

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House,  
Bodicote, Banbury, OX15 4AA, on 18 December 2019 at 4.00 pm

Present: Councillor James Macnamara (Chairman)  
Councillor Maurice Billington (Vice-Chairman)

Councillor Andrew Beere  
Councillor John Broad  
Councillor Phil Chapman  
Councillor Colin Clarke  
Councillor Chris Heath  
Councillor Simon Holland  
Councillor David Hughes  
Councillor Mike Kerford-Byrnes  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor George Reynolds  
Councillor Barry Richards

Substitute Members: Councillor Richard Mould (In place of Councillor Ian Corkin)  
Councillor Barry Wood (In place of Councillor Hugo Brown)  
Councillor Ian Middleton (In place of Councillor Katherine Tyson)

Also Present: Tom Plant, Oxfordshire County Council Highways for item 19/01082/F

Apologies for absence: Councillor Hugo Brown  
Councillor Ian Corkin  
Councillor Les Sibley  
Councillor Katherine Tyson

Officers: Sarah Stevens, Interim Senior Manager – Development Management  
Nat Stock, Minors Team Leader  
Matt Chadwick, Senior Planning Officer  
Caroline Ford, Principal Planning Officer  
Michael Sackey, Assistant Planning Officer  
Samantha Taylor, Principal Planning Officer  
David Mytton, Solicitor  
Lesley Farrell, Democratic and Elections Officer

## **Declarations of Interest**

### **8. OS Parcel 9507 South Of 26 and Adjoining Fewcott Road, Fritwell.**

Councillor Mike Kerford-Byrnes, Non Statutory Interest, as local ward member who had attended Fritwell Parish Council which had been consulted on the application.

### **11. Bicester Eco Town Exemplar Site Phase 2, Charlotte Avenue, Bicester.**

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

### **12. 65 Bicester Road, Kidlington, OX5 2LD.**

Councillor Ian Middleton, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application and a separate declaration as being involved in the application and would speak as a ward member but not take part in the debate or the vote.

### **13. DCS Group, Rear Pt Lxb Rp No 2, Oceans House, Noral Way, Banbury, OX16 2AA.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application and a separate declaration that he had met with the objector.

### **14. St Thomas Moore Catholic Primary School, Oxford Road Kidlington OX5 1EA.**

Councillor Ian Middleton, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application.

### **17. Land adjacent Unit 7, Chalker Way, Banbury, OX16 4XD.**

Councillor Andrew Beere, Non Statutory Interest, as a Member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor George Reynolds, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Richard Mould, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

### **18. Land at Bullmarsh Close, Middleton Stoney.**

Councillor Barry Wood, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor George Reynolds, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

Councillor Richard Mould, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

### 105 **Requests to Address the Meeting**

The Chairman advised that requests to address the meeting would be dealt with at each item.

### 106 **Minutes**

The Minutes of the meeting held on 14 November 2019 were agreed as a correct record and signed by the Chairman.

### 107 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

108 **Urgent Business**

There were no items of urgent business.

109 **Proposed Pre-Committee Site Visits (if any)**

There were no proposed pre-committee site visits.

110 **OS Parcel 9507 South Of 26 and Adjoining Fewcott Road, Fritwell**

The Committee considered application 19/00616/OUT for the erection of up to 28 dwellings and associated site access onto Fewcott Road, at OS Parcel 9507 South of 26 and adjoining Fewcott Road, Fritwell for CALA Homes (Chiltern) Limited.

Gail Barnhill, local resident, addressed the Committee in objection to the application.

Rob Linnell, agent for the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the written update and the comments of the public speakers.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/00616/OUT subject to the following conditions (and any amendment to those conditions as deemed necessary:

**CONDITIONS**

**Time Limits**

1. No development shall commence until full details of the layout (including the layout of the internal access roads and footpaths), scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted 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

2. In the case of the reserved matters, the final application for approval

shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: This permission is in outline only and is granted 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

3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five 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 (General Development Procedure) Order 2015 (as amended).

