

East Area Planning Committee

11th February 2015

Application Number: 14/03201/RES

Decision Due by: 23rd February 2015

Proposal: Details of reserved matters (layout, scale, appearance and landscaping) for a scheme of Enabling Infrastructure Works (such as utility services, earthworks, drainage/attenuation and road works), pursuant to conditions 3 and 4 of the outline planning permission for the mainly residential development of the site (13/01383/OUT). More specifically these works comprise:-

- a) the primary street, street furniture, on-street parking, street lighting, surface water drainage swales, associated landscaping and surface finishes;
- b) green infrastructure, the linear park, greenways, hard and soft landscaping, footpaths, cycle paths and ecological improvements;
- c) landscaping details for the approved A40 junction;
- d) buried services and utilities, foul and surface water drainage, water channels, ponds, sustainable urban drainage systems and underground storage tanks.

This reserved matters application (14/03201/RES) is accompanied by the following additional submissions in relation to conditions and non-material amendments to the above mentioned outline permission:-

- i) condition 11 - tree protection (13/01383/CND2);
- ii) condition 24 - site-wide surface water drainage scheme (13/01383/CND3);
- iii) condition 25 - enabling infrastructure phased surface water drainage system (13/01383/CND2);
- iv) condition 26 - site-wide foul water drainage strategy (13/01383/CND3); and,
- v) non-material amendments to approved A40 junction e.g. omission of splitter island (13/01383/NMA).

Site Address: Land West Of Barton North Of A40 And South Of Bayswater Brook Northern By-pass Road Wolvercote
Appendix 1

Ward: Barton And Sandhills Ward

Agent: Mr Paul Comerford
AECOM

Applicant: Barton Oxford LLP

Recommendations:

- 14/03201/RES – to approve the reserved matters for the reasons stated and confirm compliance with condition 4 (scheme of enabling infrastructure) of 13/01383/OUT
- 13/01383/NMA – to approve the non-material amendments to the proposed A40 junction as approved under 13/01383/OUT
- 13/01383/CND3 – to confirm compliance with condition 24 (site wide surface water strategy) and partial compliance with condition 26 (site wide foul water strategy) of 13/01383/OUT
- 13/01383/CND2 – to confirm compliance with condition 11 (tree protection) and condition 25 (surface water scheme for current development phase) of 13/01383/OUT

Reasons for Approval of 14/03201/RES

- 1 The primary infrastructure proposals: the primary street, civic squares, junctions, linear park and greenways, are of very high quality design which meets the functional, aesthetic and community objectives of the Oxford Local Plan 2001 – 2016, the Core Strategy 2026, the Barton AAP 2012, and the outline permission.
- 2 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.
- 3 For the reasons set out in this report it is concluded that the public comments received in relation to the development do not amount individually or collectively to a reason to refuse planning permission, and that the relevant statutory bodies have been consulted and the issues raised properly addressed.

Conditions to be applied to 14/03201/RES

- 1 Time limits
- 2 Develop in accordance with approved plans
- 3 Detailed design of the western play area (LEAP)

Legal Agreement and Community Infrastructure Levy (CIL)

A legal agreement is not required to support this reserved matters and associated applications as this was secured in association with the outline permission. Details of that legal agreement are contained in the Committee report for the outline application which, for ease of reference has been re-published and circulated separately from this report. A CIL payment is not required as outline planning permission was granted before the introduction of CIL in Oxford.

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1	Development Proposals
CP9	Creating Successful New Places
CP10	Siting Development to Meet Functional Needs
CP11	Landscape Design
CP13	Accessibility
CP17	Recycled Materials
CP18	Natural Resource Impact Analysis
CP21	Noise
CP22	Contaminated Land
TR3	Car Parking Standards
TR4	Pedestrian & Cycle Facilities
TR5	Pedestrian & Cycle Routes
TR7	Bus Services & Bus Priority
TR12	Private Non-Residential Parking
TR13	Controlled Parking Zones
TR14	Servicing Arrangements
NE6	Oxford's Watercourses
NE11	Land Drainage & River Engineering Works
NE12	Groundwater Flow
NE14	Water and Sewerage Infrastructure
NE15	Loss of Trees and Hedgerows
NE20	Wildlife Corridors
NE21	Species Protection
NE23	Habitat Creation in New Developments
HE2	Archaeology
SR9	Footpaths & Bridleways

Core Strategy

CS3	Regeneration areas
CS7	Land at Barton
CS9	Energy and natural resources
CS10	Waste and recycling
CS11	Flooding
CS12	Biodiversity
CS13	Supporting access to new development
CS14	Supporting city-wide movement
CS16	Access to education
CS17	Infrastructure and developer contributions
CS18	Urban design, town character, historic environment
CS19	Community safety
CS20	Cultural and community development
CS21	Green spaces, leisure and sport

Barton Area Action Plan

BA1	Transforming the ring-road
BA2	Recreation ground
BA3	Allotments
BA4	Linear Park
BA5	Sustainable travel
BA6	Vehicle access
BA7	Pedestrian and cycle links
BA10	Local centre
BA11	Community hub
BA12	Energy efficiency
BA13	Design
BA14	Delivery
BA15	Flooding
BA16	Surface water drainage
BA17	Water supply and waste water drainage
BA18	Land remediation
BA19	Sidlings Copse and College Pond SSSI

Other Planning Documents

- National Planning Policy Framework
- Planning Policy Guidance
- Oxford City Council adopted Supplementary Planning Documents (SPDs)

Public Consultation

A Statement of Community Involvement has been submitted with this application setting out the community engagement and stakeholder consultation process undertaken as part of the design of these proposals. The public views expressed at public consultation events and the design responses to those comments are attached as **Appendix 2**. There has also been extensive pre-submission consultation through regular meetings officers of the City and County Councils, at Member Briefings, with the Oxfordshire Crime prevention Design Advisor, and with the Oxford Design Review Panel (a workshop and a full review – responses as set out in **Appendix 3**). Officers are satisfied that the submitted proposals have emerged from a rigorous assessment-involvement-evaluation-design process rather than being a pre-determined design solution.

The Council's normal consultation procedure has resulted in the following comments:

- English Heritage – no comments offered, determine in accordance with local and national policy;
- Thames Water – agree to discharge condition 26 (Site Wide Foul Water Strategy dated 20/11/2014) provided the scheme is delivered as set out in the strategy;
- Oxford Ramblers Group – welcome the Linear Park but would like to see the paths dedicated as Public Rights of Way; welcome the idea of Greenways but

pedestrians appear to need to use the roads; the Greenway adjacent to footpath 57 must not impede that route; connections with all other public rights of way must be retained; the diversion of route 57 may be opposed.

