

**On Behalf of:** Barton Oxford LLP  
C/o AECOM  
Mr Paul Comerford  
Midcity Place  
71 High Holborn  
London  
WC1V 6QS

**APPLICATION FOR PLANNING PERMISSION**

Town and Country Planning Act 1990

DECISION DATE: 18th October 2013

**PROPOSAL:** Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sqm GEA hotel (Class C1); a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement)

**AT:** Land West Of Barton North Of A40 And South Of Bayswater Brook  
Northern By-Pass Road Wolvercote

**NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION**

**13/01383/OUT**

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT OUTLINE PLANNING PERMISSION** for the following reasons:-

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The proposed development is submitted in outline only but with substantial supporting information to demonstrate that the proposed development would possess a scale and appearance that is appropriate to the site and its setting without resulting in unacceptable

harm to nearby residential areas or other interests of acknowledged importance, whilst providing much needed good quality affordable and market housing at a sustainable location. The proposals also provide for a new primary school with facilities shared with the local community, plus additional facilities for secondary education and a new commercial centre to complement existing facilities, all in accordance with the adopted policies of the Oxford Local Plan 2001 to 2016, the Oxford Core Strategy 2026, Oxford Sites and Housing Plan 2011 to 2026 and Barton Area Action Plan 2012. Accompanying the planning application is an Environmental Statement submitted under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement has been taken fully into account in assessing the planning application.

- 3 Officers have taken into account the comments made by statutory bodies, interested parties and private individuals, and note also the contents of the three petitions submitted. All are fully acknowledged. However Officers have concluded for the reasons set out in this report that the objections do not amount, individually or collectively, to reasons for refusal of the outline planning application, and that the issues that have been raised can be adequately addressed by the imposition of a range of planning conditions which would fix, amongst other matters, a series of Parameter Plans and a detailed Design Code, and by the completion of an accompanying legal agreement.

subject to following conditions, which have been imposed for the reasons stated:-

#### CONDITIONS:

- 1 Time Limits for Commencement.  
The development hereby permitted shall be begun either before the expiration of 5 years from the date of this outline permission or from the expiration of 2 years from the date of approval of the last reserved matters to be approved, whichever is the later.  
  
Reason: In accordance with Section 92(20) of the Town and Country Planning act 1990.
- 2 Approved Plans and Documents.  
The development hereby permitted shall be carried out in accordance with the following approved documents and drawings:-
  1. Application Boundary Plan - 173602/LEG/004.
  2. Land Ownership - 173602/LEG/003.
  3. Access junction A.40 - 1549/GA/08 Rev B.
  4. Access to Barton Village Road - 1549-GA-01 Rev B.
  5. Access to Harolde Close - 1549-GA-02 Rev A.
  6. Parameter Plans:-
    - Parameter Plan 1 - Building Zone - 173603/PP/Plan 1 Rev J.
    - Parameter Plan 2 - Land Use - 173603/PP/Plan 2 rev H.
    - Parameter Plan 3 - Open space and landscape - 173603/PP/Plan 3 rev J.
    - Parameter Plan 4 - Movement and Access - 173603/PP/Plan 4 Rev I.
    - Parameter Plan 5 - Density - 173603/PP/Plan 5 rev H.
    - Parameter Plan 6 - Building Heights - 173603/PP/plan 6/01 Rev K.
  7. Development Specification
  8. Design Code Version 1, October 2013

All reserved matters applications will need to confirm compliance with the above documents and plans or in accordance with any minor modification agreed in writing beforehand by the local planning authority.

Reason: For the avoidance of doubt and to ensure the development accords with the outline planning permission and in accordance with policy BA 13 of the adopted Barton Area Action Plan 2012.

3 Reserved Matters Applications.

Prior to the commencement of development of any phase, except for enabling infrastructure works, full detailed drawings of the following matters must be submitted to and approved in writing by the local planning authority. The development shall be carried out only in accordance with such details:

- (i): layout;
- (ii): scale;
- (iii): appearance; and
- (iv): landscaping.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

4 Scheme of Enabling Infrastructure Works.

Prior to the commencement of development a scheme(s) of enabling infrastructure works shall be submitted and approved in writing by the Local Planning Authority. This shall include;

- Utility services;
- Earthworks;
- Drainage / attenuation;
- Roadworks.

The enabling works shall be carried out only as approved.

Reason: To avoid doubt and to ensure the timely implementation of the proposed development.

5 Phasing of Development.

No development shall commence, including enabling infrastructure works, until and unless a site wide phasing and implementation plan will be submitted to and approved in writing by the local planning authority. Amendments to the phasing and implementation plan shall be subject to obtaining prior written approval from the local planning authority.

Reason: To ensure an orderly form of development at all times, in accordance with policies CP1, CP19 and CP21 of the adopted Oxford Local Plan 2001 to 2016.

6 Materials.

Prior to the commencement of each reserved matters application or such other time as previously agreed in writing details of the proposed materials to be utilised within the reserved matters application to which it relates shall be submitted to the local planning authority and samples made available for inspection on site, to include;

- Brick types
- Paving
- Roof materials
- Rainwater goods
- Doors
- Windows

Only the materials as subsequently approved shall be utilised unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of the visual amenities of the development in accordance with policies CP1 and CP8 of the adopted Oxford Local Plan 2001 to 2016.

