

OXFORDSHIRE COUNTY COUNCIL

**Town and Country Planning Act, 1990**

**Town and Country Planning General Regulations, 1992**

**Regulation 3**

PROPOSED DEVELOPMENT BY THE COUNTY COUNCIL

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**Location of land: A40/B4022 Shores Green Junction, Witney OX29 6UU**

**Brief particulars of proposed development: Section 73 to continue the development permitted by R3.0039/22 (construction of two new west-facing slip roads at the Shores Green junction of the A40; an off-slip to allow eastbound vehicles to exit the A40 on to the B4022 towards Witney and an on-slip to allow westbound vehicles to enter the A40 from the B4022 at this junction. Two existing lay-bys to the west of the A40 overbridge will be removed to accommodate the construction of the slip roads) without complying with conditions 1 and 18 in order to replace a proposed shared-use path with a footway, merge two balancing ponds into one, re-align a drainage ditch, extend the highway boundary and make amendments to the landscaping scheme to include additional planting**

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County Council Ref. **R3.0142/23**

District Council Ref. No. 23/02712/CM

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**The OXFORDSHIRE COUNTY COUNCIL as County Planning Authority hereby GRANT PLANNING PERMISSION for this development SUBJECT TO the conditions below:**

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved plans and specifications comprise:
  - Application Form dated 05/04/22
  - Application Form dated 15/09/23
  - Site Location Plan 60611611-ACM-XX-XX-DR-HW-000006 (Rev: 3), dated 09/03/2022
  - General Arrangement Plan (Sheet 1 of 3) 60611611-ACM-XX-XX-DR-HW-000109 (Rev: 14), dated 26/07/2023
  - General Arrangement Plan (Sheet 2 of 3) 60611611-ACM-XX-XX-DR-HW-000110 (Rev: 14), dated 26/07/2023
  - General Arrangement Plan (Sheet 3 of 3) 60611611-ACM-XX-XX-DR-HW-000111 (Rev: 14), dated 26/07/2023
  - Landscaping Strategy (Sheet 1 of 3), 60611611-ACM-XX-XX-DR-LV-000001 (Rev: 10), dated 25/07/2023
  - Landscaping Strategy (Sheet 2 of 3), 60611611-ACM-XX-XX-DR-LV-000002 (Rev: 10), dated 25/06/2023

- Landscaping Strategy (Sheet 3 of 3), 60611611-ACM-XX-XX-DR-LV-000003 (Rev: 10), dated 25/07/2023
- Long Sections (Sheet 1 of 1) 60611611-ACM-XX-XX-DR-HW-000121 (Rev: 4), dated 08/09/2022
- Cross Sections (Sheet 1 of 9) 60611611-ACM-XX-XX-DR-HW-000122 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 2 of 9) 60611611-ACM-XX-XX-DR-HW-000123 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 3 of 9) 60611611-ACM-XX-XX-DR-HW-000124 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 4 of 9) 60611611-ACM-XX-XX-DR-HW-000125 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 5 of 9) 60611611-ACM-XX-XX-DR-HW-000126 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 6 of 9) 60611611-ACM-XX-XX-DR-HW-000127 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 7 of 9) 60611611-ACM-XX-XX-DR-HW-000128 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 8 of 9) 60611611-ACM-XX-XX-DR-HW-000129 (Rev: 5), dated 30/03/2023
- Cross Sections (Sheet 9 of 9) 60611611-ACM-XX-XX-DR-HW-000131 (Rev: 5), dated 30/03/2023
- Street Lighting (Sheet 1 of 1) 60611611-ACM-XX-XX-DR-LE-1303 (Rev: 2) 26/07/2023
- Street Contour (Sheet 1 of 1) 60611611-ACM-XX-XX-DR-LE-1311 (Rev: 2) 26/07/2023
- ES Vol I Chapter 1: Introduction;
- ES Vol I Chapter 2: EIA Methodology;
- ES Vol I Chapter 3: Alternatives and Design Evolution;
- ES Vol I Chapter 4: The Proposed Development;
- ES Vol I Chapter 5: Air Quality;
- ES Vol I Chapter 6: Biodiversity;
- ES Vol I Chapter 7: Climate (Rev.02);
- ES Vol I Chapter 8: Cultural Heritage;
- ES Vol I Chapter 9: Geology and Soils Rev.02;
- ES Vol I Chapter 10: Landscape and Visual;
- ES Vol I Chapter 11: Material Assets and Waste;
- ES Vol I Chapter 12: Noise and Vibration;
- ES Vol I Chapter 13: Population and Human Health;
- ES Vol I Chapter 14: Road Drainage and the Water Environment; and
- ES Vol I Chapter 15: Traffic and Transport.
- ES Vol I Chapter 16: Cumulative Effects; and
- ES Vol I Chapter 17: Residual Effects and Mitigation.
- ES Vol II Appendix 1-A: Statement of Competence
- ES Vol II Appendix 2-A: EIA Scoping Report
- ES Vol II Appendix 2-B: EIA Scoping Opinion
- ES Vol II Appendix 2-C: EIA Scoping Opinion Responses
- ES Vol II Appendix 5-A: ADMS-Roads Model Conditions
- ES Vol II Appendix 5-B: Local Air Quality Assessment Results
- ES Vol II Appendix 6-A: Desk Study Report

