



**NOTICE OF DECISION**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**(AS AMENDED)**

**Name and Address of Agent/Applicant:**

Dorchester Heyford Park Group Ltd  
c/o Mr M Dobson  
Querns Business Centre  
Whitworth Road  
Cirencester  
Gloucestershire  
GL7 1RT

**Date Registered :** 27th October 2010

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**Proposal :** Outline - Proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure

**Location :** Heyford Park Camp Road Upper Heyford Bicester Oxfordshire OX25 5HD

**Parish(es) :** Upper Heyford

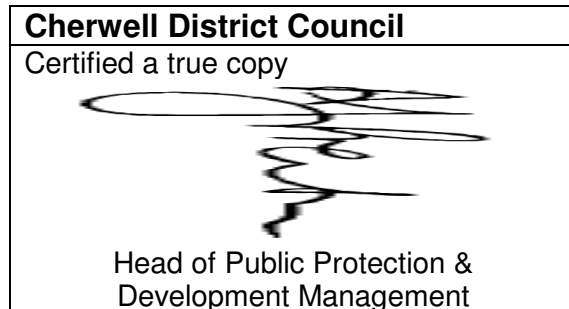
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**OUTLINE PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS**

The Cherwell District Council, as Local Planning Authority, hereby **GRANTS** outline planning permission for the development specified in the schedule attached to this notice, the accompanying plans and drawings and any clarifying or amending information **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxon  
OX15 4AA



**Date of Decision :** 22nd December 2011

**Head of Public Protection & Development  
Management**

## SCHEDULE OF CONDITIONS

- 1 No operational development shall be commenced until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority. Plans and particulars of the reserved matters referred to above shall be carried out as approved. (See Planning Note no 1)

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, and Article 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 2 That in the case of the reserved matters, application for approval shall be made for the first reserved matter including a residential phase not later than three years beginning with the date of this permission and all applications for reserved matters approval shall be made not later than the expiration of ten 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, and Article 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 3 That the operational development to which the first reserved matter approval including residential phase relates, shall be begun not later than the expiration of two years from the date of the reserved matter permission and the remaining reserved matter approvals shall be implemented no later than two years from the final approval of the reserved matters.

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, and Article 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 4 That the changes of use 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.

- 5 The development referred to, if undertaken at all, shall be constructed in accordance with the schedule of proposed uses specified in para 2.7 of the supporting planning statement to the application, and the schedule attached to these conditions, unless otherwise agreed in writing with the Local Planning Authority.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Central Government guidance contained in PPS1: Delivering Sustainable Development.

- 6 The details required in accordance with Condition 1 shall be in general accordance with the provisions of Parameter Plans:
- i) Illustrative Masterplan (Amended) 031 Rev M
  - ii) Development Uses 023 D
  - iii) Buildings and Roads Retained 011 D
  - iv) Access 028 D

- v) Buildings Heights
- vi) Green Infrastructure

And with the Environmental Statement dated October 2010; or with such subsequent amendments to any of the above as have first been submitted to and approved in writing by the Local Planning Authority.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Central Government guidance contained in PPS1: Delivering Sustainable Development.

- 7 No reserved matters applications shall be submitted pursuant to the outline application until such time as a phasing plan has first been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include:
- i) Demolitions
  - ii) The identification of the general location of affordable housing within each phase,
  - iii) The provision, laying out, landscaping and treatment of proposed and retained (existing), open space/play space/amenity areas in accordance with the green infrastructure parameter plan
  - iv) The provision of and improvements to the existing playing fields (including all those within the blue line see Site Location Plan D.0291\_42), sports pavilions/changing facilities and tennis courts,
  - v) An access phasing strategy, including a phased approach to the closure of access points. The provision and closure of accesses shall be carried out in accordance with the approved details and access proposals
  - vi) An infrastructure phasing strategy to include the Camp Road corridor, and
  - vii) Phasing of implementation of the bus route through the site including a timetable for its construction and implementation and, in particular, details for the demolition of 5 and 7 Portal Drive South.
  - viii) The phasing of the provision of the off site landscaping and fence removal to the south of Camp Road

There shall be no variation to the phasing plan as submitted without the prior written approval of the Local Planning Authority and it shall be implemented in accordance with such details as approved

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority, to comply with Central Government guidance contained in PPS1: Delivering Sustainable Development, in the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government advice in PPG13: Transport.