- 7 Design Code Review.  
The approved Design Code may be subject to review from time-to-time by agreement in writing of the local planning authority in consultation with the local highway authority but not prior to the 150th unit occupation or two years after commencement whichever is the sooner, unless also agreed in writing by the local planning authority. The review will be upon the request of either the local planning authority or the Barton LLP. Reserved matters applications made subsequent to the Design Code review shall be in compliance with the updated code.
- Reason: To avoid doubt and in the interests of the residential and visual amenities of the development, in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016, policy CS18 of the adopted Oxford Core Strategy 2016 and policy HP9 of the adopted Oxford Sites and Housing Plan 2013.
- 8 Restrict Non - Food Sales at Supermarket.  
Not more than 15% of the net sales area of the permitted supermarket shall be used for non-food sales.
- Reason: To ensure that the supermarket serves local needs in accordance with Policy BA10 of the adopted Oxford Barton Area Action Plan 2012.
- 9 Landscaping and Public Realm.  
Prior to the commencement of each reserved matters application, except enabling infrastructure works, or such later period as previously agreed in writing, a landscape plan shall be submitted to and approved in writing by the local planning authority for that reserved matters application. The plan shall show in detail all proposed tree and shrub planting, treatment of paved areas, tree pit details, details of street furniture and areas to be grassed or finished in a similar manner.
- Reason: In the interests of visual appearance of the conservation areas which lie adjacent to the development, in accordance with policies CP1, CP11, NE15 and NE16 of the adopted Oxford Local Plan 2001 to 2016.
- 10 Landscape Implementation.  
The landscaping proposals as approved by the local planning authority shall be carried out in the first planting season following substantial completion of the phase or sub phase of development if this is after 1st April. All planting which fails to be established within three years shall be replaced.
- Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the adopted Oxford Local Plan 2001 to 2016.
- 11 Tree Protection Plan.  
Prior to the commencement of each reserved matters application including enabling works, a tree protection plan shall be submitted to and approved in writing by the local planning authority in accordance with BS 5837 (2012). Approved protection measures, including fencing shall be maintained during the course of development operations where such works would have an effect on those trees. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree( s) of such size and species as shall have been previously agreed in writing by the local planning authority.
- Reason: In the interests of the safety and well being of existing trees on the application site, in accordance with policies CP1, CP11, NE15 and NE16 of the adopted Oxford Local Plan

2001 to 2016.

12 Landscape Management Plan.

Prior to the first occupation within each reserved matters application, or such other later period as previously agreed in writing, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for landscaped areas within each reserved matters application, (other than private domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape management plan shall be implemented only as approved.

Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1 and CP11 of the adopted Oxford Local Plan 2001 to 2016.

13 Sports Pitches.

Prior to the redevelopment of the existing adult football pitch, a scheme to protect and ensure the continuity of sports facility provision for existing users shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and ensure that alternative facilities are made available and are as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality. The approved scheme shall be complied with in full throughout the carrying out of the development. The sports pitches to serve the development shall be provided to the following dimensions accordingly, unless otherwise agreed in writing beforehand by the local planning authority:

- The adult playing pitch shall be provided to a minimum dimension of 100 metres by 64 metres excluding run - off.
- The Multi Use Games Area (MUGA) shall be provided to a minimum dimension of 39 metres by 26 metres.
- The Junior Pitch (3G Synthetic pitch) shall be provided to a minimum dimension of 78 metres by 52 metres including run - off.
- The replacement pavilion shall be provided to a minimum floor area of 300 sq m.

Reason: To provide adequate replacement and new sporting facilities in accordance with policy BA2 of the adopted Barton Area Action Plan 2012.

14 Withdrawal of Permitted Development Rights.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) (with or without modification) no development falling within the following Classes of the Order shall be carried out without the prior written approval of the local planning authority:-

- Schedule 2, Part 1, Classes A, B, C, D, E, F, G, J, H and K.
- Schedule 2, Part 2, Classes A, B and C.
- Schedule 2, Part 32, Class A.
- Schedule 2, Part 40, Class A, B, C, D, E, F, G, H and I.
- Schedule 2, Part 43, Class A, B, C, D, E and F.

Reason: To comply with the approved Design Code in the interests of residential and visual amenities of the development, and in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016; policy CS18 of the adopted Oxford Core Strategy 2026; policy HP9 of the adopted Oxford Sites and Housing Plan 2013 and policy BA13 of the adopted Barton Area Action Plan 2012.

15 Lifetime Homes Standards.

All residential units will be built to Lifetime Homes standards unless it can be demonstrated or justified to the local planning authority that meeting these standards is not achievable.

Reason: To ensure compliance with the requirements of policy HP2 of the adopted Oxford

Sites and Housing Plan 2011 to 2026.

16 Car Parking Standards.

The car parking to serve the development shall be provided taking into account the Transport Assessment as submitted and the adopted Oxford Sites and Housing Plan 2013 unless otherwise agreed in writing by the local planning authority. No dwelling or other buildings and uses shall be occupied or implemented until car parking space (s) to serve them have been provided accordingly. All car parking shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority.

Reason: To ensure appropriate levels of car parking are available at all times to serve the development, in accordance with policy TR3 and Appendix 3 of the adopted Oxford Local Plan 2001 to 2016 and policy HP16 and Appendix 8 of the adopted Oxford Sites and Housing Plan 2013.

