



SUPPLEMENTARY INFORMATION

Planning Committee

10 March 2022

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If you need any further information about the meeting please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 10 March 2022 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
8	21/00549/F	The Foscote Clinic, 2 Foscote Rise, Banbury, OX16 9XP	None	None	Andy Tilsiter – Agent Roger Cumming
9	21/02890/F	Land South West of Queens Avenue and Kingsclere Road, Bicester OX26 2JH	Councillor Les Sibley – Local Ward Member	Mr Peter Foxton – Local Resident	Aidan Lynch – Agent
10	21/03066/OUT	Land West Of Chinalls Close Adj To Banbury Road, Finmere	None	Jackie Horwood – Local Resident	Katie Christou – Planning Manager Hayfield Homes
11	21/03523/OUT	Land at Heyford Grange, Letchmere Farm, Camp Road, Heyford Park	None	None	Nigel Pugsley, Agent
12	21/03749/F	Sites B C D And E, MOD Bicester, Murcott Road, Upper Arcott	None	Paul Troop, Local Resident	John Jowitt – Agent Karen Curtin – Graven Hill Development Company

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

10 March 2022

WRITTEN UPDATES

Agenda Item 4

Correction to minutes

139. Former Rodney House Private Drive off Graven Hill Road, Ambrosden

Page 22 of the Agenda pack:

To delete item C – ‘CDC S106 monitoring fee’ from the Resolution. The Planning Committee resolved that no monitoring fee should be sought by CDC.

Agenda Item 8

21/00549/F

The Foscothe Clinic, 2 Foscothe Rise, Banbury

Officer update

No further comments have been received from the LLFA but they have been reconsulted on the amended details. CDC drainage have confirmed no objection and there’s no objections raised by Thames Water.

An additional condition is also recommended to prevent the use of the roof to protect the privacy of neighbouring residents:

Notwithstanding the details shown on the approved plans, no access by staff shall be provided to the flat roof area of the single rear extension.

Reason : In order to safeguard the privacy of the residential dwellings to the south in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

Recommendation

As per the published agenda report with the addition of the condition set out above.

Agenda Item 9

21/02890/F

Land South West of Queens Avenue and Kingsclere Road, Bicester

Additional information received

OCC Drainage have confirmed that there are no objections to raise on the application following receipt of additional information.

OCC Highways have requested a change to the wording of condition 9 attached to the recommendation on the report. The County have requested that condition 9 make reference to “on-street mitigation works” as specified in the County’s response. The revised condition would therefore read as follows:

Details of the proposed construction, materials and surfacing of the access road and its junction with the public highway and the on-street mitigation works shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance

with the approved details prior to the first occupation of the apartments and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Government guidance in Section 12 of the National Planning Policy Framework

The S106 Heads of Terms will also need to include the provision of S106 monitoring fees.

Since drafting the committee report the minor alterations sought by the Conservation Officer have been received. As such there is now longer any further alterations sought and the Conservation Officer has no objections subject to conditions.

Additional Representations received

None

Recommendation

Delegate to the Assistant Director for Planning and Development to Grant Permission, Subject To:

- I. Resolution of Lead Local Flood Authority objection;
- II. The conditions set out in the published agenda report, subject to the revision of Condition 9 as set out above (and any amendments to those conditions as deemed necessary); and
- III. The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the heads of terms set out I the published report with the addition of a provision for S106 monitoring fees (and any amendments as deemed necessary).

Agenda Item 10

21/03066/OUT

Land West of Chinalls Close adj to Banbury Road, Finmere

Additional information received

The applicant has confirmed that following details of a design brief for the archaeological field evaluation from the County Archaeologist, the applicant has advised that this will enable the evaluation works to be progressed. The applicant's consultant archaeologist will prepare a provisional trench layout for review by the County Archaeologist. A revised geophysical report will also be provided which adds the XY plots, as requested by the County Archaeologist.

OCC Highways have advised that their Legal officer notes that the requested S278 agreement should be included in the S106 Heads of Terms.

Additional Representations received

None.

Recommendation

Delegate to the Assistant Director for Planning and Development to grant permission, subject to:

- I. Resolution of County Archaeologist objection;
- II. The conditions set out in the published agenda report (and any amendments to those conditions as deemed necessary); and
- III. The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to

secure the heads of terms set out in the published report with the addition of a provision for S278 works (and any amendments as deemed necessary).

