

Mr Alex Edge  
Edgars Limited  
Edgars Limited  
The Old Bank  
39 Market Square  
Witney  
OX28 6AD

Our ref: 20/03527/FUL  
Date Received: 19th December 2020  
Parish: Stonesfield

## **Town and Country Planning Act**

### **NOTICE OF DECISION**

West Oxfordshire District Council, as Local Planning Authority, hereby **approves** the application, as outlined below.

Proposed: Erection of 4no. 4-bedroom dwellings with associated access, landscaping and demolition works.

At: Farm Buildings Farley Lane Stonesfield Oxfordshire

For: Mr Brendan O'Brien

#### **CONDITIONS:**

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

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 That the development be carried out in accordance with the approved plans listed below.

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

- 3 The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

- 4 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 5 No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team.

REASON: To ensure the public right of way remains available and convenient for public use.

- 6 No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.

REASON: To ensure the public right of way remains available and convenient for public use.

- 7 No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior permission and appropriate safety and surfacing measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants, their contractors, or the occupier to put right / make good to a standard required by the Countryside Access Team.

REASON: To ensure the public right of way remains available and convenient for public use

- 8 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

- 9 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

- 10 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

- 11 A full surface 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 and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

- 12 That, prior to the commencement of development, a full surface 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, finished floor levels and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

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, The West Oxfordshire Strategic Flood Risk Assessment and Planning Practice Guidance). If the surface water design is not agreed before works commence it could result in abortive works being carried out on site or additional works being required to ensure flooding does not result, which may result in changes to the approved site layout being required.

- 13 The development shall be completed in accordance with the recommendations in Section 6 of the Preliminary Ecological Appraisal, dated 15th December 2020 and prepared by Windrush Ecology, as well as the Biodiversity Plan (drawing no. pf/772517), as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

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

- 14 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings as well as holes/gaps within all fences/walls for hedgehogs, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds and to ensure continued permeability for hedgehogs as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 15 Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors will be minimised as much as possible.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 16 Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, including biodiversity enhancements and a 5-year maintenance plan. The scheme shall be designed in accordance with the Biodiversity Plan (drawing no. pf/772517). The scheme shall therefore include, but not necessarily be limited to, the following biodiversity enhancements:
- o The creation of native, species rich hedgerows along the northern and eastern boundaries;
  - o The retention and protection of native hedgerows along the western and southern boundaries;
  - o The creation of hedgerow buffers;
  - o The planting of native tree species along the northern and eastern boundaries of the site, alongside the new hedgerows;
  - o The creation of deadwood habitat;
  - o A 5-year after-care period maintenance plan.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

REASON: To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 17 If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure effective delivery of approved landscaping and to secure enhancements for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, 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.

- 18 A 5-year Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before the erection of any external walls of the development hereby approved. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- i. Description and evaluation of features to be managed; including location(s) shown on a site map;
  - ii. Landscape and ecological trends and constraints on site that might influence management;
  - iii. Aims and objectives of management;
  - iv. Appropriate management options for achieving aims and objectives;
  - v. Prescriptions for management actions;
  - vi. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over a 5 or 10 year period;
  - vii. Details of the body or organisation responsible for implementation of the plan;
  - viii. Ongoing monitoring and remedial measures;
  - ix. Timeframe for reviewing the plan; and
  - x. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP 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 LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, 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 Part 3 of the Natural Environment and Rural Communities Act 2006.

- 19 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.

#### INFORMATIVES:

- 1 Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team by email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk). Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council
- 2 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Oxfordshire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
- - CIRIA C753 SuDS Manual 2015

#### APPROVED PLANS:

Reference No:	Version :	Description :
772418	V2	Location Plan
772517	Biodiversity Site Plan	Site plans
12	Plot 1	Floor Plans - Proposed
12	Plot 1	Elevations - Proposed
14	Plot 2	Floor Plans - Proposed
14	Plot 2	Elevations - Proposed
13	Plot 3	Floor Plans - Proposed
13	Plot 3	Elevations - Proposed
15	Plot 4	Floor Plans - Proposed
15	Plot 4	Elevations - Proposed
19	Garages	Floor Plans - Proposed
19	Garages	Elevations - Proposed



**Giles Hughes**  
**Head of Paid Service**

Dated 1st April 2021

**IT IS IMPORTANT THAT YOU READ THE NOTES ACCOMPANYING THIS NOTICE.**

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