

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 14th November 2022

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

22/01330/OUT	Land North Of Witney Road, Long Hanborough
--------------	--

Report of Additional Representations

Application Number	22/01330/OUT
Site Address	Land North Of Witney Road Long Hanborough Oxfordshire
Date	11 th November 2022
Officer	Stephanie Eldridge
Officer Recommendations	Provisional Approval
Parish	Hanborough Parish Council
Grid Reference	441171 E 214342 N
Committee Date	14th November 2022

Application Details:

Outline application for the construction of up to 150 dwellings with access from Witney Road, open space and associated work.

Additional Representations:

The NHS Bucks, Oxon and Berks West Integrated Care Board have provided a response to the application. The key points raised are as follows:

This PCN area is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Eynsham Medical Group Long Hanborough surgery in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services.

The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.

A financial contribution of £129,600.00 has been requested and will be secured via the S.106 legal agreement if Members are minded to approve the application.

Biodiversity update

The Council's Ecologist has been liaising directly with TVERC (Thames Valley Environmental Records Centre) to confirm that the Biodiversity Net Gain (BNG) metric is correct and acceptable. TVERC raised some points of clarification on 8th November which the applicant has now addressed.

Officers are waiting for confirmation from the Council's Ecologist and TVERC that the BNG metric is acceptable and will provide members with a verbal update on this matter at the meeting on Monday.

If this is acceptable then the off-site BNG will need to be secured via the S106 agreement and an appropriately worded condition ensuring that the details are submitted accompanying the reserved matters application.

With regard to other biodiversity matters, the Council's Ecologist has raised no objections subject to the imposition of a number of conditions that are included on the up to date list of conditions within this report.

Amended list of recommended conditions

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission;

And

- (b) The development hereby permitted shall be begun either before the expiration of four 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 requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. Details of the layout, scale, appearance, and landscaping, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

3. The development shall be carried out broadly in accordance with the approved parameter plans and detailed access drawings listed below:
 - Land use parameter plan – TOR-PP01 Rev C
 - Building density parameter plan – TOR-PP02 Rev B
 - Building height parameter plan – TOR- PP03 Rev A
 - Landscape parameter plan – TOR- PP04 Rev E
 - Access and movement parameter plan – TOR-PP05 Rev A

- Proposed site access 23560-01-GA Rev C

REASON: For the avoidance of doubt as to what is permitted.

4. A Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any work on site. The CEMP shall: identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and light spill/glare; provide details of the hours of operation; and, detail waste manage arrangements. The plan shall cover all aspects of the works, including, site preparation, groundwork and construction phases of the development. It shall also include measures to manage heavy/large goods vehicle access to the site and measures to be employed to prevent the egress of mud, water and other detritus onto the public and any non-adopted highways.

REASON: To protect the amenity of the locality, especially for people living and/or working in Long Hanborough.

5. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";
 - Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
 - A Flood Exceedance Conveyance Plan;
 - Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
 - 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;
 - Details of how water quality will be managed during construction and post development in perpetuity;
 - Confirmation of any outfall details; and
 - Consent for any connections into third party drainage systems.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework and Planning Practice Guidance). If the scope of surface water drainage is not agreed before works commence, it could affect either the approved layout or completed works.

6. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework and Planning Practice Guidance).

7. Prior to the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority 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 (2021).

8. Following the approval of the Written Scheme of Investigation referred to in condition 7, and prior to 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 two years of the completion of the archaeological fieldwork.

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 (2021).

9. There shall be no occupation beyond that of 49 dwellings until confirmation has been provided that either:
 - all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
 - a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to low/no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Any necessary reinforcement works will be necessary in order to avoid low/no water pressure issues.

10. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON: To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

11. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

12. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan – Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
 - I. Risk assessment of potentially damaging construction activities;
 - II. Identification of ‘biodiversity protection zones’;
 - III. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - IV. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);

- V. The times during construction when specialists ecologists need to be present on site to oversee works;
- VI. Responsible persons and lines of communication;
- VII. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- VIII. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- IX. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To ensure that protected and priority species and habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), The Hedgerow Regulations 1997, Circular 06/2005, paragraphs 174, 179 and 180 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 13. An Ecological Design Strategy (EDS) shall be submitted to, and approved in writing by, the local planning authority before the commencement of the development hereby approved. The plan shall include, but not necessarily be limited to, the following information:
 - I. Details of planting such as, hedgerows, wildflower planting, tree planting and SuDS planting;
 - II. Type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - III. Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
 - IV. Details of integrated bird and bat boxes, reptile hibernacula, hedgehog friendly fencing and bee bricks;
 - V. Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To protected and enhance the site for biodiversity in accordance with paragraphs 174, 179 and 180 of the National Planning Policy Framework, Policy EH3 of West Oxfordshire Local Plan and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 14. A 30-year Biodiversity Management and Monitoring Plan (BMMP) shall be submitted to, and approved in writing by, the local planning authority before the commencement of the development hereby approved. The Plan shall include, but not necessarily be limited to, the following information:

- I. Description and evaluation of features to be managed, including locations shown on a site map;
- II. Landscape and ecological trends and constraints on site that might influence management;
- III. Aims and objectives of management, including ensuring the delivery of the 0.34 habitat units and 1.05 hedgerow units on site;
- IV. Appropriate management options for achieving the aims and objectives;
- V. Prescriptions for all management actions;
- VI. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
- VII. Details of the body or organisation responsible for implementation of the plan;
- VIII. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place;
- IX. Timeframe for reviewing the plan;
- X. Details of how the aims and objectives of the BMMP will be communicated to the occupiers of the development; and
- XI. The submission of a monitoring report to the local planning authority at regular intervals, e.g. every 5 years.

The BMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the BMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The BMMP shall be implemented in full in accordance with the approved details.

REASON: To secure the delivery of the biodiversity net gain outcome for the required 30 year period and appropriate management of all habitats in accordance with the NPPF (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

15. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:
 - a) Identify the areas/features on site that are particularly sensitive for foraging bats;
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 174, 179 and 180 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and

in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.