

<u>Consultee</u>	<u>Date Sent</u>	<u>Expires</u>	<u>Reply</u>
Adderbury Parish Council	05.12.2017	26.12.2017	19.01.2018
Adderbury Neighbourhood Plan	05.12.2017	26.12.2017	
Thames Water	05.12.2017	26.12.2017	17.01.2018
Arboriculture (CDC)	05.12.2017	19.12.2017	17.01.2018
Business Support Unit (CDC)	05.12.2017	19.12.2017	
Clinical Commissioning Group	05.12.2017	26.12.2017	31.01.2018
Conservation (CDC)	05.12.2017	26.12.2017	09.01.2018
Ecology (CDC)	05.12.2017	19.12.2017	18.12.2017
Environmental Health (CDC)	05.12.2017	19.12.2017	25.01.2018
Landscape Services (CDC)	05.12.2017	19.12.2017	18.12.2017
Legal Services (CDC)	05.12.2017	19.12.2017	
Planning Policy (CDC)	05.12.2017	19.12.2017	10.01.2018
Recreation & Leisure (CDC)	05.12.2017	19.12.2017	12.12.2017
Oxfordshire County Council	05.12.2017	26.12.2017	16.01.2018
Strategic Housing (CDC)	05.12.2017	19.12.2017	06.12.2017
Thames Valley Police (Design Adviser)	05.12.2017	26.12.2017	
Urban Design (CDC)	05.12.2017	19.12.2017	
Waste & Recycling (CDC)	05.12.2017	19.12.2017	
Landscape Services (CDC)	05.12.2017	19.12.2017	
Lead Local Flood Authority OCC Drainage	05.12.2017	26.12.2017	
Recreation & Leisure (CDC)	05.12.2017	19.12.2017	
Strategic Housing (CDC)	05.12.2017	19.12.2017	
Waste & Recycling (CDC)	05.12.2017	19.12.2017	

Historic England - South East Region (Planning)	06.12.2017	27.12.2017	05.01.2018
Adderbury Parish Council	02.03.2018	23.03.2018	
Adderbury Neighbourhood Plan	02.03.2018	23.03.2018	
Thames Water	02.03.2018	23.03.2018	15.03.2018
Arboriculture (CDC)	02.03.2018	16.03.2018	
Business Support Unit (CDC)	02.03.2018	16.03.2018	
Clinical Commissioning Group	02.03.2018	23.03.2018	08.03.2018
Conservation (CDC)	02.03.2018	23.03.2018	18.03.2018
Ecology (CDC)	02.03.2018	23.03.2018	
Environmental Health (CDC)	02.03.2018	16.03.2018	
Landscape Services (CDC)	02.03.2018	16.03.2018	
Legal Services (CDC)	02.03.2018	16.03.2018	
Planning Policy (CDC)	02.03.2018	16.03.2018	
Recreation & Leisure (CDC)	02.03.2018	16.03.2018	
Oxfordshire County Council	02.03.2018	23.03.2018	15.05.2018
Strategic Housing (CDC)	02.03.2018	16.03.2018	16.03.2018
Thames Valley Police (Design Adviser)	02.03.2018	23.03.2018	
Urban Design (CDC)	02.03.2018	16.03.2018	
Waste & Recycling (CDC)	02.03.2018	16.03.2018	
Historic England - South East Region (Planning)	02.03.2018	23.03.2018	13.03.2018

From: Adderbury Parish Council Clerk
Sent: 05 December 2017 14:10
To: Planning; Caroline Ford
Subject: Re: Planning Application Consultation - 17/02394/OUT

Hi Caroline, please could I request an extension to the deadline for comments on this matter, so that the Parish Council can consider the application at it's next meeting on 16 January 2018?

Thanks, Theresa

Thanks,
Theresa Goss
Clerk and Responsible Financial Officer to Adderbury Parish Council
T: 01295 710965
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From: planning@cherwell-dc.gov.uk <planning@cherwell-dc.gov.uk>
Sent: 05 December 2017 09:30
Subject: Planning Application Consultation - 17/02394/OUT

Please see attached consultation document.

Regards
Development Management

Cherwell District Council
Extension: 7006
Direct Tel: 01295 227006
<mailto:planning@cherwell-dc.gov.uk>
www.cherwell.gov.uk

Details of applications are available to view through the Councils Online Planning Service at <http://www.publicaccess.cherwell.gov.uk/online-applications>

Instructions on how to use the Public Access service to view, comment on and keep track of applications can be found at <http://www.cherwell.gov.uk/viewplanningapp>

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From: Adderbury Parish Council Clerk
Sent: 19 January 2018 19:25
To: Caroline Ford
Cc: Planning; Bob Duxbury; Diane Bratt; Thomas Darlington
Subject: 17/02394/OUT - OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road

Dear Caroline,

Please find attached, the Parish Council's objection to the above application.

Should CDC or a subsequent Inspector be minded to approve the application, please also find attached a list of community benefits which the Parish Council would like included within the Section 106 agreement.

Thanks,

Theresa Goss

Clerk and Responsible Financial Officer to Adderbury Parish Council

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17/02394/OUT - Hollins Strategic Land LLP - OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road - Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Adderbury Parish Council objects to the above planning application, on the following grounds:

1. There is no requirement in Cherwell District Council's Local Plan for further development in the rural areas such as Adderbury and Cherwell District Council (CDC) has demonstrated a 5.6 year housing land supply.
2. The site is outside the village built up settlement area and is in open countryside, therefore development is contrary to CDC policies as well as the emerging Adderbury Neighbourhood Plan.
3. A proposal of 60 houses is over development of the site.
4. This area is designated as being of High Landscape Value and housing would detract from the rural landscape. This is an important open and rural area on the approach to the village and it would be detrimental to the approach to the village from the south.
5. Development on this site would detract from important views of the Church and the original and historic centre of the village, being detrimental to the visual amenities of the site. The importance of views of the Church has been stated elsewhere by Historic England and the same points apply here.
6. It would be detrimental to the amenity value of a number of footpaths and bridleways which cross this part of the parish.
7. The proposed design does not reflect the character of the existing dwellings along Berry Hill Road and might encourage further applications for development in land adjacent to this, behind the other Berry Hill Road properties.
8. This is not a sustainable site being some distance from the main village facilities and having no good footpaths or cycle ways to reach the centre, pedestrians would have to walk along very busy roads or use cars.
9. A gasometer was removed for this site around 40 years ago, therefore the ground could be polluted.

If Cherwell District Council is minded to approve this application, Adderbury Parish Council would request that there is a provision for community benefit and the Parish Council's requests are attached.

Theresa Goss
Clerk to Adderbury Parish Council
19 January 2018

From: Caroline Morrey

Sent: 17 January 2018 16:17

To: Caroline Ford

Subject: Application No: 17/02394/OUT - os Parcel 9100 Adjoining and east of last house adjoining and norrrth of Berry Hill Road, Adderbury

Hi Caroline,

With regards the trees on the above site, it is proposed that the majority of trees on site are retained. The only trees to be removed for the development are one maple (T2), one Horse Chestnut (T3) and a section of hawthorn hedge (G1). The trees are of low value and have been categorized as C trees in accordance with BS5837:2012. Such trees should not normally pose a constraint for development. The section of hawthorn hedge is currently unmanaged and its removal will not have a significant impact on views into the site. The applicant will need to produce an Arboricultural method statement with details of the proposed protective fencing and a finalised tree protection plan. Based on the illustrative masterplan there appears to be plenty of space for the planting of trees on site. We will need to see details of any proposed tree planting and the proposed tree planting pits. I have no objections to the proposal as long as the below conditions are attached to any consent given.

Regards,

Caroline

C1 Submit Landscaping Scheme

Prior to the commencement of the development hereby approved, a landscaping scheme shall be 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.

[Reason CR1](#)

C7 Retained Tree

- a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
- b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the [insert].

[Reason CR1](#)

C9 Arboricultural Method Statement (AMS)

Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions to include a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

[Reason CR2](#)

C20 Planting Pits (hard landscaped areas)

Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing ‘cell structured’ root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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 and specifications.

[Reason CR1](#)

C21 Planting Pits (soft landscaped areas)

Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, 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 and specifications.

[Reason CR1](#)

Caroline Morrey

Arboricultural Officer (north)

Cherwell District & South Northants Councils



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Please note I work Monday, Tuesday and alternate Wednesdays

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From: Jennifer Ballinger

Sent: 09 January 2018 17:07

To: Caroline Ford

Subject: 17/02394/OUT - OS parcel 911 adjoining and east of Last House, Berry Hill road, Adderbury

Dear Caroline

Thank you for consulting the Design and Conservation Team on the above application.

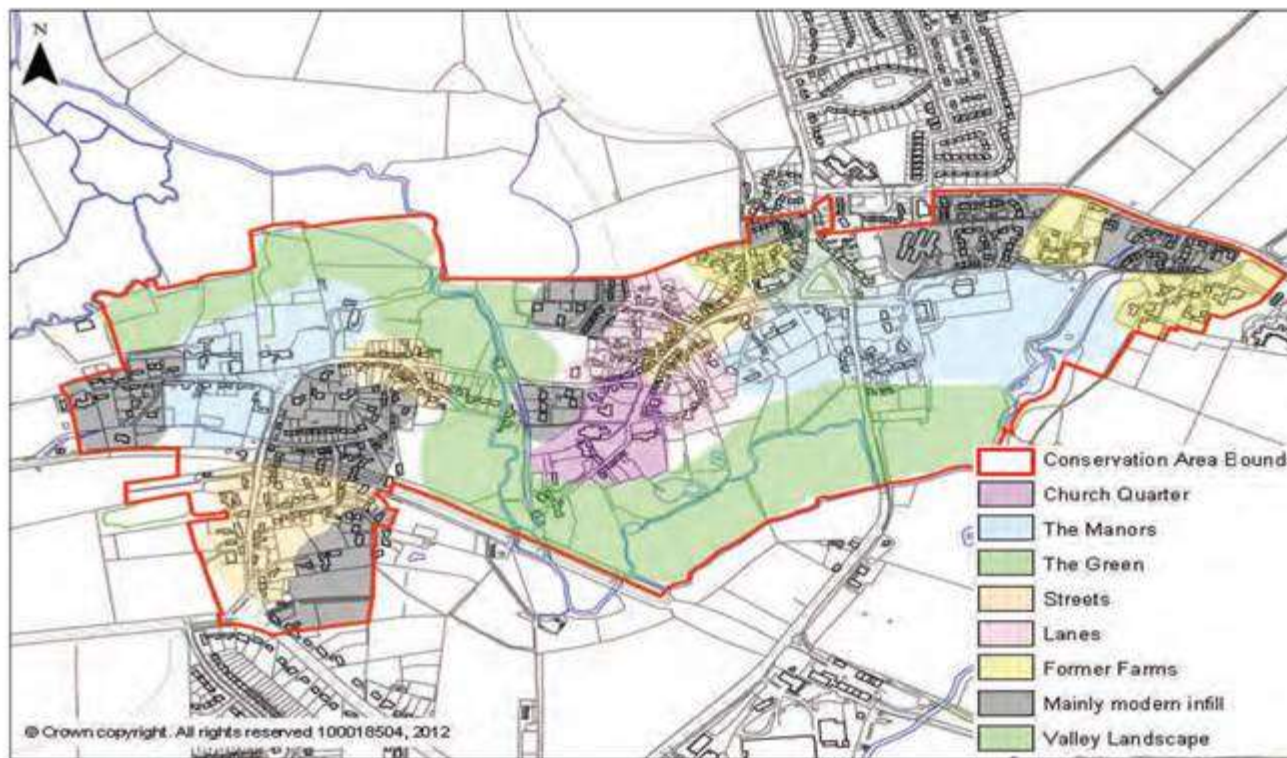
The proposed development lies at some distance to the south of the historic settlement of Adderbury. The area along Berry Hill Road was only developed in the late 20th century (first shown on historic OS map of 1974).

Impact on settlement pattern of Adderbury

The proposed site lies outside the Adderbury Conservation Area, but the appraisal is still of relevance in understanding the development of the settlement. The appraisal states *'Historic maps of the village show the development of the historic core running along the east-west axis. The development pattern has a strong linear structure, defined by strong building lines, particularly between the High Street and Cross Hill Road'* and *'The pattern of development is regular and tightly knit to the eastern and central areas of the conservation area; the western side has a more irregular and dispersed development pattern'*.

The character areas map below shows the layout of the settlement. It is clear from an analysis of this where areas of modern development have disrupted the defined historic settlement pattern and this proposed development would exacerbate this trend. It would not be seen as positive for the development to replicate earlier patterns of modern development.

There are concerns with the principle of development on this land as it forms a non-traditional extension to the settlement pattern. In addition there are concerns with the proposed layout which shows suburban layout with non-linear streets.



Impact on setting of listed building

In addition to the impact on the general settlement pattern of Adderbury the proposed development will also block views of the grade I listed building of St Mary's church from across open countryside. The impact would be significant from Berry Hill Road, but also compromise the setting of both the church and village from the public footpaths surrounding the site.

Adderbury Conservation Area Appraisal describes the significance of the church '*The Medieval Church of England parish church of Saint Mary the Virgin is in East Adderbury. St. Mary's is one of the largest parish churches in Oxfordshire and architecturally one of the most important*'. The church is a prominent feature within the settlement and is visible from a number of locations.