- ES Vol II Appendix 6-B: Phase 1 Habitat Survey
- ES Vol II Appendix 6-C: Great Crested Newt Survey Report
- ES Vol II Appendix 6-D: Bat Survey Report
- ES Vol II Appendix 6-E: Hazel Dormouse Survey Report
- ES Vol II Appendix 6-F: Ornithological Survey Report
- ES Vol II Appendix 6-G: Barn Owl Survey Report (Redacted Version)
- ES Vol II Appendix 6-H: Badger Survey Report (Redacted Version)
- ES Vol II Appendix 6-I: Aquatic Ecology Survey Report
- ES Vol II Appendix 6-J: Air Quality and Ecology Report
- ES Vol II Appendix 6-K: Habitats Regulations Assessment (HRA)
- ES Vol II Appendix 6-L: Biodiversity Net Gain Report (Rev.02)
- ES Vol II Appendix 8-A: Known Heritage Assets
- ES Vol II Appendix 8-B: Heritage Desk-based Assessment
- ES Vol II Appendix 9-A: Correspondence with Oxfordshire Geological Trust
- ES Vol II Appendix 9-B: Preliminary Sources Study Report (PSSR)
- ES Vol II Appendix 10-A: Relevant Policy to Landscape and Visual Matters
- ES Vol II Appendix 10-B: Relevant Extracts from Published Studies and Supporting Documents
- ES Vol II Appendix 10-C: Viewpoint Descriptions
- ES Vol II Appendix 10-D: Likely Landscape Effects
- ES Vol II Appendix 10-E: Likely Visual Effects
- ES Vol II Appendix 10-F: Arboricultural Impact Assessment Rev.02
- ES Vol II Appendix 11-A: Waste Minimisation Statement
- ES Vol II Appendix 11-B: Outline Site Waste Management Plan
- ES Vol II Appendix 13-A: Agricultural Circumstances Report (Redacted Version)
- ES Vol II Appendix 14-A: Drainage Strategy
- ES Vol II Appendix 14-B: Flood Risk Assessment (FRA)
- ES Vol II Appendix 14-C: Surface Water Quality Monitoring Results
- ES Vol II Appendix 14-D: Water Framework Directive Assessment
- ES Vol II Appendix 14-E: Road Runoff and Spillage Risk Assessment
- ES Vol II Appendix 16-A: Cumulative Long and Short List
- ES Vol II Appendix 17-A: Schedule of Environmental Commitments
- Environmental Statement Addendum Report dated September 2023
- Biodiversity Net Gain Assessment dated September 2023
- Planning Statement dated March 2022
- Stantec Covering Letter dated 15th September 2023
- Design and Access Statement dated March 2022
- Statement of Community Involvement dated March 2022
- Transport Assessment dated March 2022
- Transport Assessment Addendum dated August 2023
- Sustainability Assessment dated March 2022
- Sustainability Statement Addendum dated September 2023
- Non Technical Summary Part 1 of 4
- Non Technical Summary Part 2 of 4
- Non Technical Summary Part 3 of 4
- Non Technical Summary Part 4 of 4

Reason: To ensure that the development is carried out as proposed.