#### **Compliance with Plans**

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application form and drawing number PL.01 and drawing number J32-3847-PS-001 Rev F included in Mode Transport Planning Technical Note (dated 30.9.19)

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

#### **Finished floor levels**

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of 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.

#### **Accessible and adaptable homes**

6. As part of the reserved matters the proposal shall include the

provision of at least 2 bungalows which shall be constructed to meet the Building Regulations M4(2) standards for accessible and adaptable homes. The dwellings shall be provided on site to accord with this standard and shall be retained as such thereafter.

Reason: To provide a mix of dwellings as supported by Policy PH3 of the Mid-Cherwell Neighbourhood Plan (2019), Policy ESD15 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

#### **Land Contamination Desk Study / Site Walkover**

7. Prior to the submission of any reserved matters and prior to the commencement of development a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

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

#### **Land Contamination Intrusive Investigation**

8. If a potential risk from contamination is identified as a result of the work carried out under condition 7, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is 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.

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

#### **Land Contamination Remediation Scheme**

9. If contamination is found by undertaking the work carried out under condition 8, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is 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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

#### **Land Contamination Remediation Works**

10. If remedial works have been identified in condition 9, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is 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.

#### **Detailed Drainage Scheme**

11. As part of any reserved matters for layout and prior to the development commencing detailed designs of the proposed surface water drainage scheme including details of implementation, maintenance and management shall be submitted to and approved in writing by the local planning authority. Those details shall include:
  - a) Information about the design storm period and intensity, critical storm duration (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay, and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
  - b) Any works required off-site to ensure adequate discharge of

surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

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

d) A timetable for implementation;

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

f) A management and maintenance plan, in perpetuity, for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

No building hereby permitted shall be occupied until the sustainable drainage scheme for this site has been completed in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons: To ensure that the proposed development can be adequately drained and to manage the flood risk on or off the site resulting from the proposed development in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

#### **Full details of access**

12. Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on Fewcott Road, including position, layout and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

#### **Details of connection to footpath**

13. As part of the reserved matters for layout, full details of the proposed new connection to the public footpath adjacent to the southern boundary of the site shall be submitted and approved in writing by the local planning authority. The connection shall be provided in accordance with the approved details in accordance with a timetable to be first submitted and approved in writing by the Local Planning Authority prior to any works above slab level on any of the dwellings hereby permitted.

Reason: To integrate the development into the surrounding movement network and promote walking in accordance with Policy SLE4 of the Cherwell Local Plan (2015) and advice in the NPPF.



**Construction Traffic Management Plan**

14. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.

**Construction Environment Management Plan**

15. 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. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason – To protect the amenity of the neighbouring properties in accordance with Policy ESD15 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

**Energy Statement**

16. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

Reason - In the interests of environmental sustainability in construction in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance in the National Planning Policy Framework.

**Biodiversity enhancement**

17. Prior to the commencement of the development hereby approved including any demolition, and any works of site clearance, and as part of any reserved matters for layout and landscaping, a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, shall be submitted to and approved in writing by the Local Planning Authority. This shall also

include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason -To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

NOTE: It is advised that this condition include a Biodiversity Impact Assessment to show how a clear net gain for biodiversity will be achieved.

### **Landscape and Ecological Management Plan (LEMP)**

18. 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. This shall include details of all planting, soft landscaping and biodiversity features and management and maintenance ongoing (including funding details and timetable). Thereafter, the development shall not be carried out other than in accordance with the approved LEMP.

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 the National Planning Policy Framework.

### **Electric charging points infrastructure**

19. No development shall commence above slab level until a scheme for a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve each dwelling or a scheme showing the provision of electrical vehicle charging points for each dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the first occupation of the dwelling.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the 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.

### **Lighting strategy**

20. Prior to the installation of any external lighting a full lighting strategy to include illustration of proposed light spill 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 -To protect the amenity of the locality and habitats of importance to biodiversity conservation from any loss or damage in

accordance with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. Policy PD6 of the Mid-Cherwell Neighbourhood Plan 2019.

