



**SUPPLEMENTARY INFORMATION**

**Planning Committee**

**18 June 2020**

Agenda Item Number	Page	Title
13	(Pages 1 – 2)	Public Speakers
13	(Pages 3 - 7)	Written Updates

*If you need any further information about the meeting please contact Lesley Farrell, Democratic and Elections [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk), 01295 221591*

Planning Committee 18 June 2020 – Public Speakers

Agenda Item	Application Number	Application address	Speaker	Reason	
7	20/00871/F	OS Parcel 3300 North of Railway Line Adjoining Palmer, Lower Arcott			
			Richard Corbett	Agent	5 mins
∞ Page 1	20/00608/F	Land Adjacent to The M40 South of Overthorpe Road Banbury			
			Peter Frampton/Craig Morris - Warbertons	Agent/Applicant	5 mins shared
9	19/00934/F	Bicester Sports Association the Tudor Jones Building Akeman Street Chesterton Bicester OX26 1TH	Cllr Barry Wood	Local Ward Member	
			Roger Wise -Bicester Town FC supporter	Objector	5 mins
			John Malins – Bicester Sports Association	Applicant	5 mins
10	20/01223/NMA	Land Adj to Bullmarsh Close Off Middleton Park Middleton Stoney			

Planning Committee 18 June 2020 – Public Speakers

11	20/00693/LB	4 Drapers House St Johns Road Banbury OX16 5BE			

**CHERWELL DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**18 June 2020**

**WRITTEN UPDATES**

**Site visits**

None are proposed

**Agenda Item 7**

**20/00871/F OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arccott**

**Additional representations/Information received**

An objection has been received from the Woodland Trust based on a lack of information to enable them to assess the potential for damage and deterioration to a number of ancient woodlands a result of ammonia air pollution emissions and nitrogen deposition. Noting that there are approximately 13 areas of ancient woodland found within 5km of the application boundary which may be affected by the proposed development, including the Trust's own site Piddington Wood.

**Officer Comment**

The nearest area of Ancient Woodland would be Arccott Wood some 1.2km south-west of the site; and which is identified within the submitted Ammonia Modelling report. Issues around ammonia air pollution and deposition and potential impacts on the environment (in particular ecologically important sites) are discussed within the officer report at para. 9.107. The Ammonia Modelling report does not include allowances for the mitigation measures (Munter Air Cleaning System), which would further reduce the figures in relation to ammonia emission shown in the Ammonia Modelling report. The Council's Environmental Protection Officer has previously assessed the report (including mitigation measures) and considered its detail and conclusions to be acceptable in respect of ammonia emissions. Further, Natural England has also considered the Ammonia Modelling appropriate to demonstrate that that the proposed development would not damage or destroy the interest of features at the nearest SSSI (Arccott Bridge Meadows) also some 1.2km away from the site.

Officers consider it reasonable to conclude that the potential impacts of ammonia and nitrogen deposits are unlikely to cause such significant detrimental impacts that would warrant a reason to refuse the application on such grounds; however, if the Council were minded to approve the application officers would consider it appropriate to apply a condition to ensure appropriate ongoing monitoring of such emissions to ensure that they remained at acceptable levels.

**Additional representations/Information received**

Three further Third-Party objections have been received from residents in nearby villages.

## **Officer Comment**

The objections received relate to issues in respect of odour emissions, of a similar nature to a number of objections previously received, which are discussed within the officer report (para. 9.58-9.72) and raise no further considerations than those previously assessed.

### **Additional representations/Information received**

Further clarification has been received from the Council's Agricultural Consultant (AC) in relation to the need for a worker to reside at the site in the interests of the business. The AC consider that there is a case for a worker to live on site and that the needs of the business could not be met by a night-watchman.

However, the AC reiterates his position in that he considers that there is no agricultural support for the proposed permanent dwelling unless clear evidence has been provided to show that the business will be part of W. Potters & Sons (Poultry Limited) and not number 2 retirement benefits scheme as was originally proposed under the previous application. And further that there should be a three year plus contract in place for the eggs that are to be produced to enable the unit to become established over that time.