2. The development to which this permission relates shall be begun not later than 15<sup>th</sup> July 2026.

Reason: In accordance with Section 91 to 95 of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. Prior to the commencement of any development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority, The CEMP shall include the following:
  - A risk assessment of all activities that may be damaging to biodiversity both on and off site;
  - Identification of “biodiversity protection zones” including a buffer along the full length of the watercourse in the construction zone, and protection zones around trees 2, 3, 4 and 5;
  - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on species and habitats which may be provided as a set of method statements, to include sensitive vegetation clearance methods with regard to dormice (to be undertaken under licence) and a precautionary felling method for trees with moderate bat roost potential;
  - Timing and scope of additional protected species surveys;
  - Lighting scheme and safeguards for light-sensitive wildlife;
  - Pollution prevention measures;
  - Noise and vibration minimisation measures;
  - Details of the management and disposal of construction waste;
  - The location and timing of sensitive works to avoid harm to biodiversity features (such as badger, bats, dormouse and nesting birds);
  - Details of the times when specialist ecologists will be present on site to oversee works;
  - Details of protection of measures to footpath users;
  - Arboricultural Method Statement;
  - Risk assessment of all activities that may be damaging to trees both on and offsite including survey of Root Protection Areas of trees to be surveyed and plan of action (tree risk management strategy) to ensure their protection during construction;
  - Location of soil storage mounds showing that they do not extend into the root protection zones of hedges or trees;
  - Details of responsible persons, roles and lines of communication;
  - The role and responsibilities on site of an Arboricultural Clerk of Works (ACoW) or similarly competent person and confirmation that they will supervise and oversee construction around trees;
  - A severe weather emergency planning annex to prevent or reduce the risk of extreme weather related impacts during construction. This shall

include details about the implementation of emergency systems and response plans; and

- Use of protective fences, exclusion barriers and warning signs

The CEMP must clearly set out the mitigation measures for each construction related climate vulnerability impact referenced in the application.

The approved CEMP shall be implemented in full for the duration of construction works and no construction shall take place other than in accordance with the approved CEMP. Should there be a requirement for any changes to the approved CEMP during the construction period, an updated CEMP shall be submitted to and approved in writing by the County Planning Authority and implemented thereafter.

Reason: To prevent unacceptable amenity effects to local residents, and environmental impacts on biodiversity during the construction of the scheme (WOLP Policies EH3 and EH8).

4. If contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and submitted to and approved in writing by the County Planning Authority. The approved remediation scheme shall be implemented thereafter.

Reason: To prevent unacceptable amenity effects to local residents, and environmental impacts during the construction of the scheme (WOLP Policy EH8).

5. A Construction Traffic Management Plan (CTMP) shall be submitted to the County Planning Authority and approved in writing prior to commencement of the development. The CTMP shall identify;
  - The routing of construction vehicles and management of their movement into and out of the site/ compound by a qualified and certificated banksman;
  - Where materials and plant will be stored;
  - Details of loading / unloading areas and any vehicle turning areas to be provided;
  - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network);
  - Details of wheel cleaning / wash facilities to prevent mud and dust from migrating on to the adjacent highway;
  - Contact details for the Site Supervisor responsible for on-site works;
  - Travel initiatives for site related worker vehicles;
  - Parking provision for site related worker vehicles;
  - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours; and

- Engagement with local residents.

The approved scheme shall be implemented in full.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times (WOLP policy EH8).

6. The proposed footway/cycleway parallel with the new off slip shall not be opened for public use unless the controlled crossing of the B4022 has been completed in all respects.

Reason: In the interests of highway safety (WOLP Policy T3).

7. No development shall commence until a Dust Management Plan (DMP) has been submitted to the County Planning Authority and approved in writing. The DMP shall include detail about how dust arising from the construction works will be monitored, and what mitigation measures will be put in place to minimise air pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity of local residents. The approved plan shall be implemented in full.

Reason: To ensure that dust is adequately managed and does not cause health or amenity impacts on local residents (WOLP Policy EH8).

8. No lighting shall be erected at the site until such time as details of the lighting have been submitted to and approved in writing by the County Planning Authority. The submitted details shall demonstrate the impact of the proposed lighting on biodiversity and shall include details of the location, height, type and direction of all light sources, including intensity of illumination. The lighting scheme shall be designed to ensure light-sensitive wildlife are not disturbed, through incorporating the elements described in paras 6.7.44-6.7.46 of the Environmental Statement.

Reason: To protect local notable and protected species and habitats from light effects. (WOLP policy EH3).