### **Water usage**

21. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Compliance with ecological appraisal**

22. The development hereby approved shall be carried out strictly in accordance with the recommendations outlined in sections 9.7, 9.8 and 8.9-8.11 of Extended Phase 1 Survey Report prepared by Lockhart Garratt, dated 12/11/2018.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Cycle Parking Provision**

23. No dwelling of the development hereby permitted shall be occupied until cycle parking has been provided according to a plan showing the number, location and design of cycle parking for the dwellings that has previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

### **Waste Water**

24. 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.

- (2) That 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, be secured for the following (and any amendments as deemed necessary):
- a) Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows etc) in accordance with the Policy BSC11 of the CLP (approx. 0.2ha of informal open space)
  - b) Provision of a commuted sum of £2,306.68 per dwelling to the upgrading/ provision of local play equipment in Fritwell as no play provision is being provided on site
  - c) Off-site outdoor sports facilities capital provision towards improvement of sports fields in Fritwell. Based on £2017.03 per dwelling. 28no dwellings = £56,476.84
  - d) Off-site indoor sports facilities – Towards Bicester Gymnastics Club to develop a specialist gymnastics (identified in the Councils District Sports Study) - £23,378.51
  - e) Community hall facilities - To be spent on improvements/enhancements to Fritwell Village Hall - £32,266.00
  - f) £106 per dwelling for bins
  - g) Affordable housing provision – 35% (10 units)
  - h) Contribution towards creation of additional secondary school capacity through expansion of Heyford Park School (£118,662 based on current housing mix but will change with different housing mix)
  - i) An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:
    - Construction of the site access.
    - Extension of the 30mph speed limit.
    - Construction of footway from site access to join existing footpath in village at Hodgson Close
    - Identification of areas to be provided as public highway and provision of visibility splays.
    - Village entry treatment including new vehicle activated sign, relocation of gateway feature and dragons teeth on carriageway.
  - j) Obligation to enter into a S278 agreement to provide upgrades to the public right of way to the south of the site.

111 **Alkerton House, Well Lane, Alkerton, OX15 6NL**

The Committee considered application 19/01736/F for ground and first floor extensions at Alkerton House, Well Lane, Alkerton, OX15 6NL for Mr & Mrs M Wilson.

Councillor Douglas Webb addressed the Committee as local ward member.

Charles Saunders addressed the Committee in objection to the application.

Julian Philcox, agent for the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation, the written update and the comments of the public speakers.

## **Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01736/F subject to the following conditions (and any amendments to those conditions as deemed necessary):

### CONDITIONS

#### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with 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.

#### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing No's: 16030/19/SLP1, and 16030/P01 Rev. B, 16030/P02 Rev. B, 16030/P03 Rev. B, 16030/P04 Rev. A, 16030/P05 Rev. A, 16030/P06 all received 22 November 2019

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

3. Prior to the commencement of the development hereby approved above slab level, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply 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.

4. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason - To ensure that the development is constructed and finished

in materials which are in harmony with the building materials used in the locality and to comply with Policy 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.

5. Prior to the insertion of any openings, including the stone mullion windows, hereby approved, full details at a scale of 1:20 including a cross-section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The openings shall not be installed within the building other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

6. The rooflights to be used in the development hereby permitted shall be of a design which, when installed, do not project forward of the general roof surface to which they are installed.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

7. Prior to the commencement of the development above slab level, a method statement for enhancing biodiversity on site, including types and locations of any nesting/roosting provisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation of the development and shall be retained thereafter in accordance with the approved details.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policies ESD 10 and 11 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the first occupation of the development hereby approved, the rooflight in the northern facing roof slope shall be fixed shut and fully glazed with obscured glass (Level 3 or above) and shall be retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the neighbouring property and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained

within the National Planning Policy Framework.

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**Alkerton House, Well Lane, Alkerton, OX15 6NL**

The Committee considered application 19/01737/LB for ground and first floor extensions at Alkerton House, Well Lane, Alkerton, OX15 6NL for Mr & Mrs M Wilson.