- 8 No reserved matters applications shall be made for any phase until a Design Code for that phase of the New Settlement Area, as identified in Condition 7 above, has been submitted to and approved in writing by the Local Planning Authority.
- The Design Code shall comprise:
- i) Land use, density, layout of streets and public spaces and character areas;
  - ii) Landscape, including for the immediate setting of the new settlement, to include retained trees and vegetation, new planting, public open space, amenity space, children's' play areas, sports facilities, footpaths, public spaces, together with adoption arrangements and extent;
  - iii) Surface water control, including design standards and methodology for sustainable drainage systems, details of specific features, including appropriate options for Sustainable Urban Drainage, swales, together with adoption arrangements and extent;

- iv) Public realm, including hierarchy of streets and public spaces, characteristics, dimensions, building line and or set backs, materials, means of enclosure, street furniture, including street lighting, and car parking, methods to control traffic speeds and create legibility, together with adoption arrangements and extent;
- v) Built form, including scale, materials, roof treatment, elevational treatment, treatment of landmark and marker buildings, key frontages and gateways;
- vi) Sustainable design, including the measures to be incorporated to ensure that the development complies with at least the minimum Code Level required by the Building Regulations in the Code for Sustainable Homes and to assess the impact this would have on appearance;
- vii) Car and cycle parking, including standards of provision by land use and dwelling type; and
- viii) Waste recycling, including how the Councils standards for individual householders' waste and recycling bins are to be accommodated within the dwelling curtilage and refuse vehicle access to these obtained.

The development shall thereafter be carried out in accordance with the approved Design Codes.

Reason - Design Codes, together with the Approved Master Plan, are required at the beginning of the development process to ensure that the subsequent reserved matters applications are considered and determined by the Local Planning Authority in the context of an overall approach for the site consistent with the requirement to achieve a high quality design as out in the Environmental Statement, the Revised Comprehensive Planning Brief for the site, and Policies UH4 of the Non Statutory Cherwell Local Plan, H2 of the Oxfordshire Structure Plan 2016 and comply with Policies CC6, CC7 and H5 of the South East Plan 2009.

- 9 No more than 1075 dwellings in total shall be accommodated on the site, including any existing dwellings which are to be retained.

Reason - The Environmental Statement has assessed the impact of a development of 1075 dwellings and demonstrates that a development of that scale will not have significant adverse effect. The development is therefore limited to the assessed development to ensure no impact occurs that has not been subject to assessment and to comply with the revised Comprehensive Planning Brief 2007 for the site, Policy H2 of the Oxfordshire Structure Plan 2016 and Policy H5 of South East Plan 2009.

- 10 The two dwellings, 5 and 7 Portal Drive, shall be demolished to allow for the construction of the road network prior to the occupation of the 200th new build dwellings, or such other timing as is agreed in writing by the local planning authority.

Reason - To allow for the provision of an integrated development and road network to ensure the creation of a pleasant environment for the development and to comply with Policy CC6 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

- 11 That buildings 126 and 129 (on its cessation in use as a telephone exchange) shall only be used in connection with the running of a heritage centre and shall not be used for any other purpose what so ever, including any other purpose within Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 as amended.

Reason - In order to protect the Scheduled Ancient Monuments from inappropriate use and ensure their historic importance is protected in accordance with Policy BE6 of the South East Plan and C21 of the Cherwell Local Plan.

- 12 No development within any phase of the development shall take place, save for existing uses already in occupation at the time planning permission is granted, until there has first been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for that phase 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,
  - 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, pavements, pedestrian areas, crossing points and steps.
  - d) Details of the soft landscaping, hard surfaced areas, pavements, pedestrian areas, crossing points and steps;
  - e) Details of laying out of Public Open Space;
  - f) Details of boundary treatments to each phase where appropriate (including retained security fencing).

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 C4 of the South East Plan 2009, Policy UH1 of the Non Statutory Cherwell Local Plan and Policy C28 of the adopted Cherwell Local Plan.

- 13 Prior to commencement of operational development, the off site planting shall be completed and the existing boundary fence to the south of the settlement area shall be removed in accordance with the phasing scheme approved under condition 7(viii).

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 C4 of the South East Plan 2009, Policy UH1 of the Non Statutory Cherwell Local Plan and Policy C28 of the adopted Cherwell Local Plan.

- 14 No change of use of the existing dwellings retained under the terms of this permission shall take place until a scheme has been submitted to and agreed in writing by the Local Planning Authority detailing the improvement and long term maintenance of the Play Areas on the Site at the date of this permission (which shall include details for revising the layout of, equipping, and enclosing of any such Play Area the layout of which is affected by any new road layouts constructed on the Site). The scheme shall be implemented as approved within a time period agreed in writing by the Local Planning Authority and the Play Areas shall thereafter be retained as play space.

