



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Name and Address of Agent/Applicant:

Edgars Ltd
Mr Jon Westerman
The Old Bank
39 Market Square
Witney
OX28 6AD

Outline Planning Determination

Date Registered: 25th June 2021

Proposal: Outline planning application for Automotive Experience Quarter comprising Commercial, Business and Services uses (Class E), Light Industrial (Class B2), Local Community and Learning Uses (Class F) and vehicle circuits (Sui Generis) with all matters reserved aside from that of access).

Location: Land at former RAF Bicester, Bicester, Oxfordshire, OX26 5HA

Parish(es): Launton Stratton Audley

OUTLINE PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS

The Cherwell District Council, as Local Planning Authority, hereby **GRANTS** outline planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information, **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

David Peckford
Assistant Director – Planning and
Development

Date of Decision: 31st March 2023

Checked by: Andy Bateson

SCHEDULE OF CONDITIONS

Time Limits and Plans

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

2. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

Plans

- 5002854-RDG-Z01-ST-PL-A-0010 Rev D – [Site Location Plan]
- 5002854-RDG-Z01-ST-PL-A-0015 – [Topographical Survey 1]
- 5002854- RDG-Z01-ST-PL-A-0016 – [Topographical Survey 2]
- 5002854-RDG-Z01-ST-PL-A-0030 Rev N – [Indicative Layout Plan]
- 5002854- RDG-Z01-ST-PL-A-0011 – [Experience Quarter Site Area]
- 5002854- RDG-Z01-ST-PL-A-0092 Rev L – [Parameters Plan – Proposed Developable Area]
- 5002854-RDG-Z01-ST-PL-A-0090 Rev J – [Parameters Plan – Proposed Land Use]
- 5002854-RDG-Z01-ST-PL-A-0098 Rev D – [Parameters Plan – Access & Movement Plan]
- 5002854-RDG-Z01-ST-PL-A-0094 Rev K – Parameters Plan – [Existing/Proposed Heights]

Documents

- Updated Planning Statement – Edgars – April 2021
- Heritage Report – Worledge Associates – December 2020
- Archaeological Desk-Based Assessment – Oxford Archaeology – September 2018
- Contamination & Ground Condition Report – Crestwood Environmental – 3 July 2018
- Aviation Impact Assessment – Air Motive – December 2020
- Transport Statement – Mode Transport Planning – December 2020 • Framework Travel Plan – Mode Transport Planning – December 2020
- Arboricultural Implications Assessment – Higginson Associates – February 2019
- Flood Risk & Drainage Assessment – Ridge – 3 December 2021
- Ecological Assessment Part 1 – Ecology Solutions – December 2020 • Energy & Sustainability Design Strategy – Ridge – 18 December 2020
- Landscape & Visual Impact Assessment – ASA Landscape Architects – 17 December 2020
- Noise Impact Assessment – SPL Track Environmental – 26 March 2021
- Design & Access Statement – Ridge / Edgars
- Design Code – Ridge – 15 December 2020
- Design Strategy Report – Driven International – 26 November 2020
- Walking & Cycling Technical Report – Mode Transport Planning – 3 September 2021
- Public Transport Contributions Technical Note – Mode Transport Planning – 3 September 2021
- Biodiversity Impact Assessment Calculator Update – Ecology Solutions – November 2021
- Biodiversity Metric Calculator – Experience Quarter – Ecology Solutions – November 2021
- Biodiversity Metric Calculator – Experience Quarter & Innovation Quarter – Ecology Solutions – November 2021
- Ecology Note – Ecology Solutions – December 2021

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Design

4. All services serving the proposed development shall be provided underground unless details of any necessary above ground service infrastructure, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development that they serve, the above ground services shall be provided on site in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed 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.

