



SUPPLEMENTARY INFORMATION

Planning Committee

18 December 2019

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If you need any further information about the meeting please contact Lesley Farrell, Democratic and Elections democracy@cherwellandsouthnorthants.gov.uk, 01295 221591

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

18 December 2019

WRITTEN UPDATES

Agenda Item 7

Proposed Pre-Committee Site Visits

No additional site visits proposed

Agenda Item 8

19/00616/OUT OS Parcel of 9507 South of 26 and Adj Fawcott Rd, Fritwell

Additional representations received.

Since the report was written letters of objection have been received from 4 further households. As well as raising the issues already covered in the report these raise the following additional matters:

- The existing development at Covert Farm (8 dwellings permitted in 2013) and the George and Dragon (7 dwellings permitted in 2017) and potential development at the existing village hall (no permission capable of being implemented) should all be taken into account in assessing the housing numbers outlined in the Mid-Cherwell Neighbourhood Plan (MCNP). This means the proposal would result in the provision of significantly in excess of the approximately 25 dwellings outlined in the MCNP. Only infill and brownfield development should be allowed.
- The MCNP Forum are currently undertaking an Older Peoples Housing Options Survey. Additional needs for sheltered housing/retirement housing/extra care housing are likely to be identified in Fritwell given the demographics of the population. The current application may prevent additional development to meet this need from being provided by not leaving any flexibility in the level of growth proposed in the MCNP.
- The proposal only shows a marginal net gain in biodiversity which will eventually become a net loss.
- Insufficient infrastructure in the village to this growth.

Further discussions have taken place with Anglian Water in light of the concerns of residents regarding the capacity of the sewage system. In light of this a further consultation response has been received. This has confirmed that the Wastewater Treatment (Fritwell Water Recycling Centre (FWRC)) has capacity for the additional flows. It notes that given the proximity of FWRC to this development odour emissions and noise may be detectable at neighbouring properties however their initial assessment indicates that this development lies beyond the range at which detectable noise and odour from the WRC operation would normally be anticipated. As such they conclude that the risk of a loss of amenity at the development due to operations at the WRC is low and therefore this development is considered acceptable.

In relation to the used water network Anglian Water has revised its earlier comments and now state that the proposal would lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted and will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. A full

assessment cannot be made until further details are available. Anglian Water therefore requests a condition requiring an on-site waste water drainage strategy to address this issue.

Their comments regarding surface water remain the same.

Officer comment

In relation to the number of dwellings permitted at the village, the Mid-Cherwell Neighbourhood Plan (MCNP) is clear that the plan period covers the period 2018-2031. This is stated on the front cover of the Plan and was also the basis of the Independent Examiner who examined the Plan. Policy PD1 of the MCNP is clear that it is proposed that the total indicative number of dwellings for Fritwell, of approximately 25 dwellings, will be permitted during the plan period. The exact copy of the relevant text of the policy reads:

'The total indicative number of additional dwellings permitted during the Plan Period either within the settlement areas of these villages, or adjacent to them, shall be approximately 25 for Fritwell.....'

The other permissions in the village referred to in the comments from residents were permitted prior to the plan period so do not count towards this number in the context of the policy. Whilst all the approvals prior to 2018 may not have been referenced in the MCNP it is clear from the above that the level of growth outlined in the MCNP relates solely to permissions within the plan period. Since the report was drafted planning permission has now been granted to the single dwelling outlined at paragraph 9.14 of the Committee Report (19/02162/F refers). This would take the total number of dwellings approved in the plan period to 30 if the current application were approved. On balance, for the reasons outlined in the report, officers remain of the opinion that the proposal complies with the growth strategy in the MCNP.

The additional comments also refer to a survey that has been distributed by MCNP Forum for Older Peoples Housing Options. This questionnaire is to understand the needs and demands in the Mid-Cherwell Neighbourhood Plan Area for various forms of older peoples housing. It has only recently been distributed and has not currently been completed or analysed therefore the result are unknown. It would form part of an evidence base for the creation of new planning policy or potentially to support new development under PH4 of the MCNP which relates to extra care housing. It is not considered that this would be a sustainable reason to refuse the current application as it currently holds very little weight in planning decisions. Any application for extra-care housing under Policy PH4 of the MCNP would need to be assessed on the basis of the evidence and its merits at the time of the application.

Officers note the revised comments from Anglian Water regarding the capacity of the waste water network. As the statutory undertaker Anglian Water would be required to work with the developer and undertake any off-site mitigation works which are required to provide adequate capacity in the existing infrastructure. As recommended by Anglian Water this matter can be dealt with through a planning condition requiring details and phasing of the works to ensure adequate capacity for the development. A further condition is recommended in this respect.