Reason - In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space/play space and to comply with Policy BE1 of the South East Plan 2009 and Policy R12 of the adopted Cherwell Local Plan.

- 15 No change of use of the existing dwellings retained under the terms of this permission shall take place until a scheme has been submitted to and agreed in writing by the Local Planning Authority detailing the retention, improvement, and long term maintenance of the areas of existing open space at the date of this permission within the area of retained dwellings (which shall include a scheme for revising the layout of any such open space the layout of which is affected by any new road layouts constructed on the Site) . The scheme shall be implemented as approved within a time period agreed in writing by the Local Planning Authority and the open space shall thereafter be retained as open space.

Reason - In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space/play space and to comply with Policy BE1 of the South East Plan 2009 and Policy R12 of the adopted Cherwell Local Plan.

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

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009, Policy UH1 of the Non Statutory Cherwell Local Plan and Policy C28 of the adopted Cherwell Local Plan.

- 17 No works or development shall take place in connection with each phase or sub phase of the development until a scheme for the protection of the existing trees, hedgerows or such other landscape features as may exist that are identified for retention under Condition 11 has been agreed in writing with the Local Planning Authority. This scheme shall include:
- a) A plan that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS5837) of every retained tree within that phase or sub-phase and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
  - b) The details of each retained tree as required at paragraph 4.2.6 of BS5837 in a separate schedule.
  - c) A schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.
  - d) Written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.
  - e) The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).
  - f) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
  - g) The details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).
  - h) The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).
  - i) The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
  - j) The details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

- k) The details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the Root Protection Areas of retained trees.
- l) The details of the working methods to be employed for the installation of drives and paths within the Root Protection Areas of retained trees in accordance with the principles of "No-Dig" construction.
- m) The details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- n) The details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- o) The details of the method to be employed for the stationing, use and removal of site cabins within any Root Protection Areas (para. 9.2.3 of BS5837).
- p) The details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) The timing of the various phases of the works or development in the context of the tree protection measures.

Implementation shall be in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the continued health of retained trees and in the interests of the visual amenity of the area, to ensure the integration of the development in to the existing landscape and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

- 18 No operational development for any phase approved by this planning permission shall take place until full details of the enclosures along all boundaries and within the phase have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no part of the existing security fence on the boundary between the flying field and settlement area shall be removed without the written consent of the Local Planning Authority (in consultation with English Heritage). The boundary enclosures shall be erected in accordance with the approved details prior to the first occupancy of the new housing.

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

- 19 No operational development shall be undertaken on site, or within such other period to be agreed in writing with the Local Planning Authority, until such time as a scheme for the provision and maintenance of cat proof and dog proof fencing, including details of the specification, height, position and extent of fencing along the boundary of the new settlement and the Flying Field has been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details prior to the first occupancy of the new housing.

Reason - To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity, Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan.

- 20 During the course of building operations or construction works on the site and at all reasonable times, the developer shall afford access to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavations and record items of interest and finds.

Reason - In the interests of archaeological investigation or recording and to comply with Government advice in PPS5: Planning for the Historic Environment and Policy BE6 of the South East Plan 2009.

- 21 No reserved matters applications shall be submitted pursuant to the outline application until details of the layout of the settlement's commercial centre/hub have been submitted to, and approved in writing by, the Local Planning Authority. Details shall include a plan at a scale of not less than 1:100 of a scheme to traffic calm Camp Road between buildings 52 and 549 to demonstrate how traffic speeds will be reduced to 20 mph, hard and soft landscaping of the area, a scheme to improve the public realm and demonstrate how the centre will function as a commercial entity.

The traffic calming scheme as approved shall be implemented prior to the occupation of the 416th dwelling or 100th new build dwelling which ever is the sooner and/or before the occupation of any 4 of the buildings adjacent to the traffic calmed area shown on the Development Uses Parameter Plan as being the Local Centre.

Reason - To enable the Local Planning Authority to give further consideration to these matters, for the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Central Government guidance contained in PPS1: Delivering Sustainable Development.

- 22 The development permitted by this planning permission shall only be carried out in accordance with the approved Environmental Statement (Waterman, October 2010) reference EED10658.103.R.3.2.1.AH and Flood Risk Assessment (Waterman, October 2010) reference C11234 ES 001, and the following mitigation measures detailed within those documents:

Limiting the surface water run-off generated by the development for all storm events up to and including the 1 in 100 year storm including a 30% allowance for climate change in accordance with Section 9.56 of the Environmental Statement and Appendix D of the FRA.

Reason - To prevent increased run-off and flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 23 No operational development approved by this planning permission shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.

