

**OS Parcels 3309 And 4319 Adjoining And North
Of Milton Road Adderbury**

22/02470/DISC

Case Officer: Michael Sackey

Recommendation: Approval

Applicant: Adderbury Parish Council

Proposal: Discharge of Conditions 3 (Secured by Design accreditation), 4 (means of access), 5 (access vision splays), 6 (turning areas & parking), 7 (biodiversity method statement), 8 (Construction Environmental Management Plan), 9 (surface water drainage scheme), 10 (surface water drainage plan), 12 (Archaeological Written Scheme of Investigation), 14 (Construction Environment Management Plan), 17 (landscaping scheme), 19 (site levels), 20 (footpaths) and 21 (covered cycle parking facilities) of 21/00104/F

Expiry Date: 26 October 2022

Extension of Time: 26 October 2022

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 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. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The application seeks approval for the details required by the conditions named in the description relating to Secured by Design accreditation, means of access, access vision splays, turning areas & parking, biodiversity method statement, Construction Environmental Management Plan, surface water drainage scheme, surface water drainage plan, Archaeological Written Scheme of Investigation, Construction Environment Management Plan, landscaping scheme, site levels, footpaths and covered cycle parking facilities.
- 2.2. The application relates to an email and amended plan received on (25.10.2022) at 15:36hrs reference "7354 (20)01 Revision D" and an email from (Mike Smith - Cherwell & West – Roads Agreement Team) received by Diane Bratt on the (05.01.2023) at 20:09hrs", stating "I haven't seen any details of this scheme, but if OCC are carrying out the works, then a Section 278 is not required. I am assuming that all the work is taking place within the existing highway boundaries and there is no new highway being created, as a result of the works.". The additional details submitted was in response to the Highways objection to conditions 5, 6 and 21.
- 2.3. The application relates to an email and documents received on (14.11.2022) at 09:34hrs reference "Supplementary Method Statement for an Archaeological Watching Brief (Rev 2 October 2022 - prepared by Cotswold Archaeology for

application 18/00220/F” and “RIDA – Response to council’s queries condition 9 (RIDA Reports -Application no: 22/02470/DISC – 11.11.2022)”. The additional information was in response to Archaeology and Lead Local Flood Authority (LLFA), and the email also confirms the omission of condition 13 from the application as it needs to be discharged at a later date.

- 2.4. The application relates to an email and documents received on (17.03.2023) at 19:02hrs reference “Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)”, “Landscape Management Plan prepared by LandArb (Rev B)” and “Lathams - 7354(90)01 – Boundary Treatments to be read in conjunction with LandArb soft landscape proposals plan” in response to the recommendations of the CDC Landscape Officer and the Ecology Officer in relation to a review after year 5, an ongoing management plan and the areas contributing to net gain to be managed for at least 30 years. The email also confirms the removal of condition 27 from the current application.
- 2.5. The application relates to an email and documents received on (05.04.2023) at 16:02hrs reference “Geophysical Survey Report - 13015” and “7354 (20)01 Revision A” in response to the queries of CDC Landscape and LLFA objections. The email also sets out previous works that have been carried out in relation to drainage basin, soil type, site levels and access path.
- 2.6. The application relates to an email and documents received on (06.04.2023) at 14:40hrs reference “Soft Landscape Proposals Plan prepared by LandArb (LAS 205 01 Rev E)”, “Lathams - 7354(90)01A – Boundary Treatments to be read in conjunction with LandArb soft landscape proposals plan”, “RIDA – Appendix (Standard Details – 006 Rev P1)” and “RIDA – Re:[0202] Land North Of Milton Road, Adderbury” in response to the queries of CDC Landscape.
- 2.7. The assessment and determination of this application is based on the additional documents.