Agenda Item 11

21/03523/OUT

Land at Heyford Grange, Letchmere Farm, Camp Road, Heyford Park

No update required.

Agenda Item 12

21/03749/F

Sites B C D And E, MOD Bicester, Murcott Road Upper, Arcott

Additional Representations received

Objection:

Café 103, a new enterprise which has recently been launched on Graven Hill. Café 103 is a mental health wellbeing café which welcomes anyone feeling in need of a safe space and friendship. The café currently operates on one day a week and uses the community house which has been provided by Graven Hill Village Development Company as part of S106 obligations in the absence of a community centre.

While the community appreciates the space provided by the developer in the absence of a community centre, the limited space the community house provides, means it can only be a temporary measure. In addition, the location of the community house is far from ideal at the opposite end of the development from the entrance to the development and the bus stop.

Our hope would be to move the café which is a much needed resource to the larger community centre as soon as possible. My concern is that the new location is in a phase of the development that will have no infrastructure in place for a considerable time. I am therefore concerned that relocating the community centre would result in year-long delays in construction and completion. Of long term concern is the fact that moving it to a location that is no longer in the heart of the development will make it much harder to access on foot, much further away from other community amenities and a less popular choice of venue for people to visit.

Objection:

I am most concerned about the plan to relocate the planned position of the pub, which I regard as a key community facility. In its original position, the pub has the potential to be a focal point for the Graven Hill community sitting close to the heart of the centre of the community. It was one of the aspects of the plans for Graven Hill that I found very appealing and influenced my decision to buy one of the self-build plots. I attended the event in the offices of GHVDC to explain the proposed changes to the master plan. As I understand it, the main rationale for the change is that the planned site has been marketed and elicited no interest thus far. I'm not an expert in such matters but I don't find this all that surprising at this stage in the development of Graven Hill. I expect the pub will only become commercially viable once Graven Hill itself is a bit bigger. I would strongly favour retaining the original planned site and being patient while the village grows and then, once it is sufficiently populous to support a (community-run?) pub, then it should be possible to site a pub in the space at the heart of the community, set aside from the outset for that purpose.

The new possible site for the pub is near where the GHVDC offices are, in the hope that proximity to the A41 will attract passing trade in addition to custom from Graven Hill residents. I must confess I find this argument rather implausible. There was talk of a beer garden but I could hear the traffic from the A41 even inside the GHVDC offices and I cannot

imagine many people wanting to drink outside surrounded by the sounds and smells of the busy traffic. The new site is significantly further from the intended heart of the community and will offer significantly less to the residents of Graven Hill in an edge-of-village-next-to-the-thundering-traffic location.

For similar reasons, I am also opposed to the plan to relocate the community centre away from its original position and locate a 4-storey building opposite Tancred Grove. I will leave it to residents most directly affected to voice their concerns but I want to take this opportunity to say that I support the objections they have raised about the adverse impact this would have in their immediate environment.

Objection:

The location of my self-build house at Graven Hill was chosen based on the original master plan. I object strongly to the changes outlined in this planning application on the grounds of deviation from the planning policy for Graven Hill in the local plan and national planning policy, lack of amenity, visual impact and design, overbearing impact, parking and servicing, and highway safety.

Planning policy, design code, national planning policy, lack of amenity

Moving the community centre to the outskirts of the village near the sports fields conflicts with an infrastructure requirement in the Graven Hill planning policy in the local plan:

‘Community facilities – local centre to include retail provision’

Current original master plan complies - community centre at heart of village, close to retail and directly opposite the school entrance as determined by consultation at the start of the Graven Hill planning process. Location offers maximum foot fall for proposed activities, drop in and community café particularly for those doing school and nursery drop off, shops, post box and bus stop.

Amendment in this planning application of re-locating it to near the sports fields - no drop in or passing footfall, a long detour from the hub of the village and back will reduce use/attendance substantially, especially by those on foot with babies and toddlers or who have mobility issues.

From the National Planning Policy Framework

Under achieving sustainable development, there are only three overarching objectives one of which is:

b) a social objective –....fostering well-designed, beautiful and safe places, with accessible services’‘that reflect current and future needs and support communities’ health, social and cultural well-being’;

Relocation of the community centre will mean that this objective will not be met, and will result in lack of amenity for all residents of Graven Hill.