17 Cycle Parking Standards.

The cycle parking to serve the development shall be provided in accordance with the standards laid down in policy TR4 and Appendix 4 of the adopted Oxford Local Plan in relation to non-residential uses, and policy HP15 of the Sites and Housing Plan 2013 for residential properties. The cycle parking related to a phase or sub phase shall be provided in covered, secure conditions wherever possible and retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority. No dwelling or other buildings and uses shall be occupied or implemented until appropriate cycle parking has been provided accordingly.

Reason: To ensure appropriate levels of cycle parking are available at all times to serve the development, in accordance with policy TR4 and Appendix 4 of the adopted Oxford Local Plan 2001 to 2016 and policy HP15 8 of the adopted Oxford Sites and Housing Plan 2013.

18 Servicing and Deliveries.

Prior to the commencement of the non-residential development reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of delivery times and servicing arrangements for all non - residential elements of the development shall be submitted to and approved in writing by the local planning authority. There shall be no variation to the approved details without the prior written approval of the local planning authority. No deliveries shall take place outside the hours of 6.30am to 11pm unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the residential amenities of neighbouring occupiers in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016, policy CS18 of the adopted Oxford Core Strategy 2016 and policy HP9 of the adopted Oxford Sites and Housing Plan 2013.

19 Access.

Vehicular access, either direct or indirect, from the A40 to all parts of the development hereby permitted shall only be provided by one new permanent access junction from the A40 in accordance with approved plan 1549/GA/08 REV B .

Reason: In the interests and highway safety and in accordance with policy BA6 of the adopted Barton Area Action Plan 2012.

20 Highways: Travel Plan.

Prior to the first occupation of a residential unit within a phase, a Travel Plan shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The Travel Plan shall be in accordance with the Framework Travel

Plan, unless otherwise agreed in writing by the local planning authority submitted as part of the planning application and shall include details of the means of regulating the use of private cars at the development in favour of other modes of transport and the means of its implementation and methods of monitoring. The approved requirements shall be put in place prior to first occupation of the relevant phase. There shall be no variation to the details agreed without the prior written approval of the local planning authority. Separate Travel Plans shall be submitted with reserved matters applications for the non-residential elements of the development; the primary school and foodstore / hotel and shall encompass the same principles in favour of non car modes of transport.

Reason. To limit the number of journeys by the private motor car and reduce the pressure for car parking in the locality, in accordance with policies CP1, TR2, TR3 and TR12 of the adopted Oxford Local Plan 2001 to 2016.

21 Public Transport Provision.

In the event that the land within the application boundary required to construct access to Foxwell Drive, (Proposed Access Junction to A40 - approved drawing 1549/GA/08 REV B), is registered as a town green, then details of alternative public transport serving the site shall be submitted to and agreed by the local planning authority in consultation with the local highway authority.

Reason: To ensure that adequate public transport is provided for future residents of the site, in accordance with policy TR7 of the adopted Oxford Local Plan 2001 to 2016.

22 Construction Environmental Management Plan.

Prior to the commencement of enabling works a site- wide Construction Environmental Management Plan (including a Construction Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters;

- signage for construction traffic, pedestrians and other users of the site;
- controls on arrival and departure times for construction vehicles;
- piling methods (if employed);
- earthworks; -
- hoardings to the site, including future development plots on adjacent land;
- noise limits;
- hours of working;
- vibration;
- control of emissions;
- waste management and disposal, and material re use;
- prevention of mud / debris being deposited on public highway;
- protection of 8m buffer zone to Bayswater Brook;
- materials storage; and hazardous material storage and removal.

The approved Construction Environmental Management Plan shall be implemented accordingly.

Reason: In the interests of the residential amenities of neighbouring occupiers, in accordance with policies CP1, CP19 and CP21 of the adopted Oxford Local Plan 2001 to 2016.

23 Sustainability and Energy Strategy.

Upon submission of each reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of the compliance with the Energy Strategy and NRA as submitted with the planning application documents shall be submitted to and approved in writing by the local planning authority. The features as approved shall be incorporated into the development prior to its first occupation. The strategy shall demonstrate that across the totality of the development the overall target

of 20% of energy requirements will be delivered through on-site renewable or low-carbon energy sources. Each subsequent reserved matters application will be required to update this strategy and identify its renewable energy contribution, set against the site wide cumulative contribution.

Reason: In the interests of sustainability, in accordance with policy CS.9 of the adopted Oxford Core Strategy 2026.

24 Site Wide Surface Water Drainage.

No phase of the development shall take place until such time as a detailed site wide surface water drainage scheme shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council and Environment Agency unless otherwise agreed in writing beforehand by the local planning authority, The surface water management scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, as set out by the WSP Flood Risk Assessment (FRA) (ref: T30514 FRA, dated May 2013), WSP Surface Water and Design Statement (ref: T30514 SW, dated May 2013) and SuDS Statement (dated May 2013) and incorporating a range of source control, local and regional sustainable drainage features has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include:

- Limiting of the rates and volumes of surface water runoff to the QBar rates detailed in table 3.3 of the FRA
- Detailed surface water calculations for all rainfall events up to and including the 1 in 100 year plus 30% for climate change.
- Details to confirm that surface water runoff from the site is not discharged into on-site watercourses which are critical in draining off-site catchments
- Details of how any contamination and groundwater risks will be mitigated.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In accordance with policy CS11 of the adopted Oxford Core Strategy 2026.

25 Phased Surface Water Drainage Scheme.

Prior to the commencement of any phase of development, except for enabling works, details of the Surface Water Drainage System for that phase shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council and Environment Agency. The water drainage system as approved shall be in accordance with the agreed Site Wide Surface Water Scheme (above) and include details of the design, location and capacity of all such sustainable drainage features.