The scheme shall also include:

- i. Where appropriate the use of infiltration for the disposal of surface water, this shall follow site specific investigation into the feasibility of using infiltration for the disposal of surface water in accordance with Section 4.6 of the Flood Risk Assessment (Waterman, October 2010) reference C11234 ES 001. This should include an assessment of infiltration in potentially contaminated areas.
- ii. The inclusion of sustainable drainage techniques in accordance with the principles set out in Table 1 of the Flood Risk Assessment (Waterman, October 2010) reference C11234 ES 001.
- iii. Controlled discharge rates to ensure there shall be no increase down stream or down gradient of the site, during or following construction as a result of the combined surface water and Sewage Treatment Work discharges.
- iv. Details to prevent discharge of surface water to the highway.



Reason - To prevent the increased risk of flooding, to improve and protect water quality in the Gallos Brook as required under the Water Framework Directive and improve habitat and amenity. The site is underlain by the Great Oolite Limestone (Principal Aquifer) and this site has housed many potentially contaminative activities including fuel filling stations, above and underground fuel storage tanks, boiler houses, incinerators, workshops and a dry-cleaners. We need to prevent the possibility of infiltration drainage methods increasing the mobilisation of contamination into the Principal aquifer below the site. And in the interests of highway safety and to comply with Government advice contained in PPG13: Transport.

24 No operational development approved by this planning permission shall take place (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
  - (i) -all previous uses.
  - (ii) -potential contaminants associated with those uses.
- (b) A conceptual model of the site indicating sources, pathways and receptors.
- (c) Potentially unacceptable risks arising from contamination at the site.
- (d) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (e) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (f) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason - The site is underlain by the Great Oolite Limestone (Principal Aquifer) and this site and the airfield to the north has housed many potentially contaminative activities. We need to ensure that the site has been fully characterised with respect to soil and groundwater contamination.

25 Prior to occupation of any new build dwellings, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason - The site is underlain by the Great Oolite Limestone (Principal Aquifer) and this site has housed many potentially contaminative activities. We need to ensure that the site has been remediated to a level that ensures no lasting impact to groundwater.

- 26 If during development contamination not previously identified is found to be present at the site then no further development within 20m of the contamination shall be carried out until the developer has submitted to and obtained written approval from the local planning authority for an addendum to the method statement. This addendum to the method statement shall detail how this unsuspected contamination will be remediated (if necessary) and thereafter this will be carried out as approved before any development within 20m recommences. Following completion of any such additional remediation, a verification report shall be submitted within 3 months of the completion of the works for the approval of the Local Planning Authority in writing.

Reason - It is suspected that this site and/or nearby land and water may be contaminated as a result of the former military and industrial use(s) or otherwise. 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 Policy ENV12 of the adopted Cherwell Local Plan and UH2 of the Non Statutory Cherwell Local Plan

- 27 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason - The site is underlain by the Great Oolite Limestone (Principal Aquifer). In order to complete the conceptual model, the complexity of the geological stratum under the site has to be assessed. We need to ensure that piling does not create pathways for contamination to migrate vertically.

- 28 No operational development approved by this planning permission shall take place until a scheme to install oil and petrol separators (Class 1) has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

Reason - The site is underlain by the Great Oolite Limestone (Principal Aquifer) and this aquifer has to be protected from contamination from the proposed future uses of the site.

- 29 No reserved matters applications shall be submitted pursuant to the outline application until a scheme for the improvement of the existing main sewerage system has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for improvement of the existing sewage system has been completed.

Reason - To protect the water quality of the Gallos brook.

- 30 Operational Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 31 Operational Development shall not be commenced until an impact study of the existing water supply infrastructure has been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). This study should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason - To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

- 32 No new use within Use Classes A3-A5 shall commence within the New Settlement Area as shown on Plan Ref: N.01111\_58-1 until such time as details of the hours of opening of such premises have been submitted to and approved in writing by the Local Planning Authority. The use shall thereafter operate only within those hours.

Reason - In order to safeguard the amenities of the area and to comply with Policy BE1 of the South East Plan 2009 and Policies C31 and ENV1 of the adopted Cherwell Local Plan.

- 33 For each phase or sub phase of the development, no works shall be undertaken until such times as a detailed scheme of noise assessment and possible sound insulation measures for the residential units (including a timetable for its implementation) has first been submitted to and approved in writing by the Local Planning Authority. That scheme shall be implemented in accordance with the approved details.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in PPG24: Planning and Noise, Policies C30 and ENV1 of the adopted Cherwell Local Plan.