Graven Hill urgently needs a community centre– village is at 400 occupations to estimated 430 completions/occupations by end of March/April 2022, with continuing development ongoing. Under S106 obligations the community centre must be construction ready at 500 occupations - and there are already many community groups taking place-mental health café, community choir, gardening club, parent and toddler group, resident association, events’ group etc, - that urgently need a community centre in which to meet.

The current provision of a small two bedroom terraced ‘community house’ at the far end of the site from the bus stop, is not fit for purpose being far too small with a steeply sloping garden and designed as a residential house, not as a community space. Groups currently rely on volunteers offering their homes as meeting spaces for most groups, putting a limit on

expansion or set up of important activities necessary for the wellbeing of the growing community. One such example is the first meeting regarding this planning proposal. This had to be held in small groups in the GHVDC site offices rather as one or two big community meetings, and a consultation on 1st March 2022 had to be held over zoom even though it could now be held in person.

Relocating the community centre to the sports pitches as per this planning application will hugely delay (by many years) this much needed space. The current masterplan location has all necessary basic infrastructure in place (e.g. road, pavement, street lighting, connection to water, drainage, electricity and broadband) The proposed new location as per this planning application is currently bare earth in the middle of a field that requires construction of a major spine road, along with all necessary infrastructure as listed above, sports pitches, an extension to Hull Lane (on which more houses are going to be constructed) before any building of a community centre could possibly commence in that location. There is no set timescale for completion of this work, but based on the ongoing delays to infrastructure at Graven Hill, would anticipate a timeframe of at least three years. That will delay delivery of the facility to a completely unacceptable degree and well beyond the S106 construction-ready requirement at 500 occupations or the delivery of the building requirement at 600 occupations.

Highway safety, Parking and Servicing

This planning application replaces the nursery with a block of flats with a car park which is an extension of the current Tancred Road parking - with the pedestrian entrance to the flats also off Tancred Grove, where on the original master plan was a solid wall with no entrance. And no extension to the car park (entrance to the nursery is from Graven Hill Road on the original master plan). This was the case for a good reason - this road is not suitable at all for the suggested new arrangement. Tancred Grove is a narrow, unadopted road, for which residents have to pay maintenance fees. The residents of Tancred Grove, which include many young families, have to walk in the road in order to enter and leave their houses. This planning proposal will increase daily traffic and unauthorised parking along Tancred Grove by residents, visitors and deliveries to the flats, as delivery vehicles will stop in Tancred Grove and the delivery driver will access the flats on foot for speed. This will greatly increase the risk to all pedestrians as well as causing a nuisance and lack of amenity with regards to parking and loading. In addition, Tancred Grove is not at all suitable for HGVs or even small delivery vans making the turn into the car park between houses, as the road is so narrow there is a danger of accidents from vehicles with a large turning circle hitting people, animals, homes or property in front of home. Once in the car park it is difficult for large vehicles to manoeuvre

Visual impact and design, overbearing impact

The current master plan was the blueprint for the character of the site and the facilities it offered, on which people had to rely when choosing to move here and where to live on site., as is the case with all new developments. This design and character will be radically changed by the proposed amendments in this application, affecting all who currently live here. This is not the Graven Hill that people signed up for. The character and design of the village centre is radically altered – the equivalent of change of use or out of character building in an already completed location. Where a pub was shown is now a nursery. The pub has moved to the front of the site (and is unlikely not to be a pub at all but a boutique hotel please see quote from GHVDC residents' newsletter.) Where a one storey community centre was located is now proposed a four storey extension to a care home. Houses are proposed where there were none on both the pub site and the extra care, community centre and nursery site. A block of residential flats and car park is now where the nursery was. A block of flats with access and extra parking has appeared on Tancred Grove where there was no flats, no access from Tancred Grove and no extra parking. All of this will have a huge visual impact on the village centre, especially the creation of a 'canyon effect' by a four

storey care home in one style, spanning the majority of a complete block of Graven Hill Road, instead of the mixture of heights and building style in the current master plan and described in the Graven Hill Design Code.

No initial consultation of residents was made before these proposals were initially submitted as Planning Application - 21/03860/F which was subsequently withdrawn and the current proposals submitted. All comments submitted on 21/03860/F should also be considered as the two applications relate to the same matters.

Objection

I'm a resident writing to raise my urgent concerns in advance of the planning meeting this Thursday.