Reason: In accordance with policy CS11 of the adopted Oxford Core Strategy 2026.

26 Foul Water Drainage Scheme.

Prior to the commencement of enabling infrastructure works relating to drainage, a foul water strategy which demonstrates that sufficient capacity exists to cater for the needs of the development shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water Utilities or its successor as sewage undertaker. With each reserved matters application details of the foul drainage system proposed for each phase or sub phase of development shall be submitted to and approved in writing by the local planning authority in conjunction with the sewage undertaker. No discharge of foul water shall take place into the public system until construction of the system has been completed as approved. The drainage scheme shall be maintained and managed at all times until adopted



by the appropriate organisation unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In accordance with policy NE14 of the adopted Oxford Local Plan 2001 to 2016.

27 Flooding.

The development permitted by this planning permission shall only be carried out in accordance with the approved WSP Flood Risk Assessment (FRA) (ref: T30514 FRA, dated May 2013), WSP Surface Water and Design Statement (ref: T30514 SW, dated May 2013) and SuDS Statement (dated May 2013) the following mitigation measures detailed within the Flood Risk Assessment:

- There shall be no built development in the 1 in 100 year plus climate change flood extent.
- Finished floor levels in the northern part of the site to be set no lower than 450mm above the 1 in 100 year plus climate change flood level for that location.
- Surface water catchment control features to be located outside the 1 in 100 year plus climate change flood extent.
- At the detailed design stage surface water outfalls and storage arrangements shall be hydraulically tested against the fluvial 1 in 100 year plus climate change flood.
- The mitigation measures related to each phase or sub phase shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority in consultation with the Environment Agency.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with policy CS11 of the adopted Oxford Core Strategy 2016.

28 Ground Contamination and Remediation.

Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components 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:

- 1) A site investigation scheme, based on (Phase 1, Ground condition Report, Peter Brett Associates, June 2009, 22485-006) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to in (1) 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.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

There shall be no variation to these requirements without the prior written approval of the local planning authority, and the scheme shall be implemented only as approved.

Reason: As previous activities at the site may have resulted in contamination of the land, and in order to ensure the development does not contaminate controlled waters, in accordance with policy CP22 of the adopted Oxford Local Plan 2001 to 2016.

29 Air Quality: Monitoring.

Prior to the commencement of the development, or such other time as previously agreed in writing, details of an air quality monitoring programme shall be submitted to and approved in writing by the local planning authority. The programme shall include air quality monitoring at

agreed locations in or adjacent to the development which shall be undertaken following the occupation of the 300th, 550th and 800th residential units, with the results of the monitoring submitted to the local planning authority within 2 months of its compilation.

Reason: As the development may give rise to increases in air pollutants, in accordance with policy CP23 of the adopted Oxford Local Plan 2001 to 2016.

30 Piling.

There shall be no use of piling or other foundation designs using penetrative methods without the prior written approval of the local planning authority, other than for those parts of the site where it has been demonstrated to the local planning authority beforehand that there is no resultant unacceptable risk to groundwater.

Reason: To prevent unauthorised piling through contaminated ground, in accordance with policies NE12 and NE13 of the adopted Oxford Local Plan 2001 to 2016

31 Petrol / Oil Interceptors.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, a scheme to prevent petrol / oil entering into the ground from surface areas used by vehicular traffic shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented prior to the first occupation of that phase or sub phase of development to which it relates and shall be retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.

Reason: To prevent oil polluted discharges entering local watercourses, in accordance with policies NE.12 and NE.13 of the adopted Oxford Local Plan 2001 to 2016.

32 Noise Attenuation.

Prior to the commencement of the reserved matters application for affected residential units adjacent to the A40 or electricity substation, or such other period as otherwise agreed beforehand by the local planning authority, a scheme of mitigation measures required for the affected units shall be provided to meet the noise levels set within the Environmental Statement accompanying the planning application shall be submitted to and approved in writing by the Local Planning Authority:-

- 30 dB LAeq, 8hr (bedrooms) within all residential units.
- 35 dB LAeq, 16hr (living rooms) within all residential units.

The approved measures shall also seek to mitigate as far as practicable noise emitted from the sub station where its tonal character would impair the amenities of neighbouring occupiers. The measures as approved shall be fully incorporated into the affected accommodation prior to its first occupation and retained at all times thereafter.

Reason: To safeguard the amenities of the occupiers of the proposed development, in accordance with policies CP19 and HS19 of the adopted Oxford Local Plan 2001 to 2016.

33 Mechanical Plant.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of the proposed mechanical plant to serve non-residential elements of the development including anticipated sound attenuation measures shall be submitted to and approved in writing by the local planning authority. The details as approved shall be incorporated into the development prior to the first occupation of the accommodation to which it relates or is affected and retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of amenity, in accordance with policy CP19 of the adopted Oxford Local Plan 2001 to 2016.

34 Cooking Smells.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed beforehand by the local planning authority, a scheme for treating cooking fumes and odours from non residential elements of the development before their emission to the atmosphere so as to render them innocuous shall be submitted to and approved in writing by the local planning authority. Any such works that form part of the scheme shall be completed before the development to which it relates is occupied and should include the use of grease filters and other specialist filtering and deodorising equipment that will be serviced and maintained according to the manufacturers recommendations.