3. RELEVANT PLANNING HISTORY

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

Application: 18/00220/F Permitted 3 September 2018

Change of use of agricultural land to sport/recreation and community use

Application: 18/00015/SO Screening Opinion 13 April 2018
not requesting EIA

Screening Opinion to 18/00220/F - Change of use of agricultural land to sport/recreation and community use

Application: Response Sent 24 July 2019
19/00166/PREAPP

Pre-Application Enquiry - Proposed Sports and Community Pavilion

Application: 19/00004/DISC Permitted 18 February 2019

Discharge of Conditions 3 (details of surface water drainage scheme) and 4 (archaeological written scheme of investigation) of 18/00220/F

Application: 19/00124/DISC Permitted 12 July 2019

Discharge of Condition 5 (programme of archaeological evaluation and mitigation) of 18/00220/F

Application: 19/02796/F Permitted 10 June 2020

Erection of sports & community pavilion with associated carpark and sport facilities (outdoor pitches and MUGA) following planning consent for change of use of agricultural land to sport/recreation and community use (18/00220/F)

Application: 21/00104/F Permitted 15 July 2021

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

Application: 21/02770/DISC Permitted 6 October 2021

Application: 22/02696/DISC

Discharge of Conditions 3 (surface water drainage scheme), 6 (revised plan), 7 (landscaping scheme), 8 (site levels), 9 (surface water drainage scheme), 11 (turning area and parking spaces), 12 (boundary enclosures), 14 (public footpath) and 15 (covered cycle parking facilities) of 18/00220/F

4. RESPONSE TO PUBLICITY

- 4.1 There is no requirement to publicise an application of this nature by letters to neighbours or by advertisement in the local newspaper.

5. RESPONSE TO CONSULTATION

- 5.1. **CDC Land drainage (29.08.2022)** – The following comments relate to Phase 2 only of this development - the proposed building, access, parking and associated hardstandings. No comments on flood risk or the surface water management plan.
- 5.2. **OCC Archaeology (07.09.2022)** - Condition 12 asks that a written scheme of investigation is submitted to and approved by the LPA. Oxfordshire Archaeological Service have approved the written scheme of investigation prepared in December 2018, though we have not had the supplementary method statement submitted to us for approval prior to it being submitted as part of the discharge; as such there is one addition which needs to be made prior to us discharging the condition (see below).

4.1 The watching brief should be **permanently** maintained during the period of intrusive groundworks.

An archaeological evaluation has been carried out on the site, though condition 13 asked for a programme of evaluation *and mitigation*, and therefore I cannot discharge this condition until the mitigation (the archaeological watching brief) has been carried out.

I will discharge condition 12 once the addition has been made, though cannot discharge condition 13 until the mitigation has taken place.

- 5.3. **OCC Archaeology (10.02.2023)** – The applicant has submitted a written scheme of investigation from Cotswold Archaeology for the archaeological watching brief required by condition 12 of permission 21/00104/F.

This WSI is acceptable and meets the requirements of condition 12 and we are therefore satisfied that this condition (12) can be discharged.

Condition 13 asked for the archaeological evaluation and mitigation: the watching brief is the archaeological mitigation and has not yet taken place, and so I cannot discharge it at this time. The supplementary documents supplied show that the applicant is aware that condition 13 cannot be discharged until the watching brief has taken place.

- 5.4. **Ecology (17.10.2022)** - I am generally happy for the two ecological conditions to be discharged (CEMP for biodiversity and Biodiversity enhancement scheme) on the basis of the submitted CEMP and Landscape Management Plan. My only comment is that the management plan does not state what will happen after year 5. There should be a review after year 5 and then the management plan ongoing subject to any necessary changes as a result of the review. The areas contributing to net gain in particular should be planned to be managed for at least 30 years. I couldn't find anything on this.

- 5.5. **Landscape (15.09.2022)** - This is good submission so very few comments: All on the LEMP Avoid Rosa canina in the hedge mix because it will smother other plants when they are trying to establish as it is far more vigorous. Find an alternative native to Betula pendula which is ubiquitous. P9 Cutting wildflower mixes down to 25mm is too low, much of the plant will be lost or weakened. 75 mm is better. P14 Add to Annual technical inspection 'RoSPA' or similar P23 wildflower meadows need 2 cuts a year, usually March and August/September. Do not keep at 150mm or they won't flower.

- 5.6. **Landscape (03.04.2023)** –

I can't see that the comments I made on 16th March have been addressed.

No revised planting plan, SUDS basin suitability?