5. A Signage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any permanent external signage (either freestanding or on buildings). The signage shall be installed in accordance with the approved scheme thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area and to comply with Policy ESD15 and Bicester 8 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

6. Full details of the refuse/recycling bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work. Thereafter and prior to the first occupation of the development, the refuse/recycling bin storage area(s) shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse/recycling bins.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

Landscaping

7. A schedule of landscape maintenance for a minimum period of 10 years starting from first occupation or completion of the development (whichever is sooner) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Thereafter the approved landscaping shall be maintained in accordance with the approved schedule.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with 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.

Highways

8. No development shall take place until a Construction Travel Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include the following:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for

- pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided.
- The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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, in accordance with guidance contained in the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

9. Prior to the commencement of the development hereby approved, full details of the primary means of access from Buckingham Road between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

10. Prior to the commencement of any above ground works, full details of the secondary 'emergency and servicing' access from Bicester Road between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Any fencing, gates or barriers must be sufficiently set back from the carriageway to ensure that the largest vehicles anticipated to require access can wait for the gates or barriers to open without obstructing the highway. Thereafter and prior to the first occupation of the development, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

11. Prior to the commencement of any above ground works, full specification details (including construction, layout, surface finish and drainage) of the turning areas which shall be provided within the curtilage of the site so that motor vehicles, including HGVs, refuse vehicles and fire tenders may enter, can turn and leave the site in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall always be retained for the manoeuvring of motor vehicles thereafter.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

12. Prior to the commencement of any above ground works, a plan showing a car parking provision for an agreed number of spaces to be accommodated within the site to include layout, surface details, and drainage, shall be submitted to and approved in writing by the Local Planning Authority. The number of spaces to be provide shall be based on an indicative breakdown of the GFA between the proposed land uses and in line with the County Council's car parking standards. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

Reason: In the interest of highway safety and in accordance with Government guidance contained within the National Planning Policy Framework.

13. 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 and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework.

14. Notwithstanding the framework travel plan submitted with the application, prior to the first use or occupation of any element of the development hereby permitted a revised framework travel plan shall be submitted to and be approved in writing by the Local Planning Authority. The provisions of the framework travel plan shall thereafter be implemented and maintained in accordance with approved details unless and until any variations are approved.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and the Government guidance contained within the National Planning Policy Framework.

15. Prior to the commencement of the development hereby approved, details of public access routes within and across the development site must be provided to and agreed in writing by the Local Planning Authority. Details must include how public access is to be managed, the routing of paths, connections with existing Public Rights of Way at the north and north-western edges of the site and safe public access between the Buckingham Road and lakeside area of the development site.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework. To provide safe and suitable access to all users.

16. Prior to the commencement of any above ground works, details, including the routing, layout, width, surfacing and lighting of a direct and continuous pedestrian and cycle access route between the Hotel access junction on the Buckingham Road and the development site shall be submitted to and approved by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the pedestrian and cycle access route shall be constructed in accordance with the approved details and shall be retained thereafter.

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

Drainage

17. Prior to the commencement of any above ground works, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- a) A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"
 - b) Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
 - c) A Flood Exceedance Conveyance Plan;
 - d) Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
 - e) Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
 - f) Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and details of how water quality will be managed during construction and post development in perpetuity;
 - g) Confirmation of any outfall details;
 - h) Consent for any connections into third party drainage systems.

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, 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.

18. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a) As built plans in both .pdf and .shp file format;
 - b) Photographs to document each key stage of the drainage system when installed on site;
 - c) Photographs to document the completed installation of the drainage structures on site;
 - d) The name and contact details of any appointed management company information.

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, 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.

Contaminated Land

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Ecology

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

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

21. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm 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 mitigation scheme.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

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

Environmental Protection

23. Prior to the first use of any building hereby permitted, all mechanical plant or machinery to be installed within the relevant building shall be identified and assessed in accordance with BS4142:2014+A1:2019 and the report, along with any mitigation or acoustic enclosure required, submitted to and approved in writing by the Local Planning Authority. Where the approved assessment identifies the need for any mitigation or acoustic enclosure, these measures shall be put in place prior to the first occupation of any building.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained in the National Planning Policy Framework. Noise monitoring/management plan.