A previous appeal (APP/C3105/A/06/2032232) on adjacent land was dismissed partially due to the impact on 'an attractive view of the village church'.

The proposed development would cause harm to the setting of the grade I listed building and compromise the visual relationship between the church, village and surrounding countryside. There is not considered to be sufficient public benefit to outweigh this harm.

Regards

Jenny Ballinger

From: Jennifer Ballinger
Sent: 18 March 2018 12:41
To: Caroline Ford
Subject: Berry Hill Road, Adderbury - 17/02394/OUT

Dear Caroline

Thank you for consulting the Design and Conservation Team on the additional information in the form of a Heritage Statement for the above application.

I previously raised two issues in relation to the proposed development.

- The impact on the settlement pattern of Adderbury.

The Heritage Statement claims 'Instead of appearing as a non-traditional extension to the linear form of the historic core of the eastern side of the village, the green space dividing the proposed development from the Conservation Area will clearly define the boundary between the two areas. The new development will stand alone in the landscape, clearly separate from the historic core of the Conservation Area. The location of the proposed development will not affect any positive vistas into or out of the Conservation Area'

The development does indeed 'stand alone in the landscape' and is as such a non-traditional extension to the settlement. The additional information provided in the form of an indicative layout confirms this. The proposed layout is very suburban in form and does not follow any historic, traditional or local parameters.

It is appreciated that the development is located at some distance from the conservation area and will not really impact on its setting, but it remains a poorly considered urban extension which does not integrate well with the remainder of the settlement.

- Impact on the setting of the listed building

The Heritage Statement describes the view of the church spire as 'incidental' and identifies that it is not one of the key views outlined in the conservation area appraisal. However as Historic England point out in their response the church spire was designed to be seen from significant distances in the landscape to reinforce the social and community significance of the religious building.

The illustrative layout shows view lines leading through to the church, however due to the suburban nature of the layout of the site these views appear incidental rather than funnelled. There is little sense of the significance of the church that is usually seen in more traditional and historical settlement layouts.

Regards

Jenny Ballinger

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From: Louise Sherwell [mailto:louisesherwell@warwickshire.gov.uk]
Sent: 18 December 2017 16:50
To: Planning
Cc: Caroline Ford
Subject: 17/02394/OUT - OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury

Hi Caroline,

Regarding the above application, the Extended Phase 1 habitat survey was undertaken at an appropriate time of year (26th June 2017) and in line with appropriate methodology. The application site comprises largely of grassland fields, the central parcel being used for horse-training purposes and three larger fields (1 m in height at the time of the survey) comprising likely poor semi-improved grassland from the species list recorded (the report refers to both improved and semi-improved grassland). The site boundaries comprise of species-rich hedgerows with scattered mature trees. Overall the site is considered to have low-moderate ecological value, with the northern most area of the site which is proposed to be retained of the highest value compared to the southern area of grassland due to its position adjacent to rough grassland and wetland habitats to the north. There are records of great crested newts and ponds located to the north, however no ponds to the south according to OS mapping. The hedgerow boundaries and a number of mature trees are of high ecological value and provide wildlife corridors within the local area and should be retained.

The northern part of the site is proposed to be retained and managed as public open space as well as for the creation of an area of species rich grassland managed for ecological enhancement. Therefore there is likely to be conflict between these two purposes and whilst the enhancement as wildflower grassland is welcomed, this will involve only one or two grass cuts a year and therefore it will need to be carefully considered if this is realistically achievable in the long term management of the site, or whether this area will be required for other purposes (e.g. dog walking etc) and open space which will need regular cutting of the grassland, with disturbance by dog walkers and where species-rich grassland may not be realistically achievable. A number of ecological enhancements on site are proposed which are welcomed, which include proposed improvements to habitat connectivity within the wider landscape through retention of existing hedgerows, new native planting along the boundaries and woodland planting.

For all major applications, we would recommend that a biodiversity impact assessment (BIA) calculation is provided by the applicant's ecologist, **prior to determination** of the application. This is to inform if a biodiversity gain is expected within the site, which we should seek in line with the NPPF and local plan policy ESD10. At present, the proposals appear to be borderline loss/ gain, the BIA is a useful tool to provide an estimate of the net gain or net loss to biodiversity at the outline stage of the application, based on the existing and proposed habitat creation. Should the proposed works result in a net loss, a biodiversity offsetting scheme would be recommended to be secured via a Section 106 agreement. I've attached the Warwickshire, Solihull and Coventry BIA calculator and guidance notes and happy to discuss if you or the applicant's ecologist need any further information. I would recommend that on-site habitat creation could include a pond or wetland features if possible (for example SuDs) which would be welcomed to contribute to the biodiversity value of the site.

Regarding the potential impact on great crested newt, I would like to highlight that there is a recently recorded great crested newt record which was not picked up during the ecological assessment (presumably because it was only recently recorded) c. 200m to the north of the site boundary. The nearest ponds are 115m to the north west of the site boundary (referred to as WB2 in the report) and 120m to the north west (WB3) and there is another pond approx. 200m to the north over the disused railway line. Habitat Suitability Index assessments of ponds WB2 and WB3 undertaken by the ecologist found the ponds to be of below average suitability to support GCN. However given the proximity of the ponds and known records, I would agree that there is potential for GCN to be present on site. However given that the northern part of the site is proposed to be retained and enhanced, I am not as concerned regarding the potential of the development to impact on GCN due to the distance between the ponds and the area proposed for housing. Should the area proposed for housing be fenced off from the development site to protect it from site clearance works (ie. east to west), I would agree with the report that GCN surveys of the ponds would not be required. However, if works (e.g. earthworks, or regrading of the land etc) of the the grassland habitat in the northern part of the site is proposed, I would strongly recommend that GCN surveys of the ponds are required due

to the proximity of the ponds and fully assess the potential impact of these works. Should this area be protected, I agree that a Precautionary Working Method for GCN and also for reptiles such as grass snake and slow worm, will be required to be submitted and agreed by the LPA prior to any site clearance works, to appropriately mitigate for the low risk of reptiles and GCN being present within the site.

The two trees with bat roosting potential are present in the hedgerow along the northern boundary of the site. I understand these are proposed to be retained within the development. If the trees are proposed to be felled, however, further surveys to determine if a bat roost is present will be required to be undertaken by a suitably qualified ecologist in line with the Bat Conservation Trust guidelines. No evidence of badger was recorded during the survey however mammal paths were recorded within the southern boundary hedgerow. The proposals are therefore considered unlikely to have any significant impact on badger however a pre-commencement badger check by an ecologist will be required to update the results of the survey prior to any site clearance works. I also agree with the proposed inclusion of habitat boxes for bats, birds and invertebrates within the built environment, to include swift nest bricks (ideally integrated into the walls of the buildings). Lighting should be kept to a minimum, in particular along existing hedgerows as these are likely to be used by commuting/foraging bats.

Kind regards,

Louise

Louise Sherwell MSc ACIEEM
Assistant Ecologist
Ecological Services
Community Services
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Warwick
CV34 4SX
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email: louisesherwell@warwickshire.gov.uk

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Warwickshire Coventry and Solihull - Biodiversity Impact Assessment Calculator

v. 18.3 08/08/2014
 Amendment from v18.2 only affects green roofs, for c
 Please fill in both tables

KEY	
	No action required
	Enter value
	Drop-down menu
	Calculation
	Automatic lookup
	Result

Local Planning Authority:	Warwickshire
Site name:	Land at Berry Hill, Adderbury
Planning application reference number:	
Assessor:	
Date:	

Please do not edit the formulae or structure
To condense the form for display hide vacant rows, do not delete them
If additional rows are required, or to provide feedback on the calculator please contact WCC Ecological Services

Habitat Biodiversity Value														
Existing habitats on site Please enter <u>all</u> habitats within the site boundary				Habitat distinctiveness		Habitat condition		Habitats to be <u>retained</u> with no change within development		Habitats to be retained and <u>enhanced</u> within development		Habitats to be <u>lost</u> within development		
T. Note	code	Phase 1 habitat description	Habitat area (ha)	Distinctiveness	Score	Condition	Score	Area (ha)	Existing value	Area (ha)	Existing value	Area (ha)	Existing value	
Direct Impacts and retained habitats								C	A x B x C = D	E	A x B x E = F	G	A x B x G = H	
		Grassland: Poor semi-improved grassland	3.22	Medium-Low	3	Poor	1			1.16	3.48	2.06	6.18	
	n/a	Built Environment: Buildings/hardstanding	0.11	none	0	Poor	1					0.11	0.00	
	B4	Grassland: Improved grassland	0.37	Low	2	Poor	1					0.37	0.74	
	C31	Other: Tall ruderal	0.07	Medium-Low	3	Poor	1					0.07	0.21	
	J4	Other: Bare ground	0.09	Low	2	Poor	1					0.09	0.18	
	A3	Woodland: Scattered trees	0.14	Medium	4	Moderate	2					0.14	1.12	
		Total	4.00					Total	0.00	0.00	1.16	3.48	2.84	8.43
												$\Sigma D + \Sigma F + \Sigma H$		
												Site habitat biodiversity value	11.91	
Indirect Negative Impacts														
Before/after impact	Including off site habitats		K					Value of loss from indirect impacts K x A x B = Li, Lii						
Before														
After														
Before														
After														
Before														
After														
Before														
After														
		Total	0.00					M	0.00					
												HIS = J + M		
												Habitat Impact Score (HIS)	8.43	

T. Note	Proposed habitats on site (Onsite mitigation)			Target habitats distinctiveness		Target habitat condition		Time till target condition		Difficulty of creation / restoration		Habitat biodiversity value (N x O x P) / Q / R
	code	Phase 1 habitat description	Area (ha)	Distinctiveness	Score	Condition	Score	Time (years)	Score	Difficulty	Score	
	Habitat Creation			N	O		P		Q		R	
n/a	Built Environment: Gardens (lawn and planting)	0.38	Low	2	Poor	1		5 years	1.2	Low	1	0.63
n/a	Built Environment: Buildings/hardstanding	1.80	none	0	Poor	1		5 years	1.2	Low	1	0.00
J4	Other: Bare ground	0.06	Low	2	Poor	1		5 years	1.2	Low	1	0.10
A112	Woodland: Broad-leaved plantation	0.24	Medium	4	Moderate	2		30 years	2.8	Medium	1.5	0.46
J12	Grassland: Amenity grassland	0.29	Low	2	Poor	1		5 years	1.2	Low	1	0.48
A3	Woodland: Scattered trees	0.07	Medium	4	Moderate	2		30 years	2.8	Low	1	0.20
		Total	2.84									
	Habitat Enhancement											
							Existing value S (= F)					((N x O x P) - S) / Q / R
B22	Grassland: Semi-improved neutral grassland	0.46	Medium	4	Moderate	2	1.38	10 years	1.4	Low	1	1.64
B22	Grassland: Semi-improved neutral grassland	0.70	Medium	4	Good	3	2.10	10 years	1.4	Low	1	4.50
		Total	1.16									
										Trading down correction value		-0.30
										Habitat Mitigation Score (HMS)		7.72
												HBIS = HMS - HIS
										Habitat Biodiversity Impact Score		-0.71
										Percentage of biodiversity impact loss		8.42

KEY	
	No action required
	Action required
	Drop-down menu
	Calculation
	Automatic lookup
	Overall Result
	Loss to biodiversity
	Gain to biodiversity

Comment
Management plan would detail how this status to be achieved and all management prescriptions etc. This would be conditioned
To be located within amenity areas
Management plan would detail how "moderate status" to be achieved over 10 years. This would be recommended as a condition.
To be fenced off and protected to get "good" status

Loss

From: Helen Hartley [<mailto:h.hartley@nexusplanning.co.uk>]
Sent: 29 January 2018 16:30
To: Caroline Ford
Subject: FW: 17/02394/OUT - Berry Hill Rd, Adderbury - Ecology

Dear Caroline

Please see below email from Louise Sherwell.

I attach the BIA and Parameters Plan (Illustrative Only). I trust you are able to accept these as formal application documents?

Kind regards
Helen

Helen Hartley
Principal Planner

M +44 (0) 7786 276 398
E h.hartley@nexusplanning.co.uk

Nexus Planning - Manchester
Eastgate, 2 Castle Street
Castlefield
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From: Louise Sherwell [<mailto:louisesherwell@warwickshire.gov.uk>]
Sent: Monday, January 29, 2018 1:06 PM
To: Olivia Winter <owinter@recltd.co.uk>
Cc: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: Re: 17/02394/OUT - Berry Hill Rd, Adderbury

Hi Olivia,

Many thanks for sending through the rough plan, that's very helpful and helps to clarify the proposals included in the BIA, and confirming the proposals for the reptile and amphibian mitigation strategy. Has the BIA and the parameters plan been formally submitted to the planning case officer? It should be formally submitted you see, and I just wanted to check if this has been done yet?

Many thanks,

Louise

Louise Sherwell MSc ACIEEM
Assistant Ecologist
Ecological Services
Community Services
PO Box 43, Shire Hall
Warwick
CV34 4SX
Tel: 01926 418028
email: louisesherwell@warwickshire.gov.uk

On 29 January 2018 at 08:32, Olivia Winter <owinter@recltd.co.uk> wrote:

Hi Louise,

Thanks for all your assistance on this site, it is much appreciated.