In reaching its decision the Committee considered the office's report and presentation, the written update and the address of the public speakers.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01737/LB subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing No's: 16030/19/SLP1, and 16030/P01 Rev. B, 16030/P02 Rev. B, 16030/P03 Rev. B, 16030/P04 Rev. A, 16030/P05 Rev. A, 16030/P06 all received 22 November 2019

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

3. Prior to the commencement of the development hereby approved above slab level, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan

2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the insertion of any openings, including the stone mullion windows, hereby approved, full details at a scale of 1:20 including a cross-section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The openings shall not be installed within the building other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. The rooflights to be used in the development hereby permitted shall be of a design which, when installed, do not project forward of the general roof surface to which they are installed.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Bicester Eco Town Exemplar Site Phase 2, Charlotte Avenue, Bicester**

The Committee considered application 19/01036/HYBRID for full permission for a Local Centre Community Floorspace (Use Class D1 with ancillary A1/A3), with a total GIA of 552 sqm, and 16 residential units (Use Class C3) with associated access, servicing, landscaping and parking. Outline consent for a Local Centre Retail, Community or Commercial Floorspace (flexible Use Class A1/A2/A3/A4/A5/B1/D1) at Bicester Eco Town Exemplar Site, Phase 2, Charlotte Avenue, Bicester for Barton Willmore LLP on behalf of A2 Dominion.



Rob Fellows, representing Elmsbrook Community Organisation addressed the Committee in objection to the application.

Steven Hornblow and Lauren Patel, agents for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Pratt and seconded by Councillor Mould that application 19/01036/HYBRID be approved subject to an amendment to condition 24 for a noise management plan to be put in place prior to the commencement of construction rather than occupation.

in reaching its decision the Committee considered the officer's report and presentation, the written updates and the address of the public speakers.

### **Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01036/HYBRID subject to the following conditions (and any amendments, additions for 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.

### CONDITIONS

#### 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).

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

#### APPROVED PLANS/ DOCUMENTS TO BE ADDED

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 micro drainage 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.

12. No development shall commence until 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, has been 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.

**CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

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 67m<sup>2</sup> 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 routing 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 micro drainage 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.

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### **Land adjacent Unit 7, Chalker Way, Banbury, OX16 4XD**

The Committee considered application 19/02443/CDC for the installation of a piece of artwork on a designated site at Land adjacent Unit 7, Chalker Way, Banbury, OX16 4XD for Cherwell District Council.

In reaching its decision the Committee considered the officers report and presentation

### **Resolved**

- (1) That permission be granted for application 19/02443/CDC subject to the following conditions:

### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with 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.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

Site Location Plan 6422-150

Site Layout Plan 6422-151

Sculpture Commission 'Figure of Industry' October 2019

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

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**65 Bicester Road, Kidlington, OX5 2LD**

The Committee considered application 19/01082/F for the demolition of an existing single level dwelling - Class C3(a) - and the erection of 5 x flats in single, two level building - Class C3(a) at 65 Bicester Road, Kidlington, OX5 2LD for Mr Richard Field.

Councillor Ian Middleton addressed the Committee as local Ward Member and did not take part in the debate or vote on the application 19/01082/F.

Neil McCulloch, local resident, addressed the Committee in objection to the application.

In reaching its decision the Committee considered the officer's report and presentation, the written updates and the address of the public speakers.

**Resolved**

- (1) That authority be delegate to the Assistant Director for planning and Development to grant permission for application 19/01082/F subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with 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.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Existing Block Plan (190265-A-Ex-80 Revision A); Proposed Block Plan (190265-A-Pr-80 Revision B); Proposed Site Plan (190265-A-Pr-90 Revision B); Proposed Floor Plans (190265-A-Pr-100 Revision B); Proposed Roof Plan (190265-A-Pr-100 Revision B); Proposed Main Elevations (190265-A-Pr-200 Revision B) and Proposed Side Elevations (190265-A-Pr-210 Revision B).

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

**Material samples**

3. Prior to the commencement of the development hereby approved above slab level, samples of the materials to be used in the construction of the external walls and roof of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

**Landscaping plan**

4. Prior to the commencement of the development hereby approved above slab level, 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, and

- d) full details of the design and appearance of the bin storage area.

