

Case Officer: Wayne Campbell

Recommendation: Approve

Applicant: Adderbury Parish Council

Proposal: Variation of Condition 2 (plans) of 19/02796/F - amend the drawing numbers, to reflect the proposed building (reduced in size).

Expiry Date: 15 July 2021

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site ("the site") is located to the west of Adderbury and to the north of the Milton Road. The land gently slopes down from south to north with a maximum drop of approximately 5m across the site. The site is currently agricultural in character, is enclosed by field hedgerows and is accessed by a field gate to the western side of the southern boundary.
- 1.2. The site is bounded to the east by the recently constructed Nicholas King Homes ("NKH") residential development, to the west is Ball Colegrave, a horticultural business, and to the north by open countryside. To the south on the other side of the Milton Road is open countryside and another new residential development.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Planning permission was granted for the erection of a sports and community pavilion, to provide a multi-purpose sports hall and events space for badminton, as well as function/meeting rooms, dance studio, office, events bar, clubroom and bar, kitchen, toilets and changing facilities. The building would be centrally located at the front of the site. To its east would be the main car parking area for the site and to its west would be a MUGA. To the north of this would be two full size football pitches and a cricket wicket.
- 2.2. This application seeks a variation to condition 2 (plans) of 19/02796/F - amend the drawing numbers, to reflect the proposed building (reduced in size).

3. RELEVANT PLANNING HISTORY

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

10/00508/F - Change of use from agricultural use to recreational use – Application Permitted

18/00220/F - Change of use of agricultural land to sport/recreation and community use – Application Permitted

19/00004/DISC - Discharge of Conditions 3 (details of surface water drainage scheme) and 4 (archaeological written scheme of investigation) of 18/00220/F – Application Permitted

19/00124/DISC - Discharge of Condition 5 (programme of archaeological evaluation and mitigation) of 18/00220/F – Application Permitted

19/02796/F - Erection of sports & community pavilion with associated car parking and sport facilities (outdoor pitches and MUGA) following planning consent for change of use of agricultural land to sport/recreation and community use – Application Permitted

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
19/00166/PREAPP	Proposed Sports and Community Pavilion

- 4.2. The principle of development is considered to be acceptable and subject to further details on the proposed cladding, the design of the building is considered to be acceptable. Regard should be had for the proposal's impact the development in terms of noise and light pollution on the neighbouring properties at Henge Close and on Ball Colegrave to the west. Further information is also required with regard to ecology, highway safety and potentially archaeology.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **2 March 2021**, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. A total of 29 comments were received from local residents of which 27 support the application and 2 raise an objection. The comments raised by third parties are summarised as follows:

SUPPORT

- Sensible variation on the original plan, reduces the size of the building but provides for extensions to be added if required in the future
- Facility is long overdue and will be a great asset to our village
- Access point was stipulated by OCC Highways to accommodate new traffic calming measures which are due to be installed
- Village has voted in favour of this project twice and is waiting with bated breath for further progress
- Adderbury is crying out for somewhere like this which will benefit all the village and support the local economy
- Adderbury has so many village activities and this will help to house these during the week and weekend
- Applicant has responded positively to the changed funding circumstances, whilst maintaining the principle core functions of the previous design
- Applicant has productively used the opportunity of this revision to respond to near neighbour concerns about the close proximity of parking

- It's a shame it's had to reduce in size
- Although support the application it is evident that car owners will overflow onto the neighbouring residential streets in search of somewhere to park. Please ensure that planning consent is only given if the original 141 parking spaces are constructed, a vague promise of overflow spaces being made available if funds suffice should not be taken as acceptable.

OBJECTIONS

- Appreciate the requirement for some sports facilities in the village and applaud the reduction in size of this application, but remain concerned over the necessity for a facility of this dimension in such a relatively small community and the lack of any mention of car parking facilities (thereby traffic movements) being reduced to reflect the reduction in size
- Entrance to the sports car park is too close to the junctions of Wallin Road and Henge Close with Milton Road and junctions should be adequately spaced out.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **ADDERBURY PARISH COUNCIL: SUPPORTS.** Application will enable the project to move forward by making the building a third smaller in size and therefore, more cost effective. This will bring the overall costs of the project more in line with the reduced grants which are available in the Covid-19 Pandemic. The building will be better positioned with regard to the nearest neighbouring properties in Henge Close. The highway entrance has been moved slightly at the request of Oxfordshire County Council to comply with the traffic calming project on that part of the Milton Road.