As discussed, please find attached a rough "parameters plan" for the site, indicating the proposed locations of the respective habitats in the BIA. The footpaths to the north are necessary to retain links with the wider area, however these will be fenced off so there will be no impact on the SI grassland proposed in that area.

There will be no earthworks required to the north of the site. We propose amphibian fencing be installed along the northern edge of the developable area (the southern area of the site). The development area (which is currently improved grassland) will then be developed using precautionary working methods which will include fingertip searches and destructive searches. It is anticipated that development can proceed under Reasonable Avoidance Measures. An Amphibian and Reptile Mitigation Strategy could be produced once outline planning is granted.

I trust that all is now in order for this. Should you have any further queries please let me know.

Thanks

Olivia

Olivia Winter

Senior Consultant and Team Leader – Ecology

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E: owinter@recltd.co.uk

Resource and Environmental Consultants Ltd,
Osprey House, Pacific Quay, Broadway,
Manchester, M50 2UE



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Amenity grassland (0.29) with scattered fruiting trees (0.07ha)

SI grassland (fenced off) (0.70 ha)














SI grassland (not fenced off) (0.46 ha)

Ecological Enhancement Zone


BL woodland (approximately 0.24 ha)

0m 50m

KEY

- | | | | | | |
|---|---|---|------------------------|---|--------------------------|
|  | Existing vegetation to be retained
Refer to Tree Consultants: Arboricultural Report & Impact Assessment, October 2017. |  | Species rich grassland |  | Main access |
|  | Proposed tree planting |  | Amenity grass |  | Existing public footpath |
|  | Proposed woodland planting |  | Proposed area for play |  | Proposed footpath |
|  | Proposed shrub/ groundcover planting |  | Bench |  | Proposed mown grass path |
|  | Proposed mixed native hedge | | | | |



Berry Hill Road, Adderbury	
Illustrative Masterplan	
Hollins Strategic Land	
	Rev letter -
www.peterbrett.com	Date 10.10.17
Drawing Number 40939-3002-01	Scale 1:1250@A3
	Drawn SL
	Checked NE

From: Charlotte Watkins
Sent: 12 March 2018 11:23
To: Caroline Ford
Subject: 17/02394/OUT Berry Hill Rd, Adderbury

17/02394/OUT
Berry Hill Rd, Adderbury
Ecology Comments

Caroline

Protection of biodiversity currently onsite:

The application includes a Habitat Survey which is appropriate in scale and depth. The recommendations within table 6.2 of the survey are sufficient to protect and accommodate current interest on site – namely nesting birds, Great Crested Newts (and reptiles), Bats and badgers. These include pre-works checks and precautionary working methods and are appropriate to condition. The applicants have also submitted a BIA metric to help assess whether there would be an overall gain for biodiversity from the proposals. Following discussions, my colleague Louise and the applicants ecologists from REC agreed an illustrative masterplan (submitted 30th Jan 2018) which reduced the loss to a level which was seen to be the best that could be achieved. Although the detailed layout would be addressed in a reserved matters application it should be noted that the areas of habitats proposed within the BIA and habitat qualities will need to be accommodated. The applicant should be aware that this would involve some areas to be fenced off to achieve a better quality of created habitat.

Overall though a net loss for biodiversity was still seen and in line with NPPF guidance and local policy we should be looking for an overall gain for wildlife from all development. It is important therefore that further biodiversity enhancements are included on site. A full scheme of enhancements both within the green spaces and the built environment should be included. The suggestions within Section 6 - including section 6.5 -of their submitted habitat survey should be included with bat and bird bricks and boxes incorporated into buildings where possible to ensure longevity.

A full LEMP will also be required to ensure the long term management and attainability of the agreed habitats.

Should permission be granted I would recommend the following conditions as a minimum (feel free to reword):

K15 Carry Out in Accordance with Survey

The development hereby approved shall be carried out strictly in accordance with the recommendations set out in Section 6.6 of the Extended Phase 1 Habitat Report prepared by REC, dated August 2017 .

Reason KR1

K17 Biodiversity Enhancement

Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a scheme for enhancing biodiversity on site, with reference to Section 6 of the submitted Extended Phase 1 Habitat Report prepared by REC, dated August 2017 and to the submitted Biodiversity Impact Calculation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason KR3

K20 Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason KR2, KR3

K23 Use of Native Species

All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason KR3

K5 Lighting

Prior to the commencement of the development hereby approved, full details of lighting on the site 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.

Reason KR1

Regards

Charlotte

Dr Charlotte Watkins

Ecology Officer

Tel: 01295 227912

Email: Charlotte.Watkins@CherwellandSouthNorthants.gov.uk

www.southnorthants.gov.uk

www.cherwell.gov.uk

From: Nicky Wells
Sent: 25 January 2018 14:11
To: Caroline Ford
Subject: RE: 17/02394/OUT - Land adjacent to Berry Hill Road, Adderbury

Hi Caroline

There is a sewage pumping station, previously a sewage works until 1999, located 50 m to the NE. Therefore there is the potential for odour, nuisance and residual contamination to affect the development at this close proximity. There is insufficient information to provide assurances that the risk is acceptable and any potential risks have been mitigated.

Kind Regards

Nicky Wells BSc (Hons), AMIOA, MRSH
Environmental Protection Officer
Community Services
Cherwell District Council and South Northamptonshire Council

Direct Dial: 01295 221636
Ext: 1636
Fax: 01295 264394
EEmail: nicky.wells@cherwell-dc.gov.uk
Website: www.cherwell-dc.gov.uk and www.southnorthants.gov.uk
and Find us on Facebook www.facebook.com/cherwelldistrictcouncil and
www.facebook.com/southnorthantscouncil
Follow us on Twitter @Cherwellcouncil and @SNorthantsC

Nicky Wells BSc (Hons), AMIOA, MRSH
Environmental Protection Officer
Community Services
Cherwell District Council and South Northamptonshire Council

Direct Dial: 01295 221636
Ext: 1636
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and Find us on Facebook www.facebook.com/cherwelldistrictcouncil and
www.facebook.com/southnorthantscouncil
Follow us on Twitter @Cherwellcouncil and @SNorthantsC

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From: Neil Whitton

Sent: 05 March 2018 15:06

To: Caroline Ford

Cc: DC Support

Subject: 17/02394/OUT - OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury

This department has the following response to this application as presented:

Noise: Prior to the commencement of the development, 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 shall be submitted to and approved in writing by the Local Planning Authority.

Contaminated Land: The full contaminated land conditions should be placed on any

Air Quality: Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure will be required, in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority.

Such provision shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.”

Odour: I believe that my colleague Nicky Wells has already commented on and discussed this matter so no further comments.

Light: No comments

Kind Regards

Neil Whitton

Environmental Protection Officer

Environmental Health and Licensing

Cherwell District Council and South Northamptonshire Council



Historic England

SOUTH EAST OFFICE

Ms Caroline Ford
Cherwell District Council
Planning, Housing & Economy
Bodicote House, Bodicote
Banbury
Oxfordshire
OX15 4AA

Direct Dial: 01483 252000

Our ref: P00736050

5 January 2018

Dear Ms Ford

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**OS PARCEL 9100 ADJOINING AND EAST OF LAST HOUSE ADJOINING AND
NORTH OF BERRY HILL ROAD ADDERBURY
Application No. 17/02394/OUT**

Thank you for your letter of 6 December 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The application proposes in outline form for up to 60 dwellings on land north of Berry Hill Road. The outline layout suggests that dwellings would be located in the southern half of the application site with green space for play and recreation in the northern half. Additional landscaping is also proposed and an indicative estate layout is suggested.

The proposals raise concern owing to the obscuring of views of St Mary's church spire. St Mary's church, within East Adderbury, is clearly observed from Berry Hill Road and would be seen even more clearly within the application site. As an historical waymarker, the visibility of the church spire is an important part of the significance of the church as an historic landscape feature, reflecting the social importance of religion in the middle ages and the way that communities used Churches to mark their presence in the landscape. Development along Berry Hill Road would inevitably obscure these views; causing a degree of harm to the significance of this grade I listed building

The site is not allocated for housing (or any other development purpose) in the saved retained policies of the Adopted Cherwell Local Plan 1996 but the Adopted Cherwell Local Plan 2011-2031 Part 1 identifies Adderbury as a 'Category A' village where minor development will be considered, subject to criteria being met. Policies Village 1



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and 2 set out that 750 houses will be required across 24 villages (including Adderbury), in addition to windfall sites. However, policy Village 2 also sets out criteria that should be met when considering the acceptability of any scheme including whether significance adverse impact on heritage could be avoided. In addition to this, in the emerging Part 2 of the new Local Plan the draft Housing and Economic Land Availability Assessment (August 2017) Appendix 4 sets out that the application site is not suitable for development, one reason being the impact on the setting of the church.

The National Planning Policy Framework also requires, at paragraph 132, that any harm must have clear and convincing justification whilst paragraph 134 requires this harm to be weighed against the public benefits of the application. This proposal puts forward a site for housing which would cause harm to a Grade I listed building and the historical landscape character of the area. It is our view that, whilst new housing including affordable housing are proposed, the obscuring of views across to St Mary's and harm to the historic landscape character are not justified.

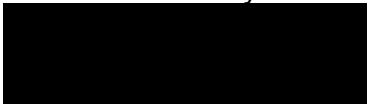
Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 134 and 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



Rachel Fletcher

Assistant Inspector of Historic Buildings and Areas

E-mail: Rachel.Fletcher@HistoricEngland.org.uk



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Historic England

SOUTH EAST OFFICE

Ms Caroline Ford
Cherwell District Council
Planning, Housing & Economy
Bodicote House, Bodicote
Banbury
Oxfordshire
OX15 4AA

Direct Dial: 01483 252000

Our ref: P00736050

13 March 2018

Dear Ms Ford

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**OS PARCEL 9100 ADJOINING AND EAST OF LAST HOUSE ADJOINING AND
NORTH OF BERRY HILL ROAD ADDERBURY
Application No. 17/02394/OUT**

Thank you for your letter of 2 March 2018 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

As set out in our original comments, we consider that views of St Mary's church from surrounding public vantage points, including roads and footpaths, are an important part of the significance of the church. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.

Further information has been submitted in support of the application, including a heritage statement and amended indicative layouts.

The amended indicative layout acknowledges and establishes the importance of views of the church from Berry Hill Road, which is welcomed and we also acknowledge that allowing public access to proposed green space in the north of the site would enable new, clear views of the church, which would allow for a better appreciation of this building within the landscape. However, the additional information and amended layout do not fully address our concerns regarding this application. The amended masterplan suggests 2 channelled views of the church from the access points to the proposed estate (one vehicular and one pedestrian) but the separation gap between dwellings



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appears too close to ensure that these views are clear. Furthermore, the views are over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia, and provides little certainty of views being maintained over the long term. Therefore, we recommend that in order to minimise the harm to the significance of the church the layout of the scheme needs to be further amended to provide clear, sufficiently broad and permanent views from Berry Hill Road towards St Mary's.

Any harm to a listed building must have clear and convincing justification as set out at paragraph 132 of the National Planning Policy Framework and paragraph 134 requires this harm to be weighed against the public benefits of the application. With further refinements needed to the layout of the scheme we remain of the opinion that the harm to St Mary's church and the historic landscape is not justified because this outline scheme does not provide definitive information on the key matter of building layout and landscaping. This may be a matter that the Council is content can be handled through reserved matters.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 and 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



Rachel Fletcher

Assistant Inspector of Historic Buildings and Areas



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From: Judith Ward
Sent: 18 December 2017 12:26
To: Caroline Ford
Subject: 17/02394/OUT OS Parcel Adj and E of Last House and N of Berry Hill Road, Adderbury

Hi Caroline

I haven't yet made a site visit in connection with this application. However looking at the LVIA I think further assessment is required before I look at it. There are no viewpoints taken from any points beyond the boundary of the site. They state that the site visit found no medium and long distance views of the site beyond 0.5km of the site. This may or may not be true but there is no proof of this and actually no viewpoints between the site boundary and 0.5km. There are no viewpoints from the Oxford Road or along Berry Hill Road. Or from any of the many PRoW in the area. No ZTV has been produced to provide evidence either way.

The assessment needs to produce a greater depth of analysis than a brief paragraph about each viewpoint. The baseline needs to be established, the landscape and visual effects identified then assessed. The sensitivity of the visual receptor, the magnitude of change experienced by introducing the development and the degree of significance. It also needs to assess the effect on landscape character. The Conservation area lies within 120m of the site but the impact on this has not been assessed so far as I can see.

Indication of heights of proposed dwellings, we can't assess impact unless have some parameters. The D and A statement is not providing details about scale and appearance.

There is no surface water attenuation shown.

The site is located in open countryside and the LVIA needs to examine this. In 2007 a planning inspector concluded that development on the site would have a significant adverse impact on the character and appearance of the area. A comprehensive LVIA should examine this.

The LVIA easy to navigate but very lacking in detailed assessment.

