



**SUPPLEMENTARY INFORMATION**

**Planning Committee**

**10 December 2020**

Agenda Item Number	Page	Title
13	(Pages 1 - 5)	Public Speakers, Written Updates

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

## Planning Committee 3 December 2020 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
7	20/02328/F	OS Parcel 8975 North Of Middle Farm And West of Featherbed Lane, Mixbury	None	None	Peter Rymer – Applicant Melissa Balk - Agent
8	20/02453/F	Hornton Grounds Quarry, Horton	Councillor Doug Webb – Local Ward Member	Sir David Gilmour (CPRE) Steven Tilling, Horton Parish Council Julian Philcox – JP Planning Catherine Vint, -local resident Graham Vint.- local resident	Peter Frampton – Agent, Framptons
9	20/02139/F	E P Barrus Ltd Launton Road Bicester OX26 4UR	None	Paul Troop Bicester Bike Users Group	Bob Beswick – bpl architecture
10	20/01643/OUT	Land North and West of Bretch Hill Reservoir, Adj to Balmoral Avenue Banbury	Application returning to Committee - - No Speakers		

Note: Registered speakers are grouped into applicant/supporters and objectors. Each group, irrespective of the number of registered speakers, can speak for up to 5 minutes. There is no time limit for Ward Member addresses.

**CHERWELL DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**10 December 2020**

**WRITTEN UPDATES**

**Site Visits**

None proposed

**Agenda Item 7**

**20/02328/F OS Parcel 8975, North of Middle Farm and West of Featherbed Lane, Mixbury**

**Additional information**

The applicant has submitted a "Briefing Note to Members" and an amended site plan showing a wider extent of the 'blue line' ownership area. The applicant contends that the proposal is policy compliant, with the scheme bringing significant economic and public benefits with no impact on heritage. This statement has been made available on public access.

**Officer comment**

Officers disagree with the contents of this statement. Officers consider the proposals fail to comply with development plan policies for the reasons outlined on page 31 of your agenda. The applicant's statement does not produce any new evidence to the contrary. For instance, there remains insufficient justification that public benefits would outweigh the identified harm.

The amended site plan does show a larger extent of ownership; however, it remains the case that the entirety of the agricultural holding is not shown.

**Additional consultee comment received**

The CDC Conservation Team has now provided comments, advising that the proposal would result in less than substantial harm to the setting of the farmhouse. The Conservation Officer notes that the extent of tree planting required to screen the development would blight the open character of the landscape.

**Officer comment**

The Conservation Officer comment supports the officer recommendation of refusal, in particular refusal reason 2 as set out on page 31 of your agenda.

**Change to recommendation**

None

## **Agenda Item 8**

### **20/02453/F Hornton Grounds Quarry, Hornton**

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

Following the finalisation of the Officer recommendation 19 no. further letters/emails of objection have been received from third parties; the majority of which have been copied directly to members.

Campaign to Protect Rural England has reiterated its objection.

Hornton Parish Council has provided details of an online meeting and presentation held with Peter Frampton of Frampton Planning (agent) and Steve Nelson of CERTAS November 2020. Following the meeting with the applicants and their agents Hornton Parish Council (HPC) provided their comments on the meeting held. The HPC letter indicates a number of key issues that were discussed at their meeting

1. Parts of the application submission are inaccurate and misleading:
2. Nearby watercourses and fuel spill concerns
3. Proximity to Conservation target Areas and AONB:
4. Traffic, highways and other expansion concerns
5. Precedent set by a previously rejected application at a neighbouring site:

HPC believe that important elements of the application, such as potential impacts of fuel spills and increased traffic, are weakly researched and it retains most of the negatives and flaws that led to another CERTAS application for a similar depot in a neighbouring site being rejected by Cherwell District Council (CDC) in 2019. The subsequent publication of CDC's 2040 local plan, including its goals for the 'tranquil' areas of North Oxfordshire, render this proposal even more inappropriate. HPC remains opposed to the proposal and advise that in some respects the presentation and response made to them reinforced their concerns and further raised some new ones.

HPC also raises concerns about the potential detail/accuracy of the submission, compared with the applicant's aspirations for the site as discussed at the meeting; however, in this respect Officers have assessed and made their recommendation based on the details submitted.

