

Case Officer: Lewis Bankes-Hughes **Recommendation:** Approve

Applicant: Heyford Park Settlements LP

Proposal: Reserved Matters to 10/01642/OUT - Dorchester Phase 7B, comprising the provision of 6, two-bedroom and 3, three-bedroom affordable dwellings with associated landscaping, car parking, infrastructure and external works.

Expiry Date: 18 August 2017

Extension of Time: ** November 2017

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is centrally located within the former RAF/USAF Upper Heyford air base to the north of Camp Road, south west of the Trident area and south of Building 320, one of 6 locally listed former aircraft hangars. The site consists of previously developed land including hardstanding and rough grass with a hardened electricity substation to the south east of the site which is to be retained. To the south of the site is a tree lined boundary and hedge, consisting primarily of sycamores with some beech, scots pines, lime hornbeams and a hawthorn hedge.
- 1.2. The base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War. The nature of the site is defined by the historic landscape character of the distinct zones within the base. The designation also acknowledges the special architectural interest, and as a conservation area, the character of which it is desirable to preserve or enhance and provides the context and framework to ensure the setting and appearance of sections of the Cold War landscape are preserved. The base was divided into three main functional character areas: Flying Field, Technical and Settlement.
- 1.3. The Technical Site, within which the application site is located, is the first area of the base accessed off Camp Road after passing through the main gate. This area is fronted on the west of the entrance, by the 1920s Guardroom (100) and to the east Heyford House (52) (originally the Station Operations Room and Headquarters). These buildings together with the Officers' Mess (74) and the buildings immediately to the south on the southern side of Camp Road are part of the initial development phase of the airfield and constructed in 'British Military' style that was the dominant influence in architectural style at the time of construction. The style, in fact, is well suited to the organised 'campus' layout of the site with deliberately sited, low-density, buildings, grassland and organised tree planting.
- 1.4. The Technical Site is accessed by a fan of three, partially tree-lined, straight avenues, fronted on either side by a mixture of functional building types. Red brick buildings from the original site layout predominate along the roads. The spaces in between were filled with newer buildings, constructed in a range of building styles and materials, this has tended to complicate the appearance of the area and make it less easy to appreciate its original form. Most buildings were in office, commercial or

storage use. Two important Cold War buildings lie in the west part of this area: the Battle Command Centre and the Hardened Telephone Exchange.

- 1.5. The Technical Site is bounded by an arc of four, large 1930s aeroplane sheds that form a backdrop to the area and close off the view into the flying field. These buildings sit well at the back of the site as their layout, on an arc between radial roads, compliments the organisation of the minor buildings within the site. All are listed of local significance and Building 320 is just to the north of the application site.
- 1.6. The Technical Area, although devoid of aviation-based activity, still retains the attribute of being at the hub of the airbase. Despite the infill buildings, now almost totally demolished, something of the organised campus origin of the area remains, overlaid by the successive accretions such as the addition of the standard USA-style fire hydrants. Tall buildings whilst evident do not over dominate the site; an effect achieved by the spacing of buildings, the tree planting, and the distribution and variety of building heights.
- 1.7. In the Conservation Appraisal, the character of the Technical Site-Zone 9Area is described as:

This area is characterised by the 'campus' layout of deliberately sited, mix function buildings, in an open setting with organised tree planting. The variation in building type is both a function of their differing use and the fact that there has been continual construction within the site as part of the different phases of development within the airbase. The setting of the 1930s aircraft hangers in an arc on the northern edge of the site provides a visual and physical edge to the site. The access to the Technical Site is dominated by Guardroom (100) and Station Office (52). To the east of these is the impressive 1920s Officers' Mess (74) set within its own lawns. The style of these 1920s, red brick, RAF buildings is British Military.