- Sport England – no comments on this submission;
- Oxford Bus Company – The geometry of the road layouts in the Commercial and Community Squares have been addressed so that buses will be more easily able to travel through these areas. Remain concerned that parking for the school is at right angles to the main spine road. Concerned that parents in cars may congregate on the main roads causing obstructions for the buses and this could cause disruption to services, reducing punctuality. Would prefer if the parking in front of the school is removed and relocated to the side or rear.
- Oxfordshire County Council – No objection. Further discussions with the applicants resulted in an updated Movement Strategy and revised drawings for the two principal squares. The highway layout arrangement has now been modified with improvements to the carriageway and kerb alignment and improvements to parking provision. Satisfied that the layout will not impact on the operation of bus services. Additional spaces have also now been provided in the Community Square to accommodate parental drop off and pick up.
- Environment Agency – No objection.

BACKGROUND TO THE PROPOSALS

1. This report deals with applications submitted to establish the primary enabling infrastructure for the Barton Park development. It covers:
 - the below ground services and utilities, and the earthworks which are required to provide the services and landforms to enable the development to proceed; and,
 - the above ground developments: the Primary Street, road junctions, Linear Park and Greenways which provide the site-wide framework for the proposed residential, commercial and community development parcels.
2. The Barton Park site is a roughly triangular tract of land to the north of the A40 ring road, west of the existing Barton residential area, and south of the Bayswater Brook. It extends to some 38 hectares (94 acres). It is currently mainly given over to agriculture with fields separated by unmanaged hedgerows, trees and ditches; but also including Barton Village Recreation Ground and Barton Nature Park. The site surrounds but does not include a Scottish and Southern electricity substation which faces onto the A40. The land generally slopes down from south to north with the highest ground in the southeast corner. Public footpaths cross the site.
3. The site was identified as a strategic development site under Policy CS7 of the Core Strategy adopted in March 2011. It is an integral part of the Barton Area Action Plan (Barton AAP) which was adopted in December 2012 and sets the spatial vision and detailed policies for development of the site, and the objectives against which the success of the Barton development would be judged:

- delivering a strong and balanced community;
 - bringing wider regeneration of neighbouring estates;
 - improving accessibility and integration;
 - encouraging low-carbon lifestyles; and,
 - introducing design that is responsive and innovative.
4. Within that context, outline planning permission was granted in October 2013 for the development of the site (13/01383/OUT) including:
- up to 885 residential units which may include up to 50 units of extra care housing;
 - hotel of up to 7,350 m² of gross floorspace or approximately 120 bedrooms, (numbers of residential units to be reduced accordingly if a hotel is included);
 - up to 2,500 m² gross retail floorspace, consisting of a supermarket of not more than 2,000 m² gross and additional retail units totalling not more than 500 m²;
 - primary school / “community hub” building and external areas consisting of 3,000 m² main building, multi games area, adult sports pitch, 2 junior sports pitches, 400 m² equipped play area, 360 m² community sports pavilion and associated car parking;
 - linear park;
 - further equipped play area (“LEAPS”);
 - public squares;
 - additional allotment provision;
 - access roads;
 - pedestrian and cycle routes;
 - upgraded services, including media equipment, 2 pumping stations, substations and pressure regulators;
 - drainage works including water attenuation and control;
 - earth works;
 - removal of existing buildings and structures;
 - construction of new junction with A.40;
 - new telecommunications infrastructure;
 - landscaping and public realm works; and
 - junction works at Barton Village Road/Fettiplace Road/Harolde Close.
5. Access from the A40 was given detailed planning permission as part of the outline permission. All other detailed aspects of the development (its appearance, landscaping, layout, and scale) were reserved for future determination through subsequent reserved matters applications (RMAs). The context and framework for consideration of the detailed design of the proposed development was however set for the subsequent RMAs and applications for conditions compliance by the Masterplan, and the approved Parameter Plans and Design Code which were approved as part of the outline permission.
6. An illustrative Masterplan (**Appendix 4**) accompanied the outline application. It established the strategic layout and major elements of the Barton Park

scheme, and proposed three neighbourhoods of distinctive character within the scheme

- i. at the western end of the development around a commercial square a high density mixed use area;
 - ii. a centrally located medium density residential area with strong green connections to the Linear Park; and,
 - iii. a lower density residential interface with the existing housing in Barton, which is centred on a proposed community hub and primary school;
7. Six Parameter Plans which were approved as part of the outline permission. In respect of the applications currently under consideration for enabling infrastructure, of particular relevance are:
 - i. Parameter Plan 4 (**Appendix 5**) which established the site's connectivity with surrounding neighbourhoods and movement patterns for vehicles, cycles and pedestrians throughout the site. Barton Park is to be a neighbourhood characterised by excellent pedestrian and cycle routes; and,
 - ii. Parameter Plan 3 (**Appendix 6**) which indicates retained and proposed open spaces and landscape features including tree belts, greenways, recreational areas, play areas, existing and extended allotments and public squares; and
8. A Design Code was also approved as part of the outline permission. It provided detailed requirements as to how individual streets, buildings and open spaces should be laid out and landscaped, and guidance on the forms and appearance of buildings including landscaping and materials. Most of its requirements are mandatory and are expressed as minimum standards. Of critical importance to the current applications is permeability and legibility in development layouts; continuity and distinctiveness in the public realm; and a landscape strategy which aims to retain and enhance existing key landscape features, biodiversity, and public rights of way, and to increase open space provision and opportunities for outdoor recreation.
9. Together the Parameter Plans and Design Code seek to ensure that detailed design and implementation are based on sound principles and incorporate a range of functional requirements. They are intended to provide the means to create a successful, sustainable and attractive environment in which people can live and work. They will determine how Barton Park appears and is experienced from within the development, and also externally as part of Oxford in its wider setting.
10. A full Environmental Impact Assessment (EIA) had been undertaken in support of the proposed development. The outline planning application was therefore accompanied by an Environmental Statement (ES) and the Environmental Information (EI) was taken into consideration prior to granting that permission. As a reserved matters application the Council must consider whether the EI it already has is adequate to assess the environmental effects of the development. As the submitted EI is recent, up to date and there have been no material changes in circumstances, it is considered that a further ES is not required.