OTHER CONSULTEES

6.3. **SPORT ENGLAND: NO OBJECTIONS**

6.4. **OCC TRANSPORT PLANNER: NO OBJECTIONS** subject to conditions and S278 Agreement

6.5. **CDC LAND DRAINAGE: NO OBJECTIONS**

6.6. **OCC ARCHAEOLOGIST: NO OBJECTIONS** subject to conditions

6.7. **CDC ENVIRONMENTAL PROTECTION: NO OBJECTIONS**

6.8. **CDC RECREATION & LEISURE: NO OBJECTIONS**

6.9. **CDC BUILDING CONTROL: NO OBJECTIONS**

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1 – Presumption in Favour of Sustainable Development
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 4 – Meeting the need for open space, sport and recreation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

ADDERBURY NEIGHBOURHOOD PLAN

- AD1 – Adderbury Settlement Boundary
- AD2 – Green Infrastructure
- AD3 – Local Green Spaces
- AD4 – Local Open Spaces
- AD18 – New Community Facilities

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 ("HRA")
- Equalities Act 2010 ("EA")

8. APPRAISAL

- 8.1. The key issues for consideration in this case is whether or not the changes in the design with the reduction scale and the changes to the access still ensure that the development is acceptable in terms of design / appearance, access and impact on residential amenity.

DESIGN

8.2. The applicant states that the proposed changes are a direct response to the increased challenge in funding the scheme and in response to objections raised in the previous approved scheme. The revised proposal is for a reduced level of building accommodation which still meets the longstanding needs of the village for sports (especially those specified for new buildings supporting the staging of league football matches) and community facilities. The changes are as follows:

- building has been reduced in size, but within the consented scheme footprint, with a gross internal floor area of 512 m² (The consented building was 780 m²). This represents a reduction in size of 34% or 1/3rd
- building has been re-orientated to enable the long elevation (sports hall and flexible events space) to face onto the sports field. The short side of the building faces the residential development at Henge Close (rather than the long side as per the consented scheme). This would significantly lessen the visual impact of the building when viewed from Henge Close to the east
- a flexible space (meeting room/clubroom) is provided adjacent to the hall, with a small kitchen/bar area, to enable shared use
- main entrance is on the south side, clearly visible on arrival from the site entrance and presents an almost identical appearance to the consented drawings
- change in cladding (materials are subject to approval as one of the conditions) is proposed for the upper section of the sports hall, with lighter cladding in lieu of the translucent material previously consented
- Car parking provision reduced proportionally, along with the access roads and infrastructure. Some of the car parking has been moved away from the eastern boundary allowing for better opportunities for screening / breaking up visual impact of the building by planting small trees away from the boundary but avoiding trees shading gardens from south and west
- Accessed to car park moved slightly towards the east along Milton Road.

8.3. Although the scale of the sports pavilion building in terms of footprint would be smaller than that of the consent scheme its overall appearance would be similar to that approved.

8.4. The main change in appearance is to the roof area over the ground floor along with the orientation of the building on the site. In terms of the roof design the approved scheme showed a pitched roof section around all four elevations with a mono-pitch design. The central part of the building was flat with a higher section to allow space for racket sports such as badminton. The revised plan shows a mono-pitch roof section over the ground floor element along just two elevations namely the east and south of the building with the retention of the taller central section. The remaining north and west elevations would be maintained as a flat roofed two-story build. This change in design is considered acceptable and would not detract from the purpose of the building as a sports pavilion.

8.5. With regards to the orientation of the building on the site the as approved scheme showed the building in a north – south orientation with the main entrance shown on eastern elevation facing towards the car park. The revised design with the reduced footprint shows a change to an east – west orientation with the main entrance now located on the south elevation. With the change in orientation the building would

now have a slightly greater emphasis from the Milton Road which would act as an advantage in terms of approach for visitors to the site.

- 8.6. For the above reasons it is considered that the change in design / scale still results in an acceptable form of development.