- 34 Before the change of use of any non-residential building is implemented, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the building or its adjacent service area. In the case of uses that would be implemented on grant of this permission such a scheme shall be submitted to the Local Planning Authority within 6 months of the date of the permission.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in PPG24: Planning and Noise, Policies C30 and ENV1 of the adopted Cherwell Local Plan.

- 35 No new occupation of any Class C1 (Hotel), A3, A4 or A5 (Cafes, Restaurants, Takeaways, Public House) and B2 (General Industrial) premises shall take place until such times as a detailed scheme of fume extraction/odour mitigation measures has first been submitted to and approved in writing by the Local Planning Authority; and implemented in accordance with such approved details unless otherwise agreed in writing by the Local Planning Authority.

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.

- 36 The playing fields and tennis courts identified within the phasing plan (by condition 7iii and 7iv) shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Town and Country Planning (Use Class) Order 1987 (as amended), or in any provision equivalent that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To protect the playing field and tennis courts from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches.

- 37 No operational development shall take place unless and until:

A detailed assessment of ground conditions of the land proposed for the new playing field land (as shown on drawing number D.0291\_38-1) shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

Reason - To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of a new/replacement playing field of at least an equivalent or better quality and to accord with Non-Statutory Cherwell Local Plan 2011 Policy R7a and paragraph 15 of PPG17. The playing fields shall be made available for use on substantial completion of the works.

- 38 No signs or advertisements shall be erected on any non residential buildings unless a signage strategy has previously been submitted to and agreed in writing with the Local Planning Authority. Any proposed signage shall comply with the terms of the signage strategy

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

- 39 Prior to the first occupation of any new build residential unit hereby permitted, a scheme setting out proposed community use of the indoor and outdoor facilities on site shall be submitted to and approved by the Local Planning Authority in consultation with Sport England. The report shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development and shall thereafter be retained and maintained'.

Reason - To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

- 40 Prior to the implementation of any change of use of or operational development to construct any non-residential building, a lighting strategy shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be undertaken in accordance with the details as approved

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

- 41 Prior to the implementation of any change of use of or operational development to construct any non-residential building, a waste management strategy shall be submitted to and agreed in writing with the Local Planning Authority The development shall be undertaken in accordance with the details as approved.

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

- 42 That prior the first occupation of any part of the development hereby permitted fire hydrants shall be provided or enhanced on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason - To secure the provision of essential community infrastructure on site in accordance with Policy CC7 of the South East Plan 2009.

- 43 Building 572 shall be used solely for the purposes of a Place of Worship and/or community use for a minimum period of 10 years from the date of this permission. Subsequent to that period it shall not without the express consent of the Local Planning Authority be used for any other purpose within Use Class D1 including any other permitted change within that specific Use Class as identified within Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order

Reason - To ensure a satisfactory development and community facilities, to comply with the revised Comprehensive Planning Brief 2007 for the site and Policy H2 of the Oxfordshire Structure Plan 2016.

- 44 Building 552 (Water Tanks) shall not be removed until such time as a scheme for their relocation (including a timetable for its implementation) has been submitted to and approved by the Local Planning Authority. The relocation shall subsequently be implemented in accordance with the approved scheme.

Reason - To ensure that the premature demolition of the buildings does not take place to the detriment of the special character and appearance of the Conservation Area and in advance of an agreed scheme for that phase of the proposed development, in order to comply with the Structure Plan policy H2, the non Statutory Cherwell Local Plan 2011 policy UH1 and the government advice contained in PPS5.

- 45 Before commencement of any phase of development as agreed under the phasing plan (condition 7) details of the existing and proposed levels, including finished floor levels, shall first have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with such approved details.

Reason - To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy BE1 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

- 46 That no goods, materials, plant or machinery shall be stored repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

- 47 All new plant, machinery, mechanical ventilation equipment and ducting shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interest of visual and residential amenity.

- 48 Within 9 months of the date of this permission a programme for implementation of the mitigation and ecological objectives set out in the Ecology Section of the Watermans Environmental Statement dated October 2010 shall be submitted to the Local Planning Authority for approval. No disturbance shall take place to water bodies, existing buildings or mature trees on the site until such time as the programme for the implementation of the ecological mitigation has been approved in writing by the Local Planning Authority and the permission shall be implemented in accordance with the details approved.

Reason - To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity, Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan.

- 49 All site clearance (including vegetation removal) should be timed so as to avoid the bird nesting/breeding season between March-August

Reason - To ensure that the development will not cause harm to any protected species or its habitat in accordance with Policy NRM5 of the South East Plan 2009 and Policy C2 of the adopted Cherwell Local Plan).