It has been noted that planning condition 20 should make reference to the MCNP Policy PD6.

Change to recommendation

The recommendation remains to approve the application as outlined in the report subject to the following additional and amended conditions:

Additional condition waste water condition

Prior to any construction above damp proof course, a scheme for on-site foul water drainage works, including connection points and discharge rates, shall be submitted to and approved in writing by the

Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding and to accord with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance with in the National Planning Policy Framework.

Amended condition 20

In the reason for the condition add reference to 'Policy PD6 of the Mid-Cherwell Neighbourhood Plan 2019'

Agenda Item 9

19/01736/F Alkerton House, Well Lane, Alkerton

Additional Representations

Shenington with Alkerton Parish Council **supports** the application. It comments that *the revised plans have addressed the Parish Council's concerns and comments as well as those of the planning department. The changes are considered to be a fair revision and compromise.*

One further letter of support has been received. The new issues raised are as follows:

- There has been a letter saying no-one in village supports the application. I support the application.
- Many of points against application have been fatuous and inaccurate.
- It is for Council to decide within right framework; one trusts it to do so without being swayed by the noise around it.
- Planning is emotive, but it is paramount that people have the right, within planning laws, to modify, amend or extend their own properties and personal aesthetic views or notions of those around seen for what they are – personal.

Officer Comment

At the time of writing, a total of 27 objections have been received and 4 responses in support. These are the number of comments received *in total* since the original scheme was publicised. The responses have not been split into the number of comments received in relation to each amendment as the lack of a further response does not necessarily indicate that the opinion of the scheme has altered.

The 27 objections have been received from a total of 10 households. The 4 responses in support have been received from a total of 2 households.

Change to Recommendation

There is no change to the recommendation as a result of the additional representations received.:

Agenda Item 10

19/01737/LB Alkerton House, Well Lane, Alkerton

Additional Representations

Shenington with Alkerton Parish Council **supports** the application. It comments that *the revised plans have addressed the Parish Council's concerns and comments as well as those of the planning department. The changes are considered to be a fair revision and compromise.*

Officer Comment

At the time of writing, 4 objections have been received and 2 responses in support. These are the number of comments received *in total* since the original scheme was publicised. The responses have not been split into the number of comments received in relation to each amendment as the lack of a further response does not necessarily indicate that the opinion of the scheme has altered.

The 4 objections have been received from a total of 3 households. The 2 responses in support have been received from 1 household.

Change to Recommendation

There is no change to the recommendation as a result of the additional representations received.

Agenda Item 11

19/0136/HBRID Bicester Eco Town Exemplar Site Phase 2, Charlotte Ave, Bicester

Additional information and representations received

None.

Change to recommendation

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO THE ATTACHED CONDITIONS** (AND ANY AMENDMENTS, ADDITIONS OR DELETIONS (IF THE MATTER IS COVERED BY THE S106 AGREEMENT) TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE MATTERS SET OUT AT PARAGRAPHS 9.102-9.109 OF THIS REPORT.

SCHEDULE OF CONDITIONS

CONDITIONS THAT APPLY TO THE FULL PART OF THE PROPOSAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The full development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. The requirement to implement the development within two years is to ensure that essential facilities to serve the development are provided in a timely fashion and to support the sustainability of the site.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans [insert plan nos and received date] and other details [specify] unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

APPROVED PLANS/ DOCUMENTS TO BE ADDED

Reason: To clarify the permission and for the avoidance of doubt.

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Technical Briefing Note: Ecological Summary by Aspect Ecology dated 15 October

2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework

PRE-COMMENCEMENT CONDITIONS

4. No development shall take place until full details of any required retaining structures including their position and construction detailing have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In order to safeguard the visual amenities of the area and to ensure the development is acceptably constructed in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and the National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

5. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a. The parking of vehicles of site operatives and visitors;
 - b. The routeing of HGVs to and from the site;
 - c. Loading and unloading of plant and materials;
 - d. Storage of plant and materials used in constructing the development;
 - e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f. Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g. Measures to control the emission of dust and dirt during construction;
 - h. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i. Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. No development shall take place until a detailed surface water drainage scheme for the site, in accordance with the Infrastruct CS Ltd Flood Risk Assessment and Drainage Statement October 2019 Document reference: 2346-BBH-ICS-XX-RP-C-07.001, 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 first occupied. The scheme shall also include:
 - A compliance report to demonstrate how the scheme complies with the agreed drainage strategy for the site and the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"
 - Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;

- Full infiltration testing at depth of proposed soakaway required to BRE 365;
- Groundwater monitoring
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be maintained during construction.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

7. No development shall take place until a report outlining how carbon emissions from the construction process and embodied carbon have been minimised has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the recommendations contained in the approved report.

