



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

### Name and Address of Agent/Applicant:

Cala Homes (Cotswolds) Ltd  
Miss Becky Pull  
Second Floor, INNOVOX  
Oxford Technology Park  
Technology Drive  
Kidlington  
OX5 1GN

### Non-Material Amendment(s) Determination

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**Date Registered:** 22nd November 2024

**Proposal:** Non-material amendment to 23/01586/REM - Plot 1 – gate location moved to other side of house and a path has been added to the front garden for access to the rear gate. Plot 4 – gate location moved to other side of house and the path that was in the front garden has now been removed and put back to grass as the gate opens on to the driveway meaning there is now no need for this path. Plot 81 – gate location is now shown as was not shown on previous revisions. Plots 82 and 83 – parking space and twin garage label has been swapped.

**Location:** Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester

**Parish(es):** Bicester

### APPROVAL OF NON-MATERIAL AMENDMENT(S)

Cherwell District Council, as Local Planning Authority, hereby approves as non-material amendments the changes described above and agrees to amend condition 1 as follows:

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS (TL)

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

Phase 2A Design Statement ref: P22-3093\_GD\_F\_04 dated October 2024;  
Site Location Plan ref: P22-3093-DE-101\_F\_02 dated 11 July 2024;  
Phase 2A Site Layout ref: P22-3093-DE-101\_AA\_01 dated 29 October 2024;  
Illustrative Street Scenes ref: P22-3093-DE-102\_I\_12 dated 21 October 2024;  
Phase 2A Parking Strategy ref: P22-3093-DE-101\_K\_03 dated 29 October 2024;  
Phase 2A Tenure Plan ref: P22-3093-DE-101\_K\_04 dated 29 October 2024;  
Phase 2A Garden Areas Plan ref: P22-3093-DE-101\_I\_05 dated 29 October 2024;  
Phase 2A Materials Plan ref: P22-3093-DE-101\_L\_06 dated 29 October 2024;  
Forterra Malvern Village Mix brick sample for use on Plots 1 to 8;  
Phase 2A Boundary Treatments Plan ref: P22-3093-DE-101\_J\_07 dated 29 October 2024;  
Unit & Tenure Plan ref: P22-3093-DE-101\_I\_08 dated 29 October 2024;

External Works Plan (Solar PV Layout) ref: P22-3093-DE-101\_F\_15 dated 29 October 2024;  
Spine Road PV Layout ref: P22-3093-DE-102\_A\_13 dated 16 October 2024;  
Himley Edge PV Layout ref: P22-3093-DE-102\_A\_16 dated 16 October 2024;  
House Type Pack (including floor plans and elevations of all residential buildings, garages and the substation) ref: P22-3093-DE-102\_Q\_01 received 31 October 2024;  
Phase 2A Concept on Plot Landscaping ref: P22-3093-EN-03-N dated 28 October 2024;  
Phase 2A Drainage Strategy 27141-HYD-XX-XX-TN-C-0004 Rev P02 dated 02 June 2023;  
Phase 2A LLFA Drainage Response ref: 27141-HYD-2A-XX-TN-C-0006 Rev P01 dated 20 August 2024;  
Phase 2A Drainage Strategy ref: 27141-HYD-PH2A-XX-DR-C-2310 Rev P06 dated 18 October 2024;  
Micro Drainage (Storm Drainage Calcs) dated 17 October 2024;  
Phase 2A Lighting Equipment Schedule ref:589/101B (Drawing 589/001B) dated 06 October 2024;  
Phase 2A Outdoor Lighting Report ref: 589 Rev B dated 06 October 2024;  
Phase 2A Street Light Design Summary ref: 588/401 dated 30 May 2023;  
Phase 2A Street Lighting Layout ref: 589/001 Rev B dated 06 October 2024;  
Highway Longitudinal Sections Phase 2A ref: 21741-HYD-PH2A-XX-DR-C-2107 Rev P05 dated 08 October 2024;  
Phase 2A Engineering Strategy Sheet ref: 27141-HYD-PH2A-XX-DR-C-2210 Rev P06 dated 18 October 2024;  
Fire Tracking ref: 27141-HYD-PH2A-XX-DR-C-2610 Rev P06 dated 18 October 2024;  
Refuse Tracking ref: 27141-HYD-PH2A-XX-DR-C-2620 Rev P07 dated 18 October 2024;  
Phase 2A Noise Impact Assessment ref: 27141-HYD-XX-XX-Y-RP-1001 Rev P02 dated 11 June 2024;  
Heritage Statement dated 01 June 2023.

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.

The Section 96A application, hereby approved, does not nullify the conditions imposed in respect of the original planning permission. These conditions must be adhered to so as to ensure that the development is lawful.

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA



David Peckford  
**Assistant Director – Planning and Development**

**Date of Decision: 18th December 2024**

**Checked by: Caroline Ford**



## NOTICE OF DECISION

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

#### NOTES TO THE APPLICANT

##### PLANNING NOTES

1. The Section 96A application, hereby approved, does not nullify the conditions imposed in respect of the original planning permission ref: 23/01586/REM. These conditions must be adhered to so as to ensure that the development is lawful.
2. In accordance with Regulations 3 and 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Cherwell District Council as Local Planning Authority in this case, is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this application.

##### 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.

##### 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](mailto: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.
- 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](mailto:building.control@cherwell-dc.gov.uk)
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest from the Local Planning Authority.
- 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