Thereafter, the development shall be carried out in accordance with the approved details. The hard landscape elements shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, and to comply with Policies ESD1 and 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.

#### **Landscaping in accordance with British Standard**

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, to encourage the use of sustainable modes of transport and to comply with Policies ESD1 and 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.

#### **Details of access and turning areas**

6. Prior to the commencement of the development hereby approved above slab level, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details, and shall thereafter remain free from obstruction for vehicles parking and turning.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

#### **Cycle parking details**

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

Reason - In the interests of sustainability, to encourage the use of sustainable modes of transport, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

**EV charging infrastructure**

8. No development shall commence above slab level until a scheme for a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve the dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the first occupation of the dwelling.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the 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.

116

**DCS Group, Rear Pt Lxb Rp No 2, Oceans House, Noral Way, Banbury, OX16 2AA**

The Committee considered application 19/01254/F for the relocation of an existing loading canopy and replacement with "infill" warehouse between existing warehouses at DCS Group, Rear Pt Lxb Rp No 26, Oceans House, Noral Way, Banbury, OX16 2AA for Mr Denys Shortt.

David Bishton, agent for the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speaker.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Economy to grant permission for application 19/01254/F, subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

**Compliance with Plans**

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in

accordance with the following plans and documents: 1988/701 (Site Location Plan); 1988/703 (Proposed Site Plan); 1988/705 (Proposed Ground Floor Plan); 1988/707 (Proposed Elevations) and Nolan Associates Drainage Strategy reference 2019-279.

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

**Drainage management plan**

2. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The details shall be in general accordance with the Nolan Associates Drainage Strategy reference 2019-279. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the first use of the building hereby approved.

Reason – To comply with Policy ESD7 of the Cherwell Local Plan 2011 – 2031 Part 1 and to ensure that the principles of sustainable drainage are incorporated into this proposal.

**Completion of sustainable drainage scheme**

3. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason - To comply with Policy ESD7 of the Cherwell Local Plan 2011 – 2031 Part 1 and to ensure that the principles of sustainable drainage are incorporated into this proposal.

117

**St Thomas Moore Catholic Primary School, Oxford Road Kidlington OX5 1EA**

The Committee considered application 19/02103/F for a multi use Games Area with all weather surfacing (Astro Turf) and sports fencing at St Thomas Moore Catholic Primary School, Oxford Road, Kidlington, OX5 1EA for St Thomas More Catholic Primary School.

Stephen Cowley, local resident, addressed the Committee in objection to the application.

It was proposed by Councillor Billington and seconded by Councillor Middleton that application 19/02103/F be approved subject to authority being delegated to the Assistant Director for Planning and Economy to make modifications to the application and to conduct a consultation on the modifications before being implemented.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speaker.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Economy to make modifications to application 19/02103/F and to conduct a consultation on the modifications before being implemented and then to grant permission for the application subject to conditions.

118

**Manor Cottage, The Square, Epwell, Banbury, OX15 6LA**

The Committee considered application 19/01515/F for the restoration of outbuilding and conversion to habitable accommodation; a single storey garden room extension to the cottage at Manor Cottage, The Square, Epwell, Banbury, OX15 6LA for Mrs E Lejeune-White.

Councillor Douglas Webb addressed the Committee as local ward member.

Andrew Rockett, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Reynolds and seconded by Councillor Chapman that application 19/01515/F be approved subject to suitable conditions (the exact wording to be delegated to officers) contrary to the officer recommendations. It was believed that application 19/01515/F would be an improvement to the visual amenity and would be of no significant to the heritage asset.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speakers.

**Resolved**

- (1) That authority be delegated the the Assistant Director of Planning and Development to grant permission for application 19/01515/F, subject to conditions (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning and Development in consultation with the Chairman).

119

**Manor Cottage, The Square, Epwell, Banbury, OX15 6LA**

The Committee considered application 19/01516/LB for the restoration of outbuilding and conversion to habitable accommodation; a single storey garden room extension to the cottage at Manor Cottage, The Square, Epwell, Banbury, OX15 6LA for Mrs E Lejeune-White.