No illustration of gates

Extending cellular grass for parking

Details of ball stop fence

- 5.7. **Landscape (20.04.2023)** - I am now happy with the detail for conditions 7, 11, 12, 14 and 15

- 5.8. **OCC Highways (12.09.2022)** – Objections in respect of Conditions 4, 5, 6, 21

Detailed comments:

Condition 4 Means of Access (Comment from Road Agreements Team):

Objection

In order to be able to review the technical proposals of the access, to discharge Condition 4, the developer is required to obtain a Section 278 Agreement. Once the developer has provided this to OCC's Road Agreements team and achieved

technical approval, they will be able to recommend the discharge of the access conditions

Condition 5 Access Vision Splays: Objection

A document demonstrating adequate visibility splays have not been submitted. No decision can be made on the discharge of this condition until proof of sufficient visibility splays have been submitted to the Local Planning Authority.

Condition 6 Turning Areas & Parking: Objection

The dimensions of the disabled parking bays are currently insufficient within this development. OCC's policy for disabled space provision states that bays should be 2.9m x 5.5m, this is set out within OCC's Guide for New Residential Developments. Although this development is not residential, OCC still use this a guide for car parks and other developments, as the larger dimensions provide greater accessibility for people using the spaces. Manual for Streets 8.3.51 states that parking bays that at a 90-degree angle to the highways edge require a minimum of 6.0m behind the space for manoeuvring purposes. This should guarantee a vehicles ability to leave the site in a forward gear. The disabled spaces to the east of the Sports Hall do not have this required space and will therefore have to be resigned, conforming to guidance within Manual for Streets. OCC are setting minimum standards for the quantity of electric vehicle parking. Policy EVI 8 states that for non-residential parking areas, 25% of all space should be designed with electric charging infrastructure. The current design illustrated within the site plan does not incorporate any electric charging infrastructure and therefore need to be amended before this condition can be discharged.

Condition 20 Footpaths: No Objection

OCC are satisfied that footpaths within the site boundary are of adequate width and are to be constructed in line with OCC's sustainable drainage policy. OCC Drainage have raised no concerns regarding the drainage within the site.

OCC highways boundary runs right up to the site boundary meaning there shouldn't be any issues connecting the footways within the site onto the external network, subject to the relevant highways agreements being obtained.

Condition 21 Covered Cycle Parking Facilities: Objection

The amount of space designated within the site plan for cycle parking does not correspond to the width of the cycle parking infrastructure shown within the cycle parking brochure. The brochure outlines that the cycle parking infrastructure 4270mm in width at the base. The cycle parking within the site plan only measures 3.0m in width per unit. The site plan will need to be resubmitted showing the correct width to demonstrate that there is sufficient space for cycle parking infrastructure to be implemented.

5.9. OCC Highways (22.02.2023) –

Recommendation:

No objection in relation to Conditions 4, 5, 6, 20 and 21

Detailed comments:

Condition 4 Means of Access (Comment from Road Agreements Team): No Objection

Was confirmed by Road Agreements that S278 is not required, as works are being carried out by OCC.

Condition 5 Access Vision Splays: No Objection

The submitted visibility splays are not the required 2.4m x 43m for a 30mph road. However, I am confident that the required visibility can be achieved within the highway boundary.

5.10. LLFA (22.09.2022) –

Condition 9 states:

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;

Provide detailed drainage drawing to show all drainage infrastructure and SuDS. Ensure invert and cover levels has been provided. Provide surface water catchment plan, showing the extent of the impermeable area and stating the area. The detailed drainage strategy should also show phase 1 and its proposals.

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);

This item has not been clarified in the drainage report.

c) Flood water exceedance routes, both on and off site;

Provide exceedance plan, showing surface water run off by using flow arrows. Ensure all surface water is kept away from structures and within the site boundary.

d) A timetable for implementation; and

Not provided.

e) Site investigation and test results to confirm infiltrations rates.

Infiltration testing location plan not provided.

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.

Condition 10 states:

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.

5.11. LLFA (20.02.2023) –

Recommendation:

No objection to discharge conditions.

Detailed comments:

Condition 9 states:

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;

Discharged according to: Causeway flow calculations, Land North of Milton Road, 19/10/2022

Discharged according to: Standard Details, 006 Rev P1

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);

Discharged

c) Flood water exceedance routes, both on and off site;

Discharged according to: Proposed Drainage Strategy Phase 1 and 2

d) A timetable for implementation; and

Discharged according to: RIDA - Response to council's queries condition 9.pdf Drainage - 14.11.2022

e) Site investigation and test results to confirm infiltrations rates.

Discharged according to: Soakaway tests, RIDA - Response to council's queries condition 9.pdf Drainage - 14.11.2022

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.