Kind regards
Judith

Judith Ward
Landscape Planning Officer
Cherwell District & South Northants Councils



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<mailto:Judith.ward@cherwellandsouthnorthants.gov.uk>

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PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From: Landscape Services (CDC)

To: Head of Development Management and Major Developments
 FAO: Caroline Ford

Your Reference: 17/02394/OUT

Our Reference:

Date of Consultation: 05.12.2017

Target Date for Response: 14 days

Application/Site Reference:		17/02394/OUT			
Development Location:		OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury			
Development Proposal:		Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.			
LAP					
CUP ISPD, FIELDS IN TRUST					
LAP on site					
Detail Specification:		400M ² area overlooked. 100M ² Activity area 100m/1 minute walk.			
Trigger for works/Contribution:					
Capital:		Revenue:	27,501.52	Indexation:	2% above bank base rate
Capital Management:		Revenue Management:			
Standard Heads of Terms:					
CDC Contact:					Ext: 1711
Signed:					Date: 18/12/17

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From: Landscape Services (CDC)

To: Head of Development Management and Major Developments
 FAO: Caroline Ford

Your Reference: 17/02394/OUT

Our Reference:

Date of Consultation: 05.12.2017

Target Date for Response: 14 days

Application/Site Reference:		17/02394/OUT	
Development Location:		OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury	
Development Proposal:		Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.	
Planning Obligation Requirement:			
SUDS BALANCING POND.			
Justification Policies:			
CU, SPD.			
Detail:			
Detail Specification:			
Trigger for works/Contribution:			
Contracted sum:			
Capital:		Revenue:	11.63m2
		Indexation:	2% above base rate.
Capital Management:		Revenue Management:	
Standard Heads of Terms:			
CDC Contact:			Ext: 1711
Signed:			Date: 18/12/17

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From: Landscape Services (CDC)

To: Head of Development Management and Major Developments
FAO: Caroline Ford

Your Reference: 17/02394/OUT

Our Reference:

Date of Consultation: 05.12.2017

Target Date for Response: 14 days

Application/Site Reference:	17/02394/OUT			
Development Location:	OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury			
Development Proposal:	Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.			
PUBLIC OPEN SPACE				
CUP, SPD Fields in TWIST				
60 dwellings x 23m² x 249. = 3436.2m²				
Detail Specification:				
Trigger for works/Contribution:				
Capital:		Revenue:	9.32m ²	Indexation: 2% above base rate
Capital Management:		Revenue Management:		
Standard Heads of Terms:				
CDC Contact:			Ext: 1711	
Signed:			Date: 18/12/17	

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From: Landscape Services (CDC)

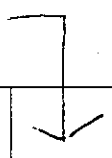
To: Head of Development Management and Major Developments
FAO: Caroline Ford

Your Reference: 17/02394/OUT

Our Reference:

Date of Consultation: 05.12.2017

Target Date for Response: 14 days

Application/Site Reference:	17/02394/OUT		
Development Location:	OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury		
Development Proposal:	Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.		
LEAP:			
CLP, SPD, Fields in Trust			
400m activity area 3600m Area			
Detail Specification:	 overlooked 5 minute walk from dwellings		
Trigger for works/Contribution:			
Capital:		Revenue:	108,761.69
		Indexation:	2% above base rate
Capital Management:		Revenue Management:	
Standard Heads of Terms:			
CDC Contact:			Ext: 1711
Signed:			Date: 18/12/17

From: Judith Ward
Sent: 22 March 2018 14:19
To: Caroline Ford
Subject: 17/02394/OUT Land N of Berry Hill, Adderbury

Hi Caroline

I am disappointed that the D and A statement does not include principles that inform the detailed landscape design. The Play area should be located within the development so that it is overlooked.

Landscape and Visual Assessment

No agreement was made regarding the provision of additional information. Due to time pressure I was not able to give an opinion.

The photographs provided don't indicate the extent of the development on the site which is disappointing.

Visual effects

I have visited the viewpoints. My comments are as follows;

VP1a. Glimpsed view into site currently, the suggested construction of visibility splays show minor loss of vegetation, I am surprised by this and would expect to see more loss. This is only indicative and has not been subject to highways scrutiny. It is highly likely that the boundary hedgerow will be reduced in height as at both developments along Milton Road, therefore houses will be clearly visible above a hedge reduced in height. I feel that the assessment under-estimates the significance of the effect.

VP2a. Similar comments to above. Church spire visible only through narrow field of view as a glimpse if the development is built. Effects under-estimated.

VP3a. Hedge removal for visibility splays is likely to open up views into the site. Hedge cutting will open up views of upper storey of dwellings. The hedgerow is thin at the base and leggy so allowing glimpses through. Insufficient space for 'woodland planting' Visual effects underestimated.

VP4a. Site fully visible through gaps in hedgerow. New planting on corner may filter the open view of the site in time.

VP5a. Open views across the site. Hedgerow along Berry Hill Road will be obscured by housing which will fill the middle distance view. Very little mitigation planting shown.

VP6a. This is the extent of the current village. There will be a pavement along this stretch of road increasing the number of receptors. New houses along Berry Hill Road will be visible through the leggy hedge and above if expected trimming takes place.

VP7. This viewpoint seems to have been chosen where the development would be minimally visible. I could clearly see The End House from further north from VP7 and would therefore be able to see the development.

VP8. Gaps in hedgerow permit views into site. This will be partly filled with development under the proposal. There is practically no new planting on the open space.

VP9. This view shows the leggy hedge which is more a line of leggy trees which doesn't provide a very effective screen. The view to the church will be a very restricted glimpse through a narrow field of view.

VP10. A viewpoint facing away from the development is not very relevant.

VP11. There may just be glimpses of houses from this Viewpoint.

VP12. The photo caption mentions the surface of the site. The proposed development should be assessed not the ground. The development would only be visible in glimpses from this viewpoint.

VP13. No view of site

VP14. Filtered views of site through hedgerows, glimpses of development in the distance may be possible

VP15. Site obscured by intervening hedgerows

VP16 Site not visible

In addition there are extensive views from PRoW101/6 to the north of the site towards the proposed development which would be difficult to mitigate.

Conclusion

Whilst the development has limited visibility in the wider landscape there are many other reasons why I believe that it is undesirable.

The site is surrounded by open countryside apart from one dwelling adjacent at one corner. End house and the dwelling opposite mark the end of the built up area of Adderbury. As you turn off Oxford road it is not clear where the village of Adderbury starts. The site is an important green open space on the edge of the settlement that makes a significant contribution to the character and appearance of Adderbury.

The proposed development is out on a limb visually and intrudes into open countryside.

The existing settlement pattern along Berry Hill Road is one of low density large detached houses with long drives and large gardens. This development does not follow that pattern and is out of character with it. The urban form proposed will not integrate into the existing settlement pattern.

The site allows an attractive view of the Church which would mostly be lost, it would only be available as a fleeting glimpse from Berry Hill Road.

The hedge along Berry Hill Road is a weak screen being thin at the base, gappy and leggy. It is more like a line of weak trees which would require works that would make it less effective as a screen. Reinforcing this would be difficult as planting in the shade of other trees is not effective. Sections will be removed for visibility splays and provision of a footpath link. The remainder is likely to be reduced in height, weakening the screen.

If permitted the development would result in Adderbury village starting as soon as you turned off Oxford road which would negatively affect the setting of the village.

For the above reasons I do not support this proposal.

Kind regards
Judith

Judith Ward
Landscape Planning Officer
Cherwell District & South Northants Councils

 01295 221711

 01295 221878

<mailto:Judith.ward@cherwellandsouthnorthants.gov.uk>

www.cherwell-dc.gov.uk
www.southnorthants.gov.uk

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www.facebook.com/southnorthantscouncil

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 17/02394/OUT

Proposal: Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

Response date: 16th January 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Assessment Criteria

Proposal overview and mix /population generation

OCC's response is based on a development as set out in the table below. The development is taken from the application form

Residential	
1-bed dwellings	8
2-bed dwellings	15
3-bed dwellings	26
4-bed & larger dwellings	11

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	156.43
Primary pupils	18.30
Secondary pupils	11.18
Sixth Form pupils	1.70
SEN pupils	0.37
Nursery children (number of 2 and 3 year olds entitled to funded places)	4.62
20 - 64 year olds	108.17
65+ year olds	11.67
0 – 4 year olds	16.51

Application no: 17/02394/OUT

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

Strategic Comments

There are no strategic comments to add in here, but a number of transport objections detailed below.

Officer's Name: Jacqui Cox

Officer's Title: Cherwell Locality Lead (interim)

Date: 16 January 2018

Application no: 17/02394/OUT

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee** - £5000 is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

Application no: 17/02394/OUT

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

Transport Schedule

Recommendation

Objection for the following reasons.

- Feasibility of footway between development site and Horn Hill Road must be demonstrated.
- Quantification of existing traffic levels is not presented in the Transport Statement.
- The accident analysis presented in the Transport Statement is deficient.
- Provisions for vision splays require revision.
- Further drainage information is required.

If despite the County's objection permission is proposed to be granted then the County requires prior to the issuing of planning permission a Section 106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Public transport services	£60,000	2018 Q1	RPI-x	Enhancement of public transport services serving the site. Pump priming of bus services on the A4260.
Public transport infrastructure not dealt with under Section 278.	£10,000	2018 Q1	Baxter	Provision of two sets of two bus stop pole and premium route standard flags, and a bus shelter (£4,000 will be transferred to the Adderbury Parish Council as a commuted sum for maintenance of the shelter).
Public Rights of Way	£20,000	2018 Q1	Baxter	Access mitigation measures on the footpaths to east and north of the site (Adderbury Footpaths 13, 6, 5 and 24 and Bridleway 9). This would fund surface improvement, signing and furniture along the routes.
Total	£90,000			

Key points

- Junction capacity assessment is required.
- Feasibility of the footway link between the development site and the existing pedestrian network is required.
- Quantification of existing traffic levels is required.
- A revised accident analysis is required.
- A Travel Plan Statement will be required.
- A Travel Information Pack will be required.
- Vision splay amendments will be required.
- Further drainage information will be required.

Comments

Transport Strategy

District Local Plan and Fourth Local Transport Plan

As detailed in Cherwell District Council's Local Plan 2011 – 2031 (Part 1), Adderbury falls under Category A in Policy Villages 1: Village Categorisation. According to the plan *“Proposals for residential development within the built-up limits of villages (including Kidlington) will be considered having regard to the categorisation below. Only Category A (Service Centres) and Category B (Satellite Villages) will be considered to be suitable for minor development in addition to infilling and conversions.”*

Whilst the policies for villages in the Cherwell District will be discussed in more detail in Part 2 of the Local Plan, there is no reference at all within the Transport Statement on how this development falls within Local Plan policy.

Additionally, whilst reference is made to sustainable travel to and from the development, no reference is made to the County Council's Fourth Local Transport Plan (LTP4). Specifically, as follows.

Policy 34. Oxfordshire County Council will require the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will:

- secure transport improvements to mitigate the cumulative adverse transport impacts from new developments in the locality and/or wider area, through effective travel plans, financial contributions from developers or direct works carried out by developers;
- identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development;
- ensure that developers promote cycling and walking for journeys associated with the new development, including through the provision of effective travel plans;

- require that all infrastructure associated with the developments is provided to appropriate design standards and to appropriate timescales;
- set local routing agreements where appropriate to protect environmentally sensitive locations from traffic generated by new developments;
- seek support towards the long term operation and maintenance of facilities, services and selected highway infrastructure from appropriate developments, normally through the payment of commuted sums;
- secure works to achieve suitable access to and mitigate against the impact of new developments in the immediate area, generally through direct works carried out by the developer.

Baseline Transport Data

In regards to paragraph 2.4.1, it is not clear what a 'Facility' is. If this facility has an impact on a highway near to the proposed development, this cannot be taken into account if it is not correctly identified and assessed within the Transport Statement.

Sustainable Transport Provision

The County supports plans to provide a new crossing point with a pedestrian refuge, dropped kerbs and tactile paving on the A4260 Oxford Road, as well as a new footway on the northern side of Berry Hill Road from the site access up to the junction of Berry Hill Road and Horn Hill Road, and extending south-east of the site access and around the corner onto the A4260 Oxford Road. However, the safety of a pedestrian crossing along the A4260 has not been fully taken into account, given that it is a busy 40 mph road. This is not examined within the Transport Statement.

No mention is made of any potential public rights of way that may be connected to or near to the proposed site. It is not therefore clear whether the proposed new footway on the northern side of Berry Hill Road to be the only way pedestrians and cyclists can access Adderbury centre facilities.

Traffic Impact

Transport Statement only goes as far as detailing the impact within the immediate proposed development area. No further impact or distribution assessments have been carried out on the surrounding highway network such as the Berry Hill Road / A4260 Oxford Road junction. This is of concern given that the A4260 Oxford Road experiences a high level of vehicle movement constantly through the day, with a 40mph speed limit. The County will require the applicant to carry out a junction assessment to evaluate the true overall impact of the development on the A4260 Oxford Road / Berry Hill Road junction, and A4260 Oxford Road itself. **Reason for objection.**

Accident Analysis

I note that the Transport Statement identifies at least one accident that occurred at the Berry Hill Road / A4260 Oxford Road junction within the last 3 years. However, no further information is given. Given that the Berry Hill Road / A4260 Oxford Road junction will in probability be the main junction used by residents of the proposed development, more comprehensive information should be provided in regards to the accident history of that area. **Reason for objection.**

Transport Development Control

The planning application is accompanied by a Transport Statement (TS), and the following should be noted.