- 50 Prior to any demolition of any building as shown on Plan Ref: 010/D a scheme of demolition for those buildings to be removed shall have been first submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include;

- (a) The demolition techniques to be employed in respect of each building to be removed;
- (b) Proposed hours of operation in respect of the proposed demolition works and demolition material processing/treatment;
- (c) Dust and noise mitigation measures to be employed in respect of the demolition;
- (d) Details of the treatment of the demolition material including whether it is to be removed from the site or re-used in connection with the development;
- (e) If demolition spoil is to be processed on site details of the method of processing shall be submitted, including dust and noise mitigation measures to be employed; and shall be implemented in accordance with such approved details.

Reason - To safeguard the preservation and retention of the existing historic building(s) to comply with Government advice in PPS5: Planning for the Historic Environment, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

- 51 Details of the location of all compounds and the associated areas for plant storage and access thereto, including arrangements for the off-highway parking provision of construction vehicles, as well as a scheme for their subsequent removal and restoration of the land, shall be submitted to and approved in writing by the Local Planning Authority prior to their establishment. The compounds and accesses shall be located and subsequently removed in accordance with the approved details.

Reason - To ensure that site compounds are sited in locations that will not adversely affect the amenities of nearby residents or the environment and to comply with the Policy ENV1 of the adopted Cherwell Local Plan.

- 52 No works in relation to any phase or sub phase shall be undertaken until such time as wheel washing facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of highway safety and to ensure a satisfactory standard of construction.

- 53 Save for existing uses already in occupation at the time of planning permission being granted, before any new non-residential building is first occupied any temporary or permanent turning areas shall be provided within the curtilage of the site so that vehicles may turn around and leave in a forward direction. Any such turning area shall be constructed, laid out, surfaced, drained and completed in accordance with specification, plans and details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented prior to occupation of any building and thereafter be retained in accordance with such approved details.

Reason - In the interests of highway safety and to comply with Government advice contained in PPG13: Transport.

- 54 The development hereby permitted shall not commence until such time as a detailed Travel Plan for each phase of the proposed development, to cover residential and non-residential uses, including the construction phases (including a timetable for its implementation), has been submitted to and agreed in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with those details.

Reason - In the interests of highway safety and to comply with Government advice contained in PPG13: Transport.

- 55 Prior to the implementation of any change of use of or operational development to construct any non-residential building, a parking strategy shall be provided for vehicles operating in association with the use of the non-residential buildings. A plan showing car parking provision for vehicles to be accommodated within the site together with any areas for manoeuvring, shall be submitted to and approved in writing by the Local Planning and such parking and manoeuvring facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan prior to occupation of any non-residential building. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of satisfactory car parking, to ensure the development is in keeping with and conserves the special character of this part of the Conservation Area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan, and to comply with Government advice in PPG13: Transport and Policy T4 of the South East Plan 2009.

- 56 Occupation of the 500th or subsequent net additional dwellings or occupation of more than 50% increased floor area of commercial use above existing (whichever is the earlier) shall not take place until such time as the works shown on "Figure 36 Junction 10 proposed carriageway marking alterations" (Arup Job no. 120669-00) have been implemented in accordance with that drawing.

Reason - In order to ensure there is adequate highway capacity and in the interests of highway safety.

- 57 The construction of the highways on site shall use a minimum of 30% recycled materials.

Reason - To ensure resource efficiency practices are incorporated into the development in accordance with Government advice contained in PPS: Planning and 'Climate Change' (Supplement to PPSI) and to comply with Policies CC2 and CC4 of the South East Plan 2009.

**Schedule of Development permitted (as referred to in the description of the development and in Condition 5)**

The proposed development within the Site now includes the following uses:-

**1) Class C3 (residential dwelling houses):** up to 1,075 dwellings (including the retention and change of use of the majority of existing military housing and the change of use of various buildings), comprising:

a) 46 existing dwellings already benefitting from planning permission or a Certificate of Lawful Use or Development for Class C3;

b) change of use of 253 dwellings to Class C3 c) change of use of 12 dwellings along Dacey Drive to Class C3;

d) change of use of 2 dwellings along Dow Street to Class C3;

e) erection of new build dwellings and change of use of Building 485 to Class C3 to provide 764 dwellings

f) demolition of 2 existing dwellings, no.'s 5 and 7 Portal Drive South; and

**2) Class D1 (non residential institutions):** change of use of various buildings to provide up to 5,820 sq.m of floorspace, comprising change of use of:-