Condition 10 states:

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

Discharged according to document: Land North Of Milton Road, Adderbury-Phase 2, Reference 0202-DD-001, Nov 21 Discharged according to: Standard Details, 006 Rev P1

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.

- 5.12. **CDC Environmental Protection** - Environmental Protection have no comments to make on this application as presented – the CEMP is for Ecology rather than what we would look at.
- 5.13. **Thames Valley Police Crime Prevention Design Advisor** - Thank you for consulting me on the above planning application. I have reviewed the submitted evidence and am happy for a partial discharge of the Secured by Design condition. Once full certification from the Secured by Design assessor has been received by the planning authority, this condition may be fully discharged.

6. APPRAISAL

- 6.1. Condition 3 states: *“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.”*

A copy of an email from a Secured by Design (SBD) Licensed Consultant (David Lancaster dated 6 July 2022 at 12:19) has been submitted. The above condition has two requirements to be fulfilled: The first is that an application is made for a Secured by Design accreditation. The submitted copy of the email confirms that an application has been made. The second requirement relates to the confirmation and submission of the SBD accreditation or certificate and would need to be addressed prior to the first use or occupation of the development. Therefore, having regards to the comments of the Secured by Design Licensed Consultant (David Lancaster) and that of the Thames Valley Police Crime Prevention Design Advisor, the details are considered acceptable, and the first requirement of the condition can be discharged.

- 6.2. Condition 4 states: *“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.”*

The full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays are shown in drawing reference “7354 (20)01 Revision D”, “HSD/500/080”, “HSD/700/14”, “HSD/700/150”, “HSD/700/161”, “HSD/700/165”, “HSD/700/166”, “HSD/700/175”, “HSD/1100/015”, “HSD/1100/139”, “HSD/1100/185”, “Drainage Layout Access Road 06.08.2021 prepared by RIDA”, “Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)” and email from (Mike Smith (Cherwell & West – Roads Agreement Team)) received by Diane Bratt on the (05.01.2023) at 20:09hrs.”. Having regards to the comments received from the Local Highway Authority on 22.02.2023, the submitted details are considered acceptable.

- 6.3. Condition 5 states: *“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.”

The full details of the access vision splays, including layout and construction are shown in drawing reference “7354 (20)01 Revision D”, “Drainage Layout Access Road 06.08.2021 prepared by RIDA”, “HSD/500/080”, “HSD/700/14”, “HSD/700/150”, “HSD/700/161”, “HSD/700/165”, “HSD/700/166”, “HSD/700/175”, “HSD/1100/015”, “HSD/1100/139”, “HSD/1100/185” and email from (Mike Smith (Cherwell & West – Roads Agreement Team)) received by Diane Bratt on the (05.01.2023) at 20:09hrs”. Having regards to the comments received from the Local Highway Authority on 22.02.2023, the submitted details are considered acceptable.

- 6.4. Condition 6 states: *“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.”*

The 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 are shown in drawing reference “7354 (20)01 Revision D”, “Landscape Management Plan prepared by LandArb (Rev B)” and “Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)”. Having regards to the comments received from the Local Highway Authority on 22.02.2023, the submitted details are considered acceptable.

- 6.5. Condition 7 states: *“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 shall be retained thereafter in accordance with the approved details.”*

Documents reference “Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)” and “Landscape Management Plan prepared by LandArb (Rev B)” have been submitted for the method statement for enhancing biodiversity at the site. Having regards to the comments of the Council’s Ecology Officer, the submitted details are considered acceptable.

- 6.6. Condition 8 states: *“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.”

Documents reference “Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)”, “Landscape Management Plan prepared by LandArb (Rev B)” and Construction Environment Management Plan (CEMP) prepared by Lathams (26.04.22) have been submitted for the Construction Environmental Management Plan. Having regards to the comments of the Council’s Ecology and Environmental Protection Officer the submitted details are considered acceptable.

- 6.7. Condition 9 states: *“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.*

Documents reference “Causeway flow calculations, Land North of Milton Road, 19/10/2022”, “RIDA – Appendix (Standard Details – 006 Rev P1)”, “Proposed Drainage Strategy Phase 1 and 2”, “RIDA – Response to council’s queries condition 9 (RIDA Reports -Application no: 22/02470/DISC – 11.11.2022)” and Soakaway tests” have been submitted in response to the condition for a surface water drainage scheme. Having regards to the comments of the LLFA officer on 20.02.2023, the submitted details are considered acceptable.

