

PLANNING

ELECTRONIC
VERSION

Planning Decision

P21/V0679/O

Feltham Holdings (South) Limited
c/o Paul Butt Planning Ltd
8 Hyde Copse
Marcham
OX13 6PT

OUTLINE PLANNING PERMISSION

Application No : **P21/V0679/O**

Application proposal, including any amendments :

**Outline application for access for residential development of up to 5 dwellings.(Additional highway and ecology information received 13 May 2021)
(Additional archaeology information received 28 May 2021)**

Site Location : **25 Orchard Way Harwell Didcot OX11 0LQ**

Vale of White Horse District Council hereby gives notice that **outline planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. Development shall not commence until details of the reserved matters [appearance, landscaping, layout, scale] have been submitted to and approved in writing by the Local Planning Authority.

In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

Thereafter the development shall commence not later than whichever is the later of the following dates:

- (a) the expiration of three years from the date of this permission; or
- (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such



matter to be approved.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, P18-020-FPL-100 and J32-5533-002, except as controlled or modified by conditions of this permission.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. Concurrent with the submission of a reserved matters application, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority. The BEP should be broadly in accordance with the outline details of habitat enhancements illustrated on the ecological appraisal (Aluco Ecology, March 2019) save for any Biodiversity Offsetting Scheme that forms part of the BEP. The BEP should include:
 - a. Details of habitat creation or enhancements (this could cross reference relevant landscape plans) and include suitably detailed drawings and cross sections as required;
 - b. Details of species enhancements including relevant scale plans and drawings showing the location, elevation and type of features such as bat and bird boxes etc. as appropriate;
 - c. Selection of appropriate strategies for creating / restoring target habitats or introducing target species;
 - d. Selection of specific techniques and practices for establishing vegetation;
 - e. Sources of habitat materials (e.g. plant stock) or species individuals;
 - f. Method statement for site preparation and establishment of target features;
 - g. Extent and location of proposed works;
 - h. Full details of a biodiversity metric assessment to demonstrate a biodiversity net gain taking into account any Biodiversity Offsetting Scheme.

No development shall commence unless and until a certificate confirming the agreement of an Offsetting Provider to deliver any Biodiversity Offsetting Scheme forming part of the BEP has been submitted to and agreed in writing by the Local Planning Authority.

Thereafter, the development shall be implemented in accordance with the approved BEP and all ecological mitigation and enhancement features shall be delivered on site prior to first use and retained as such thereafter.

Reason: To ensure that there is no net loss of biodiversity (Policy CP46 of the

adopted Local Plan 2031 Part1).

4. Prior to the commencement of development, a full surface water drainage scheme, including details of the size, position and construction of drainage works, shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall be designed to accommodate a 1 in 100 year storm + 40% Climate change and will be implemented in accordance with the approved details prior to the occupation of the development hereby approved.

Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality. (Policy CP42 of the adopted Local Plan 2031 Part 1).

5. Prior to the commencement of development, a full foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, all coupled with calculations to evidence this. The approved scheme shall be fully implemented prior to the occupation of any new building.

Reason: To ensure the effective drainage of the site in the interest of public health (Policy CP42 of the adopted Local Plan 2031 Part 1 and Policy DP23 of the adopted Local Plan 2031 Part 2).

6. Prior to the commencement of any site works or operations, including demolition and site clearance relating to the development hereby permitted, an Arboricultural Method Statement and accompanying Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Arboricultural Method Statement must include the following:

(1) A specification of any pruning or tree surgery works to any trees to be retained, to prevent accidental damage by construction or demolition activities;

(2) The specification and location of temporary tree protective fencing and any ground protection required to protect all retained trees in accordance with the current edition of BS 5837 "Trees in relation to design, demolition and construction", and details of the timing and duration of its erection;

(3) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;

(4) The means of demolition of any existing site structures, and of the reinstatement of the area currently occupied thereby;

(5) The route and method of installation of drainage or any underground services in the vicinity of retained trees; Consideration will be made to avoid siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with the current edition of NJUG 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees'.

(6) The details and method of construction of any other structures such as boundary walls in the RPA of retained trees and how these relate to existing ground levels;

(7) The details of materials and method of construction of any roadway, driveway, parking, pathway or other surfacing within the RPA, which is to be of a 'No Dig' construction method, in accordance with the principles with in Arboricultural Association Guidance Note 12 "The use of cellular confinement systems near trees" and in accordance with current industry best practice; and is appropriate for the type of roadway required in relation to its usage.

