**Buzz Bingo, Bolton Road, Banbury, OX16 0TH – LPA Refs: 21/04202/F & 21/04179/LB**

**Inspectorate Appeals Refs: APP/C3105/W/22/3296229 & APP/C3105/Y/22/3298661**

**Suggested Draft Conditions of Planning Permission & Listed Building Consent**

**Planning:**

1. The development to which this permission relates shall be begun not later than the expiration of two years beginning with the date of this permission.

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 and to ensure a swift delivery of development.

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

Drawing Nos:

Site Location Plan - 10116BB-PA00;

Site Layout Plan - 10116BB-PA01 C;

Ground Floor Plan - 10116BB-PA02 A;

First Floor Plan - 10116BB-PA03 A;

Second Floor Plan - 10116BB-PA04 A;

Third Floor Plan - 10116BB-PA05 A;

Roof Plan - 10116BB-PA06 A;

Castle Street Elevations - 10116BB-PA07 B;

North Bar Street Elevations - 10116BB-PA08 B;

Internal and Gable Elevations 10116BB-PA09 B;

Proposed Site Sections - 10116BB-PA10;

Existing Elevations - EL 01;

Existing Site Plan - 210076-3DR-XX-XX-DR-A-10001;

Existing Bingo Hall/Office Plans - 210076-3DR-XX-XX-DR-A-10002;

Vehicle Tracking Plan 536.0037.001 C;

Refuse Vehicle Tracking Plan 536.0037.003 D;

Vehicle Turning Tracking Plan 536.0037.006

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.

Pre-Commencement Conditions:

1. No development shall commence above slab level until specification details/samples of the materials and finishes for the external walls and roof of the development hereby approved 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 approved schedule and shall be retained as such thereafter.

Reason: The site occupies a prominent position on the edge of Banbury’s Conservation Area and adjacent the Grade II listed Trelawn House. Prior approval of external material is necessary to safeguard 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.

1. Prior to implementation details of footway improvement works to be delivered on North Bar Street and Bolton Road shall be submitted to and approved by the Local Planning Authority. These works shall include dropped kerbs to provide access onto existing footway in South Bar Street and dropped kerb crossings at the site access junction on Bolton Road. The development shall not be occupied until the approved works have been completed.

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

1. The development hereby permitted shall be implemented in accordance with the submittedGreen Travel Plan. Thereafter, the approved Travel Plan shall be operated in accordance with the approved details.

Reason: In the interests of sustainability, in order to promote sustainable modes of travel and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

1. No development shall commence unless and until a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council’s checklist has been submitted to and approved in writing by the local planning authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

1. Prior to first occupation of the development, a Delivery and Servicing Plan should be submitted to and approved in writing by the Local Planning Authority. Thereafter, during the operation of the development, all delivery and servicing shall be conducted in accordance with the approved plan.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing:

Document: Flood Risk & Drainage Technical Note Ref: P:\1260 Castle Street, Banbury\C Documents\Reports\1260 - Castle Street, Banbury - Flood Risk & Drainage Technical Note - C Issue: 28 June 2022

Drawing: Preliminary drainage layout

Drawing No: 01-PDL-1001, Rev E

All relevant Hydraulic calculations produced via Microdrainage, Date 27/06/2022

File 1260-NW-01-A-101-SURFACE WATER

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to accord with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the first occupation of the development, 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 principles of sustainable drainage are incorporated into this proposal and to accord with Policies ESD6 and ESD7 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 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 must 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.

11. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

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 Section 15 of the National Planning Policy Framework.

12. Notwithstanding condition 2 (plans), no development shall take place above slab level until details of the hard and soft landscaping for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1) Details of the hard surface areas including vehicular pavements, pedestrian footways and other areas, crossing points and steps;

2) Details of the soft landscaping proposals along Castle Street, beside Trelawn House, around the car park, beside the Tyre Depot and around the Bolton Road boundaries.

In accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority.

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 ESD13 and ESD 15 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.

13. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguarding the recording of archaeological matters within the site in accordance with the National Planning Policy Framework (2021).

14. Following the approval of the Written Scheme of Investigation referred to in condition 16, and prior to 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 within two years of the completion of the archaeological fieldwork.

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 the NPPF (2021).

**Listed Building:**

1. The works to which this consent relates shall be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure a swift delivery of development.

1. Before the commencement of any works, a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall include:

(1) a brickwork/mortar course condition survey of the exposed elevations carried out by a historic buildings surveyor, the details of which have been submitted to and approved in writing by the Local Planning Authority;

(2) full details of the proposed remedial works to include:

(a) justification for the proposed works;

(b) details of the proposed works and finishes including, where appropriate, samples of replacement brick;

(c) details of the proposed contractor.

Development shall be carried out in accordance with the approved scheme.

Depending on the condition of the brickwork, two options are proposed:

Option 1 - replacement of damaged brick/mortar on the north and south elevations and a lime render on the rear elevation; or

Option 2 - rendering of the exposed elevations with a coloured lime render.

Replacement of historic brickwork/mortar coursing requires considerable care and should be carried out by a contractor experienced in historic building renovation.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy C18 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.