Paragraph 2.4.1 refers to a "???? facility". This should be defined.

Paragraph 2.5.1 refers to Plan 2, which shows a large green area to the north of the proposed development which is within the red line. It is not clear what use is intended for this area, and whether it is intended for future development. This requires clarification. If this area is intended for future development then its traffic impact should be included in the Transport Statement. **Reason for objection.**

Paragraph 2.5.4 introduces the intention to provide a new footway on Berry Hill Road. This is indicated on drawing No.1899-F01. The northern sections of this footway are annotated "adopted highway to be confirmed". This suggests that the feasibility of a footway linking the development site with the existing footway on Horn Hill Road is not established. This footway is regarded as an essential provision for a development site with relatively poor sustainability credentials and its deliverability must be established. **Reason for objection.**

Paragraph 3.2.8 presents "*guidance on distances that children will walk to school*" taken from the DfE document entitled Home to School Travel and Transport. This has been presented out of context since it relates to guidelines for the provision of school transport which is the subject of other considerations as well. It is counter intuitive to expect a child of below 8 years to walk up to 2 miles to school and back, either alone or accompanied.

Paragraph 3.2.9 refer to a report entitled Accessibility – How Far do People Walk and Cycle". This report, or excerpts from it, is not included in the application documents and has not been possible to locate online. The maximum walking distances referred to are therefore unsubstantiated.

The TS presents various pieces of evidence to establish a preferred maximum walking distance of 2km. This conforms to the preferred maximum put forward in Providing for Journeys on Foot (Institute of Highways and Transportation, 2000). However it should be noted that this is a maximum distance, and as such is unlikely to represent accessibility to all pedestrians on a regular basis. It should also be noted that whilst this preferred maximum distance affords access to most of the facilities in the centre of Adderbury, it is reliant on the provision of the footway between the development site and Horn Hill Road, the feasibility of which is unproven.

Section 3.6 concludes that the development site is "*accessible by non-car modes*". The level of accessibility is considered poor for the following reasons.

- Most of the facilities in Adderbury are within the acceptable maximum walking distance only, which is unlikely to represent accessibility to all pedestrians on a regular basis.
- Bus services do not represent a commuter standard frequency.

- Access to the rail network is via Banbury train station which requires both walk and bus journeys.

This poor level of accessibility by non-car modes is reliant on the footway linking the development site to Horn Hill Road, the feasibility of which is unproven.

Section 4 of the TS presents a traffic impact analysis. Trip generation from the site is estimated using the TRICS database. The trip rates derived and the resultant trip generation estimates are acceptable. However, this section does not attempt to quantify existing traffic movements on the road network surrounding the site. It is not therefore possible to definitively assess the traffic impact of the development proposals. **Reason for objection.**

Section 5 of the TS presents an accident analysis. The data used has been taken from the Crashmap website which does not represent the most up to date personal injury accident (PIA) data available. The latest PIA data can be obtained from Oxfordshire County Council. The time period over which PIA data has been examined is unclear as paragraph 5.1.1 states "*the five year period 2014 to 2016*". No details of the PIAs presented in this section are presented. For these reasons the accident analysis is deficient. **Reason for objection.**

Travel Plans

A Travel Plan Statement will be required and should be prepared using the template contained in Oxfordshire County Councils travel plan guidance. This can be submitted in discharge of a condition.

A Travel Information Pack will also be required to be supplied to the first residents of each dwelling. This can be submitted in discharge of a condition.

Road Agreements

The following issues are relevant. Most of these can be addressed at the Section 278 agreement stage, unless otherwise stated here, but it is important that the applicant is aware of them at planning stage.

- Highway boundary is like to be the roadside edge of any ditch, but this must be checked accurately with OCC Highway Records.
- There may be a highway tree to fell for the vision splay to be provided so the applicant will need to check with OCC tree team if this was the case. **Reason for objection.**
- Vision splays to be shown to DMRB at this location, not MfS, and need to be for de-restricted at design stage as a Traffic Regulation Order is not guaranteed. The County will allow an "X" distance of 2.4m because of minimal traffic. **Reason for objection.**
- Street lighting design will be required for the 30mph limit extension.

- A speed survey would be needed on the A4260 as it is possible that the 85th percentile speed would exceed the 40mph speed limit. The survey results might lead to re-positioning of proposed pedestrian crossing to achieve required visibility.
- The County will require a swept path analysis for an 11.6m in length refuse vehicle for all manoeuvres in forward gear.
- Visibility Splays must be dedicated to the County if they fall out of the existing highway boundary.
- If the plan is to use existing highway drainage then this must be surveyed for capacity and soundness first
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit

Drainage

The County has no objection in principle to the drainage proposals. However, the Applicant proposes as a preferred option to use SuDS infiltration to ground as a means of disposal of surface water at the site in accordance with the SuDS hierarchy of disposal, but this option is unproven through soakage testing as a workable solution. The applicant will need to prove the viability of the infiltration preferred option by carrying out infiltration testing at the site to standard BRE 365. It appears that the alternative option to discharge to the off-site watercourse would involve transiting third party land. The applicant would therefore be required to confirm the offsite surface water arrangements and right to cross third party land and consents. This issue is considered to be too critical to be left to be dealt with by a condition of planning permission. **Reason for objection.**

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)

£60,000 Public Transport Service Contribution indexed from 2018 Q1 using RPI-x

Towards: Enhancement of public transport services serving the site. Pump priming of bus services on the A4260.

Justification: Local Transport Plan 4, Policy 34. Oxfordshire County Council will require the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will:

- identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development.

Calculation: £1000 per dwelling is sought from developments served by the bus routes on the A4260 on a fair and equitable basis.

£10,000 Public Transport Infrastructure Contribution indexed from 2018 Q1 using Baxter Index

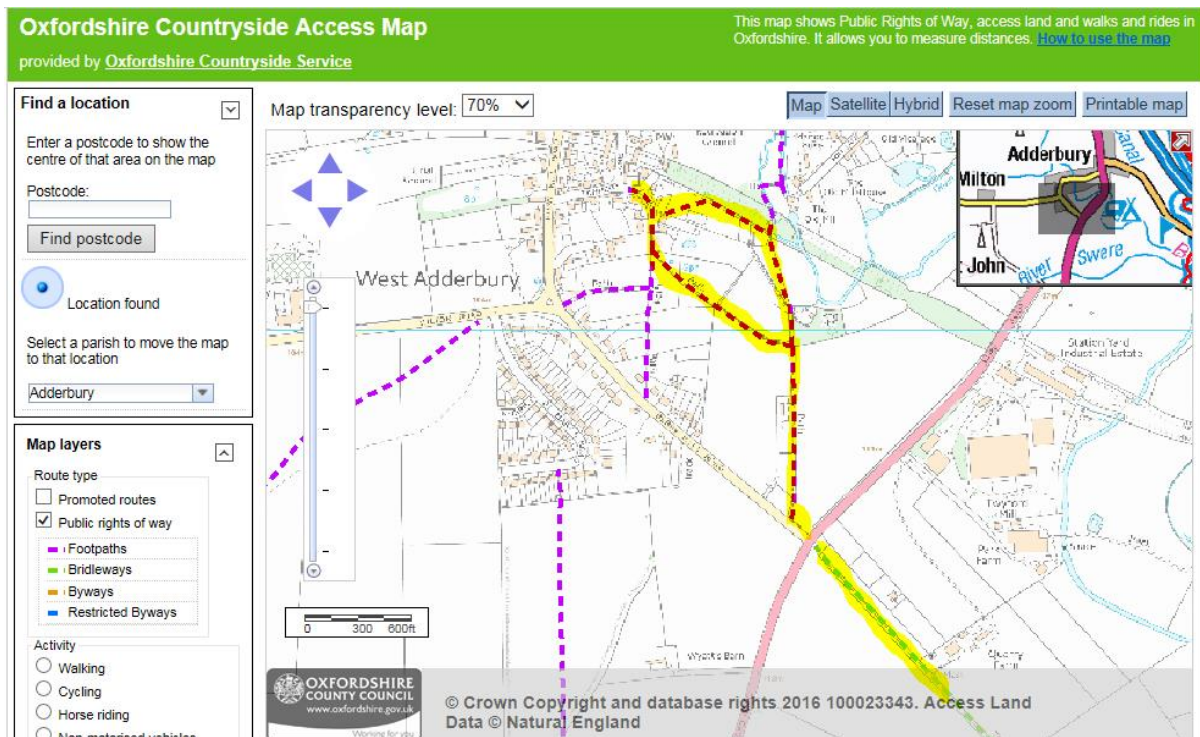
Towards: Provision of two sets of two bus stop pole and premium route standard flags, and a bus shelter (£4,000 will be transferred to the Adderbury Parish Council as a commuted sum for maintenance of the shelter).

Justification: Provision of bus stops within 400m walking distance of the development site.

Calculation: Each bus stop pole and premium route standard flags, and a bus shelter is £3000 plus £2000 commuted sum for maintenance, for two bus stops totals £10,000.

£20,000 Public Rights of Way Contribution indexed from Q1 2018 using Baxter Index

Towards: Access mitigation measures on the footpaths to east and north of the site (Footpaths 13, 6, 5 and 24 and Bridleway 9). This would fund surface improvement, signing and furniture along the routes.



Justification

a) *necessary to make the proposed development acceptable in planning terms.* There is expected to be an increase in numbers of residents and their visitors using the rights of way network in the vicinity of the site due to the proximity of the

development. OCC Countryside Access is seeking a contribution to mitigate the impact of this increase in numbers of residents and their visitors accessing the network along these routes.

b) directly related to the development.

The site has had a desk assessment to both assess the current situation and look at how public use could be protected and enhanced. With the development site at the centre, the logical and realistic public rights of way network likely to be affected is considered.

c) fairly and reasonably related in scale and kind to the development.

The proposed measures are based on the desk assessment of likely costs for the measures. The proposed off-site measures are in the form of a reasonable financial contribution to allow the Countryside Access Team to plan and deliver improvements with third party landowners in a reasonable time period and under the Rights of Way Management Plan aims.

The contribution would be spent on improvements to the public rights of way in the vicinity of the development. Primarily this is to improve the surfaces of all routes to take account of the likely increase in use by residents of the development as well as new or replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signing etc.

Calculation

The proposed measures are based on the desk assessment of likely costs for the measures. They are not based on a standard formula or any other kind of per-dwelling or per-m² tariff system. Estimated contribution breakdown by activity:

- site surveys & assessments 5%
- habitat survey & mitigation 5%
- landowner negotiations 5%
- Materials, contractor, plant & equipment 60%
- Legal processes e.g. temporary works closures, agreement payments 5-10%
- Contract preparation & supervision 5%
- Admin costs 5%
- Contingency/Follow-up repair works 5-10%

S278 Highway Works

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- A pair of bus stops (hardstanding's) to be provided near to the proposed site entrance / exit on Berry Hill Road to be served by the S4 bus service.
- Provision of the site access, pedestrian footways, and pedestrian crossing as detailed in drawing No.1899-F01.

Notes

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

Planning Conditions

In the event that permission is granted, the following transport related planning conditions should be attached.

D4 Access

D7 Vision Splay Protection

Prior to first occupation of the development a Travel plan statement shall be submitted to the Local Planning Authority for approval.

Prior to first occupation a Travel Information Pack shall be submitted to Local Planning Authority for approval. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include the following items.

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

Informatives

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.

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

Officer's Name: Chris Nichols

Officer's Title: Transport Development Control

Date: 15 January 2018

Application no: 17/02394/OUT

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

Education Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the tables below and justified in this Schedule.

Contribution	Amount £	Price base	Index	Towards (details)
Nursery and Primary	504,813	3Q 16	PUBSEC	Expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School
Secondary (including sixth form)	£249,412	3Q 16	PUBSEC	Expanding secondary provision at The Warriner School
Total	£754,225			

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):

£504,813 Nursery and Primary School Contribution indexed from 3Q2016 using the PUBSEC Index

Towards:

The expansion of nursery and primary school provision at Christopher Rawlins CE (VA) Primary School, Adderbury.

Justification:

Expansion of primary school capacity in the Adderbury/Deddington area is necessary as a direct result of planned local housing development.

Christopher Rawlins CE (VA) Primary School in Adderbury was previously a 1 form entry school, providing 210 primary places (30 places per year) plus a nursery. As of September 2017 the school had 208 primary pupils on roll, and would therefore have been effectively full. Pupil numbers at the school are forecast to increase.

Due to planned and permitted housing development in the area, the school is expanding to 1.5 form entry, and will now be able to provide 45 places per year, 315 primary pupils in total. In Adderbury, nursery education is provided through Christopher Rawlins CE Primary School's nursery class. The school's expansion will also facilitate the expansion of the nursery places provided from 40 part-time

equivalent to 52 part-time equivalent (i.e. 12 more part-time equivalent places or 6 more full-time equivalent places.)