The proposals

11. The proposals now before the Committee for determination are encompassed in four interrelated detailed applications submitted pursuant to the outline permission:

The first of the reserved matters applications, 14/03201/RES (site plan at **Appendix 1**) seeks permission for the primary enabling infrastructure for the development covering:

- i. the layout and landscaping of the A40 junction;
- ii. the design of the primary street which traverses the site between the A40 junction and the Fettiplace Road junction, and encompasses the commercial square and community square. The submitted details include all the associated services, street furniture, on-street parking, surface finishes, and landscaping;
- iii. the formation of the linear park along the northern edge of the development adjacent to the Bayswater Brook, with details of hard and soft landscaping, footpaths and cycleways, equipped areas (for play/exercise), and bio-diversity enhancements;
- iv. greenways within the site along established hedgerows;
- v. surface water drainage in association with the elements of the developments described above namely: the creation of surface water attenuation ponds in the linear park; the creation of swales within the greenways; and the installation of underground rainwater storage tanks in the school site; together with,
- vi. a scheme of enabling infrastructure works pursuant to Condition 4 of the outline permission: the primary utilities and services to be provided in order to prepare the site as a whole for mixed use development namely, buried services and utilities, foul and surface water drainage, and earthworks.

A non-material change to the layout of the A40 junction as approved in the original outline, 13/01383/NMA (plan at **Appendix 7**). This involves the removal of the splitter island on the east bound slip-road into the site.

Pursuant to conditions 24 and 26 of the outline permission, 13/01383/CND3 details of the proposed Site Wide Surface Water drainage Scheme and Site Wide Foul Water Drainage Scheme.

Pursuant to conditions 11 and 25 of the outline permission, 13/01383/CND3 details of tree protection measures; and details of surface water drainage as described in v. above.

12. Further RMAs and discharge of conditions applications will be submitted to the City Council in due course for each of the development parcels as they come forward for development.

Determining issues

13. Whether the proposals meet the functional requirements of the primary enabling infrastructure for the development – discharge of conditions 4 (Scheme of Enabling Infrastructure Works) (as part of 14/03201/RES) and 24 (Site Wide Surface Water Scheme), and partial discharge of condition 26 (Site Wide Foul Water Drainage Scheme) of planning approval 13/01383/OUT (13/01383/CND3).
14. The acceptability of the changed A40 junction layout as a minor amendment to the layout approved under the outline permission – determination of 13/01383/NMA.
15. Whether the proposals meet the vision and objectives for the Barton Park development as expressed in the Core Strategy, the Barton AAP, and the outline permission together with the Masterplan, Parameter Plans and Design Code – determination of the detailed scheme of reserved matters under 14/03201/RES.
16. Whether the proposals meet the functional requirements for tree protection and surface water drainage for the elements of the development encompassed in 14/03201/RES – discharge of conditions 11 (Tree Protection Plan) and 25 (Phased Surface Water Drainage) of planning approval 13/01383/OUT as they relate to this phase of the development (13/01383/CND2).

Drainage, Earthworks, Utilities and Road works

Foul Water Drainage

17. Condition 26 of the outline consent requires details of foul water drainage to be approved at two levels: an overarching foul water scheme for the whole site which must demonstrate that sufficient capacity exists to cater for the needs of the development; and detailed foul water schemes for each phase or sub-phase of the development (such as the parcels of housing, and commercial and community developments). This reserved matters application deals with the primary foul water infrastructure required for the entire development. No proposals contained in this application will generate sewage. Subsequent reserved matters applications will provide details of foul water drainage for those respective parcels, in accordance with the overarching foul water scheme approved as part of this application.

18. A strategy for a site wide foul water scheme was approved at the outline stage. Thames Water had undertaken local studies to inform the outline application and had concluded that there was some spare capacity in the existing foul water network during normal conditions but not in peak rainfall events. At the outline stage the proposal was to divert the existing wastewater sewer (to allow for the development) and to install two foul water-pumping stations with off-line storage in two 300m³ tanks (total 600m³ storage). During periods of intense flows, foul water would be stored in those tanks and then discharged at a controlled rate when there was spare capacity within the existing pipe network.
19. The approved scheme was reviewed with Thames Water subsequent to the grant of outline permission, and further modelling was undertaken. As a result the scheme now submitted for approval has doubled the foul water storage capacity from the previously proposed 600m³ in off-line tanks to 1200m³ in on-line storage. This is to be achieved through the diversion of the existing sewer and its connection with a trunk sewer some 700m long (running 5m deep under the Primary Street from the A40 junction), which maximises the on-line storage available. The flow is to be controlled using an orifice at the outfall manhole, and this has been tested in the Thames Water model.
20. This proposed scheme, which has been agreed with Thames Water, collects all the foul flow created by the Barton Park development together with upstream flows from the existing Barton neighbourhood, and manages that flow to ensure that it leaves the area at an agreed rate. It will ensure that Barton Park will not be at risk of flooding for 1 in 30 year events, and does not increase flood risk downstream of Barton Park. It will be constructed by the developer and then adopted by Thames Water when it is operational.

Surface Water Drainage

21. Barton AAP Policy BA16 and condition 24 of the outline permission requires approval of details of site wide surface water drainage scheme. The condition stipulates that the scheme:
- is to be based on sustainable principles (SUDS) and an assessment of the hydrological and hydro-geological context;
 - it should incorporate a range of source controls and local and regional sustainable drainage features;
 - run-off rates are to be as specified in the outline consent;
 - it is to include detailed surface water calculations for all events up to the 1 in 100 year event plus 30% for climate change;
 - it is to confirm that surface water runoff is not discharged into on-site watercourses which are required for draining off-site catchments; and,
 - it is to include details of how any contamination and groundwater risks will be mitigated.
22. The site wide Surface Water Strategy needs to be read in conjunction with the earthworks proposals (paragraphs 30 to 35 below). In relation to surface water drainage, earthworks will raise levels across the site to re-form the contours of the site (by re-grading, and in-filling at lower levels) in such a way that the

existing drainage regime (catchment areas) within the site is re-created as far as possible. Also to create level development parcels which are a minimum of 600mm above floodplain and 300mm above the maximum flood level within the rainwater storage ponds/areas.