## **Officer Comment**

The further comments of the AC were sought in respect of clarification of whether an essential need had been demonstrated, or whether such a need could be met by existing housing stock or alternative security measures; having regard to guidance within Planning Practice Guidance (PPG) as noted at para. 9.19 of the officer's report. The conclusion reached by the AC supports those reached by officers in respect of the overall acceptability of the principle of development as set out at para. 9.22 of the report.

### **Additional representations/Information received**

Members will be aware of a late representation circulated by email made by Kernon Countryside Consultants Ltd on behalf of two of the closest properties (New Farm and Bridge Farm) to the site. Issues raised in respect of odour and ammonia emissions.

## **Officer Comment**

The comments largely replicate an objection made and considered during the application; and are not considered to raise any further issues than those assessed within the officer report.

### **Other issues:**

There has been further correspondence/information received from the applicants in relation to responding to objections from the Environment Agency (EA) and Local Lead Flood Authority (LLFA). However, at this time no confirmation has been received from the EA or LLFA that the additional/revised information has addressed their concerns in relation to the inadequacies of the submitted Flood Risk Assessment, to the extent that they can now remove their objections in this regard.

It is noted that there is an error in the text at Para. 9.128 of the officer report - The text should read: ...in respect of vision splays and access arrangements, the proposal would not unduly impact upon the safe...

### **Change to recommendation**

None

## Agenda Item 8

**20/00608/F Land Adjacent To The M40 South Of Overthorpe Road Banbury**

No update

## Agenda Item 9

**19/00934/F Bicester Sports Association The Tudor Jones Building Akeman Street  
Chesterton Bicester OX26 1TH**

### Additional representations received

CHESTERTON PARISH COUNCIL: **Object.** Reiterate objections regarding the lack of adequate footpath provision and parking issues. A recent tournament at the site has demonstrated inadequate parking and resulted in on street parking around the site. Also raise objections over the level of traffic on minor roads which they state are already under pressure. Endorse objections regarding visual impacts and traffic from residents and concerns over biodiversity.

5 FURTHER LETTERS OF OBJECTION: These raise the points already covered in the report including:

- Impact of increased traffic through village and minor roads and risk of accidents.
- Site is inaccessible apart from by car so will be detrimental to climate change objectives and discriminatory against those without access to a car.
- Inadequate parking provision
- Noise and disturbance from social events.
- The proposal is contrary to the NPPF in respect of replacement facilities. The existing Oxford Road site is used to capacity so is clearly not surplus to requirements. The BSA have been selective regarding the users of the site.
- The proposal would lead to the loss of the sporting facilities and social facilities at Oxford Road site which are accessible from the town by walking, cycle and public transport.
- Loss of open space and historic playing space in Bicester is against the Healthy New Towns objectives.
- Proposals will result in the loss of football facilities for a Step 5 and 6 league team.
- An online petition to save the Oxford Road site has been signed by 2,521 people.
- Funding from various bodies could transform the Oxford Road Site but the BSA refuse to give a long-term lease to any club that uses Oxford Road so funding isn't available to the clubs.
- Loss of wildlife and habitats
- Light pollution
- Many letters of support on the application are from out of the area.
- The reasons for refusal should be the same as on the Great Wolf proposal nearby.
- Concerns regarding the lifespan of the Private Trust.

**THE APPLICANTS AGENT** has made the following comments on the Committee Report:

*We have now had an opportunity to review the Officer's Report to Committee and whilst we are extremely disappointed with the recommendation to refuse the application (and the negative tone of the report generally), we have significant concerns with how the officer has*

assessed the proposals which we believe are erroneous and misleading. We set these out below and would be grateful if this note could be provided to Members in advance of the Committee Meeting.