(8) Provision for the supervision of ANY works within the RPA of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details with the agreed measures being kept in place during the entire course of development.

Reason: To safeguard trees which are visually important (Policy CP44 of the adopted Local Plan 2031 Part1)

7. Prior to any demolition and 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 (Policy CP39 of the adopted Local Plan 2031 Part 1 and Policy DP39 of the adopted Local Plan 2031 Part 2).

8. Following the approval of the Written Scheme of Investigation referred to in condition 7, 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 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 (Policy CP39 of the adopted Local Plan 2031 Part 1 and Policy DP39 of the adopted Local Plan 2031 Part 2)

9. Prior to the use or occupation of the new development, the vehicular access and visibility splays hereby approved and shown on approved drawing number J32-5533-002 shall be provided. Thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.

Reason: In the interest of highway safety (Policy CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).

NB: Although the drawings submitted with this planning application are illustrative only, the Local Planning Authority has had regard to the drawings in deciding to grant outline planning permission. The applicants attention is drawn to the need to review the heights and layout of the development prior to submission of the reserved matters. Further information is available in the delegated report.

NB: The development to which this permission relates is liable to pay the Community Infrastructure Levy (CIL) as set out in the Vale of White Horse CIL Charging Schedule. Please refer to the CIL Regulations 2010 (as amended). A Liability Notice will be issued to the relevant person on the day on which a planning permission first permits development.

NB: If works are required to be carried out within the public highway, the applicant is advised not to commence such work before formal approval has been granted by Oxfordshire County Council by way of either:

- i. - a Section 184 Notice under the Highways Act 1980, or
- ii. - a legal agreement between the applicant and Oxfordshire County Council

NB: The above permission/consent may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the

particular requirements of the pre-condition(s) have been met.

NB: This approval is specific to the details of the development as shown on the approved plans and other associated documentation. Unless otherwise agreed by the Council any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. As such the Council must be advised in writing of any proposed variations from the approved plans and other associated documentation at the earliest stage possible. A decision will then be made as to whether the changes can be dealt with as a minor revision to the approved details or whether a revised application is required.

Reason for Decision

The site is within a larger village and accessible to its services and facilities. Given other recent developments in the vicinity a development of up to five dwellings is considered acceptable in terms of the size of the site. The exact scale and size of the dwellings are to be determined at reserved matters but the indicative plans indicate that up to 5 could be accommodated with some revisions to the layout and size of dwellings. The access to the development is considered to acceptable to the highway authority. In principle therefore the development would accord with the relevant development plan policies.

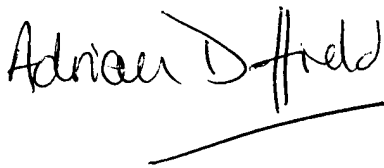
In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents of issues that arise during the processing of their application and where possible suggesting solutions to problems.

Note : A more detailed explanation is available in the officer's report, available in the application case file.

Key Policies

CP01	Presumption in Favour of Sustainable Development
CP03	Settlement Hierarchy
CP04	Meeting Our Housing Needs
CP05	Housing Supply Ring-Fence
CP22	Housing Mix
CP23	Housing Density
CP33	Promoting Sustainable Transport and Accessibility
CP35	Promoting Public Transport, Cycling and Walking
CP37	Design and Local Distinctiveness
CP42	Flood Risk
CP44	Landscape
CP46	Conservation and Improvement of Biodiversity
DP16	Access
DP23	Impact of Development on Amenity
DP28	Waste Collection and Recycling

Note : The full wording of the above policies are available on our website or in the local plan documents, at our offices.

A handwritten signature in black ink, reading "Adrian D. Field". The signature is written in a cursive style and is positioned above a horizontal line that serves as a signature separator.

Head of Planning
25th June 2021

STATUTORY INFORMATIVE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Telephone : 0303 444 5000
www.planningportal.gov.uk
email: enquiries@pins.gsi.gov.uk.

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 the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, 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 Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he 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 Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or 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 sections 114 and related provisions of the Town and Country Planning Act 1990.

OTHER INFORMATION

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website (www.planningportal.gov.uk).