Reason: In the interests of residential amenity, in accordance with policies CP19 and HS19 of the adopted Oxford Local Plan 2001 to 2016.

35 Protection of Sidlings Copse.

Prior to the occupation of the development, (except for enabling infrastructure works), or such other time as agreed in writing beforehand, details of the measures to protect the Sidlings Copse and College Pond Site of Special Scientific Interest (SSSI) from damage and to maintain its nature conservation value, together with details of its future management regime, shall be submitted to and approved in writing by the local planning authority in consultation with Christ Church and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust and implemented prior to the first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. There shall be no variation to the approved details without the further prior written approval of the local planning authority.

Reason: In the interests of the biodiversity of the Site of Special Scientific Interest, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

36 Grassland Mitigation.

Prior to the commencement of the development except for enabling infrastructure works, or such other time as agreed in writing beforehand, details of the replacement lowland grassland to be created in compensation for that lost on the application site together with details of its future management regime in compliance with the "Pilot Biodiversity Offset Mechanism" or its future equivalent shall be submitted to and approved in writing by the local planning authority. The submitted details shall include an implementation strategy to ensure that the lowland grassland is provided and implemented as approved. There shall be no variation to the approved details without the further prior written approval of the local planning authority.

Reason: In the interests of biodiversity, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

37 Training and Employment Strategy.

Prior to the commencement of the development, (except for enabling infrastructure works), a scheme to promote local training and employment as part of the implementation and operation of the development shall be submitted to and agreed in writing by the local planning authority. The scheme as approved shall be implemented and monitored in accordance with details which shall also have been submitted and agreed in writing by the local planning authority prior to the commencement of the development.

Reason: To promote opportunities for local training and employment, in accordance with the principles embodied in policy EC8 of the adopted Oxford Local Plan 2001 to 2016.

- 38 Repeat Ecological Surveys.  
Notwithstanding the baseline ecological survey data submitted with the outline planning application, if the development permitted or any works of demolition are scheduled to take place more than 1 calendar year following that survey, then a walkover survey shall be completed by a suitably qualified ecologist to verify baseline conditions for that phase. Following the walkover survey, a phase specific remediation strategy (i.e. ecological mitigation and management strategy) shall be submitted to and agreed in writing by the local planning authority. The development shall only be undertaken in accordance with the approved remediation strategy.

Reason: To ensure the wellbeing of wildlife which may exist on the site, in accordance with policy NE.21 of the adopted Oxford Local Plan 2001 to 2016.

- 39 Habitat Creation.  
Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed beforehand by the local planning authority, details of measures to encourage wildlife and biodiversity in accordance with the environmental mitigation and management strategy and a timetable for its implementation shall be submitted to and approved in writing by the local planning authority. Such measures as approved shall be implemented prior to the first occupation of the phase of development to which it relates unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of wildlife conservation and promotion, in accordance with policy HE23 of the adopted Oxford Local Plan 2001 to 2016.

- 40 Archaeology.  
Prior to the commencement of the development or such other period as otherwise agreed in writing beforehand by the local planning authority, the developer shall:
- carry out an archaeological evaluation of the site in accordance with a written scheme of investigation approved in writing by the local planning authority; and
  - secure the implementation of a scheme of mitigation of any archaeological impact which may be achieved by redesign or by archaeological recording action in accordance with a supplementary written scheme of investigation to be approved by the local planning authority.

Reason: As the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, in accordance with policy HE2 of the adopted Oxford Local Plan 2001 to 2016.

- 41 Linear Park.  
Prior to commencement of any phase of development adjacent to the proposed linear park, details for the design and landscaping of that part of the park shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council where the works involved affect a public right of way. The submitted details shall include:-
- proposed planting scheme indicating the extent and layout of an 8m wide buffer zone to the Bayswater Brook; and
  - proposed footpaths, fencing, lighting details etc.

The approved details shall be implemented prior to the first occupation of the phase or development to which it relates and shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority,

Reason: To ensure the timely provision of open space to serve residential development; to conserve and enhance the natural and local environment by minimising impacts on

biodiversity; and provide net gains in biodiversity where possible, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

#### INFORMATIVES :-

- 1 Site wide phases of development and construction sub phases (including detailed phases), shall be defined and agreed as part of the Site Wide Phasing and Implementation Plan required by condition no. 5 above. Reserved matters planning applications may be submitted for any phase or sub phase of development as defined within the Phasing Plan. A sub phase could, for example, comprise of a single dwelling.
- 2 To avoid doubt the reserved matters applications to be submitted pursuant to this outline permission shall include the following:
  - boundary treatments;
  - lighting; and
  - ecological enhancement measures.
- 3 In this permission "prior to commencement" shall mean commencement of approved works pursuant to that reserved matters application..
- 4 In this permission "enabling works" shall exclude the following which do not require planning permission to be obtained:
  - site clearance;
  - undergrounding of cables;
  - diversion and laying of services in connection with works for construction purposes;
  - landscape maintenance measures;
  - construction access;
  - site investigations;
  - the erection of temporary means of enclosure;
  - ecological management measures.
- 5 The Design Code Review if undertaken shall seek to address solutions where the development is not delivering high quality environments in urban design, movement and architectural terms.
- 6 A grass pitch shall be provided as part of the primary school with the provision for joint use with the community. The pitch shall be laid in accordance in line with the requirements of the local education authority and Sport England guidelines.
- 7 In addition to the noise attenuation measures required by condition to this permission, a daytime external noise level for gardens and external areas of 55 LAeq 16hr will be sought wherever possible.
- 8 The design of floodlighting scheme for the synthetic turf pitch shall have regard to the "Football Association Guide to Floodlighting".
- 9 The design of the Multi Use Games area (MUGA) shall have regard to "Artificial Surfaces for Outdoor Sport" updated guidance 2012, and "Artificial Sports Lighting", updated guidance 2012.
- 10 The design of the proposed sports pavilion shall have regard to guidance published by Sport England, "Pavilions and Clubhouses".
- 11 The synthetic turf pitch construction and maintenance arrangements shall have regard to the "Football Association Guide to 3G Football Turf Pitch Design Principles and Layouts".