ACCESS

- 8.7. In considering the revised layout the approved scheme showed the main, and only, car park located to the east of the building providing 141 car parking spaces. The revised scheme retains a smaller car park in this area and includes a second parking area to the west side of the main building as well as parking spaces to the south of the building. In total the revised car parks would provide a total 60 spaces which is a significant reduction in terms of parking on the site.
- 8.8. The reduction in parking spaces has been questioned by some residents and concern has been expressed by one objector that the reduction in parking would lead to parking on the local streets. In considering the issue of parking the local highway authority advises that the parking provision has been adjusted down in line with the reduced size of the facility. It is noted, however, that the amount of overflow parking is unchanged (53) so is still available for the bigger events when required. As such the overall amount of parking is 81% of the previous approved level for which there is no highway objection raised by the LHA.
- 8.9. In addition to the change in parking the revised design also includes the slight change in position of the main vehicle access into the site off Milton Road being moved to the east. This change is primarily due to the impending construction of a chicane traffic-calming feature on Milton Road, allowing for a greater spacing from that feature. The local highway authority advises that although this change would move the access nearer to Wallin Road and Henge Close in their view it is acceptable, particularly given the speed reductions that would result from the traffic calming (also on Berry Hill Road to the east) and the lightly-trafficked nature of the side roads. Overall, although the access arrangement onto and within the site have changed significant, it is considered that these proposed access arrangements are acceptable.

RESIDENTIAL AMENITY

- 8.10. It is considered that the reduced footprint of the main building along with that of the car park the revised scheme is likely to have less of an impact on the amenities of adjoining and nearby residential properties. With regards to the previous scheme the MUGA was likely to have the greatest impact on any neighbouring use in terms of noise and as such this use was positioned on the western side of the site away from residential neighbours. The revised scheme retains this use in this location and as such there is no change in its impact.
- 8.11. Officers acknowledge that concern has been raised by an objector to the scheme on the basis that the development would cause increased parking in the nearby residential streets. However, as outlined in the paragraphs above it is considered that the parking allocation is acceptable and that an area of overflow parking can be provided in the event of large activities.
- 8.12. In conclusion it is considered that the reduction in scale of the building, change in the orientation together with the reduction in parking would not result in any adverse impact on the neighbours' amenity.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The changes sought in this application would result in a smaller scale of building along with a change in the orientation of the building on the site. Further changes are sought to the size of the car parking which with an area of overflow parking match the percentage level of reduction of development on the site. Changes to the access point into the site would allow for future traffic calming measures along Milton Road to be carried out.
- 9.3. The changes are considered acceptable and would still allow for a community lead sports facility on the site with the associated public benefits. The current proposal would be sustainable development and is therefore recommended for approval, subject to the same conditions as the permission which (except in the case of the time limit condition) it would vary.

10. RECOMMENDATION

That permission is granted, subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of 9 June 2023.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans 7354(08) 31a, 7354(08) 24a, 7354(08) 27a, 7354(08) 26a, 7354(08) 23a, 7354(08) 25a, 7354(08) 02 and received 13/01/2021, unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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

3. No development shall commence unless and until an application has been made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received by the local planning authority.

Reason: To ensure that the development complies with Secured by Design and creates a safe development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the NPPF.

4. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in full accordance with the approved details prior to the first use of the development and shall be retained as such thereafter.

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

5. No development shall commence unless and until full details of the access vision splays, including layout and construction have been submitted to and approved in writing by the Local Planning Authority. The vision splays shall be constructed in accordance with the approved details prior to the first use of the development and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1.5m above carriageway level.

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

6. No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning area and 60 parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority. The turning area and car parking spaces shall be constructed in accordance with the approved details thereafter and prior to the first occupation of the development and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

7. No development shall commence above slab level unless and until a method statement for enhancing biodiversity on site, to include integrated provision for bats and swifts and 10 nesting boxes for other birds, has been submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancement measures shall be carried out prior to the first use of the development and shall be retained thereafter in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. No development shall commence unless and until full design details of the proposal, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:
- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
 - b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - c) Flood water exceedance routes, both on and off site;
 - d) A timetable for implementation; and
 - e) Site investigation and test results to confirm infiltrations rates.

