



A SPECIAL DEVELOPMENT SITE IN THE OTMOOR VALLEY

Located on the site of Pondockie, Oddington, Kidlington, Oxfordshire OX5 2RA

Central Oxford c.6.4 miles A34 Junction 9 c.2.8 miles Oxford Parkway Stn c.3.1 miles

The opportunity to create your own individual rural village house of substance, in a wonderful location with open views over the atmospheric Otmoor Valley. An outline consent for a house of circa 3,000+ sq ft is in place, which offers the prospective buyer the opportunity to create a special building that is unique to them. The site is 3.485 acres overall, with the building plot being just under 1 acre and the remainder being paddock land. Michelin starred pub/restaurant close by and good village shop in neighbouring Islip. Excellent access to Oxford and the Oxford Parkway Station.

An overage will apply to the agricultural element of the site (2.449 Acres)

Directions: From Oxford, take the Banbury Road to Kidlington and on reaching the Kidlington roundabout take the last exit to the rear of the Sainsbury's superstore heading towards the A34. At the next roundabout take the second exit signposted Islip. In the village of Islip pass the Red Lion pub on your right and take the next left signposted Merton / Charlton On Otmoor. On leaving the village, continue for just over a mile and pass the first right turn signposted Oddington / Charlton On Otmoor and take the second right hand turning signposted Oddington. The development site is the first property is the first property you see on your right (a white bungalow) behind a row of mature trees.

A copy of the plans and consent is enclosed; although please do not attempt to scale from the drawings. To view the application online on the Cherwell District Council website, their reference number is:
16/01213/OUT

Guide Price of £650,000

Contact: Gavin West

County Developments Practice

01865 510000 or 07789 655100 or gavin@butlersherborn.co.uk



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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

Name and Address of Agent/Applicant:

Mrs R Tank
c/o John Philips Planning Consultancy
Mrs Natasha Ireland
Bagley Croft
Hinksey Hill
Oxford
OX1 5BD

Date Registered: 22nd June 2016

Proposal: OUTLINE - Demolition of existing dwelling and erection of a single replacement dwelling

Location: Pondockie, Oddington, Kidlington, OX5 2RA

Parish(es): Oddington

OUTLINE PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS

The Cherwell District Council, as Local Planning Authority, hereby **GRANTS** outline planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

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

Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxon
OX15 4AA

Cherwell District Council
Certified a true copy

A handwritten signature in black ink, appearing to read "A. Brent".

Head of Public Protection & Development
Management

Date of Decision: 17th August 2016

SCHEDULE OF CONDITIONS

- 1 No development shall be commenced until full details of the appearance, scale and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 2 In the case of the reserved matters, the application for approval shall be made not later than the expiration of three years beginning with the date of this permission.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 The development to which this permission relates shall be begun not later than 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 reserved matters to be approved.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 Except where otherwise stipulated by conditions and in respect of appearance and landscaping (which are reserved matters), the application shall be carried out strictly in accordance with the following plans and documents: application form, site location plan and drawing number P746-003 submitted with the application.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

- 5 Notwithstanding the details submitted, the dwelling hereby approved shall have a maximum:

- o ridge height of 5 metres;
- o eaves height of 4 metres;
- o width of 20 metres;
- o length of 18.5 metres; and
- o overall footprint of no more than 284 square metres when measured externally.

Reason - To ensure that the special character and the openness of the Green Belt are protected, to ensure that the proposed development is in scale and harmony with its surroundings and to comply with Policies ESD14 and ESD15 of the Cherwell Local Plan Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the NPPF.

- 6 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Method Statement, which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework.

- 7 Prior to the occupation of the dwelling hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy ESD15 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework.

- 8 Prior to the occupation of the dwelling hereby approved, the existing means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

- 1 With reference to Condition 8, the guidance referred to is available at <http://www.oxfordshire.gov.uk/cms/content/dropped-kerbs>.
- 2 Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations.
- 3 Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.
- 4 It is noted that the development involves the removal of an asbestos roof. These works should be undertaken by a competent professional and disposed of according with the current waste regulations to an appropriate facility. Suitable health and safety measures should be adopted for workers on this development when working in or around asbestos. Advice on this is available from the Health and Safety Executive at: <http://www.hse.gov.uk/asbestos/index.htm>

- 5 Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), the Council has worked positively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer's report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer's report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.



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

NOTES TO THE APPLICANT

TIME LIMITS FOR APPLICATIONS

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

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

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

OTHER NECESSARY CONSENTS

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

In particular you are reminded of the following matters :

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

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

APPEALS TO THE SECRETARY OF STATE

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

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

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

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

PURCHASE NOTICES

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

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

COMPENSATION

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

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