- 1.8 No buildings on the application site or in proximity are either scheduled ancient monuments or statutorily listed buildings. However, to the north but just outside the site area are The Hardened Telephone Exchange (Building 129) and The Battle Command Centre (Building 126) which in the Conservation Plan Study (2005) considered them to be of national and international significance.
- 1.9 "The Hardened Telephone Exchange (129) was constructed in the late 1970s, and typifies contemporary NATO policy to harden its key operational facilities. This structure was central to the operation of Upper Heyford, and connected the airbase with NATO, its European counterparts and to the United States." (para 9.6.1 of the Conservation Appraisal).
- 1.10 Built in the late 1970s, in accordance with the NATO policy of hardening structures, the Battle Command Centre (126) is of international significance. All activities on the airfield were overseen from this building and it was designed to be self-sufficient. It is a single-storey hardened structure enhanced by its contemporary fixtures and fittings. The architecture reflects NATO's policy towards hardened facilities against pre-emptive conventional attack, chemical and biological attack, and to be able to operate in a hostile environment to launch a retaliatory attack.
- 1.11 Beyond that are the "Aircraft hangers (Shed Type 'A') (Buildings 172, 320, 345, 350, 151 & 315) date stones '1926' on annexes facing the technical site. These were the first permanent end-opening aeroplane sheds for RAF stations in the interwar period. A total of 34 were built at 17 sites between 1925 and 1940. Upper

Heyford is unique in having six, the largest collection of Type 'A' hangers in the country" (para 8.2.2.-Conservation Area appraisal).

- 1.12 In terms of the uses on site, the military use ceased in 1994. Since 1998 the site has accommodated a number of uses in existing buildings, first under temporary planning permissions latterly under a permanent permission granted on appeal and subsequent applications.
- 1.13 Over the last 10 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and numerous of them have gone to appeal. The most significant was application ref 08/00716/OUT. Following a major public inquiry that commenced in September 2008 the Council received the appeal decision in January 2010 that allowed "A new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08)." This permission included the flying field and the uses and development permitted upon it at the appeal have been implemented under the appeal permission. Included within this decision were a number of applications for conservation consent including demolition of buildings on the application site. As these consents have been implemented there is a view that they remain extant.
- 1.14 The development of the settlement and technical areas was delayed as the site was acquired by new owners, the current applicants, who decided to refine the approved scheme. As a result, a new masterplan was drawn up which, whilst similar to the one considered at appeal, has been modified. The main reason for a fresh application arose from the desire of the applicant to retain more buildings on site. Apart from that, the most significant changes are a new area of open space centred on the parade ground, the retention of a large number of dwellings including 253 bungalows, and more of the heritage buildings the demolition of which was previously consented. The retention of these buildings at their existing low density has meant the masterplan has expanded the development area west on to the sports field.
- 1.15 The revised masterplan was submitted as part of the outline application for "Proposed new settlement for 1075 dwellings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure" and was granted permission on 22nd December 2011 (ref 10/01642/OUT). The planning permission included a number of plans with which compliance was required including a masterplan, a retained buildings plans and other plans showing layouts all of which included the demolition of all buildings on this site. A number of reserved matters have already been submitted, approved and implemented for permission 10/01642/OUT. As a result of this the site is starting to take shape.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Reserved matters approval is being sought pursuant to outline application reference 10/01642/OUT for the erection of 6, two-bedroom and 3, three-bedroom affordable dwellings with associated landscaping, car parking, infrastructure and external works.
- 2.2. The three-bedroom dwellings take the form of a terrace of three-storey town houses and would be located directly adjacent to Camp Road to the south of the site. The two-bedroom dwellings take the form of 3 sets of two-storey semi-detached houses and are located to the north of the site.

- 2.3. All dwellings and boundary walls would be constructed from Ibstock Audley Red Mixture brick with Marley Rivendale Slate roofs and Portland stone architectural detailing. The dwellings facing the primary access road and Camp Road would have chimneys.
- 2.4. Each dwelling would be served by 2 parking spaces and two additional visitor parking spaces are proposed in the internal spine road. The land to the south of the site and land to the north of the hardened electricity substation is to be landscaped and retained as open space.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:
- 3.2. 08/00716/OUT- OUTLINE application for new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08)-Approved at appeal. January 2010.
- 3.3. 10/01642/OUT - Proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure - Permitted

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Informal pre-application discussions have taken place with regard to this proposal prior to and following submission in a positive and proactive way..