- 6.8. Condition 10 states: *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 and 7354(08)03F

Documents reference “Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)”, “Landscape Management Plan prepared by LandArb (Rev B)” and “RIDA – Appendix (Standard Details – 006 Rev P1)” have been submitted in response to the condition. Having regards to the comments of the LLFA officer on 20.02.2023, the submitted details are considered acceptable.

- 6.9. Condition 12 states that *“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.”*

The submitted details are shown in document reference “Written Scheme of Investigation (Rev B Dec 2018) prepared by Cotswold Archaeology for application 18/00220/F” and “Supplementary Method Statement for an Archaeological Watching Brief (Rev 2 October 2022 - prepared by Cotswold Archaeology for application 18/00220/F)”. Having regards to comments of the Archaeology Officer on 10.02.2023, the submitted details are considered acceptable.

- 6.10. Condition 14 states that *“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.”*

The submitted details are shown in document reference “Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)” and “Construction Environment Management Plan (CEMP) prepared by Lathams (26.04.22)” have been submitted. Having regards to the comments of the Ecology and Environmental Protection Officer the submitted details are considered acceptable.

- 6.11. Condition 17 states: *“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.”*

Documents reference “Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)”, “Landscape Management Plan prepared by LandArb (Rev B)”, “Lathams - 7354(90)01A – Boundary Treatments to be read in conjunction with LandArb soft landscape proposals plan” and “Soft Landscape Proposals Plan prepared by LandArb (LAS 205 01 Rev E)” have been submitted. Having regards to the comments of the Landscape officer received on 20.04.2023, the submitted details are considered acceptable.

- 6.12. Condition 19 states: *“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.”*

Documents reference “Topographical Survey by RGI Surveys for existing site levels” “Geophysical Survey Report - 13015” and “7354 (20)01 Revision D” have been submitted. Having regards to the comments of the Landscape Officer received on 20.04.2023, the submitted details are considered acceptable.

- 6.13. Condition 20 states: *“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.”*

Documents reference “7354 (20)01 Revision D”, “Drainage Layout Access Road 06.08.2021 prepared by RIDA”, “HSD/500/080”, “HSD/700/14”, “HSD/700/150”, “HSD/700/161”, “HSD/700/165”, “HSD/700/166”, “HSD/700/175”, “HSD/1100/015”, “HSD/1100/139”, “HSD/1100/185”, “Site Photographs from December 2021”, “Planning Statement (7354 - Planning Statement for Discharge of Conditions 21/00104/F, August 2022)” and email from (Mike Smith (Cherwell & West – Roads Agreement Team))” have been submitted. Having regards to the comments of the Landscape Officer received on 20.04.2023, the submitted details are considered acceptable.

- 6.14. Condition 21 states: *“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.”*

Documents reference “streetspace (CENTAUR CL 10/Cycle Shelters” and “Planning Statement (7354 - Planning Statement for Discharge of Conditions 21/00104/F, August 2022)”. Having regards to the comments of the Highways officer, the submitted details are considered acceptable.

7. Conclusion

The Local Planning Authority considers that the details submitted pursuant to Conditions 3, 4, 5, 6, 7, 8, 9, 10, 12,14, 17, 19, 20 and 21 of 21/00104/F are acceptable, and as such it is recommended that the said Condition is discharged.

8. RECOMMENDATION

That Planning Condition 3, 4, 5, 6, 7, 8, 9, 10, 12,14, 17, 19, 20 and 21 of 21/00104/F be discharged based upon the following:

Condition 3 (partial discharge)

Email from a Secured by Design Licensed Consultant (David Lancaster dated 6 July 2022 at 12:19) (Partial discharge of Condition)

Informative Note to applicant

The evidence submitted demonstrates that an application has been made for Secured by Design accreditation on the development hereby approved, and therefore development may commence. The rest of the condition remain applicable. 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.