This expansion meets the need of already permitted development and also enables the expected pupil generation from this proposed development to be accommodated, and is therefore necessary to make this proposed development acceptable. It is directly related to the proposed development, and a contribution towards the capital cost of the expansion is sought in proportion to the development's expected pupil generation, and based on the tender costs estimate per pupil of expanding the school.

Without this additional accommodation, Oxfordshire County Council would not be able to meet its statutory school and pre-school sufficiency duty in this area, including meeting the needs generated by the proposed development.

The necessary additional accommodation is being completed during 2017/18, and Section 106 developer contributions towards the expansion of Christopher Rawlins CE Primary School are required.

Calculation:

Number of primary and nursery pupils expected to be generated	22.92
Estimated cost per pupil of expanding a primary school, based on Department for Education (DfE) advice weighted for Oxfordshire	22,025
$22.92 * 22,025$	504, 813

£271,204 Secondary School Contribution indexed from 3Q2016 using PUBSEC Index (adjusted in the summary to 3Q16 to match the primary school base)

Towards:

The expansion of secondary school provision at The Warriner School, Bloxham.

Justification:

Expansion of secondary school capacity in the area is necessary as a direct result of housing development. This area feeds to the Warriner School, which currently has a capacity of 1300 places, and as of September 2017 had 1323 pupils on roll. Pupil numbers at the school are forecast to increase.

Paragraph 72 of the NPPF makes clear that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to expand schools to maintain, or widen choice in education. Without expansion of the Warriner School, housing development would adversely impact on the operation of parental preference and result in a loss of amenity to young people already living in the area, who would be less likely to secure a place at their first preference school as a direct result. As such it would go against the intention of

NPPF para 72 by reducing the choice of school places available to meet the needs of existing and new communities.

If the Warriner School is not expanded, children who would otherwise have attended the school would be displaced to other schools in nearby Banbury. Some of these schools currently have spare places, but these places will be filled as a result of the population growth which is already evident in the local primary schools. Secondary school capacity in Banbury will also need to be expanded as these higher pupil numbers feed through, and therefore should the schools also be required to accommodate growth as a result of housing development in this area, the scale of expansion would be greater as a consequence.

Expansion of secondary school capacity at both the Warriner School and at schools in Banbury is therefore necessary to ensure the needs of the current and future populations can be met, and to ensure the council can meet its statutory duty to ensure sufficient school places. Contributions are sought towards the expansion of the Warriner School, where a capital project is underway.

Calculation (3Q15):

Number of secondary pupils expected to be generated	11.18
Estimated cost per pupil of expanding a secondary school, based on Department for Education (DfE) advice weighted for Oxfordshire	19,194
11.18 * 19,194	214,589

+

Number of sixth form pupils expected to be generated	1.70
Estimated cost per pupil of expanding sixth form education, based on Department for Education (DfE) advice weighted for Oxfordshire	20,484
1.70 * 20,484	34,823

CIL Regulation 123

OCC considers that the following education contributions meet the tests required by Regulation 122 (2) of the CIL Regulations but they are not sought due to Regulation 123.

Contribution	Amount £	Price base	Towards (details)
SEN school capacity	12,969	2Q 15	The expansion of SEN provision at Frank Wise School

Officer's Name: Sarah Greenall

Officer's Title: School Planning Support Officer

Date: 22/12/2017

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: 17/02394/OUT-2

Location: East Of Last House Adjoining And North Of Berry Hill Road, Adderbury

Proposal: Outline planning permission for up to 53 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Response date: 11th April 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Assessment Criteria Proposal overview and mix /population generation

OCC's response is based on a development as set out in the table below. The development is taken from the application form

Residential	
1-bed dwellings	7
2-bed dwellings	13
3-bed dwellings	23
4-bed & larger dwellings	10

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	138.85
Primary pupils	16.28
Secondary pupils	9.96
Sixth Form pupils	1.52
SEN pupils	0.33
Nursery children (number of 2 and 3 year olds entitled to funded places)	4.11

20 - 64 year olds	95.84
65+ year olds	10.32
0 - 4 year olds	14.67

Application no: 17/02394/OUT-2

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Strategic Comments

There are no strategic comments for this site, but a number of transport issues that result in an objection.

Officer's Name: Jacqui Cox

Officer's Title: Cherwell Locality Lead (interim)

Date: 11th April 2018

Application no: 17/02394/OUT-2

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £5,000**
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

Application no: 17/02394/OUT-2

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Transport Schedule

Recommendation

Objection for the following reasons

- Feasibility of the footway link between the development site and the existing pedestrian network is not demonstrated.
- Further examination of personal injury accident data is required.
- Turning count data needs to be checked and verified
- Visibility splay amendments are required and consistent plans submitted
- Further drainage information is required.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed in the County's response to Cherwell District Council of 16 January 2018.

The additional information supplied for this planning application includes a document entitled "Response to Highway Comments – February 2018". This document provides a direct response to the County's comments of 16 January 2018, and is referred to here where relevant.

Comments here refer to the reasons for objection set out in the County's response to Cherwell District Council of 16 January 2018. These are addressed in the order that they are presented in the County's previous response. All other comments in the County's response to Cherwell District Council of 16 January 2018 remain valid unless modified here.

S106 Contributions

As set out in the County's response to Cherwell District Council of 16 January 2018. The document "Response to Highway Comments – February 2018" accepts these contributions.

Key points

- Feasibility of the footway link between the development site and the existing pedestrian network is not demonstrated.
- Further examination of personal injury accident data is required.
- Visibility splay amendments are required.
- Further drainage information is required.

Comments

Transport Strategy

The document “Response to Highway Comments – February 2018” presents a personal injury accident (PIA) analysis using data obtained from the County. The analysis identifies three personal injury accidents at the junction of Berry Hill Road and the A4260 Oxford Road, and notes that *“Three personal injury accidents at this junction over a near 6 year period would not constitute a particular safety issue given the levels of traffic that travel through this junction, especially on Oxford Road.”*

However, the analysis fails to acknowledge the potential significance of the fact that all three PIAs involved the same right turning movement from Berry Hill Road onto the A4260 Oxford Road. Further insight is required, especially in connection with the proposed pedestrian facility at this junction. **Reason for objection.**

The surveyed flows at the junction of Berry Hill Road and the A4260 Oxford Road (Response to Highway Comments February 2018, Figures) appear considerably lower than automatic link counts taken just north of the junction in October 2017. It is hard to compare like for like as the text says Figures 1 and 2 have been converted into Passenger Car Units (pcus), however, given the mix of vehicles at this locality this conversion would be expected to increase the figures not decrease them. The text says that these are 5-day average counts, but they seem to be closer to the 7-day average counts. This certainly needs closer examination and confirmation.

Reason for objection.

Transport Development Control

The document “Response to Highway Comments – February 2018” explains that the green area to the north of the proposed development is intended as public open space and will not be the subject of further residential development. This is accepted.

The document “Response to Highway Comments – February 2018” points out that **Drawing No.1899-F01 Revision A** shows the extent of highway land on Berry Hill Road and notes *“The plan clearly shows that the new footway can be accommodated within the extent of adopted highway.”* However, the extent of highway land shown on drawing No.1899-F01 Revision A does not reach as far as the intended tie in with the existing footway on Horn Hill Road. Furthermore, revised **Drawing No.1899-F01 Revision B** still notes *“Adopted highway to be confirmed”* to the north of the extent of highway land shown. This still suggests that the feasibility of a footway linking the development site with the existing footway on Horn Hill Road is not established. This footway is regarded as an essential provision for a development site with relatively poor sustainability credentials and its deliverability must be established. **Reason for objection.**

The document “Response to Highway Comments – February 2018” presents a detailed traffic impact analysis of the development generated traffic at the junction of Berry Hill Road and the A4260 Oxford Road. The analysis demonstrates that the development generated traffic flows will not have a significant adverse impact on the highway network. This needs to be double checked once the traffic flow data has been confirmed.

The document “Response to Highway Comments – February 2018” presents a personal injury accident (PIA) analysis using data obtained from the County. The analysis identifies three personal injury accidents at the junction of Berry Hill Road and the A4260 Oxford Road, and notes that *“Three personal injury accidents at this junction over a near 6 year period would not constitute a particular safety issue given the levels of traffic that travel through this junction, especially on Oxford Road.”* However, the analysis fails to acknowledge the potential significance of the fact that all three PIAs involved the same right turning movement from Berry Hill Road onto the A4260 Oxford Road. Further insight is required, especially in connection with the proposed pedestrian facility at this junction. **Reason for objection.**

Road Agreements

- The developer needs to check the highway boundary. It is almost certainly the roadside edge of the ditch but this can vary locally. If the highway boundary is the roadside edge of the ditch then a 2.0m footway may be difficult to achieve, and the ditch may need piping or the footway/road retaining in some way.
- The drawing in the TA showing the visibility splays is not same plan as the separately submitted access plan. **Reason for objection.**
- The highway tree just to the north west of the proposed access might be in visibility splay or even in the construction so this requires checking with the tree team if it is acceptable to remove. **Reason for objection.**
- The County has requested visibility splays to be compliant with the Design Manual for Roads and Bridges (DMRB) rather than the Manual for Streets (MfS). The document “Response to Highway Comments – February 2018” states that *“These are shown on the Site Access plan on **Drawing Number 1899-F01 Revision A** and are shown to be achievable on land within the site or on adopted highway.”* However, both **Drawing Nos.1899-F01 Revision A and Revision B** both still show MfS compliant visibility splays only. DMRB visibility compliant visibility splays are required. **Reason for objection.**
- Pedestrian refuge is acceptable in principle at the proposed location with the given design speeds of circa 47mph. However, it will need to be a minimum 1.8m wide and will need to be lit by two street lights, with one at either side. The County’s street lighting team will need to also be consulted as to whether they would wish the approximately 300m gap between the crossing and the nearest Adderbury street light to be filled in.

Drainage

The additional information submitted with this application does not address the comments raised previously by the County. **Reason for objection.**

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)

As set out in the County’s response to Cherwell District Council of 16 January 2018. The document “Response to Highway Comments – February 2018” accepts these contributions.

S278 Highway Works

As set out in the County's response to Cherwell District Council of 16 January 2018.

Planning Conditions

As set out in the County's response to Cherwell District Council of 16 January 2018.

Informatives

As set out in the County's response to Cherwell District Council of 16 January 2018.

Officer's Name	:	Chris Nichols
Officer's Title	:	Transport Development Control
Date	:	20 March 2018

Application no: 17/02394/OUT-2

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Education Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the tables below and justified in this Schedule.

Contribution	Amount £	Price base	Index	Towards (details)
Nursery and Primary	£449,090	1Q 16	PUBSEC	Expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School
Secondary (including sixth form)	£221,893	4Q 14	PUBSEC	Expanding secondary provision at The Warriner School
Total	£670,983			

£449,090 Nursery and Primary School Contribution indexed from 1Q2016 using the PUBSEC Index and based on the project costs for Christopher Rawlins CE Primary School Expansion.

Towards:

The expansion of nursery and primary school provision at Christopher Rawlins CE (VA) Primary School, Adderbury.

Justification:

Expansion of primary school capacity in the Adderbury/Deddington area is necessary as a direct result of planned local housing development.

Christopher Rawlins CE (VA) Primary School in Adderbury was previously a 1 form entry school, providing 210 primary places (30 places per year) plus a nursery. As of September 2017, the school had 208 primary pupils on roll, and would therefore have been effectively full. Pupil numbers at the school are forecast to increase.

Due to planned and permitted housing development in the area, the school is expanding to 1.5 form entry, and will now be able to provide 45 places per year, 315 primary pupils in total. In Adderbury, nursery education is provided through Christopher Rawlins CE Primary School's nursery class. The school's expansion will also facilitate the expansion of the nursery places provided from 40 part-time equivalent to 52 part-time equivalent (i.e. 12 more part-time equivalent places or 6 more full-time equivalent places.)

This expansion meets the need of already permitted development and also enables the expected pupil generation from this proposed development to be accommodated, and is therefore necessary to make this proposed development acceptable. It is directly related to the proposed development, and a contribution towards the capital cost of the expansion is sought in proportion to the development's expected pupil generation, and based on the tender costs estimate per pupil of expanding the school.

Without this additional accommodation, Oxfordshire County Council would not be able to meet its statutory school and pre-school sufficiency duty in this area, including meeting the needs generated by the proposed development.

The necessary additional accommodation is being completed during 2017/18, and Section 106 developer contributions towards the expansion of Christopher Rawlins CE Primary School are required.

Calculation:

Number of primary and nursery pupils expected to be generated	20.39
Estimated cost per pupil based on the project costs for Christopher Rawlins CE Primary School expansion.	£22,025
20.39 * £22,025	£449, 090

£221,893 Secondary School Contribution indexed from 4Q2014 using PUBSEC Index.

Towards:

The expansion of secondary school provision at The Warriner School, Bloxham.

Justification:

Expansion of secondary school capacity in the area is necessary as a direct result of housing development. This area feeds to the Warriner School, which currently has a capacity of 1300 places, and as of September 2017 had 1323 pupils on roll. Pupil numbers at the school are forecast to increase.

Paragraph 72 of the NPPF makes clear that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to expand schools to maintain, or widen choice in education. Without expansion of the Warriner School, housing development would adversely impact on the operation of parental preference and result in a loss of amenity to young people already living in the area, who would be less likely to secure a place at their first preference school as a direct result. As such it would go against the intention of NPPF para 72 by reducing the choice of school places available to meet the needs of existing and new communities.