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 29.06.2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. One comment has been received as a result of this consultation process:
 1. As you will know I have commented on a series of applications which are being dealt with on a piecemeal basis in the absence of any masterplan or evidence of the comprehensive integrated approach that is necessary in order to accord with the development plan. There are at least 12 matters that Policy V5 expects to see dealt with on a comprehensive basis.
 2. Since the 2010 appeal decision DG has had 7 years to sort out the public access for heritage purposes. This has been only been on a very ad hoc basis which I don't believe has had anything to do with CDC? You again mention the WHS application but overlook the international agreements requiring public access to sites of international importance.

3. Having been asked to comment on a series of piecemeal developments I am bemused by your comment that, "However, the Dorchester Group will be taking forward the masterplanning of the site through the development management process as has been stated previously.". Why are applications not first advertised as departures and then refused or deferred as premature pending the approval of a masterplan (the integrated comprehensive approach) required by the development plan?

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. Upper Heyford Parish Council: No objection however the lack of a masterplan makes it increasingly difficult to take a view on the location and density of affordable housing.

STATUTORY CONSULTEES

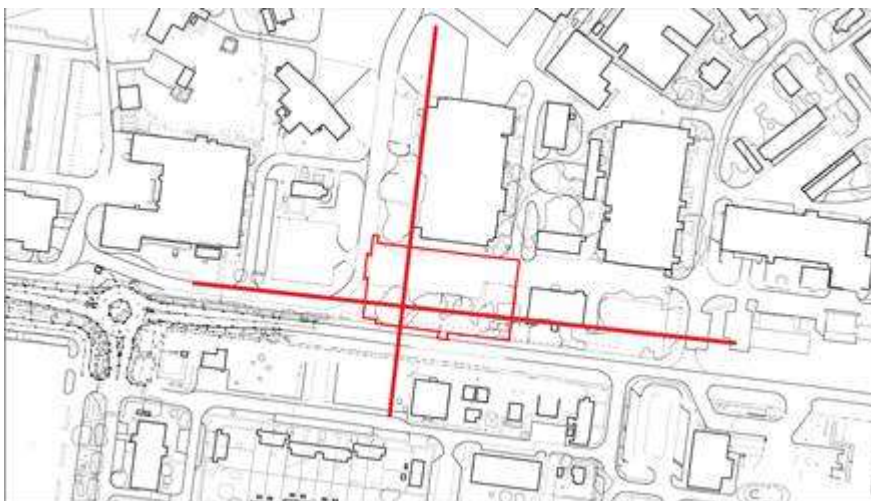
6.3. Local Highways Authority: No objection subject to conditions requiring full details of the proposed access road and on-street parking bays.

6.4. Historic England: No comments.

NON-STATUTORY CONSULTEES

6.5. Design and Conservation Officer: Recommend refusal for the following reasons:

- Camp Road requires a strong building line in this location. A coherent building line has been created on the south side of the road, the character and appearance of the area would best be served if this is also reflected on the north side of the road as well. Camp Road needs 'presence', a layout which reflects the military past of the site. There are two strong building lines defined by the historic RAF buildings adjacent – shown on the plan below.



- The proposed development is disjointed and appears piecemeal; an apartment block would be far more acceptable in this location.

- There should be a coherent frontage to the highway.
- The two buildings in the NW corner of the plot are too close.
- The three buildings on the north side of the plot are too close to the hangar.
- There is a danger with the current layout that close board fencing will be a feature of the site.
- Retaining existing trees is to be encouraged but this should not be to the detriment of settlement development.
- The density of housing along Camp Road should be increased to meet the housing numbers specified. At no time should there be an assumption that building on the flying field 'because it is there and in common ownership' is acceptable as any such development has the potential to fundamentally undermine the significance of the site.

6.6. Strategic Housing: The application is acceptable in terms of type and tenure of the units being delivered which is in line with the outline permission. The units should adhere to the standards laid out in the affordable housing scheme and 50% should meet the Lifetime Homes Standard.

6.7. Ecology Officer: The landscaping details are generally fine however the inclusion of biodiversity enhancements is recommended.

6.8. Landscape Officer:

Walls

Rather visually onerous walling that requires mitigation with structure planting: shrub border and climbers. Let us see the planting detail in respect of the outer side of the wall to the boundary of plots 470, 472 474, and 477.