24. Prior to the first use of the development hereby permitted, a noise management plan shall be submitted and approved in writing by the Local Planning Authority. The noise management plan shall include a mechanism for review/updating with the Council's Environmental Health Team as the need arises and should include (but not be limited to) such matters as numbers of days allowed for noisier vehicles use, hours of use, absolute noise limits set, actions taken when these are exceeded and communication with the local community. The approved noise management plan shall be implemented in full prior to the first use of the development and be accorded with for the lifetime of the development.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996.

25. No use of the track will be allowed without the SPL Track Drive By System (specified in the application) being in place and operational. If there is a requirement to amend the system or use an alternative supplier, full details of the alternative system shall be submitted and approved in writing prior to its installation. The alternative system shall be installed in accordance with the approved details and be operational prior to any further use of the track.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996.

26. 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.

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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

27. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include damage cost calculations where applicable along with a proposal for abatement measures that will be undertaken in addition to those already required from the developer. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Reason: To ensure the creation of a satisfactory environment that would not have a detrimental impact on air quality in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996.

28. Prior to the commencement of the development of each phase, full details of Electric Vehicle Charging (EVC) points and EVC infrastructure to be provided in that phase shall be submitted to and approved in writing by the Local Planning Authority. The Electric Vehicle Charging (EVC) points and EVC infrastructure shall be installed and operational prior to the first use or occupation of any building within that phase of the development hereby permitted and retained thereafter.

Reason: To ensure energy and resource efficiency practices are incorporated into the development and sustainable modes of transport encouraged in accordance with Policies SLE4 and ESD 1 - 5 of the Cherwell Local Plan 2011-2031 Part 1 and the Government's aim to achieve sustainable development as set out within the National Planning Policy Framework.

Lighting

29. Details of all external lighting including the design, position, orientation, illumination and its intensity together with any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed, operated and retained in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area, to accord with the findings of the ecological survey and to comply with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

BREEAM

30. The development hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' standard.

Reason: To ensure sustainable construction, reduce carbon emissions and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD3 of the Cherwell Local Plan 2011-2031.

Use

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and subsequent amendments, the buildings hereby approved shall be used only for purposes falling within Class E (Commercial, Business and Services uses), Class B2 (Light Industrial), Class F (Local Community and Learning Uses) and *Sui Generis* (Vehicle circuits) as specified in the Schedule to the Town and Country Planning (Use Classes) Order 2020 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: In accordance with Policy Bicester 8 of the Cherwell Local Plan 2011-2031 Part 1.

DEVELOPMENT MONITORING

The Council has identified the development hereby approved as one that it considers appropriate to monitor during construction. We would therefore be grateful if you could let us know of your intention to start the development at least 14 days prior to the commencement of work on site. You can do this by emailing the Council on: monitoring@cherwell-dc.gov.uk and providing us with the following information: application number; application address; and the date you intend to start the development. During the monitoring period, we will be assessing the development against the approved plans, and compliance with any conditions imposed on the permission. It is in your interest to comply with this request as it will help to avoid any unnecessary, and possibly expensive, corrective works.

PLANNING NOTES

1. **Conditions** – the applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

2. **Material Samples** – please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, the Council has worked positively, creatively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer's report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

NOTES TO THE APPLICANT

TIME LIMITS FOR APPLICATIONS

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply:

Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Where the planning permission is complete and is not in outline, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

OTHER NECESSARY CONSENTS

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular you are reminded of the following matters:

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before starting work on site - Telephone: 01295 227006. Email: Building.Control@Cherwell-dc.gov.uk**
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 01295 227006 or E-mail at building.control@cherwell-dc.gov.uk
- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.

- It is the responsibility of the applicant to ascertain whether his/her development affects any public right of way, highway or listed building.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to grant permission or approval subject to conditions, you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal, then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that permission or approval for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State grants permission or approval for the development of land subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.