Submission of revised Landscape Visual Impact Assessment to Landscape Officer.

#### **Officer Comment**

The additional Third Party objections received raise no significant new material planning considerations, other than those previously identified and assessed within the officer report. Several comments received repeat the view that the site is an inappropriate location for the proposed development in relation to links to the wider highway network; and particularly the difficulties that are experienced by large vehicles using Sun Rising Hill with its 16% gradient and tight bends. The sustainability of location and its access to the wider road network is discussed within the officer report and constitutes one of the reasons for refusal.

The issues raised in the HPC letter largely reflect concerns raised by officers within the officer report in respect of the lack of appropriate supporting information and appropriate assessment of potential environmental impacts of the proposed development particularly in relation to highway safety/transport impacts, assessment of ground conditions and whether potentially more suitable sites are available.

As noted within the officer report there was a very late submission of revised and additional information (received on the 30/11/2020), as the officer report was being finalised. Whilst there has not been time to appropriately consider the detail of the

additional/revised submission, or undertake appropriate formal re-consultations and publicity on such information in the context of the application, officers are aware that the applicants have contacted the County Council directly seeking an opinion on the revised/additional information.

In respect of transport related issues, the LHA has informally advised that whilst it will need further time to appropriately assess the transport 'Technical Note 1' (TN) (submitted 30/11/2020), from an initial assessment, it does not consider that the TN satisfies all of its concerns; particularly the safety of the access and vision splays being across third party land and not within the application's site boundary.

If respect of drainage issues relating to the proposed development the LLFA has also provided informal comments, advising that the revised Flood-Risk Assessment does not address its concerns and that it would be sustaining its objection.

The drainage strategy is considered inappropriate, and not in line with local and national best practice. The LLFA also remains concerned with specific details of the proposed scheme, including: concerns with regard to the location of attenuation tanks underneath an area where HGVs are constantly turning on top of it; and further concerns with regard to surface water being discharged to underground drainage without appropriate filtration to intercept silt and other debris.

For this type of proposal, the LLFA advises that it would expect to see an adequate SuDS scheme, with components such as swales and attenuation ponds with filtration measures introduced to manage surface water appropriately from a flood-risk and water quality perspective. The updated FRA and further technical note also fails to acknowledge the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire.

In light of the above, and although the LPA is not in a position to formally accept the very late submission, and appropriately consider such, officers see no reason not to sustain their concerns in relation to highway safety and drainage at the site and the reasons for refusal on such grounds.

Officers have also been made aware by the Landscape Officer on the 03/12/2020 that a revised Landscape Visual Impact Assessment (LVIA) had been sent directly to him. Whilst not formally submitted through the case officer, again this information has been submitted too late to be considered in the context of the current application; and there is insufficient time before the revised target date to formally consult on this amended set of information. No formal or informal comments have been received from the Landscape Officer to ascertain whether his significant concerns in relation to potential visual impacts of the proposed development, noted within the officer recommendation, would be addressed through the revised LVIA.

***Change to recommendation:***

None

**Agenda Item 9**

**20/02139/F E P Barrus Limited, Launton Road, Bicester, OX26 4UR**

**Additional information received**

None.

**Additional Representations received**

An email has been received from the planning agent to clarify that the site is not associated with EP Barrus, that this is just the address that was given on the Council's mapping system.

An email has been received from the Bicester Bike Users Group, stating commenting that the report does not properly consider the LCWIP (Local Cycling and Walking Infrastructure Plan) or the requirements of LTN (Local Transport Note) 1/20, and it is stated that the proposed conditions should be reworded as to comply with the detail of LTN 1/20, in particular segregation between pedestrians and cyclists and priority for cyclists in accordance with the principle of directness

**Officer comment**

The works to the highway would be covered by a Section 278 agreement between the applicant and the County Council and therefore this is not covered by a planning condition. It is proposed that condition 4 is reworded to refer to the LCWIP and the LTN.

**Change to recommendation**

It is proposed that condition 4 is reworded to read:

No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework, the requirements of Bicester LCWIP and LTN 1/20

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