Delete the Betula tree from the area near the wall to plot 475 because of possible structural damage to this wall by tree roots and soil shrinkage.

Buffer Planting Mix

We must encourage more diversity of plant species in the hedgerows for purposes of improving amenity, landscape mitigation and wildlife habitat. 5 species or more per 30 metre stretch of hedgerow is necessary to increase species-rich diversity. Hedgerow/thicket plant species that grow locally, and locally distinctive to the area – see below.

The core mix is to be Crataegus monogyna, Prunus spinosa and Acer campestre, usually at a ratio of 4:2:1 with the additional species of Corylus avellana 2%, Rosa canina 2%, Rhamnus cathartica 2%, Euonymus europaeus 2%, Cornus sanguinea 2% .

Landscape Planting

The shrubs species are acceptable.

Substation

Remove the 3 scots pines and the yew hedge to allow clear physical access for maintenance of the substation. For screening of the substation from Camp Road the existing hedgerow to be ended along the frontage for this purpose – planting details are required.

Trees

Remove all clone trees from the scheme, due to reasons explained previously, i.e. substitute *Acer campestre* for the A. c. 'Elegant'

Additional Comments (Received 25 October 2017):

The Buffer Planting Mix is different to what I proposed, however, their proposal is an acceptable mix.

The *Acer campestre* trees are now proposed and therefore acceptable.

There is no proposal to plant climbers on the garden walls of plots 470, 472 474, and 477. I think this is essential to visually mitigate the walls.

Remove the tree *Pinus sylvestris* from the southern elevation of the substation because they will grow too large for the space provided and with the retained tree north of the substation structural damage may occur due to soils shrinkage. The yew hedge is to be retained for mitigation of visual impact.

I suggest that a revised landscaping scheme is submitted with addresses these comments.

- 6.9. Urban Design Consultant: The loss of continuity of the hedge & belt of trees on this side of Camp Road for three undistinguished dwellings to be located close to the road frontage is a considerable loss to the character of Camp Road.

In accordance with the Design Code dwellings should front directly on to Camp Road. Whilst in this instance some are beneficially set back to allow for some tree retention they should still face towards the road; 470 and 474 do not.

Potentially vulnerable and insecure side rear and rear boundaries are exposed throughout.

The landscape space between side rear boundaries and the dog proof security fence is potentially poorly surveilled and insecure.

The space between hangar building 320 and the housing area is possibly too narrow for trees of a substantial mature size to grow to maturity and lessen the impact of the residential development on the setting of the hangar and vice versa. Tree and landscape officer advice should be sought.

'Traditional' form houses with pitched roofs should have chimneys or flues punctuating the roofline.

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)

- VIL5 - Former RAF Upper Heyford
- BSC1 - District Wide Housing distribution
- BSC2 - The Effective and Efficient Use of Land
- BSC3 - Affordable Housing
- BSC4 - Housing Mix
- BSC10 - Open Space, Outdoor Sport & Recreation Provision
- BSC11 - Local Standards of Provision - Outdoor Recreation
- BSC12 - Indoor Sport, Recreation and Community Facilities
- ESD1 - Mitigating and Adapting to Climate Change
- ESD2 - Energy Hierarchy
- ESD3 - Sustainable Construction
- ESD6 - Sustainable Flood Risk Management
- ESD7 - Sustainable Drainage Systems (SuDS)
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built Environment
- PSD1 - Presumption in Favour of Sustainable Development

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C23 - Retention of features contributing to character or appearance of a conservation area
- C28 - Layout, design and external appearance of new development
- C30 - Design of new residential development
- TR7 - Development attracting traffic on minor roads

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- RAF Upper Heyford Conservation Appraisal 2006 (UHCA)
- Mid-Cherwell Neighbourhood Plan
- Design Code submitted in relation to Condition 8 of 10/01642/OUT (13/00153/DISC) specifically Character Area 4.