Reason - To ensure that the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

8. No development shall take place until a Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Site Waste Management Plan shall be adhered to throughout the construction phase of the development.

Reason - To ensure no waste is sent to landfill to meet the requirements of the Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

9. No development shall take place until an updated Overheating Report to consider a predicted 2050 climate scenario has been submitted to and approved in writing by the Local Planning Authority. The report shall consider whether there is a need for additional mitigation required to ensure the development does not overheat in the 2050 climate scenario and full details of that mitigation shall be provided. The development shall be implemented in accordance with the approved details.

Reason: To deliver a development that can be mitigated to deal with predicted future climate scenarios in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 and Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

10. No development shall commence until full details of the measures that will be utilised to enable the scheme to achieve true zero carbon, which should include details of offsite measures if necessary including the timescale for their provision have been submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be implemented in accordance with the approved details.

Reason - To deliver zero carbon development in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 and Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

11. No development shall commence until full details of measures to minimise water use which could include the use of rainwater harvesting or incorporating such other agreed measures, in line with the Masterplan Water Cycle Study have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To support reduction in water use and to achieve the requirements of Planning Policy Statement 1: Eco Town. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

12. Samples of the materials to be used in the construction of the walls of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 [C18] of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Samples of the materials to be used in the covering of the roof of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 [C18] of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the building, including the brick detailing, balconies, windows and doors (and their surrounds), together with the eaves and verge treatment (which shall include a clipped eaves and verge) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the [conservation] area [and the significance of the heritage asset] in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

15. A plan detailing the proposed parking and turning provision for vehicles to be accommodated within the site (to the north and south of Charlotte Avenue) (including details of the proposed surfacing of the provision), shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The approved parking and turning facilities

shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking and turning spaces shall be retained for the parking and turning of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking [and turning/loading/unloading] and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

16. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:
 - a. details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - 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. 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,
 - d. details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.
 - e. details of the proposed construction, materials, surfacing and landscaping of Charlotte Avenue through the site including the footways alongside and the parking area to the south of Charlotte Avenue to also include any proposed street furniture

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The details approved under a., b. and c. shall be implemented by the end of the first planting season following occupation of the development, and the details approved under d. and e. shall be implemented before the first occupation (residential or commercial) of the building to the North of Charlotte Avenue and thereafter permanently maintained as such.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well-planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. Prior to the installation of any green roofs, details of the construction and planting of these roofs along with details of the maintenance programme that will ensure the long term maintenance of these roofs shall be submitted to and approved in writing by the Local Planning Authority. The green roofs shall be constructed, planted and maintained in accordance with the approved details.

Reason - To ensure the delivery of green infrastructure and biodiversity gain in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031.

18. Full details of the proposals to enhance biodiversity including the position and type of each suggested enhancement measure shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

19. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Policies SLE4, ESD1 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained in the National Planning Policy Framework.

20. Prior to the first use or occupation of the development hereby permitted, waste and recycling storage facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The waste and recycling storage facilities so provided shall thereafter be permanently retained and maintained.

Reason: In the interests of promoting sustainable waste arrangements in accordance with Policies ESD1 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained in the National Planning Policy Framework.

21. Notwithstanding the submitted Framework Travel Plan, an updated Framework Travel Plan that takes account of the transport movements associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The development shall be operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies SLE4, ESD1 and Bicester 1 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained in the National Planning Policy Framework.

22. Prior to the first occupation of the development a signage strategy for the development shall be submitted to and agreed in writing by the Local Planning Authority. All advertisements shall thereafter be proposed in accordance with the approved signage strategy.

Reason - In order to safeguard the amenities of the area and to comply with Policies C30 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

23. Prior to the first occupation of any unit requiring mechanical ventilation/ extraction, full details of the method of mechanical ventilation/ extraction including an assessment of noise and odours (and whether any odour suppression is required) and any external features shall be submitted to and approved in writing by the Local Planning Authority. The assessment of noise shall demonstrate that noise levels from any mechanical ventilation/ extraction is at least 5dB below typical background noise levels when measured 1m from any nearest residential window assessed in accordance with BS4142:2014. Thereafter and prior to the first occupation of each unit within such use, any approved mechanical ventilation/ extraction shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

24. Prior to the first occupation of the development, a noise management plan which at a minimum shall cover the points set out in Section 6. Operational Noise Management Plan in the Acoustics Strategy Report Revision 4 dated 29 November 2019 prepared by Hoare Lea and which shall include details of a noise limiter, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the terms of the agreed noise management plan.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996.