If the Warriner School is not expanded, children who would otherwise have attended the school would be displaced to other schools in nearby Banbury. Some of these schools currently have spare places, but these places will be filled as a result of the population growth which is already evident in the local primary schools. Secondary school capacity in Banbury will also need to be expanded as these higher pupil numbers feed through, and therefore should the schools also be required to accommodate growth as a result of housing development in this area, the scale of expansion would be greater as a consequence.

Expansion of secondary school capacity at both the Warriner School and at schools in Banbury is therefore necessary to ensure the needs of the current and future populations can be met, and to ensure the council can meet its statutory duty to ensure sufficient school places. Contributions are sought towards the expansion of the Warriner School, where a capital project is underway.

Calculation (4Q14):

Number of secondary pupils expected to be generated	9.96
Estimated cost per pupil of expanding a secondary school, based on Department for Education (DfE) advice weighted for Oxfordshire	£19,158
9.96 * £19,158	£190,814

+

Number of sixth form pupils expected to be generated	1.52
Estimated cost per pupil of expanding sixth form education, based on Department for Education (DfE) advice weighted for Oxfordshire	£20,447
1.52 * £20,447	£31,079

=

Secondary contribution + sixth form contribution	Total
£31,079 + £190,814	£221,893

CIL Regulation 123

OCC considers that the following education contributions meet the tests required by Regulation 122 (2) of the CIL Regulations but they are not sought due to Regulation 123.

Contribution	Amount £	Price base	Towards (details)
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SEN school capacity	31,079	4Q 14	The expansion of SEN provision at Frank Wise School
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Officer's Name: Lucy Mills

Officer's Title: School Organisation Officer

Date: 15th March 2018

OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: 17/02394/OUT-3

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Proposal: Outline planning permission for up to 53 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Response date: 10th May 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

This transport response should be read in conjunction with OCC's previous responses to this application dated 16 January 2018 and 11th April 2018. There remains a drainage objection on the basis that further information is required.

Officer's Name: David Flavin

Officer's Title: Senior Planning Officer

Date: 10th May 2018

Application no: 17/02394/OUT-3

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Transport Schedule

This transport response relates to the submission of additional information and should be read in conjunction with OCC's previous responses to this application dated 16 January 2018 and 11th April 2018. All comments in the OCC's previous responses remain valid unless modified here.

Recommendation

Objection for the following reasons

- Further drainage information is required.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed in the County's responses to Cherwell District Council of 16 January 2018 and 11 April 2018. The S106 contributions required are as set out in the County's response to Cherwell District Council of 16 January 2018. The document submitted by the applicant entitled "Response to Highway Comments – February 2018" accepts these contributions.

Additional Information Submitted by the Applicant

Since the County's response of 11 April 2018 further additional information has been supplied for this planning application in the form of a document entitled "Further Response to Highway Comments – April 2018". This document addresses a number of highway objections that were raised in in OCC's response of 11 April 2018 as detailed below. All other comments in the County's response to Cherwell District Council of 11 April 2018 remain valid unless modified here.

Transport Strategy

The document "Further Response to Highway Comments – April 2018" presents further insight into the personal injury accident (PIA) analysis presented in the document "Response to Highway Comments – February 2018". This is accepted.

Transport Development Control

The document "Further Response to Highway Comments – April 2018" is accompanied by **Drawing No.1899-F01 Revision C** which shows the extent of highway land on Berry Hill Road. This demonstrates that there is sufficient highway land on Berry Hill Road to provide the footway link between the proposed site access and the existing footway network on Horn Hill Road. This is accepted.

The document "Further Response to Highway Comments – April 2018" presents further insight into the personal injury accident (PIA) analysis presented in the document "Response to Highway Comments – February 2018". This is accepted.

Road Agreements

- The document "Further Response to Highway Comments – April 2018" is accompanied by **Drawing No.1899-F01 Revision C** which shows the extent of highway land on Berry Hill Road. This demonstrates that there is sufficient highway land on Berry Hill Road to provide the footway link between the proposed site access and the existing footway network on Horn Hill Road. This is accepted.
- **Drawing No.1899-F01 Revision C** demonstrates that adequate visibility splays can be provided without being interrupted by trees. This is accepted.
- **Drawing No.1899-F01 Revision C** shows DMRB compliant visibility splays. This is accepted.
- The document "Further Response to Highway Comments – April 2018" provides adequate explanation of the dimensions of the proposed pedestrian refuge in consideration of its relation to running lanes on the A4260 Oxford Road. This is accepted.

Drainage

The additional information submitted with this application does not address the comments raised previously by the County. **Reason for objection.**

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)

As set out in the County's response to Cherwell District Council of 16 January 2018. The document "Response to Highway Comments – February 2018" accepts these contributions.

S278 Highway Works

As set out in the County's response to Cherwell District Council of 16 January 2018.

Planning Conditions

As set out in the County's response to Cherwell District Council of 16 January 2018.

Informatives

As set out in the County's response to Cherwell District Council of 16 January 2018.

Officer's Name	:	Chris Nichols
Officer's Title	:	Transport Development Control
Date	:	10 May 2018

From: Flavin, David - E&E [<mailto:David.Flavin@Oxfordshire.gov.uk>]

Sent: 22 May 2018 16:44

To: Caroline Ford

Cc: Nichols, Chris - E&E; Planning Consultations - E&E; Cllr Arash Ali Fatemian; White, Joy - E&E; JacquiCox (OCC); Planning

Subject: Berry Hill Road, Adderbury 17/02394/OUT

Dear Caroline,

Please find attached a transport update to OCC's consultation response to Berry Hill Road, Adderbury (ref 17/02394/OUT). This should be read in conjunction with OCC's previous responses to this application. This update removes OCC's objection relating to traffic survey data. There remains a drainage objection on the basis that further information is required.

Kind regards,
David

David Flavin
Senior Planning Officer (Cherwell Locality)

Infrastructure Innovation and Development
Communities
Oxfordshire County Council
County Hall, New Road, Oxford OX1 1ND
david.flavin@oxfordshire.gov.uk

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OXFORDSHIRE COUNTY COUNCIL'S UPDATED RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: 17/02394/OUT-4

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Proposal: Outline planning permission for up to 53 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Response date: 22nd May 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Summary

This transport update should be read in conjunction with OCC's previous responses to this application dated 16 January 2018, 11th April 2018 and 10th May 2018 (comments in the OCC's previous responses remain valid unless modified below). This update removes OCC's objection relating to traffic survey data. **There remains a drainage objection on the basis that further information is required.**

Officer's Name: David Flavin

Officer's Title: Senior Planning Officer

Date: 22nd May 2018

Application no: 17/02394/OUT-3

Location: East of Last House Adjoining and North of Berry Hill Road, Adderbury

Transport Update

This transport update should be read in conjunction with OCC's previous responses to this application dated 16 January 2018, 11th April 2018 and 10th May 2018 (comments in the OCC's previous responses remain valid unless modified here).

Traffic Survey Objection Removed

The surveyed flows at the junction of Berry Hill Road and the A4260 Oxford Road submitted by the applicant (Response to Highway Comments February 2018) were previously highlighted as being considerably lower than OCC automatic link counts taken just north of the junction in October 2017. The automatic traffic count (ATC) conducted by OCC at a point on the A4260 Oxford Road shows higher traffic flows on the A4260 Oxford Road than the manual classified count at the junction of the A4260 / Berry Hill Road which was presented in the document "Response to Highway Comments – February 2018". It is accepted that this could be due to a number of factors including the different survey locations, time of year, and weather conditions. Upon further analysis it is likely that the junction of Berry Hill Road / A4260 would remain within capacity even if the higher count were used in the capacity calculation. For this reasons the difference between the two traffic counts is not considered significant. *Objection Removed*

Outstanding Drainage Objection

No additional information has been submitted to address OCC's drainage objection detailed in our response dated 16th January 2018 – please see extract below for ease of reference:

Outstanding drainage objection raised in OCC's response of 16th January 2018:

Drainage

*The County has no objection in principle to the drainage proposals. However, the Applicant proposes as a preferred option to use SuDS infiltration to ground as a means of disposal of surface water at the site in accordance with the SuDS hierarchy of disposal, but this option is unproven through soakage testing as a workable solution. The applicant will need to prove the viability of the infiltration preferred option by carrying out infiltration testing at the site to standard BRE 365. It appears that the alternative option to discharge to the off-site watercourse would involve transiting third party land. The applicant would therefore be required to confirm the offsite surface water arrangements and right to cross third party land and consents. This issue is considered to be too critical to be left to be dealt with by a condition of planning permission. **Reason for objection.***

Planning Conditions, S106 Obligations and S278 Requirements

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed in the County's responses to Cherwell District Council of 16 January 2018. The document submitted by the applicant entitled "Response to Highway Comments – February 2018" accepts these contributions.

Officer's Name : Chris Nichols
Officer's Title : Transport Development Control
Date : 22 May 2018

From: Caroline Ford
Sent: 31 January 2018 11:23
To: Caroline Clapson; 'Campbell Fergus (5QE) Clinical Commissioning Oxfordshire'
Cc: Planning; Councillor Andrew McHugh; Paul Seckington; Rosie Rowe
Subject: RE: OBJECTION - application 17/02394/OUT

Dear Fergus,

I am the Case Officer for the above referenced application.

The CCG were consulted on this application on the 05 December 2018 according to our records and the attached list of requested publicity shows that I requested the consultation in line with our consultation protocol. I can only apologise if you didn't receive this and we will be checking where this problem could have occurred/ that the details we have for the CCG are accurate to hopefully avoid this problem in the future.

In any event your comments on this application have not been received too late. The application has not yet been determined and I am working towards a planning committee in April therefore your request can be taken into account through the application process. I can advise however that I am currently intending to recommend the application for refusal therefore would not usually progress the S106 (but any financial requests for a S106 would be reported and if we ended up in an appeal situation, where we are negotiating a S106, then we can seek contributions on behalf of the CCG – I anticipate that if we reached that stage, we would need to discuss further with you to determine how contributions would be used so that we can be satisfied and satisfy the applicant that the request meets the requirements of the tests for a planning obligation).

I trust this is of assistance to you and please let me know if you have any further queries.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management
Place and Growth Directorate
Cherwell District Council

From: Caroline Clapson
Sent: 31 January 2018 10:57
To: 'Campbell Fergus (5QE) Clinical Commissioning Oxfordshire'
Cc: Planning; Councillor Andrew McHugh; Paul Seckington; Rosie Rowe; Caroline Ford
Subject: RE: OBJECTION - application 17/02394/OUT

Dear Fergus,

Thank you for your email.

We have just spoken and discussed the situation.

I have forwarded your email to Paul Seckington, who is CDC's Senior Manager, Development Management to alert him of the issue and to ascertain the officer is who is dealing with the application so that you can agree the best way to resolve this matter with them - he is looking into it as I type this.

I expect you will be contacted shortly by one of my Development Management colleagues, but if not, do let me know and I will chase up.

Kind regards,

Caroline

Caroline Clapson
Bicester Infrastructure Delivery Lead
Bicester Delivery Team

From: Campbell Fergus (5QE) Clinical Commissioning Oxfordshire
Sent: 31 January 2018 10:29
To: Caroline Clapson
Cc: Planning; Councillor Andrew McHugh
Subject: OBJECTION - application 17/02394/OUT

Dear Caroline,

I would be very grateful if you could assist us by registering an objection from NHS Oxfordshire Clinical Commissioning Group (OCCG) to application 17/02394/OUT | Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road. | OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury.

I note that the closing date for consultation has just passed, but CDC did not consult OCCG on this application despite it falling over our requested threshold level of 50 dwellings. Please can we discuss this problem further at our meeting scheduled for 21 February.

OCCG notes that primary medical care in the North Oxfordshire locality is mostly at capacity, and further housing growth will require additional or expanded infrastructure to be in place. **OCCG therefore object to this application pending agreement of appropriate contributions to primary care infrastructure.**

We would be seeking a developer contribution of £51,840 to support improvement of local primary care infrastructure if this development were to go ahead.

This calculation is based on OCCG's [adopted policy](#) to use a calculation of 2.4 x number of dwellings x £360 for contributions to health infrastructure.

The size of this development does not justify a new separate health centre or equivalent, so we would anticipate funds being used for enhancing existing primary care medical infrastructure to meet the needs of a growing population.

We would wish to engage in detailed discussion about the developer contributions for this development.

Best wishes,

Fergus

Fergus Campbell | Locality Co-ordinator – North & West | Oxfordshire Clinical Commissioning Group

Jubilee House 5510 John Smith Drive Oxford Business Park South Oxford OX4 2LH

From: Campbell Fergus (5QE) Clinical Commissioning Oxfordshire
Sent: 07 March 2018 12:16
To: Planning
Subject: OBJECTION: 17/02394/OUT (revised) FAO Caroline Ford

Dear Caroline,

Thank you for consulting us on the revised application 17/02394/OUT (Outline planning permission for up to 53 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road, Adderbury).

We note the reduction in proposed dwellings to “up to 53” from 60. Our comments submitted previously still stand, but with a revision in the contribution requested to reflect the reduced number of homes. I have set out our response below.