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. No development shall take place unless and until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods (including fully detailed cross-sectional drawings of all SuDS and drainage related features to be provided and a full list of all SuDS features to be employed on site to be provided) has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be carried out in full accordance with the approved detailed design prior to the first use of the development.

Construction shall be in accordance with the principles set out in documents:
FEDS-220021 SuDS Drainage Calculations Rev A
24926 - Adderbury Milton Road Muga - 191025 REV B
FEDS-220021-001-A Existing Site Plan(1)
FEDS-220021-002-A Proposed Site Plan(2)
FEDS-220021-003-A
Topographical Survey and BRE 365 TP Location
Land north of Milton Road, Adderbury, Oxon - trial trench evaluation report V2
7354(08)02E
7354(08)11
7354(08)06B
7354(08)03F

Reason: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of

the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The management and maintenance company details to be provided to both the Lead Local Flood Authority and Local Planning Authority.

Reason: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. No development shall commence, including any demolition, unless and until an Archaeological Written Scheme of Investigation, relating to the application site area, has been submitted to and approved in writing by the Local Planning Authority, prepared by a professional archaeological organisation acceptable to the Local Planning Authority.

Reason: To safeguard the recording of archaeological matters within the site in accordance with Government guidance in the National Planning Policy Framework.

13. Following the approval of the Written Scheme of Investigation referred to in condition 12, 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.

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 Government guidance in the National Planning Policy Framework.

14. No development shall commence unless and until 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, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with approved CEMP.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

15. No development shall commence above slab level unless and until samples of the stone to be used externally in the construction of the walls of the development have been submitted to and approved in writing by the Local Planning Authority. The

development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and in the interests of the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

16. No development shall commence above slab level unless and until samples of the metal cladding to be used externally in the construction of the walls and roofs of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and in the interests of the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

17. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps, and
- (d) details of the boundary treatments including their materials, appearance and height.

The development shall be carried out in accordance with the approved landscaping scheme and the hard landscape elements and boundary treatments shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

19. Prior to any works to change site levels, a plan showing full details of the existing and proposed site levels including all proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of the character and appearance of the area and the amenities of neighbours to the site and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

20. Prior to the first use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be submitted to and approved in writing by the Local Planning Authority prior to its formation and/or laying out.

Reason: In the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

21. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

22. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the building they serve and retained as such thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the 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.

23. Other than the access hereby approved no other means of access whatsoever shall be formed or used between the land and the highway.

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

24. The multi-use games area shall not be used between the hours of 21:30 and 08:00 and not before 09:00 on Sundays and/or Bank or Public Holidays.

Reason: To safeguard the amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved

Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

25. The floodlighting for the multi-use games area shall be switched off between the hours of 21:30 and 08:00 and shall not be used before 09:00 on Sundays and/or Bank or Public Holidays.

Reason: To safeguard the amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

26. Except to allow for the means of access and vision splays, the existing hedgerow/ trees along the Southern boundary of the site shall be retained and properly maintained at a height of not less than 1.5m and any hedgerow/ tree which may die within five years from the completion of the development shall be replaced and thereafter properly maintained in accordance with this condition.

Reason: In the interests of the visual amenities of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011- 2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

27. Prior to the first public use of the site for pitches, a Management Plan for the site to include hours of use shall be submitted to and approved in writing by the Local Planning Authority. The site shall not be run other than in accordance with the approved Management Plan.

Reason: In order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

28. Other than those expressly approved under this planning permission, no external lights/floodlights shall be erected on or within the site.

Reason: In order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

29. Notwithstanding the provisions of Class A of Part 12, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no buildings, storage containers or areas of hard standing (other than those identified within this application) shall be placed on the land without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and ensure that future development is of an appropriate design and layout in accordance with saved Policy C28 of the Cherwell Local Plan 1996.

30. Prior to the first use or occupation of the development, the building shall be provided with solar PV in accordance with a scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority.

Reason: To support the delivery of renewable and low carbon energy in accordance with Government guidance contained within the National Planning Policy

Framework.

31. Notwithstanding the details submitted and prior to the installation of any lighting to serve the car park, full details of that external lighting, including details of luminance, cowling and operating hours, shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the amenities of the occupants of the adjoining premises and the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Wayne Campbell

DATE: 06/07/2021

Checked By: Nathanael Stock

DATE: 15.07.2021