8. APPRAISAL

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

- Visual Impact, Heritage and the Conservation Area
- Affordable Housing and Housing Mix
- Landscape Impact
- Traffic, Access and Parking

Visual Impact, Heritage and the Conservation Area

7.4. The Design Code approved under Condition 8 of 10/01642/OUT identifies the following urban design principles for the application site, which is located within Character Area CA2 (Village Centre – Residential):

- Strong consistent frontage

- Density of 30-38 dwellings per hectare
 - 2-3 storey dwellings
 - Predominantly brick construction with slate roofs
- 7.5. The Urban Design Consultant and Conservation Officer have made comments in relation to the dwellings located adjacent to Camp Road (plots 475-477). These dwellings were originally proposed as two-storey dwellings with no architectural merit however discussions with the application have resulted in these dwellings being substituted by three-storey town house dwellings, with chimneys, which are considered to provide the strong consistent frontage required by the design code. The use of brick and slate roofs is also considered acceptable.
- 7.6. Comments have also been made with regards to the orientation of the dwellings on plots 470 and 474 which do not directly face Camp Road. Although it would be preferable for these dwellings to face Camp Road or at least have a principle elevation facing Camp Road, such as the dwelling on plot 472, it is not considered necessary for these dwellings to relate to Camp Road as they relate better to the existing and proposed access roads instead. Windows have however been provided in the side elevations of these plots to enable overlooking of the open space and to provide a more active frontage.
- 7.7. The density of the application site is relatively low and does not accord with the Design Code. This is primarily due to the highly constrained nature of the site and presence of underground services and the root protection areas of the retained trees. The density of the site has however been increased to an extent through the replacement of the proposed two-storey dwellings on Camp Road with three-storey town houses. This increase in height also helps to strengthen the street scene and improve the relationship between this phase and the forthcoming village centre.
- 7.8. The reference by the Urban Designer and Conservation Officer to the space between Building 320 and the dwellings is noted however there is limited scope to increase this buffer. There is however the opportunity to improve and strengthen this buffer through the use of appropriate landscaping.
- 7.9. The boundary treatments proposed are considered acceptable and fences previously proposed for the boundaries of plots 473 and 474 have been substituted for 1.8m walls to increase security in response to the comments from the Urban Design Consultant.
- 7.10. The proposed dwellings are considered to affect the setting of the designated Conservation Area and Building 320. However the character of Upper Heyford is currently undergoing transformation and the dwellings proposed are considered appropriate in this context.
- 7.11. Overall, the proposal is considered to comply with Policy ESD15 (CLP 2031 Part 1) and provides an acceptable standard of design.

Housing Mix

- 7.12. The dwellings within this phase are all affordable dwellings. The tenure type is split between affordable rented (4 dwellings) and affordable intermediate (5 dwellings). When considering housing mix as a whole, across the development site, the proposed housing mix is considered acceptable and complies with Policies BSC3 and BSC4 (CLP 2031 Part 1).

Landscape Impact

- 7.13. The proposed development would result in the loss of some trees within the site and on Camp Road. This is unfortunate but necessary for development to be undertaken. The trees retained are considered to make a positive contribution to the character of Camp Road and the proposed development and it is important to ensure that the development is undertaken in accordance with the Arboricultural Method Statement submitted with the application to ensure the continued health of the retained trees.
- 7.14. The landscaping proposed is generally considered acceptable however the applicant has not taken into account all of the comments made by the Landscape Officer, specifically in relation to the planting of wall climbers to screen the boundary walls and the removal of certain trees proposed. A condition is therefore recommended requiring the submission of a revised landscape scheme to enable these recommendations to be incorporated into the landscaping scheme. Subject to these amendments, the proposal is considered to comply with the requirements of Policy ESD13 (CLP 2031 Part 1).

Traffic, Access and Parking

- 7.15. The site would be accessed primarily via a main access road off Camp Road with the exception of the dwellings on plots 469 and 470 which would be accessed via an existing access provided in connection with application reference 15/01209/REM.
- 7.16. The Local Highways Authority has raised no objection to the proposed access but has requested further details regarding the access road and visitor parking spaces and has advised that the width of the access road is increased to 6m.
- 7.17. Each dwelling would be served by 2 parking spaces and two additional visitor parking spaces are proposed in the internal spine road. The proposed parking provision is therefore considered acceptable and the proposal is not considered to cause harm in terms of highways safety.