OCCG notes that primary medical care in the North Oxfordshire locality is mostly at capacity, and further housing growth will require additional or expanded infrastructure to be in place. **OCCG therefore object to this application pending agreement of appropriate contributions to primary care infrastructure.**

We would be seeking a developer contribution of £45,792 to support improvement of local primary care infrastructure if this development were to go ahead.

This calculation is based on OCCG’s [adopted policy](#) to use a calculation of 2.4 x number of dwellings x £360 for contributions to health infrastructure.

The size of this development does not justify a new separate health centre or equivalent, so we would anticipate funds being used for enhancing existing primary care medical infrastructure to meet the needs of a growing population.

We would wish to engage in detailed discussion about the developer contributions for this development.

Best wishes,

Fergus

Fergus Campbell | Locality Co-ordinator – North & West | Oxfordshire Clinical Commissioning Group

Jubilee House 5510 John Smith Drive Oxford Business Park South Oxford OX4 2LH | **Tel: 01865 336828** | Mobile: 07798 693940

Email: fergus.campbell@oxfordshireccg.nhs.uk | Web: www.oxfordshireccg.nhs.uk

PLACE AND GROWTH INTERNAL MEMORANDUM

From: Planning Policy and Growth Strategy

To: Development Management (FAO Caroline Ford)

Our Ref: Application Response

Your Ref: 17/02394/OUT

Ask for: Lewis Bankes-Hughes

Ext: 1884

Date: 5 January 2018

APPLICATION FOR PLANNING PERMISSION PLANNING POLICY CONSULTATION RESPONSE

This response raises the key planning policy issues only.
All material planning policies and associated considerations will need to be taken into account.

Planning Application No.	17/02394/OUT
Address / Location	OS Parcel 9100 Adjoining and East of Last House Adjoining and North of Berry Hill Road, Adderbury
Proposal	Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.
Key Policies / Guidance	<p><u>Cherwell Local Plan 2011-2031 Part 1</u></p> <ul style="list-style-type: none"> • Policy BSC 3: Affordable Housing • Policy BSC 4: Housing Mix • Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision • Policy BSC 11: Local Standards of Provision – Outdoor Recreation • Policy ESD 13: Local Landscape Protection and Enhancement • Policy ESD 15: The Character of the Built and Historic Environment • Policy Villages 1: Village Categorisation • Policy Villages 2: Distributing Growth Across the Rural Areas • Policy Villages 4: Meeting the Need for Open Space, Sport and Recreation <p><u>Cherwell Local Plan 1996 (Saved Policies)</u></p> <ul style="list-style-type: none"> • Policy H18: New dwellings in the countryside • Policy C8: Sporadic development in the open countryside • Policy C18: Development proposals affecting a listed building • Policy C28: Layout, design and external appearance of new development <p><u>Other Considerations</u></p>

	<ul style="list-style-type: none"> • Adderbury Neighbourhood Plan (Submission Plan)
<p>Key Policy Observations</p>	<ul style="list-style-type: none"> • Adderbury is a Category A village, one of the more sustainable villages in the District (Policy Villages 1). • Policy Villages 2 provides for a total of 750 homes to be delivered at the Category A villages on new sites of 10 or more dwellings (in addition to the rural allowance for small site ‘windfalls’ and planning permissions as at 31 March 2014). • The proposal would assist in meeting overall Policy Villages 2 housing requirements and could contribute to the provision of affordable housing. • The 2017 AMR (December 2017) shows there are 86 dwellings, out of the 750 allocated for the rural areas, remaining to be identified. The AMR also demonstrates that the District presently has a 5.5 year housing supply for the period 2017-2022 (commencing 1 April 2017). However, this will increase to 5.7 for the period 2018 to 2023 (commencing April 2018). • For the period 2011 to 2017 there have been 144 recorded housing completions in the village. • For the period 1 April 2014 (the date from which the 750 dwelling allocation in Policy Villages 2 applies) to 31 March 2017 there were 94 recorded housing completions in Adderbury. • There is therefore no pressing need to release additional greenfield land at this time. • The consultation period for the Adderbury Neighbourhood Plan (Submission Plan) concluded on 24 November 2017 and Adderbury Parish Council is currently preparing a list of minor modifications prior to submitting the plan for examination. The application site is not allocated for development within the Neighbourhood Plan and the Neighbourhood Plan has limited weight as a material planning consideration prior to adoption. • The draft Housing and Economic Land Availability Assessment (HELAA) dated August 2017 identifies the application site as HELAA012 and concludes that this site would be unsuitable for development. • The draft HELAA states (Appendix 4, page 4), "<i>The site adjoins the built-up limits of the village however the site is remote from the services and facilities. The site is considered to be unsuitable and there is a low density and linear development form on the northern side of the road at this gateway to the village. More intensive development in this location would be detrimental to the character of the village and represent a significant intrusion into the countryside (harming its character and appearance). Development would harm the setting of the church. The topography of the north western part of the site also makes development challenging.</i>" • Although the application site is not located within the designated Adderbury Conservation Area, Adderbury is an historic village and development is required by Policy ESD 15 to complement and enhance the character of its context through sensitive siting, layout and high quality design and to respect traditional patterns of development. It also requires development to conserve, sustain and enhance heritage assets. The advice of the Design and Conservation team should therefore be sought. • In conclusion, Adderbury is a sustainable village and Policy Villages 2 does make provision for some development to take place in such settlements. However, the draft HELAA suggests

	<p>that this is an unsuitable site for development. The merits of providing additional housing (including affordable homes) need to be considered alongside issues such as the loss of open countryside, the impact on the existing settlement pattern and the impact on heritage assets.</p>
Policy Recommendation	<ul style="list-style-type: none">• Objection

From: Michael Forester
Sent: 12 December 2017 11:27
To: DC Support; DC Support
Cc: Caroline Ford; Thomas Darlington
Subject: Leisure consultation Response 17/02394/OUT

Ref 17/02394/OUT

Off-site outdoor sports facilities:

Off-site contribution towards providing increased outdoor tennis provision within the locality of Adderbury/Banbury (as per the emerging district sports studies). Based on 60 dwellings x 2.39 x £476.75 = **£68,365.95**

Off-site contribution towards creating additional or enhancing existing indoor tennis provision within the locality of Adderbury/Banbury (as per the emerging district sports studies). Based on 60 dwellings x 2.39 x £321.49 = **£46,101.67**

Community Halls Provision:

A contribution towards helping the local community hall accommodate an increase in capacity will be based on a sum per dwelling. These are:

Unit	Contribution
1 bed	£107.14
2 bed	£154.69
3 bed	£240.80
4+ bed	£331.15

Public Art Provision:

Expected contribution **£153.45** per dwelling, an agreed public art plan, sighted on all public art commissioning or **£204.60** per dwelling and CDC will take on the development and delivery of appropriate public art intervention.

**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

From: Alex Rouse
Sent: 06 December 2017 11:51
To: Caroline Ford
Subject: RE: OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury [17/02394/OUT]

Hi Caroline,

Please find attached the statutory consult planning comments for Planning Application 17/02394/OUT.

Kind regards,

Alex

Alex Rouse BSc(Hons), HNDip(Dist), CIHCM Strategic Housing Facilitator
01295 221895

-----Original Message-----

From: Planning
Sent: 05 December 2017 09:32
To: Strategic Housing Planning Consults
Subject: OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury [17/02394/OUT]

Please see attached consultation document.

Regards
Development Management

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Planning Application Number: 17/02394/OUT

**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

Site Name: OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury

Planning Officer: Caroline Ford

Date of Comments: 05/12/2017

Comments by: Alex Rouse

Comments:

On a development of 60 units, we would expect that 21 of these are Affordable Housing. This is in line with the 35% for developments in rural villages in Cherwell, as stated in our adopted Local Plan Part 1, Policy BSC3. We would advocate the following indicative mix:

4 x 1b2pM - Affordable Rented
9 x 2b4pH - Affordable Rented
4 x 2b4pH - Shared Ownership
2 x 3b5pH – Affordable Rented
2 x 3b5pH – Shared Ownership

This represents a 70/30 split between Affordable Rented units and Shared Ownership units (as stated in our adopted Local Plan Part 1, Policy BSC3).

The affordable housing should be indistinguishable in terms of external design from the market housing and be integrated throughout the site. The affordable housing units should be located in clusters of no more than 10 units of any one affordable tenure, or 15 units of any affordable housing.

We would expect that 50% of the affordable rented units to meet the Building Regulations Requirement M4(2) Category 2: Accessible and Adaptable Dwellings requirement. Additionally, 100% of the affordable rented units are to be built to the government's Nationally Described Space Standard (Technical Housing Standards).

We also expect that the 1 bedroom properties to have a minimum of 1 parking space per unit – and the 2 bed, 3 bed and 4 bedroom properties should have a minimum of 2 parking spaces per unit.

The Registered Provider taking on the affordable housing units would need to be agreed with the council.

**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

From: Yvonne Markie
Sent: 16 March 2018 10:58
To: Planning; Caroline Ford
Subject: Planning Application Consultation - 17/02394/OUT

Good Morning

Please find attached response to the above consultation from the Strategic Housing Team..

Regards

Yvonne Markie

**Yvonne Markie BA (Hons) PgDip FCIH
Strategic Housing Officer
Cherwell and South Northamptonshire Councils
Tel: 01295 221604
Email: Yvonne.markie@cherwellandsouthnorthants.gov.uk**

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**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

Planning Application Number: 17/02394/OUT

**Site Name: OS Parcel 9100 Adjoining And East Of Last House Adjoining And
North Of Berry Hill Road Adderbury**

Planning Officer: Caroline Ford

Date of Comments: 16th March 2018

Comments by: Yvonne Markie

Comments:

This revised application has reduced the number of units to 53 we would therefore expect that the number of affordable units would be reduced proportionately.

In rural villages the requirement for affordable housing as stated in the Local Plan is 35% which equates to 18 units.

As stated previously our current policy mix is for 70% of the affordable housing to be for affordable rent with the remainder being for shared ownership. Our revised preferred mix is:-

Affordable Rent

2 x 1B2P Maisonettes
7 x 2B4P Houses
3 x 3B5P Houses

Shared Ownership

4 x 2B4P Houses
2 x 3B5P Houses

As stated previously the affordable housing should be indistinguishable in terms of external design from the market housing and be integrated throughout the site. The affordable housing units should be located in clusters of no more than 10 units.

We would expect that 50% of the affordable rented units meet the Building Regulations Requirement M4(2) Category2: Accessible and Adaptable Dwellings

**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

Requirement and that 100% of the affordable rented units are built to the Government's Nationally Described Space Standard.

We also expect that the 1 bedroom properties would have a minimum of 1 parking space per unit and the 2, 3 and 4 bedroom properties would have a minimum of 2 parking spaces per unit.

The Registered Provider taking on the affordable housing units must be agreed with the Council.

From: John Georgoulas [<mailto:john.georgoulas@thameswater.co.uk>] **On Behalf Of** Devcon Team
Sent: 17 January 2018 11:41
To: Caroline Ford
Subject: RE: 17/02394/OUT - Land adjacent to Berry Hill Road, Adderbury

Hi Caroline,

Please see the response below:

Cherwell District Council Planning & Development Services Bodicote Our DTS Ref: 56671 Your
House Bodicote, Banbury Oxon OX15 4AA Ref: 17/02394/OUT
17 January 2018

Dear Sir/Madam

Re: OS PARCEL 9100 ADJOINING AND EAST OF LAST HOUSE, ADJOINING AND NORTH OF BERRY HILL ROAD, ADDERBURY, BANBURY, OXFORDSHIRE, OX17 3HF

Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Yours faithfully

Development Planning Department

Development Planning, Thames Water, Maple Lodge STW,
Denham Way, Rickmansworth, WD3 9SQ [Tel:020 3577 9998](tel:02035779998)
Email: devcon.team@thameswater.co.uk

Regards

John

From: Caroline Ford [<mailto:Caroline.Ford@cherwellandsouthnorthants.gov.uk>]

Sent: 10 January 2018 10:02

To: Devcon Team

Subject: 17/02394/OUT - Land adjacent to Berry Hill Road, Adderbury

Hi,

A consult was sent to you on 05/12/2017 and I don't yet appear to have received a response. Please can you reply with any comments by the end of Friday 12 January 2018.

Many thanks,
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management
Cherwell District Council
Ext. 1823

Direct Dial: 01295 221823
<mailto:caroline.ford@cherwellandsouthnorthants.gov.uk>
www.cherwell.gov.uk

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Sent: 15 March 2018 16:43

To: Planning

Subject: 3rd Party Planning Application - 17/02394/OUT - AMENDED

Cherwell District Council
Planning & Development Services
Bodicote House
Bodicote, Banbury
Oxon
OX15 4AA

Our DTS Ref: 56671
Your Ref: 17/02394/OUT - AMENDED

15 March 2018

Dear Sir/Madam

Re: OS PARCEL 9100 ADJOINING AND EAST OF LAST HOUSE, ADJOINING AND NORTH OF BERRY HILL ROAD, ADDERBURY, BANBURY, OXFORDSHIRE, OX17 3HF

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,
Rickmansworth,
WD3 9SQ