

**Case Officer:** Linda Griffiths

**Recommendation:**

**Applicant:** L & Q Estates

**Proposal:** Reserved matters application for 14/01932/OUT - foul sewer pumping station along with associated landscaping and access

**Expiry Date:** 24 June 2022

**Extension of Time:** 24 June 2022

---

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is part of a wider parcel of land allocated for residential development with associated infrastructure through the adopted Cherwell Local Plan 2011-2031 under Policy Banbury 17. The whole site allocation was formerly in agricultural use and extends from the Bloxham Road in the west to White Post Road in the east. A new spine road will run directly through the site from Bloxham Road linking to White Post Road, Bodicote.
- 1.2. Outline consent was granted in December 2019 for up to 1,000 dwellings, a Primary School, Local Centre and other infrastructure to serve the development. The application site comprises the larger, most significant part of this allocation, with a smaller area of land to the east being currently built out by Barratt/David Wilson Homes and a small area to the northwest adjacent to Bloxham Road that has already been built out by Morris Homes.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The application seeks reserved matters consent for the construction of a foul sewer pumping station with associated landscaping and access. The pumping station is to be located on a site of 0.23 hectares south of the approved spine road and on land adjacent to the approved David Wilson Home Scheme, at the eastern end of the site. Its location is in accordance with the regulatory plan contained within the approved design code.
- 2.2. The proposal includes the construction of the pumping station, with the compound for the kiosk, valve chamber, flowmeter, wet well, draw pit, tanker and hardstanding measuring 9.75m x 14.25m.
- 2.3. The pumping station equipment will be surrounded by green palisade fencing and a landscaping scheme is proposed around the pumping station to help minimise its visual impact. Vehicular access is provided directly from the spine road.

## **3. RELEVANT PLANNING HISTORY**

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

14/01932/OUT – outline consent granted for up to 1,000 new dwellings with associated infrastructure;

15/01326/OUT – outline consent granted on appeal on the eastern part of this allocation for up to 280 new dwellings and associated infrastructure;

18/00895/REM – reserved matters consent to 15/01326/OUT granted for 280 dwellings;

20/01048/DISC – design code approved for this western part of site; and

20/03702/REM – reserved matters consent granted for the spine road.

#### **4. PRE-APPLICATION DISCUSSIONS**

4.1. No pre-application discussions took place with regard to this proposal.

#### **5. RESPONSE TO PUBLICITY**

5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring December 2021, by advertisement in the local newspaper expiring **1 January 2022** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **9 June 2022**.

5.2. No comments have been raised by third parties.

#### **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. Bodicote Parish Council: No comments received.

##### STATUTORY CONSULTEES

6.3. Thames Water: No objection.

##### NON-STATUTORY CONSULTEES

6.4. CDC Land Drainage: No Comments.

6.5. CDC Arboriculture: No Objection.

6.6. CDC Landscape: No Comments.

6.7. CDC Ecology: No Comments Received.

6.8. OCC Transport: Initial Objection, however,

Update 31.05.2022: No Objection.

#### **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 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 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 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- Banbury 17 – strategic allocation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

7.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Approved Design Code August 2021

## 8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design and Landscaping
- Highway Safety and Transport

8.2. The application is pursuant to the outline planning permission for the strategic housing allocation under Policy Banbury 17 of the adopted Cherwell Local Plan 2011-2031.

8.3. An Environmental Statement and other supporting information were submitted with the original outline. A reserved matters application is a 'subsequent' application which is also regarded as an EIA application. This application submission follows the granting of outline consent and has been assessed against the original ES. There are no new, additional or significant likely effects arising from this submission and therefore no further ES is required.

8.4. The new development is structured around the spine road, which also includes cycleways and footpaths and will form the central connection through the site. The proposed pumping station will be accessed directly from the spine road.

8.5. The pumping station is proposed within an area of informal open space, located at the eastern edge of the development, which forms part of the Eastern Park Character Area as defined within the approved Design Code. The siting, layout and design of the pumping station aims to minimise its visual impact with soft landscaping proposed to screen the compound. The compound fencing and interior components are designed and to be constructed in green materials to blend with the wider landscaping proposed around the pumping station.

8.6. The application has been assessed by the Council's Arboriculture and Landscape Officers who raise no objection to the proposal. It is considered the proposal is acceptable in terms of visual impact.

8.7. The proposed vehicular access to the pumping station which is proposed directly from the main spine road will also serve the allotments, which will be provided on land to the south of the pumping station. The initial submission was assessed by

OCC as local highway authority who raised an objection. The allotments will provide car parking for users and as such, access must be suitable for two passing cars. Swept path analysis was also required demonstrating two family cars could pass one other along the access road and where this would not be possible, to provide passing places at sufficient intervals to properly accommodate vehicle conflicts. Visibility splays were also requested to demonstrate adequate vision at the site access joining the spine road.

- 8.8. Further to the above, a Technical Design Note prepared by Hydrock Consultants Limited has been submitted on behalf of Persimmon Homes, which includes 2 revised drawings showing the visibility splay and a 4.1m access track to allow 2 cars to pass. OCC has since confirmed that the amended plans have addressed the objection and that the proposals are now acceptable.

## **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 proposal will provide for essential services to the development. The forward delivery of infrastructure will enable residential parcels and associated infrastructure to be serviced such that parcels can then be delivered. The application is in accordance with the principles of the approved design code, and those principles set out in the outline planning permission, phasing plan and other related documents.

## **10. RECOMMENDATION**

That permission is granted, subject to the following conditions

1. Except where otherwise stipulated by conditions attached to this reserved matters permission, and the outline permission 14/01932/OUT, the development shall be carried out strictly in accordance with the application forms and the following plans and documents: Technical Design Note dated April 22 ref WPF-HYD-XX-XX-RP-C-0101; drawing numbers: WPF-HYD-XX-XX-DR-C-2600 Rev P01 location plan; WPF-HYD-XX-XX-DR-C-2601 Rev P02 general arrangement; WPF-HYD-XX-XX-DR-C-2602 Rev P01 drainage layout; WPF-HYD-XX-XX-DR-C-2603 Rev P01 general arrangement; WPF-HYD-XX-XX-DR-C-2604 Rev P03 swept path; and Edp5378-d023b landscape design.

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.

Case Officer: Linda Griffiths

DATE: 15<sup>th</sup> June 2022

Checked By: Andy Bateson

DATE: 15<sup>th</sup> June 2022

---