25. Within 3 months following the first occupation of the residential properties above the community centre, either a validation report shall be submitted to the Local Planning Authority showing the noise levels achieved in the residential properties are compliant with indoor ambient noise criteria of Table 4 in BS8233:2014 or if the noise levels are not meeting the target noise levels, details of proposed mitigation to ensure the target levels are met shall be submitted to and approved in writing by the Local Planning Authority. Any approved mitigation shall be provided within 3 months from the date of approval.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996

26. Prior to the installation of any external lighting, full details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall thereafter be installed in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

27. No building hereby permitted shall be occupied until electric vehicle charging infrastructure, the location of which shall be first agreed in writing by the Local Planning Authority, has been installed and made available for use. The electric vehicle charging infrastructure shall thereafter be retained and made available for use.

Reason: To comply with Policies SLE4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

28. The development shall achieve 'Secured by Design' accreditation. No dwelling shall be occupied until accreditation has been achieved and evidence of such accreditation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe form of development in accordance with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

29. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner and shall be maintained for a period of

5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

31. Deliveries shall be made and the use of the external spaces associated with the Community Building (including any changing of bins and handling of glass bottles) hereby approved shall be restricted to the following times:
07:00 hours to 21:00 hours.

Reason: To protect the amenities of nearby residents and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996

32. All non-residential buildings shall be constructed to BREEAM Very Good.

Reason - To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan.

33. The residential development shall be constructed so as to meet as a minimum the higher Building Regulation standard for water consumption limited to 110 litres per person per day.

Reason: The site is located in an area of water stress and to comply with Policies ESD3 and ESD8 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the Eco Town PPS and the National Planning Policy Framework.

34. No building hereby permitted shall be occupied until that facility has been provided with service connections capable of supporting the provision of high speed broadband from the building to the nearest broadband service connection outside the site.

Reason: To facilitate information provision to homes for energy monitoring, travel and home working in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

35. Prior to the occupation of any building hereby permitted, its shall be provided with a 'real time information' system.

Reason - To facilitate information delivery and travel information in accordance with Planning Policy Statement 1: Eco Towns.

36. The A1/A3 floorspace within the Community Hub shall not exceed an area of 67m² and shall only be used for A1/A3 uses as defined by the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments).

Reason: To ensure the scheme meets local retail needs in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.

CONDITIONS THAT APPLY TO THE OUTLINE PART OF THE PROPOSAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'the reserved matters') pursuant to the site granted in outline shall be submitted to and approved in writing by the Local Planning Authority before any development on the outline site takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Application for approval of all the reserved matters pursuant to the site granted in outline shall be made to the Local Planning Authority before the expiration of five years from the date of this permission and the development hereby permitted shall be begun either before the expiration of seven years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

3. The development shall not be carried out otherwise than in complete accordance with the approved plans [insert plan nos and received date] and other details [specify] unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

APPROVED PLANS/ DOCUMENTS TO BE ADDED

Reason: To clarify the permission and for the avoidance of doubt.

4. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Technical Briefing Note: Ecological Summary by Aspect Ecology dated 15 October 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

PRE-COMMENCEMENT CONDITIONS

5. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a. The parking of vehicles of site operatives and visitors;
 - b. The routeing of HGVs to and from the site;
 - c. Loading and unloading of plant and materials;
 - d. Storage of plant and materials used in constructing the development;
 - e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f. Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g. Measures to control the emission of dust and dirt during construction;
 - h. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i. Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. No development shall take place until a detailed surface water drainage scheme for the site, in accordance with the Infrastruct CS Ltd Flood Risk Assessment and Drainage Statement October 2019 Document reference: 2346-BBH-ICS-XX-RP-C-07.001, 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 first occupied. The scheme shall also include:
 - A compliance report to demonstrate how the scheme complies with the agreed drainage strategy for the site and the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"
 - Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
 - Full infiltration testing at depth of proposed soakaway required to BRE 365;
 - Groundwater monitoring
 - A Flood Exceedance Conveyance Plan;
 - Detailed design drainage layout drawings of the SuDS proposals including cross section details;
 - Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
 - Details of how water quality will be maintained during construction.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework. This information

is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

7. No development shall take place until a report outlining how carbon emissions from the construction process and embodied carbon have been minimised has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the recommendations contained in the approved report.

Reason - To ensure that the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

8. No development shall take place until a Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Site Waste Management Plan shall be adhered to throughout the construction phase of the development.