- *Oxford Road Facilities: The application was submitted on the basis that the new facilities at Chesterton would replace those at Oxford Road and should be assessed as such. We have been clear and consistent throughout the application process. Sport England understand the approach and have assessed the application on this correct basis. They have concluded that there would be a 'quantitative and qualitative improvement' in sports pitch provision and importantly that the Chesterton site is a 'suitable' location for the enhanced facilities. There should be no confusion on the terms of the application. (Officer comment: The report is clear that the proposal is principally being determined on the basis of being a replacement facility for those at Oxford Road. Whilst Sport England do not object to the location it is the role of the Local Planning Authority to assess the development as a whole. Officers and the Local Highway Authority both conclude the site is not an accessible location)*
- *Oxford Road Holdings Limited: BSA has sold the Oxford Road site to Oxford Road Holdings Limited (Value Retail) and are required to vacate the site (along with the user clubs) on or before 31 May 2021 irrespective of the outcome of this application – that is the legal position. The new owner has confirmed in writing to the Council that after this date the site will remain vacant until a future use has been determined. (Officer comment: This matter is covered in the report. The lawful planning use of the Oxford Road remains as playing fields regardless of the owners)*
- *Bicester Rugby Club: Contrary to the inference within the Report, Bicester Rugby Club has not objected to the planning application and it is unclear why the officer places such weight on their position. The application seeks the provision of new pitches/facilities – it is not club specific. BSA does not run sports clubs, it provides pitches/facilities for the use of sports clubs. It is therefore erroneous to place weight on the Rugby Clubs' alleged position. Incidentally, the fact that Bicester Town Colts Football Club support the application is not referenced in the Officers Report. (Officer comment: The report is clear that Bicester Rugby club remain neutral to the proposal (see paragraph 9.27 of the Committee Report). Officers place some weight on this matter as the need for rugby provision as outlined in the Councils Playing Pitch Strategy (2018) is specific to Bicester Rugby Club (see para 9.23 of the Committee Report). A letter of support from Bicester Town Colts Football Club was included in the Community Engagement document they submitted with the application).*
- *Site Accessibility: BSA currently operate from the Chesterton site. Most of the sports clubs and sports club members currently use the site. Sport England believe Chesterton is a suitable location to enhance sports facilities. BSA has suggested a number of highway/accessibility improvements that have been agreed with OCC including the provision of a minibus for non-car use. OCC raise no objection on the technical aspects of the scheme i.e. traffic generation, car parking or highway safety. (Officer comment: Whilst OCC Highways raise no technical objection (e.g. traffic impact, junction capacity) they do object to the application due to the poor accessibility of the site, even with the proposed measures put in place, as clearly outlined in the Committee Report)*
- *Landscape Impact: No objection has been raised to the landscaping scheme, nor from the Council's lighting (floodlighting) consultant or the Environmental Protection Officer. The landscape officers concern is the short-term impact of the scheme from one view,*

*which he accepts will be mitigated over time. (Officer comment: These matters are covered in the report and are considered in the Planning Balance)*

*There are no technical reasons or objections why this application cannot be supported. The two suggested reasons for refusal are subjective and would in our view be clearly outweighed by the benefits of the scheme (which have been underplayed in the Officer's Report).*

*The application offers the opportunity to significantly enhance sports pitch provision within the District at an existing site and without the need for public funding and should emphatically be supported. The consequence of a refusal is that sports pitch provision will be lost (post May 2021 when Oxford Road closes) with BSA continuing to operate from their existing site at Chesterton only. Such a position would be to the detriment of the health and wellbeing of the District and a real opportunity missed.*

*We would be grateful if these comments could be drawn to the attention of Members prior to the consideration of the application.*

### **Officer comment**

Officers comments on the Committee Report are noted above. The other matters raised by interested parties are covered in the Committee Report.

### **Change to recommendation**

None.

### **Agenda Item 10**

**20/01223/NMA Land Adj To Bullmarsh Close Off Middleton Park Middleton Stoney**

No update

### **Agenda Item 11**

**20/00693/LB 4 Drapers House St Johns Road Banbury OX16 5BE**

No update