Condition 4

Drawings numbered "7354 (20)01 Revision D", "HSD/500/080", "HSD/700/14", "HSD/700/150", "HSD/700/161", "HSD/700/165", "HSD/700/166", "HSD/700/175", "HSD/1100/015", "HSD/1100/139", "HSD/1100/185", "Drainage Layout Access Road 06.08.2021 prepared by RIDA", document titled "Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)" and email from Mike Smith (Cherwell & West – Roads Agreement Team) to Diane Bratt on 05.01.2023 at 20:09hrs

Condition 5

Drawings numbered "7354 (20)01 Revision D", "Drainage Layout Access Road 06.08.2021 prepared by RIDA", "HSD/500/080", "HSD/700/14", "HSD/700/150", "HSD/700/161", "HSD/700/165", "HSD/700/166", "HSD/700/175", "HSD/1100/015", "HSD/1100/139", "HSD/1100/185" and email from Mike Smith (Cherwell & West – Roads Agreement Team) to Diane Bratt on 05.01.2023 at 20:09hrs.

Condition 6

Drawings numbered "7354 (20)01 Revision D", "Landscape Management Plan prepared by LandArb (Rev B)" and "Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)".

Condition 7

Document titled "Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)" and "Landscape Management Plan prepared by LandArb (Rev B)".

Condition 8

Documents titled "Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)", "Landscape Management Plan prepared by LandArb (Rev B)" and Construction Environment Management Plan (CEMP) prepared by Lathams (26.04.22).

Condition 9

Documents titled "Causeway flow calculations, Land North of Milton Road, 19/10/2022", "RIDA – Appendix (Standard Details – 006 Rev P1)", "Proposed Drainage Strategy Phase 1 and 2", "RIDA – Response to council's queries condition 9 (RIDA Reports -Application no: 22/02470/DISC – 11.11.2022)" and "Soakaway tests".

Condition 10

Documents titled "Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)", "Landscape Management Plan prepared by LandArb (Rev B)" and "RIDA – Appendix (Standard Details – 006 Rev P1)"

Condition 12

Document titled "Written Scheme of Investigation (Rev B Dec 2018) prepared by Cotswold Archaeology for application 18/00220/F" and "Supplementary Method Statement for an Archaeological Watching Brief (Rev 2 October 2022 - prepared by Cotswold Archaeology for application 18/00220/F)"

Condition 14

Documents titled "Construction Environmental Management Plan (CEMP) prepared by Turnstone Ecology (Rev04)" and "Construction Environment Management Plan (CEMP) prepared by Lathams (26.04.22)"

Condition 17

Drawings titled "Phase 2 Surface Water Drainage Design prepared by RIDA (Rev 01 Nov 21)", "Landscape Management Plan prepared by LandArb (Rev B)", "Lathams - 7354(90)01A – Boundary Treatments to be read in conjunction with LandArb soft landscape proposals plan" and "Soft Landscape Proposals Plan prepared by LandArb (LAS 205 01 Rev E)".

Condition 19

Drawings titled/numbered "Topographical Survey by RGI Surveys for existing site levels" "Geophysical Survey Report - 13015" and "7354 (20)01 Revision D"

Condition 20

Drawings numbered "7354 (20)01 Revision D", "Drainage Layout Access Road 06.08.2021 prepared by RIDA", "HSD/500/080", "HSD/700/14", "HSD/700/150", "HSD/700/161", "HSD/700/165", "HSD/700/166", "HSD/700/175", "HSD/1100/015", "HSD/1100/139", "HSD/1100/185", "Site Photographs from December 2021", and the document entitled "Planning Statement (7354 - Planning Statement for Discharge of Conditions 21/00104/F, August 2022)" and email from Mike Smith (Cherwell & West – Roads Agreement Team) to Diane Bratt on 05.01.2023 at 20:09hrs

Condition 21

Documents titled "streetspace (CENTAUR CL 10/Cycle Shelters" and "Planning Statement (7354 - Planning Statement for Discharge of Conditions 21/00104/F, August 2022)".

Informative

Condition 3 has two requirements that needs to be fulfilled before the condition can be fully discharged. The first requirement relates to an application to be made for Secured by Design accreditation and the second requirement relates to the submission and confirmation of the SBD accreditation or certificate. Therefore, this discharge of the condition is a partial discharge of the condition, and the submission and confirmation of the SBD accreditation or certificate is outstanding. The condition can only be fully discharged once the SBD accreditation or certificate is confirmed or received.

Case Officer: Michael Sackey

DATE: 18 May 2023

Checked By: Nathanael Stock

DATE: 24.05.2023