(a) Building 549 580 sq.m

(b) Building 572 680 sq.m

(c) Building 126 869 sq.m

(d) Building 129 241 sq.m

(e) Building 315 3,100 sq.m

And erection of up to 350sq.m of new build Class D1 floorspace for a crèche

**3) (a) Change of Use of Building 74 (4,020 sq.m) to a Class C1/C2 use**

(b) Change of Use of Building 41 (1,662 sq.m) to a Class C1 use

**4) Class A1 provision of up to 1,400 sq.m of floorspace, comprising of new build.**

**5) Class A3-A5 provision of up to 1,713 sq.m of floorspace in total, comprising :-**

(a) Building 455 1,177 sq.m

(b) Building 457 224 sq.m

(c) Building 103 312 sq.m)

**6) Provision of 1 no. Primary School on 2.2 hectares.**

**7) Class B1 provision of up to 5,821 sq.m of floorspace in total, comprising:-**

(a) change of use of Building 100 557 sq.m



(b) change of use of Building 125 897 sq.m

(c) change of use of Building 123 1,847 sq.m

(d) change of use of Building 488 up to 1,500 sq.m

(e) erection of new build up to 1,020 sq.m

**8) Mixed Class B2/B8 provision of up to 20,833 sq.m of floorspace in total, comprising change of use of :-**

(a) Building 80 2,198 sq.m

(b) Building 151 3,100 sq.m

(c) Building 172 5,135 sq.m

(d) Building 320 3,600 sq.m

(e) Building 345 3,600 sq.m

(f) Building 350 3,200 sq.m

**9) Class B8 provision of up to 50 sq.m. involving change of Use of Building 158.**

**10) Change of Use of Structure 89a (10 sq.m) to a petrol pump station (sui generis use).**

**11) Provision of playing pitches and courts, sports pavilion/changing facilities plus incidental open space including NEAPS and LEAPS.**

**12) Provision of all infrastructure to serve the above development including the provision of the requisite access roads and car parking to District Council standards.**

**13) Removal of boundary fence to the south of Camp Road and partial removal of the fence to the north of Camp Road.**

**14) Removal of buildings and structures within the Site**

**15) Landscaping alterations including the removal of identified trees within the Conservation Area and planting of new trees and off-site hedgerows and access track.**

## PLANNING NOTES

1. For the purposes of this permission, operational development does not include: Any of the proposed changes of use, site investigations or surveys; the demolition of any existing buildings or structures; or the clearance of the Site. For clarity it does include all other building, mining, engineering and other operations.
2. Attention is drawn to a Legal Agreement related to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
3. In relation to those buildings on site that are listed or scheduled, this permission authorises and relates to a change of use only, and does not authorise any internal or external alterations to the building that may be necessary as a result of this change of use, for which separate listed building or scheduled monument consent will be required from the Local Planning Authority.
4. In the submission of reserved matter details for approval, a particularly high standard of architectural design in the external appearance of all buildings is expected in view of the prominence and heritage value of the site.
5. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 2501.
6. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working. Please contact the Council's Anti-Social Behaviour Manager on 01295 221623 for further advice on this matter.
7. The County Archaeologist has indicated that the proposal does not appear to directly affect any presently known archaeological sites. However, the County Council's records do show the presence of known archaeological finds nearby and this should be borne in mind by the applicant. If archaeological finds do occur during development, the applicant is requested to notify the County Archaeologist in order that he may make a site visit or otherwise advise as necessary. Please contact : County Archaeologist, Department of Leisure and Arts, Oxfordshire County Council, Central Library, Westgate, Oxford, OX1 1DJ (Telephone 01865 815749).
8. Due to the proximity of the site to tributaries of Gallos Brook all works carried out in connection with this development should comply with Environment Agency pollution prevention guidelines (PPG5): 'Works and maintenance in or near water'. Copies and further information are available from your local Agency office or from [www.environment-agency.gov.uk/ppg](http://www.environment-agency.gov.uk/ppg).

9. The applicant should ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical design guidance note entitled Natural Turf for Sport and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the England & Wales Cricket Board.
10. It is recommended that the drainage assessment and improvement scheme for the sports pitches is undertaken by a specialist turf grass consultant.
11. It is suggested that larger areas of hard standing e.g. walkways/car-parking are constructed following the recommendations set out in Sustainable Urban Drainage Systems guidance. This can be continued with designs for open space and landscaping within the area. The use of SUDS can attenuate the disposal of water and reduce the impact of pollutants to nearby watercourses. Guidance is available from Planning Policy Statement 25 or from the Environment Agency website, [www.environment-agency.gov.uk/suds](http://www.environment-agency.gov.uk/suds).
12. Underground storage tanks no longer in use should be decommissioned according to the current Institute of Petroleum guidance. The Environment Agency would also advise that the guidance given in PPG 27 - Installation, decommissioning and removal of underground storage tanks is followed.
13. The foul drainage from this development will drain to the site Sewage Treatment Works which will need refurbishment. The developer should confirm with the sewerage undertaker that; (a) sufficient capacity remains to properly deal with the additional load and (b) the sewerage conveying foul drainage to these works has sufficient hydraulic capacity.  
  