Reason - To ensure no waste is sent to landfill to meet the requirements of the Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

9. No development shall take place until an updated Overheating Report to consider a predicted 2050 climate scenario has been submitted to and approved in writing by the Local Planning Authority. The report shall consider whether there is a need for additional mitigation required to ensure the development does not overheat in the 2050 climate scenario and full details of that mitigation shall be provided. The development shall be implemented in accordance with the approved details.

Reason: To deliver a development that can be mitigated to deal with predicted future climate scenarios in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 and Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

10. No development shall commence until full details of the measures that will be utilised to enable the scheme to achieve true zero carbon, which should include details of offsite measures if necessary including the timescale for their provision have been submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be implemented in accordance with the approved details.

Reason - To deliver zero carbon development in accordance with Policy Bicester 1 of the Cherwell Local Plan Part 1 and Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

11. No development shall commence until full details of measures to minimise water use which could include the use of rainwater harvesting or incorporating such other agreed measures, in line with the Masterplan Water Cycle Study have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To support reduction in water use and to achieve the requirements of Planning Policy Statement 1: Eco Towns. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

12. No development shall commence until an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions indicating the protection to be provided to the trees and hedgerow to the south of the site has been 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 - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

14. All non-residential buildings shall be constructed to BREEAM Very Good.

Reason - To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan.

15. No building hereby permitted shall be occupied until that facility has been provided with service connections capable of supporting the provision of high speed broadband from the building to the nearest broadband service connection outside the site.

Reason: To facilitate information provision to homes for energy monitoring, travel and home working in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

16. Prior to the occupation of any building hereby permitted, its shall be provided with a 'real time information' system.

Reason - To facilitate information delivery and travel information in accordance with Planning Policy Statement 1: Eco Towns.

17. No more than 3000sqm of floorspace shall be provided on the mixed-use area as shown on drawing number ADP-00-XX-DR-A-0910 S2 P1 dated 03.10.2019. The floorspace shall only be used for uses falling within classes A1/A2/A3/A4/A5/B1/D1 as defined by the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments). No unit shall thereafter be amalgamated.

Reason: To ensure the scheme meets local retail needs in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.

DEVELOPMENT MONITORING

The Council has identified the development hereby approved as one that it considers appropriate to monitor during construction. We would therefore be grateful if you could let us know of your intention to start the development at least 14 days prior to the commencement of work on site. You can do this by emailing the Council on: monitoring@cherwell-dc.gov.uk and providing us with the following information: application number; application address; and the date you intend to start the development. During the monitoring period, we will be assessing the development against the approved plans, and compliance with any conditions imposed on the permission. It is in your interest to comply with this request as it will help to avoid any unnecessary, and possibly expensive, corrective works.

PLANNING NOTES

1. **Conditions** – the applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

2. **Material Samples** – please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.

3. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 3900.
4. 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.

The applicant is advised that any licence application made for the site must reflect the hours of use (internal and external) as approved by the required Noise Management Plan.

Agenda Item 12

19/01082/F 65 Bicester Rd, Kidlington

Additional information received

None.

Additional Representations received

Three further objections have been received. These have raised concerns regarding on-street parking and the impact that this would have on highway safety.

Officer comment

It is recognised that there is on-street parking in the area however the Highways Officer has not objected to the proposal and their comments are detailed in the committee report. Given this lack of objection and the sustainability of the site close to the centre of Kidlington, the development is still considered acceptable in this regard.

Change to recommendation

None

Agenda Item 13

19/01254/F DCS Group, Real Pt Lxb Rp No 2, Oceans House, North Way Banbury

No update

Agenda Item 14

19/02103/F St Thomas Moore Catholic Primary School, Oxford Road, Kidlington

No update

Agenda Item 15

19/01515/F Manor Cottages, The Square, Epwell, Banbury

No update

Agenda Item 16

19/01516/LB Manor Cottages, The Square, Epwell, Banbury

No update

Agenda Item 17

19/02443/CDC Land Adj Unit 7, Chalker Way, Banbury

No update

Agenda Item 18

19/01709/CDC Land at Bulmarsh Close, Middleton Stoney

Additional representations received.

Middleton Stoney Parish Council states that it has always been supportive of the application. Its only remaining concern relates to parking in the close which have been a longstanding problem and which does not get resolved by Sanctuary Housing. Despite the concerns the Parish Council does not object to the application.

Officer comment

These matters are covered in the report. The materials have been altered to more closely match the existing bungalows. In respect of parking the proposal is considered to make adequate provision for the proposed development. The current application can not be used to resolve pre-existing problems relating to the parking.

Change to recommendation

None

Appeals Progress Report

No update