9. No development shall commence until details of provision to enhance and protect the public rights of way have been submitted to the County Planning Authority and approved in writing. The submitted details shall include the following:
  - Identification of the correct route of public rights of way;
  - Mitigation measures and details of any improvement of routes;
  - Proposed measures for the protection of Public Right of Way (PRoW) users;
  - Measures for dealing with any temporary obstructions and damage;
  - Confirmation that repair to any damage to a PRoW shall take place within 24 hours unless longer repair is needed and authorised in writing by the County Planning Authority;
  - Details of any fencing, gates and signage proposed for the PRoW. Any gates shall be set back from the public right of way and shall not open outwards from the site across the public right of way

The approved scheme shall be implemented in full.

Reason: In the interests of the safety of PRow users and the interests of the local amenity (WOLP Policies OS4, T3 and EH4).

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the County Planning Authority. These details shall include:

- (a) landscape masterplan (including existing and proposed vegetation, Sustainable Urban Drainage (SUDS) where this forms part of the overall landscape scheme);
- (b) proposed finished levels or contours;
- (c) vehicle and pedestrian access and circulation areas;
- (d) hard surfacing materials;
- (e) structures and minor artefacts (e.g. storage units, signs, lighting etc.);
- (f) ecological features; and
- (g) soft landscape proposals which shall include
  - i. planting plans and plant specifications noting species, plant sizes and proposed numbers/densities where appropriate as well as seed mixes and their provenance,
  - ii. information on implementation and ground conditions and
  - iii. information on ongoing maintenance.

The approved scheme shall be implemented in full in accordance with the timescales set out in the approved scheme.

Reason: In the interest of the visual amenity of the area and to ensure the creation of a high-quality environment. (WOLP Policies EH2 and EH4).

11. No development shall commence until a Landscape and Ecological Management and Maintenance Plan (LEMP) has been submitted to and approved in writing by the County Planning Authority. The LEMP shall include the following:

- Description and evaluation of all features to be managed within the site;
- Ecological trends and constraints that might influence management;
- Aims and objectives of management, to include achievement of the Biodiversity Net Gain calculated for the site in accordance with condition 18.;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management / monitoring actions;
- Preparation of a work schedule;
- Details of ecological enhancements, including artificial roost features for bats and birds, hedgehog domes, invertebrate houses and other features of benefit to wildlife;
- Details of the body or organisation responsible for implementation of the plan, and
- Ongoing monitoring and remedial measures to ensure the development delivers the objectives set out in the approved scheme, including the predicted habitat condition as used in Biodiversity Metric calculations.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the development results in biodiversity enhancement (WOLP Policy EH3).

12. No demolition shall take place, or development commence until an Archaeological Written Scheme of Investigation, has been submitted to and approved in writing by the County Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site (WOLP Policy EH9).

13. Following the approval of the Written Scheme of Investigation referred to in condition 12, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation, including preservation in situ where required, shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the County Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence. (WOLP Policy EH9).

14. No development shall commence until a Carbon Management Plan has been submitted to the County Planning Authority and approved in writing. The submitted plan shall:
- provide further details on emissions including details of how whole life carbon emissions will be reduced, and
  - consider opportunities to reduce emissions associated with the transportation of materials during the construction phase.

Any plan approved shall be implemented in full and shall be updated as necessary in combination with any updates to the approved CEMP.

Reason: To protect air quality and prevent further adverse impact on climate change. (WOLP Policy EH8).

15. Prior to the commencement of development, a climate vulnerability risk assessment shall be submitted in writing and approved by the County Planning Authority. It shall contain details of the mitigation (embedded and additional) proposed for each of the potential climate vulnerability impacts identified in the application, including potential storm damage to structures, increased temperatures affecting the structural integrity of roads and materials, land subsidence, overheating of electrical equipment, power disruption, excessive movement of bridge joints and damage to landscaping.



The mitigation measures contained in the approved assessment shall be implemented in full.

Reason: To mitigate all potential climate vulnerability impacts (WOLP Policy EH8).

16. No development shall commence, and no felling of trees T4 & T34 (as identified in the Revised Arboricultural Impact Assessment P02, dated October 2022) shall take place, until an updated tree survey has been submitted to the County Planning Authority and approved in writing. The submitted survey shall include the precise topographic location of trees whose position are currently indicated on the plans as approximate and shall include confirmation of whether it is necessary to remove trees T4 and T34. The submitted details shall include that trees T4 & T34 shall be checked using land surveyor equipment and the works proposed next to them reviewed, to determine whether it is possible to retain these trees. The submitted details shall include a conclusion on the retention of these trees and the measures to be taken to protect them if it is concluded that they are to be retained. The approved details shall be implemented in full.