- 12 Oxford City Council strongly encourages that when this permission is implemented, all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. Details of the scheme are available from

Considerate Contractors Scheme  
PO Box 75  
Ware  
Hertfordshire  
SG12 9UY

01920 485959  
0800 7831423

[enquiries@ccscheme.org.uk](mailto:enquiries@ccscheme.org.uk)  
[www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)

- 13 All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The City Council advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
- 14 The applicant is kindly requested to give the Council's Tree Officer 14 days prior notice in writing of any approved tree works that are to be undertaken as part of this development. This will enable the Council to inform local Councillors about imminent tree works, who can then answer enquiries from members of the public. Tree works, in particular tree felling associated with development, are often controversial and this information is requested because it will assist in reducing the potential for conflict when tree works are taking place.
- 15 The Council has worked positively and proactively with the applicant(s) and their agent(s), including providing pre-application advice, discussions during the course of determination of the application with the opportunity to submit amended proposals where appropriate in order to implement planning policy objectives, secure sustainable development and satisfy the requirements of the National Planning Policy Framework and policy MP1 of the adopted Sites and Housing Plan 2013.
- 16 To avoid doubt public art shall mean works of adornment or decoration to the development or its surroundings, whether freestanding or otherwise, which can be viewed and enjoyed by the public at large.

PLEASE NOTE All local plan policies and proposals which are relevant to this decision are specified in the list below which forms part of this decision notice.

**CP1** - Oxford Local Plan 2001-2016  
Development Proposals - Sets out key criteria expected from new development.

**CP9** - Oxford Local Plan 2001-2016

Creating Successful New Places - Sets out criteria required from development to create a successful public realm.

**CP5** - Oxford Local Plan 2001-2016

Mixed-Use Developments - Requires development to maintain or enhance the mix of uses in a particular area

**CP6** - Oxford Local Plan 2001-2016

Efficient Use of Land and Density - Requires development to make maximum and appropriate use of land.

**CP8** - Oxford Local Plan 2001-2016

Designing Development to Relate to its Context - Sets out criteria required from development to demonstrate that it will respect the local context.

**CP10** - Oxford Local Plan 2001-2016

Siting of Development to Meet its Functional Needs - Sets out criteria required from development to ensure functional needs are met.

**CP11** - Oxford Local Plan 2001-2016

Landscape Design - Requires development to incorporate appropriate hard and soft landscaping.

**CP13** - Oxford Local Plan 2001-2016

Accessibility - Requires development to make reasonable provision for access by all members of the community.

**CP14** - Oxford Local Plan 2001-2016

Public Art - Seeks the provision of public art in association with major development.

**CP17** - Oxford Local Plan 2001-2016

Recycled Materials - Requires the use of recycled or reclaimed materials in developments above a certain threshold.

**CP18** - Oxford Local Plan 2001-2016

Natural Resource Impact Analysis - Requires the submission of an NRIA in association with developments above a certain threshold.

**CP20** - Oxford Local Plan 2001-2016

Lighting - Prevents development that would result in unacceptable levels of light pollution and light spillage.

**CP21** - Oxford Local Plan 2001-2016

Noise - Sets out considerations that apply to developments that cause noise, and developments that are sensitive to noise.

**CP22** - Oxford Local Plan 2001-2016

Contaminated Land - Sets out the considerations that apply to development on or near to former landfill sites or other contaminated land.

**CP23** - Oxford Local Plan 2001-2016

Air Quality Management Areas - Prevents development that would have a net adverse impact on air quality in the AQMA or in other areas of poor air quality.

**TR1** - Oxford Local Plan 2001-2016

Transport Assessments - Sets out when a transport assessment will be required as part of development proposals.

**TR2** - Oxford Local Plan 2001-2016

Travel Plans - Sets out when a travel plan will be required as part of development proposals.

**TR3** - Oxford Local Plan 2001-2016

Car Parking Standards - Sets maximum car parking standards and identifies the Transport Central Area and Transport District Areas.

**TR4** - Oxford Local Plan 2001-2016

Pedestrian and Cycle Facilities - Seeks to secure pedestrian and cycle facilities as part of development proposals. Sets cycle parking standards.

**TR5** - Oxford Local Plan 2001-2016

Pedestrian and Cycle Routes - Lists proposed improvements to pedestrian and cycle routes.

**TR7** - Oxford Local Plan 2001-2016

Bus Service and Bus Priority - Supports improvements to bus services and lists key routes for bus priority improvements.

**TR13** - Oxford Local Plan 2001-2016

Controlled Parking Zones - Supports the implementation or extension of Controlled Parking Zones through, where appropriate, S106 agreements.

**TR14** - Oxford Local Plan 2001-2016

Servicing Arrangements - Sets out criteria for servicing arrangements in commercial developments.