23. The rainwater attenuation required for the 1 in 100 year event plus 30% climate change allowance is incorporated into the scheme using a number of features. Bio retention areas and porous pavements for minor roads will capture the rain where it falls. In the western part of the site the rainwater will then drain to the north using surface water sewers and swales that are located within the existing green infrastructure and alongside the existing ditches (but separate from them to maintain hydraulically separate systems and to maximise the ecological benefits). The eastern part of the site will drain to rainwater storage tanks under the proposed school playing fields. These all then discharge to attenuation ponds along the northern fringe of Barton Park (within the proposed Linear Park) cascading from east to west and ultimately into a single controlled discharge to the Bayswater Brook.
24. The strategy has been tested and modelled which has demonstrated that the scheme copes with the run-off for events up to and greater than the 1 in 100 year event plus climate change, independently of any watercourses either bounding or crossing the site.
25. The attenuation ponds will have some permanent wet areas with aquatic planting and overspill wetland areas. Measures are also proposed to prevent the ponds filling above the designed level for the permanent water body; for dry periods to maintain permanent water levels where required; and to prevent the permanent water becoming stagnant. To prevent pollution from adjacent tertiary roads within the development, porous paving will trap pollutants at source, and sediment bays will be constructed on the outfalls before discharge into the ponds.
26. The strategic elements of the Surface Water Strategy are to be provided within the first phase of construction of the enabling infrastructure: the attenuation ponds, pipes connection the green infrastructure, swales, and the underground storage tanks within the proposed community hub and primary school site. The remaining elements are to be provided in later phases of construction in association with the development parcels.
27. The maintenance of the system is essential to its long-term sustainability. The system has been designed to a standard which could have been adopted by Oxfordshire County Council but the Department for Environment Food and Rural Affairs (DEFRA) is currently revising the proposed approach to the future maintenance of SUDS systems. The system has therefore been designed to be maintained by a number of parties depending on the outcome of the DEFRA deliberations including the County Council, the City Council, Thames Water and a management company. An adoption plan forms part of the proposals.

Details of surface water drainage to be implemented as part of the construction of enabling infrastructure

28. Condition 25 requires detailed surface water drainage systems to be approved for each phase of development, and these are to accord with the site wide strategy approved under Condition 24.
29. As part of the construction of enabling infrastructure which is encompassed in the reserved matters application, details of the following elements of surface water drainage are included in the application: a surface water sewer, SUDS connection pipes, piping of existing ditches, strategic swales, bio-retention areas and rainwater attenuation tanks and ponds.

Earthworks

30. Given the slope of the site and a number of issues related to landform such as flooding and existing landfill, the need for earthworks was anticipated in the Barton AAP and at the outline stage. A detailed earthworks scheme to be submitted as part of the enabling infrastructure was therefore required as part of Condition 4 of the outline permission.
31. The proposals now being considered clarify that earthworks are required in order to create falls for drainage purposes, to create the rainwater attenuation ponds, to construct the trunk sewer run, to accommodate buried utilities, and to provide level building parcels. A plan showing the earthworks strategy is attached at **Appendix 8** and a visual representation is included in the on-line presentation accompanying this report – it is in colour and so is not reproduced here.
32. The proposals for sculpting the site's land surface are therefore:
- a) to raise the northwest part of the site by up to 2 metres using imported fill because this is the first phase of development;
 - b) to excavate the central southern parts of the site by up to 750mm;
 - c) to fill in the central northern parts of the site by up to 1.5 metres using on-site excavated and imported fill;
 - d) to form the attenuation ponds along the northern boundary from pond scrape and by using fill arising from the trunk sewer excavation. The ponds are designed to create flowing contours with embankment slopes no greater than 1:3;
 - e) to raise the ground level of the school site by up to 1.25 metres through the incorporation of underground rainwater storage tanks (as part of the Surface Water Drainage Strategy) and by using imported fill;
 - f) to cap the existing playing fields to a depth of 600mm with clean soil;
 - g) to form the proposed adult sports pitch with 300mm re-graded excavated landfill material and 300mm topsoil; and,
 - h) no level change to the allotments/community garden.
33. The landscape impact of Barton Park was assessed as part of the Core Strategy, the Barton AAP and the outline permission. It was concluded that the magnitude of change would be significant and the effect would be adverse

but that the degree of change could be accepted given the city's need for development land for housing. The anticipated earthworks and resulting changes in land levels were taken into account in creating the visualisations of the development for the landscape impact assessment, indeed the spot heights above ordnance datum (AOD) for the site used at the outline stage were higher than are now proposed. Although extensive therefore, the earthworks are not considered to change the conclusions previously reached on landscape impact at the outline stage.

34. For information, under condition 28 of the outline permission, proposals have been submitted to deal with ground contamination and remediation in relation to these earthworks and other aspects of the development.
35. Between 100 and 150 HGV movements per day are likely to be required in this early part of the construction programme associated with the movement of fill material to the site and the export of unsuitable material off-site. Such a level of movements is to be expected in relation to this major development but in line with principles of sustainability, the applicant states that the development is seeking to minimise traffic movements through the re-use of materials on site and the local sourcing of materials. Also, by minimising construction traffic movements in peak hours, contractors seek to minimise delay to journeys and thereby reduce costs, project delay and impact upon other road users. Currently the balance of movements from the east or west accessing the site from the A40 through the temporary construction access cannot be fully predicted as the source of fill has not been determined. A Construction Environment Management Plan (CEMP) has been submitted to the Council and is under consideration. It provides that construction traffic will approach from the west on the A40 and enter the site via a temporary construction access (**Appendix 9**); construction traffic arriving from the east will use the Marsh Lane grade separated junction to facilitate the "u turn" to allow access from the A40 east bound carriageway.

Utilities

36. Existing overhead electricity cables are to be diverted and buried in ducts routed within the linear park, the greenways, the Primary Street and tertiary streets. The buried cable and gas main that run along the A40 are to remain in situ and will be protected as necessary where permanent and temporary road accesses are formed.
37. New electricity, gas, water and telecoms services will be extended into the development via existing services on the A40.
38. The scheme has taken into account services in the surrounding areas. To allow for carriageway construction, cables will be lowered where the link road joins Foxwell Drive, and at the vehicle entrance off Harolde Close.
39. The application states that the utilities providers are in agreement with these proposals.

Road works

40. The primary street will be constructed on imported fill material.
41. The temporary construction access is attached at **Appendix 9**. This will be required for 8 to 10 years and is located separately from the residential/commercial/community access points on the A40 and Barton Village Road.
42. Haul routes within the site and the site compound are shown in **Appendix 10**. They have been designed to minimise the length of haul routes within the site and the number of vehicle crossings through the existing hedgerows and across the Primary Street. Protection will be provided for pedestrians on the public right of way which is crossed by the haul road. The compound would be hoarded and would also contain associated facilities for security, wheel washing and so on.

Primary Street, Civic Squares, and the A40 Junction

The A40 junction

43. The A40 junction is the primary vehicle access to Barton Park and was approved in detail as part of the outline permission. On 13th November 2014, to facilitate the incorporation of this new junction into the existing highway, the County Council as Local Highway Authority formally accepted the proposal to reduce the speed limit on this part of the A40 to 50mph, and to impose restrictions on traffic movements at the proposed junction (the extent of these measures is shown on the plans at **Appendix 11**).
44. The approved layout and design of the junction provided sufficient capacity at the junction to accommodate all users within a safe and efficient junction format. It minimised delays to traffic on the A40 and provided safe crossing routes for pedestrians and cyclists. A priority route through the junction between Barton Park and Northway was incorporated for buses and emergency vehicles. On 11th November 2014 the Inspector's report into the application for Town Green status for the green space at Northway was published – it recommended that the application be rejected. The County Council accepted this recommendation on 12th January 2015 thus confirming that this bus/cycle/pedestrian/emergency vehicle route can be implemented as part of the Barton Park scheme.
45. The approved junction design included an east-west pedestrian/cycle crossing across the Barton Park bellmouth via a traffic island in the south-eastbound carriageway which split left turning vehicles from 'straight on' south-eastbound vehicles. As a result of work on the detailed design of the residential development parcels adjacent to the junction, it has been concluded that there is no need for that pedestrian/cycle route because people can cross the Primary Street at a crossing further north into the site away from the junction. An amendment to the junction design is therefore now proposed (under application reference 13/01383/NMA) which removes the splitter island, and

reduces the width of the central island given that it no longer needs to accommodate pedestrians/cyclists. This allows for safer more rational pedestrian/cyclist movement across the junction, and reduces vehicle speeds through the junction because drivers will perceive the junction as being more compact.

46. The junction is to be signal controlled – this is the primary visual cue for drivers of the approaching junction. The Oxford Design Review Panel considered that the architecture of buildings surrounding the junction would also have an influence on driver behaviour in slowing traffic down on approaching the junction. Development of the adjacent parcels of land is not part of this application but that guidance is useful in the consideration of those proposals when they come forward. However, to give drivers additional visual cues, the junction is to be landscaped with trees, shrubs, ornamental grasses, wildflower grasses, and amenity grasses, which gradually formalise as the junction is approached. This landscape will be managed to create a contemporary, semi-rural character while retaining as much as possible of the existing vegetation. Designed in this manner, the A40 junction also becomes one of the key urban spaces that help to announce the new neighbourhood and define the character of Barton Park.
47. In the view of officers this junction design achieves optimum highway safety without resulting in an over-engineered approach. It provides safe pedestrian and cycle crossing routes and a bus link. Its design is appropriate to its function and landscape context. The proposed A40 junction therefore accords with the Core Strategy Policies CS7, CS13, CS18 and CS19; and with Barton AAP Policies BA1, BA5, BA6, BA7 and BA13.

The Primary Street

48. The Primary Street forms one of the key defining structural features of the Barton Park scheme. Its alignment is taken from the indicative Masterplan and Parameter Plan 4 of the outline permission. Its detailed configuration and design are further determined by the overarching objectives for the development (creation of a cohesive, integrated and vibrant new community), by the functional requirements for the Primary Street as set out in the Movement Strategy, by the Design Code, and by the need to create developable parcels of land. It has been developed to its final detailed form in tandem with the technical aspects of the enabling infrastructure: the drainage, earthworks, road works, junctions and utilities.
49. Four key design parameters underpin the Primary Street:
- i. the integration of two civic squares with the Primary Street and the creation of designed 'gateways' into the Barton Park development (the A40 and Fettiplace Road junctions);
 - ii. exploitation of views out from the Primary Street to the surrounding landscape, and within it; and the creation of landmarks within the development;

- iii. integrating traffic calming into the design so that driver behaviour is inherently, 'naturally' calmed by the design; and,
 - iv. retaining and enhancing existing landscape features and incorporating them into the development – this predicated the relationship of the Primary Street with the Linear Park and Greenways which are discussed in detail later in this report.
50. The Primary Street carriageway is generally 6.1m wide with 2.2m footways on both sides (**Appendix 12**). The roadway and footway surfaces are to be asphalt with granite chippings in accordance with the Design Code, with a soldier course of block paving on either side of the carriageway. Crossing points are to be constructed of block paving to distinguish them from the main carriageway.
51. On-street parking is to be provided along the length of the Primary Street in accordance with: the Transport Assessment (submitted as part of the outline application); condition 16 of the outline permission; and with the Design Code. This will add to the vitality of the street because residents and their visitors will provide activity at the fronts of buildings.
52. These 90 unallocated parking spaces are located adjacent to residential properties and are designed in accordance with the Design Code in a parallel configuration (where they are both sides of the street) and in a perpendicular configuration (where they are located on one side only).
53. An exception to this, and therefore not in accordance with the Design Code, is at the eastern end of the street where for a short length parking is on-plot to the front of houses. The Design Code indicated that residential parking in this location would be on-street in order to play a role in traffic calming. The Design Code allows for minor, later alterations but only where the proposed change would be an enhancement to the overall development. The provision of on-plot parking in this location is considered to reflect the existing character of houses in Barton: dwellings set back from the street with front gardens and parking on plot. It is concluded that on-plot parking can be allowed in this location. Further details will come forward at the relevant reserved matters stage.
54. Barton Park is to be a Restricted Parking Zone (RPZ) which operates in the same way as a Controlled Parking Zone (CPZ) but does not require road markings to enforce the controls: similar controls operate within the Northway area. When Barton Park is complete and the highways adopted by the Local Highway Authority, standard signs governing the RPZ will be installed. These will be provided in such a way as to avoid unnecessary clutter that would detract from the street scene and the quality of the environment. Prior to adoption, signs at the entry points to Barton Park and within the development reinforce these parking controls.
55. There is to be a 20mph speed limit throughout Barton Park, reinforced by traffic calming features such as on-street parking; carriageway narrowing (to

5.5m) and changed surface treatments at 'bridges' where the greenways are crossed; at the civic squares which are shared surfaces and create bends and deflections in the road; at the chevron parking in the centre of the commercial square; and at pedestrian and cycle crossings marked by changed surface treatments.

56. Trees are to be planted along the length of the Primary Street in tree pits of a size to ensure their health and longevity using imported soils or urban tree-sand. The tree species chosen and their groupings are intended to 'divide' the Primary Street up into 3 character areas corresponding to the neighbourhoods described in the Masterplan. This has the aim of influencing people's experience of the Primary Street and its sense of place: "urban parkland" at the western end which is to be a high density mixed use character area around the commercial square; an "avenue" character in the central portion of the Primary Street where it passes through the proposed medium density residential area with strong green connections to the Linear Park; and a "suburban character" at the eastern end where there is to be lower density residential development and the Primary Street passes into and is assimilated with the existing residential areas of Barton.
57. Street furniture is to be provided in accordance with the Design Code and in the light of officer comments.
58. The Design Code approved at the outline stage conformed to Secure by Design principles and was approved by the Oxfordshire Crime Prevention Unit. The current proposals conform to the Design Code. The submitted Design and Access Statement contains an analysis of the safety of the scheme. It is concluded that key Secure by Design principles have been included in the proposals such as clear definition between defensible private space and communal space, natural surveillance of public areas, active street frontages, creation of connecting routes that will be well used, location of play areas set back from properties to avoid creating nuisance, location of seating in well used areas, and careful location of planting to ensure that no dense areas are created or shrubs next to footpaths.
59. In the view of officers the Primary Street will be a safe, multi-modal traffic route (buses, cars, cycles, and service vehicles) designed for slow vehicle speeds and with integrated traffic calming features. It will be lined with pleasant, well-designed, active residential, commercial and community building frontages (although these are not part of this application). It will be permeable and accessible having footways on both sides and many side links and crossings with routes into the adjacent residential and green recreational areas. It will be tree-lined and landscaped and include ecological enhancements. It will have high quality surface materials with different surface treatments at crossings. Its curving route and integral commercial and community squares will provide interest along its route and interesting views outwards to the countryside and of landmark buildings within Barton Park. A strong sense of place will be created along its route enhanced by creation of the three character areas along its length which in turn support the character areas of the proposed developments adjacent to it.

60. The proposals for the Primary Street therefore in accord with the Core Strategy Policies CS7, CS13, CS18 and CS19; and with Barton AAP Policies BA5, BA6, BA7 BA10, BA11 and BA13.

The Commercial Square

61. The commercial square is to be a rectangular shared space, formed by widening the Primary Street and constructed of block paving in accordance with the Design Code (**Appendix 13**). The Primary Street forks at each end of the square with one-way traffic running down each side. The square has a central chevron parking area (16 short stay spaces) constructed of self-binding gravel in silver grey. Four cycle stands are proposed on the square itself with additional cycle parking to serve this area to be provided within the retail/commercial development fronting the square. Street lighting, street furniture and two bus stops are proposed in accordance with the Design Code. The square is large enough to be used flexibly for a range of outdoor community or other events.

62. The central area is planted with 6 large Norway Maples, complemented by street trees on the north side and a group of street trees in the western corner. This continues the street tree planting along the Primary Street. At its eastern end the commercial square has a well-sized link with one of the major Greenways giving good accessibility to the Linear Park and other recreation opportunities.

63. In response to this application the Oxford Bus Company raised concerns about the road layout and parking arrangement within the Commercial Square and Community Square. The concerns related specifically to the movement of the buses through both squares and the potential for conflict with parked/manoeuvring cars and school children. Further discussions were held with the applicants, the Oxford Bus Company and the County Council as a result of which the geometry of the central parking area in the commercial square and the alignment of the approach roads to it have been adjusted slightly to ensure that buses can pass through this area without any material problems. The revisions are minor and will not affect the overall layout or character of the square to a significant degree. The County Council and Bus Company are satisfied with these revisions.

64. In the view of officers the commercial square will form a significant and attractive focal point for the community because of the activities that it will accommodate and the quality of its design. Its size, scale and layout will relate well to the proposed adjacent developments. The central tree planting will be an attractive feature and will create interesting views into the square from the east and west. The proposal accords with Core Strategy Policies CS7, CS18 and CS19; and Barton AAP Policies BA4, BA5, BA7, BA10 and BA13.

The Community Square

65. The community square is located next to the proposed school/community hub site at a point where the Primary Street is deflected through two 90° turns

creating an “S” bend coinciding with a Greenway crossing point (**Appendix 14**). Again it is formed by widening the Primary Street and is to be constructed of the same palette of materials as the commercial square. Effectively the square is triangular in shape with residential development fronting onto its west and south sides.

66. The community square is to be a significant green space within Barton Park: some 24 trees together with shrubs and grassed areas are proposed to be planted, bolstering and integrating with the Greenway which already runs north-south through the square. A bio-retention area for rainfall as part of the surface water drainage strategy is proposed amongst the trees planted informally with shrubs and grass.
67. The school/community hub is strategically located and connected by routes within Barton Park to allow most pupils/hub visitors to be able to walk/cycle to it. School/hub visitor car parking will be provided within the school site but, acknowledging that some children will still want or need to be driven to school, some limited short stay school parking and drop-off/collection provision is included in the square. The Bus Company has stated that it would prefer if parking for the school could be accommodated away from the community square to avoid the potential for conflict between buses travelling through it and cars manoeuvring in and out of parking spaces. The intention is however that the community square (and the commercial square) will be characterised by the activities of people and children walking through and spending time in the square, and indeed cars manoeuvring and parking around it, in a manner very similar to the arrangement commonly found in traditional squares. The aspiration to create this character was established as part of the outline planning permission and through the Design Code, and in the opinion of officers should be adhered to.
68. In response to this issue of principle however, and to other detailed design concerns of the County Council and Bus Company in relation to the original application, some minor revisions have been now been submitted: the geometric design of the ‘S-bend’ adjacent to the school has been widened to allow vehicles to pass other vehicles with greater ease; the positions of trees adjacent to the carriage way have been altered slightly in response to the revised kerb lines; and four additional parking spaces have been created in the south of the square. This latter revision has resulted in the loss of part of the landscaping originally proposed but this is considered to be minor, as these spaces will be set against the backdrop of one of the Greenways which will provide a substantial landscaping feature complimentary to the rest of the landscaping to be retained in the central and north west of the square.
69. Short stay school parking and drop-off/collection provision in the square now therefore amounts to 15 unallocated short stay spaces, plus an area for informal drop off accommodating a further 3 spaces. An additional 12 unallocated residential spaces immediately adjacent to the eastern end of the square will also be available for school drop-off (permit holders only). The County Council is now satisfied with these revisions.

70. In the view of officers the community square will be a high quality, attractive public space, and a significant focal point for the community. The proposal accords with Core Strategy Policies CS7, CS16, CS18 and CS19; and Barton AAP Policies BA4, BA5, BA7, BA11 and BA13.

The Linear Park

71. The linear park runs along the northern boundary of Barton Park adjacent to the Bayswater Brook (which is outside the application site) and forms a 'soft' interface between Barton Park and the adjacent rural area to the north (**Appendix 15**). It rises up from the Bayswater Brook, its general landform being sculpted as a result of the earthworks required to create the rainwater attenuation ponds which are within the linear park and which are integral to the surface water drainage strategy (**Appendix 16**).

72. Its design is based on:

- retaining and enhancing the site's existing semi-natural appearance and vegetation (for landscape value and screening);
- linking with the drainage strategy to ensure that no flooding occurs and that there is permanent water in attenuation basins for their amenity and ecological value;
- ensuring that existing watercourses are cleaned as part of the management regime;
- retaining and enhancing pedestrian movement for all users including buggies and wheelchairs;
- increasing opportunities for informal outdoor recreation for adults and children; and,
- the retention and enhancement of habitats and creation of new habitats for ecological value.

73. It is intended that the park retains a semi-natural landscape which includes a range of new open spaces that are proposed to meet the needs of new and existing local residents. Two un-fenced Local Equipped Areas for Play (LEAPs) and two natural play areas are proposed, both based on natural play using earth mounding, high quality play equipment and natural play pieces such as boulders, tree trunks and stone walls.

74. A key design principle of the Linear Park and play areas has been to encourage interaction with the water edge's giving children the freedom to explore such as at the dipping pond and on the gently sloping embankments. This is an aspect of the design which underwent much discussion with the City Council's Parks and Open Spaces Manager. The discussions concluded that guard rails or life jackets are not required for the ponds although water safety notices of the hazards associated with being in or around water are to be included on signs at the main entrances to the Barton Park. The proximity of the western LEAP to water has however been a key consideration and has been addressed by using changes in level to create a natural barrier with a gabion terrace and retaining wall. Careful placement of equipment and planting can further restrict movement near the water's edge where required.

Where there is a risk of a significant fall into the pond, a fence/barrier is indicated on the concept layout (**Appendix 17**). Full details of the play spaces are being developed with specialist suppliers and Oxford City Parks and Open Spaces Manager.

75. In view of these concerns and in order to ensure the best forms of provision for all these play facilities, a planning condition is recommended requiring submission of details of the western LEAP.
76. A 2.5m wide shared hoggin footpath/cycleway runs for most of the length of the linear park, supplemented at points by 2m wide pedestrian hoggin paths, a 2m wide timber boardwalk (at the western end) and informal earth tracks. These allow for movement within the linear park itself and link with existing streets. Importantly at the eastern end they link with the existing Barton neighbourhood.
77. Paragraph 5.15 and Policy BA4 of the Barton Area Action Plan (AAP) states that the Linear Park should provide clear-span bridges across Bayswater Brook. There are no proposals to include any new bridges across the Bayswater Brook. The area to the north of the Brook (Sidlings Copse and College Pond) is a Site of Special Scientific Interest (SSSI) and, in response to concerns raised by Natural England at outline stage, it is considered important to limit the potential for interaction with this protected area. The whole focus of the Linear Park is to create east-west routes across the site and link into the existing Barton community, integrating with "Play Barton" to the east. In response to consultation with the local community (as detailed in the Statement of Community Involvement) the detail of the Linear Park has been designed to 'open up' the Brook and allow the community to view and enjoy the Brook from within the proposed Park. Tree and shrub planting is to be mainly of locally prevalent native species to benefit biodiversity. Aquatic plants are proposed for the pond margins. Long and short mown grassland areas at margins and for informal play are proposed, together with wildflower meadow areas in association with dry swales and pond edges.
78. A simple palette of natural materials and muted colours are to be used for street furniture and hard landscaping in accordance with the Design Code.
79. Five character areas are proposed within the linear park (**Appendix 18**) from west to east:
- A – the western corner is to have a secluded and naturalistic character with high wildlife interest and limited public access;
 - B – a high activity, multi-functional area around the principal western pond accessible to all age groups;
 - C – an area of interconnected walkways around three linear ponds and two weirs with timber bridges over the weirs, informal seating and play areas;
 - D – focussed around an informal kick-about area; and,
 - E – at the eastern end an open area as a positive interface with the formal sports area and primary school.

80. In the view of officers this will be a high quality, attractive Linear Park. The incorporation of varying levels and contours around the rainwater attenuation ponds will create interesting public spaces and are welcome even though they will generate some particular/additional maintenance demands. Tree and shrub planting proposed within the green infrastructure is predominantly of native or naturalised species and is considered to be acceptable. A good balance of long and short grassed areas is proposed which will create an acceptable semi-natural area between the new 'suburb' and the rural areas beyond. Bio-diversity features are integral to the design. It offers a variety of pedestrian and cycle routes suitable for all users which connect the new development and existing neighbourhoods. Overall a good level of recreation space is provided for the new and existing communities in a varied array of recreational opportunities including nature based play spaces, picnic spaces, seating, an informal kick-about area, very low key water based activities, and a trim trail. The proposal accords with core Strategy Policies CS7, CS18 and CS19; and Barton AAP Policies BA4, BA7 and BA13.

The Greenways

81. The Greenways, based on the existing hedgerows and ditches that run north-south through Barton Park, connect the linear park with a strip of landscaped open space along the southern boundary (**Appendix 19**). As with the linear park, the greenways are sculpted through earthworks. They are integral to the surface water drainage strategy being the location of existing ditches and proposed swales. They are designed to be highly visible, unifying landscape features that add to the sense of place for Barton Park, and are important for biodiversity.

82. Within them existing trees are to be retained and new trees planted. Existing hedgerows are also retained and new ones created.

83. In the view of officers the Greenways will provide a variety of additional pedestrian routes around Barton Park together with additional outdoor recreation opportunities in a green setting. The proposals accord with core Strategy Policies CS7, CS18 and CS19; and Barton AAP Policies BA4, BA7, BA11 and BA13.