Reason: To protect high value trees in the interests of biodiversity and landscape (WOLP Policies EH2 & EH3).

17. No development shall commence until up-to-date surveys for bats, dormice and badger have been submitted to and approved in writing by the County Planning Authority. In the event that a period of two years passes from the date of any protected species survey submitted with the application documents and prior to construction commencing, up-to-date surveys shall be submitted to and approved in writing by the County Planning Authority prior to commencement of development. The up-to-date surveys shall:

- Establish if there have been any changes in the presence and/or abundance of protected species; and
- Identify any likely new ecological impacts that may arise from any changes. Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, a revised ecological mitigation scheme shall be submitted to and approved in writing by the County Planning Authority including a timetable for the implementation of mitigation measures.

The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To protect notable and protected species and habitats in accordance with policy EH3 of the West Oxfordshire Local Plan and The Conservation of Species & Habitats Regulations 2017, The Wildlife and Countryside Act 1981 (as amended) and The Protection of Badgers Act 1992.

18. No development shall commence unless and until, as set out in the approved Revised Biodiversity Net Gain Assessment dated September 2023, in order to deliver a minimum of 10% net gain in biodiversity units above the baseline:

a) A detailed management and monitoring plan covering a minimum of 30 years for delivery of at least 27.02 biodiversity units on the application site and off site at Foxburrow Wood in combination as set out in the approved Revised Biodiversity Net Gain Assessment dated September 2023 has been submitted to and approved in writing by the County Planning Authority; and

b) In addition, if a total of 6.89 units of mixed plantation woodland cannot also be provided on the application site, then a certificate confirming the agreement of an Offsetting Provider approved by the County Planning Authority to deliver a Biodiversity Offsetting Scheme for the residual amount of mixed plantation woodland which will not be delivered on site must be submitted to and approved in writing by the County Planning Authority. The written approval of the County Planning Authority shall not be issued before the certificate has been issued by the Offsetting Provider. The details of the biodiversity enhancements shall meet the trading rule requirements as set out in the approved Revised Biodiversity Net Gain Assessment dated September 2023 and shall be documented by the Offsetting Provider and issued to the County Planning Authority for their records.

The approved plan shall thereafter be implemented in full.

Reason: To compensate for the net loss of biodiversity resulting from the development by providing biodiversity enhancements (WOLP Policy EH3).

19. No ground works shall commence until a European Protected Species Mitigation Licence (EPSML) has been obtained from Natural England in respect of Dormice.

Reason: The protection of protected species and habitats (WOLP Policy EH3).

20. No development shall commence until a review of the Drainage Strategy report (Aecom, Appendix 14-A: Drainage Strategy of Environmental Statement II, March 2022) has been submitted to the County Planning Authority and approved in writing. The submitted document shall include the following:

a) The SuDS hierarchy for discharging surface water drainage should be followed and demonstrated thoroughly.

b) Permeability testing to BRE365 to determine the soakage potential for SuDS for the proposed development.

c) Details that the proposed infiltration SuDS feature (if found applicable) is not located in contaminated land and that a 1m freeboard is provided between the groundwater level and the base of the infiltration SuDS feature. For open SuDS features a freeboard of 300mm should be provided above the maximum water level for the critical storm event of 1 in 100 year + 40%cc.

d) Should infiltration be found unfeasible, SuDS attenuation techniques shall be applied. For brownfield areas, the design must demonstrate that the lowest possible flow rate has been adapted, which shall be a minimum of 40% reduction of existing. Greenfield run-off rates to Qbar to be applied for all new impermeable areas.

The approved details shall be implemented in full.

Reason: To ensure that there is a suitable sustainable drainage system in place to manage run-off and support improvements in water quality (WOLP Policy EH7).

21. No development shall commence until the following detailed information has been submitted to and approved in writing by the County Planning Authority to enable a full technical assessment of the sustainable surface water drainage strategy:

a) Design calculations for the proposed SuDS features, for all relevant return periods (1 in 1 year, 1 in 30 year and 1 in 100 year + 40% climate change) demonstrating the critical duration used for design.