Note: - If the refurbishment works at the sewage treatment facility are likely to improve the water quality of the effluent discharged, it will be necessary to apply to vary the discharge consent to ensure that the facility complies with current legislation. For more information on how to vary a discharge consent please refer to the EA website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)).
14. For more information with regards to the WFD please refer to the EA website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)) and the website for the United Kingdom Technical Advisory Group ([www.wfduk.org](http://www.wfduk.org)).
15. The EA are pleased to see from the Environmental Statement that a ground investigation is planned and where necessary remediation will be carried out on the site. In order to complete the conceptual model, the complexity of the geological stratum under the site has to be assessed. Our records also suggest that there was a dry-cleaners within the former settlement area, therefore chlorinated solvents should be included as a potential contaminant of concern.
16. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
17. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

18. As there are a number of ordinary watercourses in the vicinity of the site it should be noted the erection of flow control structures or any culverting of a watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.
19. The Control of Pollution (Oil Storage)(England) Regulations 2001 apply to all above ground commercial oil storage in tanks over 200 litres in volume. This means that tanks must be fit for purpose and have secondary containment (or bund) sufficient to contain 110% of the tanks contents. The secondary containment must be impermeable to oil and water and not have any drainage valve. All the tank's ancillary equipment (valves, delivery hose, gauges, vent) must be within the curtilage of the secondary containment or bund. The Regulations have other stipulations and full information can be found on: [www.environment-agency.gov.uk/osr](http://www.environment-agency.gov.uk/osr) or from Pollution Prevention Guidance note 2 for above ground tanks or note 26 for drums and IBCs.
20. From 6 April 2008 it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000.

The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT.

For projects estimated at between £300,000 and £500,000 (excluding VAT) the SWMP should contain details of the:

- types of waste removed from the site
  - identity of the person who removed the waste
  - site that the waste is taken to.
- For projects estimated at over £500,000 (excluding VAT) the SWMP should contain details of the:
- types of waste removed from the site
  - identity of the person who removed the waste and their waste carrier registration number
  - a description of the waste
  - site that the waste was taken to
  - environmental permit or exemption held by the site where the material is taken.

At the end of the project, you must review the plan and record the reasons for any differences between the plan and what actually happened.

You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at [www.netregs-swmp.co.uk](http://www.netregs-swmp.co.uk).

21. The developers/applicants attention is drawn to the need to make provision for the future maintenance of public open space/landscaped areas in the development.

**SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as local planning authority, has determined this application in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Government advice contained within PPS5, in accordance the Revised Comprehensive Planning Brief, the development plan and other material considerations. The development is considered to be acceptable on its merits as the proposal preserves the character and appearance of the Conservation Area and delivers the comprehensive approach sought through saved policy H2 of the Oxfordshire Structure Plan. The development is considered to be acceptable on its planning merits as the proposal will enable the existing residents to remain on the site in a lasting arrangement.

As such the proposal is in accordance with Policy H2 of the Oxfordshire Structure Plan 2016 and UH1 of the Non Statutory Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.



**NOTICE OF DECISION**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**(AS AMENDED)**

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**NOTES TO THE APPLICANT**

**TIME LIMITS FOR APPLICATIONS**

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply:

**Where planning permission is given in outline** subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

**Where the planning permission is complete and is not in outline**, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

**OTHER NECESSARY CONSENTS**

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular you are reminded of the following matters:

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before considering work on site.**
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 0300 0030 200 , fax 0300 0030 201 or E-mail at [building.control@cherwellandsouthnorthants.gov.uk](mailto:building.control@cherwellandsouthnorthants.gov.uk)

- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.
- It is the responsibility of the applicant to ascertain whether his/her development affects any public right of way, highway or listed building.

## **APPEALS TO THE SECRETARY OF STATE**

If you are aggrieved by the decision of the Local Planning Authority to grant permission or approval subject to conditions, you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel (0117) 372 8000**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that permission or approval for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

## **PURCHASE NOTICES**

If either the Local Planning Authority or the First Secretary of State grants permission or approval for the development of land subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.