Trees

84. The reserved matters proposals require removal of trees that are additional to those that were approved under the outline planning permission. However, these tree losses are justified for the reasons stated in the Arboricultural Impact Assessment accompanying the planning application and are due to the layout and form of the development and the extensive ground modelling that is required to deliver it. These tree removals will not have a significant additional harmful effect on the landscape or on visual amenity in the area and new tree planting that is proposed will adequately mitigate the losses. Several mature crack willow trees which had previously been identified for removal however will now be retained and pollarded. On balance therefore,

the proposals are considered to be acceptable in compliance with Oxford Local Plan policies CP1, CP11 and NE15.

85. The tree and shrub planting which is proposed for the Primary Street, green infrastructure, the Linear Park, Greenways and A40 junction is appropriate to deliver the vision required by the approved Design Code and will result in a net increase in the overall tree cover within Barton Park.
86. The submitted tree protection details are acceptable.

Sustainability

87. The vision and objectives for Barton Park are founded on sustainability principles particularly around walking, cycling and public transport connectivity; around the provision of local social facilities such as recreation, the school and local shops; around community building and regeneration; and around the quality and functioning of the built and natural environment. It is considered that these proposals will meet those requirements and will therefore constitute sustainable development in those terms.
88. Policy CS9 of the Core Strategy goes further and requires that all development should seek to minimise its carbon emissions, and proposals should demonstrate how sustainable design and construction methods will be incorporated. The submission of a Natural Resource Impact Analysis (NRIA) is required but this refers primarily to housing and other buildings.
89. A Sustainability Statement (including an NRIA) was submitted with the outline application and the Committee report noted a number of sustainability issues for further exploration at the reserved matters stages for the housing and other built development.
90. To explain the sustainability qualities of these particular proposals for primary infrastructure, the applicant has submitted an extract from the NRIA detailing the choice of materials and embodied energy, and recycled materials. This makes it clear that:
- materials will be specified to achieve the Fabric Energy Efficiency Standards;
 - a mix of materials from renewable and non-renewable sources will be used but all natural materials will be fully certified;
 - local and recycled materials will be preferred where available and appropriate for use. There have been preliminary discussions about using importing fill from demolition waste from sites within Oxford such as from the Westgate Centre;
 - on-site materials such as soil will be re-used on-site where possible subject to any remediation requirements; and,
 - the Waste Management Strategy which supported the outline application ensured that the system of waste minimisation, re-use and recycling is effective.

91. Further, the applicant is currently tendering for the contractor to deliver the site preparation works. As part of this selection process the prospective contractors will be required to set out sustainability practices specific to Barton Park using a Sustainability Tool. This requires the contractor to establish and monitor sustainable practices including a better than industry standard approach to:

- waste (including diversion of waste from landfill), Co2 emissions, water use and road miles generated;
- the re-use of materials (building/non-construction/ aggregate) including the potential for sourcing 'fill' from the Westgate Centre; and,
- targets for employing local (Oxfordshire) workforce.

92. The Construction Environment Management Plan (CEMP) submitted to the Council and currently being considered, includes best practice to limit waste and the means to achieve industry best practice in other aspects of the construction process.

CONCLUSIONS

The functional requirements for the enabling infrastructure

93. This is largely a technical assessment and all the relevant statutory and local bodies have been consulted. None has raised any objections or comments in relation to the proposals for the buried services and utilities, site-wide foul and surface water drainage, and earthworks. The earthworks are not considered to change the landscape impact assessments upon which the Barton AAP and outline permission were based. The proposals meet the functional requirements of Core Strategy Policy CS11, and Barton AAP Policy BA15, and the conditions attached to the outline permission.

The changed A40 junction layout

94. The minor change proposed to the approved design and layout of the A40 junction is considered to be acceptable because it retains and improves the operational safety and efficiency of the junction in comparison with the approved scheme. In particular pedestrian/cycle crossing safety is rationalised and improved. No objections or comments have been received from parties that have been consulted.

Meeting the vision and objectives for Barton Park

95. The design and layout of the Primary Street and open spaces will create a strong sense of place within the individual character areas of Barton Park, and as a whole across Barton Park. Further, because the design and layout is drawn from the natural landscape characteristics of the site and allows views out of Barton Park into the surrounding countryside and adjacent neighbourhoods there will also be a strong sense of the setting of Barton Park in its wider Oxford context. The streets and open areas will provide attractive,

functional spaces and excellent settings for the forthcoming residential, commercial and community developments which are to front them.

96. The Primary Street and routes within open spaces will provide excellent connectivity across Barton Park and extending into the surrounding areas. There will be safe, attractive, multi-modal, physical links between the three adjacent neighbourhoods of Barton Park, Barton and Northway. This will help to integrate those communities by enabling pedestrian and cycling flows, and travel by bus not only between those communities, but also into the Linear Park and Greenways, and on into the wider area.
97. The proposals will help to promote low-carbon and healthier lifestyles by enabling walking and cycling through many safe and interconnected routes, through the provision of a convenient well-connected bus route, and through the provision of attractive and well-connected commercial and community facilities and outdoor recreation facilities for all users. Although existing trees will be lost there will be a net gain of trees and planting and biodiversity enhancement.
98. The activities, land uses and connecting routes accommodated within the attractively designed and high-functioning primary infrastructure will generate high levels of public activity. Opportunities for considerable social interaction between Barton Park residents and those in Barton and Northway will therefore be created on the Primary Street and in the civic squares. The construction phase will offer local job and training opportunities. The social cohesion, sense of community, sense of civic pride, and formal and informal personal and commercial links thus created will assist in bringing to fruition a strong and balanced community, and in securing regeneration of the neighbouring estates.
99. In the view of officers the primary infrastructure proposals: the Primary Street, civic squares, junctions, Linear Park and Greenways, are of very high quality design which meets the functional, aesthetic and community objectives of the Core Strategy, the Barton AAP and the outline permission.

Tree protection

100. The submitted tree protection details are acceptable and can be accepted in compliance with the requirements of condition 11 of 13/01383/OUT.

Phased surface water drainage

101. The submitted surface water drainage details relevant to this phase of the development are acceptable and can be accepted as meeting the requirements of condition 25 insofar as they relate to this phase of development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, to confirm compliance with or partially confirm compliance with conditions, and to permit a non-material amendment, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 13/01383/OUT, 14/03201/RES, 13/01383/NMA, 13/01383/CND3, 13/01383/CND2

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