Councillor Douglas Webb addressed the Committee as local ward member.

Andrew Rockett, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Reynolds and seconded by Councillor Chapman that application 19/01516/LB be approved subject to suitable conditions (the exact wording to be delegated to officers) contrary to the officer recommendations. It was believed that application 19/01516/LB would be an improvement to the visual amenity and would be of no significant harm to the heritage asset.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speakers.

### **Resolved**

- (1) That authority be delegated to the the Assistant Director of Planning and Development to grant permission for application 19/01516/LB, subject to conditions (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning and Development in consultation with the Chairman).

The meeting was adjourned at 7.15pm in response to a fire alarm and was reconvened at 7.20pm.

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### **Land at Bullmarsh Close, Middleton Stoney**

The Committee considered application 19/01709/CDC for the erection of 3 no. wheelchair adaptable bungalows for affordable housing at Land at Bullmarsh Close, Middleton Stoney for Miss Kim Swallowe.

In reaching its decision the Committee considered the officer's report and presentation and the written update.

### **Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01709/CDC, subject to the following conditions (and any amendments to those conditions as deemed necessary):

#### CONDITIONS

##### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with 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.

### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application form and drawing numbers: 010 Rev A, 011 Rev B, 012 Rev C, 013 Rev C and 014 Rev C.

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

### **Archaeology**

3. Prior to any demolition and the commencement of the development a professional archaeological organisation shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2019).

4. Following the approval of the Written Scheme of Investigation referred to in condition 3, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within 2 years of the commencement of development.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2019).

### **Hedgerow protection**

5. No development shall take place until an Arboricultural Impact Assessment and Method Statement, undertaken in accordance with latest British Standard has been submitted to and approved in writing by the Local Planning Authority. This shall include details of hedge protection measures during construction. Thereafter, all works on site shall be carried out in accordance with the approved details.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National

Planning Policy Framework.

**Materials**

6. Prior to the commencement of any works above slab level to the development hereby approved, and notwithstanding the details submitted, a sample panel of the external walling material to be used in the construction of the dwellings, to demonstrate material, colour, texture, bond and pointing (minimum 1m<sup>2</sup> in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the walls of the development shall be externally faced in strict accordance with the approved sample panel and shall be retained as such thereafter.

Reason: To ensure the materials are appropriate for the site in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of any works above wall plate level of the development hereby approved, samples of the external roof material to be used in the construction of the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure the materials are appropriate for the site in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

**Electric charging points infrastructure**

8. No development shall commence above slab level until a scheme for a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve each dwelling or a scheme showing the provision of electrical vehicle charging points for each dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the first occupation of the dwelling.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the 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.

**Boundary Enclosures**

9. Prior to the commencement of any works above slab level to the development hereby approved, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be carried out in accordance with the approved details prior to the first occupation of those dwellings and shall be retained as such thereafter.



Reason: To protect the character and appearance of the area and provide a safe and durable development in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Landscaping**

10. Prior to the first occupation 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,
- (d) details of the hard surface areas, including parking area, pavements, crossing points and steps.

The development shall be carried out in accordance with the details approved prior to the first occupation of the development and the hard landscape elements shall be retained as such thereafter.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Cycle Parking**

11. Prior to the first occupation of the development hereby permitted, details of the cycle parking facilities to serve the dwelling hereby approved shall be submitted and approved in writing by the local planning authority. The approved cycle storage facilities shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

**Car Parking and Management**

12. Prior to the first occupation of the dwellings hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. 012 Rev C) and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. The parking shall be managed in accordance with the details outlined in the email from the agent on 4.11.18 (time 19:02)/ Thereafter, the parking and manoeuvring areas shall be retained and managed in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason – To ensure an adequate level of parking on the site in the interests of amenity, highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

121 **Appeals Progress Report**

The Assistant Director for Planning Policy and Development submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled, or appeal results achieved.

**Resolved**

- (1) That the position statement be accepted.

The meeting ended at 7.30 pm

Chairman:

Date: