

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

Name and Address of Agent/Applicant:

Mr John Henry
2 Silvermead
Worminghall
HP18 9JS

Outline Planning Determination

Date Registered: 18th June 2021

Proposal: Outline:- 1 new dwelling

Location: The Beeches, Heyford Road, Steeple Aston, OX25 4SN

Parish(es): Steeple Aston

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: 17th January 2022

Checked by: Nathanael Stock

SCHEDULE OF CONDITIONS

1. No development shall commence until full details of the layout (including the layout of the internal access roads and footpaths), appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted 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.

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of three years beginning with the date of this permission.

Reason - This permission is in outline only and is granted 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.

3. 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 (General Development Procedure) Order 2015 (as amended).

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

- Drawing title: Ground Floor Plan Drawing Number: A001
- Drawing title: Proposed Site Plan Drawing Number: A033
- Drawing title: First Floor Plan Drawing Number: A002
- Drawing title: Elevation 1 Drawing Number: A010
- Drawing title: Elevation 2 Drawing Number: A011
- Drawing title: Elevation 3 Drawing Number: A012
- Drawing title: Elevation 4 Drawing Number: A013
- Drawing title: Site Survey Drawing Number: A031
- Drawing title: Aerial View Drawing Number: A034
- Drawing title: Existing Site Plan Drawing Number: A032
- Drawing title: E-mail entitled appref: 21/02147/OUT located at The Beeches, Heyford Road, Bicester, OX25 4SN sent on 20th October 2021 at 14:39
- Drawing title: Victoria House Location Map Drawing Number: A030
- Drawing title: Roof Plan Drawing Number: A003
- Drawing title: Victoria House Section Plan Drawing Number: A020

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.

5. Notwithstanding the submitted details, no development shall commence unless and until full specification details of the existing access road, proposed parking and manoeuvring areas, including construction, surfacing, layout, and drainage have been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the access road the development shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National

Planning Policy Framework.

6. No development (excluding demolition) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed and thereafter maintained.

Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing to prevent or reduce the risk of flooding to the proposed development and future occupants and ensure the implementation of suitable flood risk management strategies, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these in accordance with policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and the National Planning Policy Framework.

7. A Sustainable Construction Statement detailing the use of sustainable construction methods and the use of reclaimed and locally sourced materials (where possible), the implementation of energy efficiency and other similar measures including but not limited to rainwater harvesting, solar panels etc. shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development. The development shall not be implemented other than in accordance with the approved details.

Reason: In order to encourage sustainable development and the use of renewable energy as per policies ESD3 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and the National Planning Policy Framework.

8. Details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The development shall not be carried out other than in accordance with the approved details and shall be maintained as such thereafter.

Reason: In order to secure the satisfactory development of the application site in the interests of sustainable travel options, in accordance with Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and the National Planning Policy Framework.

9. Prior to the commencement of the development hereby approved including any demolition, and any works of site clearance, and as part of any reserved matters for layout and landscaping, a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, shall be submitted to and approved in writing by the Local Planning Authority. This shall also include a timetable for provision. The biodiversity enhancement measures shall be carried out in accordance with that timescale or prior to the first occupation of the development in any case where a timescale is not specifically set out and shall be retained as such thereafter.

Reason: To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CTMP shall be implemented and operated in accordance with the approved details and the development shall not be carried out other than in accordance with the approved CTMP.

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

11. No fewer than one charging point for electric vehicles shall be provided at each residential unit

with dedicated parking. No fewer than 10% of non-dedicated parking spaces shall be provided with electric vehicle charging points.

Reason: In order to encourage sustainable development and the use of renewable energy as per policies ESD3 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby approved, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason - Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

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.

INFORMATIVE NOTES TO APPLICANT

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 £116 per request. 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.

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.



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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, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

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 provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.

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.