I refer to the consultation document, prepared by the Council's Senior Community Infrastructure Officer, describing the mismatch between the current community facilities Graven Hill proposes and the SPD planning rules.

Community centre:

According to the SPD rules, with 1900 homes, Graven Hill's community centre should be 875m². However, the current application form (at section 4) states the community hall will only be 660m² - 25% smaller than expected. More concerning, the attached consultation document notes that Graven Hill have agreed with CDC to build only a 350m² community centre - 2.5 times smaller than Cherwell's planning rules specify. As far as I can tell, this agreement was made without any public consultation.

Sports pavilion:

The attached document says a sports pavilion should be built to Sports England guidelines - which for Graven Hill is a 245m² building, with 4 changing rooms: i.e. home and away for the floodlit 3G pitch and home and away for the grass (muddy) pitches. Plus, an officials' changing room, a kitchen and a clubhouse. These specifications are in accordance with Policy BSC 11 - local standards of provision-outdoor recreation.

Plans to merge the sports pavilion and community centre runs against planning policy objectives:

The purpose of the community centre move is to merge it with sports pavilion. This has been stated in both the planning officer's report and in the Residents' newsletter. There are many reasons why the community centre will better serve our community in its current location. Not least because it is more accessible to residents of the elder care facility, primary school children and their parents. I'm sure other residents have explained the benefits of its current location in detail to you.

What I want to emphasise is moving it goes against the standards set by Cherwell's policy framework for community infrastructure. The proposed changes are counter to the following strategic objectives, as the plan is to deliver a combined building that is much smaller than the SPD rules outline:

S010 - provide sufficient accessible, good quality services, facilities and infrastructure.

S014 - create more sustainable communities.

And Cherwell Local Plan Policy BSC 10 and BSC 11.

Also note Policy Bicester 2: Graven Hill of the local plan states:

A layout that maximises the potential for walkable neighbourhoods, with a legible hierarchy of routes with new footpaths and cycleways provided on site that link to existing networks beyond the site. Moving the community centre 260m away from the village centre undermines this objective, especially considering the limited mobility of elder care residents.

I'd please urge you vote against these plans and invite a more detailed discussion on the merits of combining the community centre and sports pavilion, and whether and how a smaller building could meet local planning policy objectives.

Officer comments:

The submitted application as presented to Committee has an address which when plotted indicated that it is part of two wards, Bicester South and Ambrosden, and Launton on Otmoor.

It should be noted that the original outline consent which this application seeks to amend included Site C, which is within Launton and Otmoor but the development approved in outline on Site C has now lapsed (2017) and, as a consequence, only Bicester South and Ambrosden members were consulted on proposals that only affect that Ward.

The further representations raised by third parties, as set out above, raise no new substantive issues not covered by the original summary of third-party representations set out in the main report.

It is noted that one of the further representations set out above cites Development Plan Policy Bicester 2 under the heading 'Infrastructure needs'. That quoted extract does not, contrary to the interpretation of the respondent, necessarily require the community centre to be located in the village centre. As set out in the main report, the distance of the proposed re-sited community centre is such that its location would remain in a sustainable, accessible location. The Sport England document of June 2019 'Planning For Sport Guidance', which postdates the Graven Hill master plan, sets out at page 40 support for co-location of community and sports facilities.

The third party concerns raised about design as set out by respondents can be appropriately dealt with as part of the subsequent applications for reserved matters.

The highway concerns set out by third parties are not reflected in the consultation response of the Highway Authority.

The application 21/03860/F for an identical development quoted by a third party was withdrawn three days after registration prior to any consideration by Officers. No third party comments were received prior to withdrawal of the application. The current application has been considered on its merits, having regard to the responses from third parties, consultees and all material considerations.

The application seeks to amend the position of land uses contained within an existing outline permission and in terms of the proposed community facility a size of 660m² is quoted in that application. As the current application is one which is amending an existing outline consent there is no design available and the application will solely re-position the facility, the size will remain unchanged and detailed design matters will be resolved at reserved matters stage. The quoted consultation response from the local objector refers to a response from an Officer in CDC's Recreation and Leisure department to an as yet undetermined application (21/02433/M106) which seeks to vary the current S106 by a deed of variation. That separate application will be determined in due course, following ongoing and careful consideration by Officers. However, it is not relevant to the determination of the current proposals.

Recommendation

No change to published agenda report. The Officer recommendation remains that the proposal is acceptable.