**NE4** - Oxford Local Plan 2001-2016

Loss of Agricultural Land - Sets out a sequential approach to development on agricultural land.

**NE6** - Oxford Local Plan 2001-2016

Oxford's Watercourses - Seeks to ensure that waterside development proposals compliment and enhance the waterside setting.

**NE11** - Oxford Local Plan 2001-2016

Land Drainage and River Engineering Works - Seeks to protect the flora and fauna of Oxford's flood meadows and other wetland habitats, particularly from culverting.

**NE12** - Oxford Local Plan 2001-2016

Groundwater Flow - Seeks to prevent adverse impacts on groundwater flow.

**NE13** - Oxford Local Plan 2001-2016

Water Quality - Seeks to maintain surface and groundwater quality.

**NE14** - Oxford Local Plan 2001-2016

Water and Sewerage Infrastructure - Seeks to ensure that sufficient water and sewerage capacity exists in time to serve new development

**NE15** - Oxford Local Plan 2001-2016

Loss of Trees and Hedgerows - Protects trees and hedgerows if their loss would have a significant impact on public amenity or ecological interest.

**NE20** - Oxford Local Plan 2001-2016



Wildlife Corridors - Sets out policy approach to designated Wildlife Corridors.

**NE21** - Oxford Local Plan 2001-2016

Species Protection - Protects plant and animal species for which there is a statutory duty to protect under other legislation.

**NE22** - Oxford Local Plan 2001-2016

Independent Assessment - Requires ecological assessment of development proposals that might affect designated sites or protected species.

**NE23** - Oxford Local Plan 2001-2016

Habitat Creation in New Developments - Supports the creation of new habitats or habitat enhancement as part of development proposals.

**HE2** - Oxford Local Plan 2001-2016

Archaeology - Identifies the City Centre Archaeological Area and sets out approach to the investigation, recording and conservation of archaeological deposits.

**HE7** - Oxford Local Plan 2001-2016

Conservation Areas - Identifies Conservation Areas and sets out approach to development within Conservation Areas.

**CS1\_** - Core Strategy

Hierarchy of Centres - Sets out the hierarchy and role of different types of centres.

**CS3\_** - Core Strategy

Regeneration Areas - Identifies priority regeneration areas and sets out the approach to regeneration in those areas.

**CS7\_** - Core Strategy

Land at Barton - Allocates land at Barton as a strategic location for predominantly housing development.

**CS9\_** - Core Strategy

Energy and Natural Resources - Requires development to demonstrate how sustainable design and construction methods will be incorporated.

**CS10\_** - Core Strategy

Waste and Recycling - Requires development to have regard to the waste management hierarchy.

**CS11\_** - Core Strategy

Flooding - Sets out approach to development in the flood plain and other flood zones, and to reducing flood risk from all development.

**CS12\_** - Core Strategy

Biodiversity - Requires development to maintain and where appropriate enhance biodiversity.

**CS13\_** - Core Strategy

Supporting access to new development - Requires development to prioritise access by walking, cycling and public transport, and sets out approach to access at the strategic locations.

**CS14\_** - Core Strategy

Supporting city-wide movement - Promotes improvements in access to and between the city and district centres, and other key destinations.

**CS15\_ - Core Strategy**

Primary Healthcare - Sets out approach to the provision of primary healthcare facilities.

**CS16\_ - Core Strategy**

Access to education - Sets out approach to the provision of education facilities.

**CS17\_ - Core Strategy**

Infrastructure and developer contributions - Sets out approach to the provision of infrastructure improvements and developer contributions.

**CS18\_ - Core Strategy**

Urban design, townscape character and the historic environment - Sets out urban design principles and requires development to respect Oxford's unique townscape and historic environment.

**CS19\_ - Core Strategy**

Community safety - Requires development to promote safe and attractive environments that reduce the opportunity for crime and fear of crime.

**CS20\_ - Core Strategy**

Cultural and community development - Sets out approach to the retention of cultural and community facilities, and the provision of new facilities.

**CS21\_ - Core Strategy**

Green spaces, leisure and sport - Policy seeking the maintenance of an average of 5.75 ha of publicly accessible green space per 1000 population.

**CS22\_ - Core Strategy**

Level of housing growth - Sets out the amount of housing to be provided over the plan period.

**CS23\_ - Core Strategy**

Mix of housing - Seeks to achieve a balanced mix of housing within each site and across the city.

**CS24\_ - Core Strategy**

Affordable housing - Sets out approach towards the provision of affordable housing from residential development on qualifying sites and from some commercial development.

**CS31\_ - Core Strategy**

Retail - Defines the retail hierarchy and sets out approach to retail development.

**HP2\_ - Sites and Housing Plan**

Accessible and Adaptable Homes - Policy requiring new dwellings to meet Lifetime Homes standards and provide a percentage of wheelchair accessible dwellings

**HP12\_ - Sites and Housing Plan**

Indoor Space - Policy setting out minimum internal space requirements and related criteria for residential dwellings

**HP13\_ - Sites and Housing Plan**

Outdoor Space - Policy setting out criteria for appropriate levels of outdoor space in residential developments, and requiring adequate provision for the safe, discrete and conveniently accessible storage of refuse and recycling

**HP14\_ - Sites and Housing Plan**

Privacy and Daylight - Policy setting out criteria for assessing whether residential development provides an appropriate degree of privacy and daylight for the occupants of both existing and new homes

**HP15\_ - Sites and Housing Plan**

Residential cycle parking - Policy setting out minimum standards for cycle parking in residential developments

**HP16\_ - Sites and Housing Plan**

Residential car parking - Policy setting out maximum standards for car parking in residential developments

**MP1 - Barton AAP - Submission Document**

Policy requiring the Council to work positively and proactively with the applicant/agent.