Calculations shall be cross-referenced to the drainage design layout with pipe/manhole numbering to be able to carry out the assessment.

b) A detailed catchment plan to be provided to demonstrate and identify each area, whether it is brownfield or greenfield and its proposed drainage method.

c) Fully detailed surface water drainage drawings to be provided to show all drainage features, pipe gradients, direction of fall and pipe numbering, and manhole invert and cover levels. All proposed SuDS features to include cover and invert levels and to show that these do not clash with existing services. Construction detail drawing to be provided.

d) Details of the future maintenance and management of all SuDS features shall be provided in line with the SUDS Manual as a stand-alone document.

e) Information on overland flood flow paths and their maintenance shall be demonstrated. An exceedance flow route plan for the entire site shall be provided with levels and indicate that exceedance flows are contained within the site boundary.

f) Measures to mitigate the risk of surface water run-off polluting waters.

The approved details shall be implemented in full.

Reason: To ensure that there is a suitable sustainable drainage system in place to manage run-off and support improvements in water quality (WOLP Policy EH7).

22. A record of the approved SuDS details shall be submitted to and approved in writing by the County Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include:

a) As built plans in both .pdf and .shp file format.

b) Photographs to document each key stage of the drainage system when installed on site.

c) Photographs to document the completed installation of the drainage structures on site.

The approved details shall be implemented in full.

Reason: In accordance with section 21 of the Flood and Water Management Act 2010 and to ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter (WOLP Policy EH7).

23. No development shall commence until a soil handling and management plan (SHMP) in line with Defra's Code of Practice for the Sustainable Use of Soils has been submitted to the County Planning Authority and approved in writing. This shall include details on how the Agricultural land temporarily acquired during construction, not required for soft landscaping, will be restored to its original capability.

The approved details shall be implemented in full.

Reason: To ensure agricultural land is restored to its original capability. (WOLP Policy OS4 and EH8)

24. No development shall commence until a scheme for the installation of new road signs to guide users of the highway around the new layout and signs to limit access to South Leigh village has been submitted to and approved in writing by the County Planning Authority. The scheme that is approved shall be implemented prior to first use of the new slip roads and signage shall be maintained in accordance with the approved plan.

Reason: In the interest of highway safety (WOLP Policies OS4 and T3).

## **Informatives**

### **Nesting Birds**

All bird nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore, no removal of vegetation should take place between 1st March and 31st August inclusive to prevent committing an offence under the Act. Should any works commence within this period, the vegetation must first be surveyed for the presence of nesting or nest-building birds by a suitably qualified ecologist.

### **Protected Species**

Should updated surveys confirm the presence of any protected species which may be harmed as a result of the scheme, an appropriate licence may be required.

## **Wider A40 programme**

The applicant is advised to contact the OCC Network Management Team regarding construction times and the relationship with the wider A40 programme.



Director of Planning, Environment and Climate Change

Dated: 01/03/2024

The submitted environmental information was taken into consideration in making this decision.

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible.

We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For example in this case revised wording for condition 18 regarding BNG revised figures for onsite and offsite units split where provided.

**IMPORTANT NOTICE  
THIS AFFECTS THE PLANNING PERMISSION**

**Conditions 3, 5, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 23 and 24 of the Approval are conditions precedent. This means that the development *cannot lawfully be started* until all these conditions have been complied with.**

## **Relevant Development Plan Policies**

West Oxfordshire District Council Local Plan 2001-2031 (WOLP) policies:

The WOLP policies most relevant to the consideration of this application are:

- Policy OS1: Presumption in Favour of Sustainable Development
- Policy OS4: High quality design
- Policy OS5 : Supporting Infrastructure
- Policy T1: Sustainable Transport
- Policy T2: Highway Improvement Schemes

- Policy T3: Public transport, walking and cycling
- Policy EH2: Landscape Character
- Policy EH3: Biodiversity and geodiversity
- Policy EH4: Public realm and green infrastructure
- Policy EH7: Flood risk
- Policy EH8: Environment protection
- Policy EH9: Historic Environment
- Policy WIT1: East Witney strategic development area (SDA) – 450 homes

The relevant policies of the South Leigh Neighbourhood Plan (SLNP) that are most relevant to this application are:

- SLE1: Countryside and Landscape
- SLE2: Countryside Access
- SLE5: Biodiversity
- SLE6: Heritage Assets
- SLE7: Dark Skies
- SLD2: Design