RESPONSE TO CONSULTATION**

4.1 OCC Transport – conditions 20 and 27 – objection to the initial submissions. However, following amendments, objections subsequently removed.

4.2 OCC Archaeology – condition 25 – objection to the original submission, but objection removed to revised WSI submission.

## **5. APPRAISAL**

5.1 Condition 20 – Construction Environmental Management Plan (CEMP) – the original CEMP was deemed inadequate in terms of proposed delivery routes to the site, no construction from White Post Road to the south of the site, the route needed to be clearly illustrated and the need to ensure deliveries are made outside of peak hours, particularly having regard to the adjacent school site. There were also concerns

raised that the compound was initially shown within the open space and on the site of the main attenuation basin. These deficiencies have all now been addressed in amended proposals, which are considered acceptable.

- 5.2 Condition 21 – Management of Spoil, it is proposed to retain any material on site. This is indicated on the submitted plans and is deemed acceptable.
- 5.3 Condition 25 – WSI – the original submission was not considered acceptable, as it did not meet the requirements of the design brief. Following discussions with the County Archaeologist, the matter was addressed, and the subsequent amended submission was deemed acceptable by OCC Archaeology.
- 5.4 Condition 26 – Renewable Energy. The original energy strategy submitted with the outline application was poor in terms of addressing Policies ESD1-5 and securing energy efficiency. Barratt/DWH have been encouraged throughout the consideration of their latest submission to have regard to the increasingly important need to address climate change, particularly having regard to the District Council's Climate Change Emergency. Barratt/DWH have been reluctant to consider anything more than had already been committed through the original outline submission, which is disappointing. However, it is considered that as the submission accords with the minimal requirements set out in the outline approval, the Council could not now reasonably withhold its consent. Somewhat reluctantly, therefore, this submission is accepted.
- 5.5 Condition 27 – Public Car Park – this relates to the provision of a public car park, in the main to serve Bishop Loveday Primary School during school pick up and collection periods. The original submission was not acceptable, as the layout did not include sufficient construction and drainage detail, nor did it ensure confirmation of its provision early on in the development construction. Following negotiations, the proposals have been amended and the revised submission is now considered acceptable.
- 5.6 The original application was EIA development. The conditions considered here are in accordance with the submitted ES and do not introduce any additional impacts which need to be considered. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

## **6. RECOMMENDATION**

That Planning Conditions 20, 21, 25, 26 and 27 of outline permission 15/01326/OUT be discharged based upon the following:

### Condition 20

Revised submissions 7942/CTMP/01 Rev C; compound layouts DB-SD13-16A and DB-SD 13-017 and BOD.TMP-01.

### Condition 21

Written statement submitted with application; drawing numbers: 957-05-101; 957-05-16; 957-05-17; S13/352-1 Rev D; S13/352-2 Rev D; and S13/352-3 Rev D.

### Condition 25

Revised WSI received 14<sup>th</sup> October 2019.

### Condition 26

Energy Report Version 1 dated July 2019 and the subsequent addendum by Environmental Economics dated 24<sup>th</sup> June 2020.

Condition 27

Drawing numbers 957-0013; 957-00-13 Rev A; and 957-05-13 Rev C and the Micro drainage calculation received 20<sup>th</sup> October 2020

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DATE: 7 January 2021

Checked By: Andy Bateson

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