**HP3\_ - Sites and Housing Plan**

Affordable Homes from Large Housing Sites - Policy setting out the City Council's approach to affordable housing provision and contributions from residential development on sites with a capacity of 10 or more dwellings, or which have an area of 0.25 hectares or greater

**HP11\_ - Sites and Housing Plan**

Low Carbon Homes - Policy requiring qualifying developments to provide 20% of their energy needs from on-site renewable or low carbon technologies, and requiring an energy statement from all development proposals to show how energy efficiencies have been incorporated

**HP12\_ - Sites and Housing Plan**

Indoor Space - Policy setting out minimum internal space requirements and related criteria for residential dwellings

**BA1\_ - Barton AAP - Submission Document**

Transforming the ring-road - Policy to ensure that appropriate traffic management measures are put in place deliver a 40mph zone fronting the development.

**BA2\_ - Barton AAP - Submission Document**

Recreation ground - Policy to ensure that the recreation ground and sports pitches are maintained and there is no net loss of this type of space.

**BA3\_ - Barton AAP - Submission Document**

Allotments - Policy to ensure that an area of allotments is maintained on site.

**BA4\_ - Barton AAP - Submission Document**

Linear Park - Policy to ensure that at least 10% of the Strategic Development Site will be public open space which will take the form of a linear park along Bayswater Brook.

**BA5\_ - Barton AAP - Submission Document**

Sustainable travel - Policy to ensure that the design and layout of the development and location of the local centre is planned to encourage people to walk, cycle and travel by public transport. Policy also requires a Strategic Transport Assessment and comprehensive travel plan for the site.

**BA6\_ - Barton AAP - Submission Document**

Vehicle access - Policy specifying the type and location of primary and secondary vehicle accesses to the development site.

**BA7\_ - Barton AAP - Submission Document**

Pedestrian and cycle links - Policy specifying the locations of pedestrian and cycle links into/ out of, and within the development site.

**BA8\_** - Barton AAP - Submission Document

Housing Mix - Policy setting out the preferred mix of housing types for the new development.

**BA9\_** - Barton AAP - Submission Document

Affordable Housing - Policy setting the required level of affordable housing to be provided as part of the development.

**BA10\_** - Barton AAP - Submission Document

Local Centre - Policy setting the broad location and maximum level of retail floorspace of the proposed local centre.

**BA11\_** - Barton AAP - Submission Document

Community hub - Policy detailing the amount of land needed and the broad location within the development site for a new community hub.

**BA12\_** - Barton AAP - Submission Document

Energy efficiency - Policy setting the energy efficiency requirements and specifications which the development must be built to.

**BA13\_** - Barton AAP - Submission Document

Design - Policy requiring that a design code must be prepared approved by the local planning authority in advance of any outline planning application. The policy also sets out a list of principles which the design code will reflect.

**BA14\_** - Barton AAP - Submission Document

Delivery - Policy setting out how the planning contributions (Section 106 and Community Infrastructure Levy) will be should be collected and also that a phasing strategy must be submitted with the planning application.

**BA15\_** - Barton AAP - Submission Document

Flooding - Policy requiring a flood risk assessment be carried for the site and that any development permitted does not lead to an increase in flood risk elsewhere.

**BA16\_** - Barton AAP - Submission Document

Surface water drainage - Policy ensuring that Sustainable Drainage Systems are used to reduce overall surface-water runoff volumes leaving the site and to improve water quality.

**BA17\_** - Barton AAP - Submission Document

Water supply and waste water drainage - Policy requiring a water network supply and drainage strategy be produced ahead of occupation of the development.

**BA18\_** - Barton AAP - Submission Document

Land remediation - Policy requiring appropriate land remediation works to be carried out (where necessary) prior to commencement of development.

**BA19\_** - Barton AAP - Submission Document

Sidlings Copse and College Pond SSSI - Policy requiring that a mitigation plan be submitted and agreed prior to the determination of planning consent.

**BA20\_** - Barton AAP - Submission Document

Linking local people to economic opportunities - Policy setting out how local people and business

should benefit from the proposed development.

## APPROVED PLANS

Reference Number	Version	Description
173602/LEG/004	A	Site plans
173602/LEG/003	B	Site plans
1549/GA/08	B	Plans - Proposed
1549/GA/01	B	Plans - Proposed
1549/GA/02	A	Plans - Proposed

A handwritten signature in black ink, appearing to read 'M. Crofton - Briggs', with a small 'M' written to the left of the main signature.

### **MICHAEL CROFTON - BRIGGS**

Head of City Development

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000. Any planning application which involves alterations to the kerb and construction of a vehicle crossing in th highway (including the footway and/or verge) will require a separate written application to be made to the Director of City Works, Cowley Marsh Depot, Marsh Road, Cowley, Oxford OX4 2HH.

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

## **GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED**

### **1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.**

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Oxford City Council requiring the Council to buy your interest in the land. You can do this under Section 137 of the Town and Country Planning Act 1980 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

### **2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT**

- 1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.
- 2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:
  - (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
  - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
  - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

### **3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS**

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).