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. Although an increased density would have been preferred in this location, the proposed scheme is considered appropriate considering the highly constrained nature of the site. The applicant has addressed the majority of issues raised by officers and the resulting scheme is considered to broadly comply with the policies outlined in Paragraph 7 of this report.
- 9.3. It is considered this scheme will form an area of a distinct character appropriate to its setting and surroundings and that reflects the policies of the Development Plan, guidance contained in the Design Code and its designation as a Conservation Area.. The buildings are of a scale and have designs reflecting a contemporary style that is reflective of the character of Heyford. Taken together they form an appropriate form of development. They provide a decent standard of amenity inside and outside the properties. It is recommended that planning permission is granted subject to the conditions outlined below.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

- 1 Except where otherwise stipulated by condition on this reserved matters approval or the original outline planning permission, the development shall be carried out strictly in accordance with the following plans and documents so far as they relate to the reserved matters for which this approval was sought: 0521-PH7B-102 Rev. C (Planning Layout), 0521-PH7B-103 Rev. A (Street Scene), 0521-PH7B-104 Rev. B (External Works Layout), 0521-PH7B-105 Rev. A (Vehicle Tracking Layout), 0521-PH7B-107 Rev. B (Adoption Plan), 0521-PH7B-108 Rev. B Materials Layout, 0521-PH7B-111 Rev. B (Refuse Plan), 0521-PH7B-HTB Issue 2 (200-204) (Housetype Booklet), 1619 A8 7B 01 H (Detailed Planting Proposals) and Parking Matrix Issue 2.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

- 2 The materials to be used in the new development shall be as shown on drawing reference 0521-PH7B-108 Rev. B unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 3 The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) contained within the Arboricultural Impact Assessment and Tree Condition Survey Report (Document Reference 0317-2112 Rev. 2) dated May 2017 and prepared by Ruskins Tree Consultancy.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 4 The development hereby approved shall proceed in accordance with the Flood Risk Assessment Compliance Statement (Document Reference 16871/B4) and SuDS Maintenance Regime dated March 2017 and prepared by Woods Hardwick Infrastructure LLP unless otherwise agreed in writing by the Local Planning Authority.

Reason - To protect the development and its occupants from the risk of flooding and in order to comply with Government guidance contained within the National Planning Policy Framework.

- 5 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to

Trees - Volume 4 and all subsequent revisions and amendments thereof.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted, a revised landscaping scheme incorporating the recommendations made by the Landscape Officer shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved landscaping scheme.

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 ESD15 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.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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 C28 of the adopted Cherwell Local Plan.

- 8 All enclosures along all boundaries of the site shall be as shown on drawing reference 0521-PH7B-104 and such means of enclosure shall be erected prior to the occupation of any dwelling.

Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies C28 and C30 of the adopted Cherwell Local Plan.

- 9 Prior to the commencement of development hereby approved, full details of the access road, together with the two proposed on-street parking bays within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, access road and on-street parking bays 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.

- 10 If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning

Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Planning notes:

- 1 Attention is drawn to the conditions imposed on the "outline" permission (App. No. 10/01642/OUT;) granted on 22.12.2011 which should be read together with this approval. Any outstanding requirement of the conditions to submit details for approval by the Local Planning Authority should be particularly noted.
- 2 Attention is drawn to a Legal Agreement related to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
- 3 Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 2501.
- 4 Fibre to the Premises (FTTP) technology

Openreach will provide FTTP infrastructure free of charge for developments of 30 or more plots. For sites for 2 - 29 plots Openreach will review the available technology in the area, if FTTC infrastructure is not available free of charge then developers can choose to make a contribution to receive this technology and an offer will be issued at registration. You'll need to register your site at least nine months before the date that you want Openreach to provide service to the first new property, or if you're installing a lift, at least nine months before the lift commissioning date. This must be at least eight weeks before you actually start on the site construction.

For further information, please visit
<https://www.ournetwork.openreach.co.uk/property-developers/site-registration.aspx>
- 5 The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

6 Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular accesses and the adoptable area under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

Case Officer: Lewis Bankes-Hughes

DATE: 25 February 2018

Checked By: Bob Duxbury

DATE: 6 March 2018
