

# Public Document Pack

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 15 June 2023 at 4.00 pm

#### Present:

Councillor George Reynolds (Chairman)  
Councillor Andrew Beere  
Councillor Rebecca Biegel  
Councillor John Broad  
Councillor Phil Chapman  
Councillor Becky Clarke MBE  
Councillor Fiona Mawson  
Councillor Julian Nedelcu  
Councillor Lynn Pratt  
Councillor Les Sibley  
Councillor Nigel Simpson  
Councillor Amanda Watkins  
Councillor Barry Wood

#### Substitute Members:

Councillor David Hingley (In place of Councillor Jean Conway)  
Councillor Andrew McHugh (In place of Councillor Ian Harwood)  
Councillor Dorothy Walker (In place of Councillor Lesley McLean)

#### Apologies for absence:

Councillor Maurice Billington (Vice-Chairman)  
Councillor Jean Conway  
Councillor Ian Harwood  
Councillor Simon Holland  
Councillor Lesley McLean

#### Officers:

Paul Seckington, Senior Manager Development Management  
Andrew Thompson, Principal Planning Officer  
Imogen Hopkin, Senior Planning Officer  
Katherine Daniels, Principal Planning Officer  
David Mytton, Solicitor  
Aaron Hetherington, Democratic and Elections Team Leader  
Matt Swinford, Democratic and Elections Officer

3 **Declarations of Interest**

**13. Castle Quay 2, Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury.**

Councillor Andrew Beere, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Rebecca Biegel, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew McHugh, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Barry Wood, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Nigel Simpson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Phil Chapman, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

4 **Requests to Address the Meeting**

Chairman advised that requests to address the meeting would be dealt with at each item.

5 **Minutes**

The Minutes of the meetings held on 13 April 2023 and 23 May 2023 were agreed as correct records and signed by the Chairman.

6 **Chairman's Announcements**

The Chairman made the following announcements:

1. Welcomed new Members sitting on the Planning Committee for this municipal year.
2. Advised the Committee that following the officer's presentation and public speaking, Members would have the opportunity to ask officers questions regarding the application before the debate.

7 **Urgent Business**

There were no items of urgent business.

8 **Proposed Pre-Committee Site Visits (if any)**

There are no proposed Pre-Committee site visits.

9 **Buildings 8-11, Oxford Technology Park, Technology Drive, Kidlington, OX5 1GN**

The Committee considered application 23/00915/F for the development within Use Classes E(g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and associated works including access and parking (relating to proposed Buildings 8, 9, 10 and 11) at Buildings 8-11, Oxford Technology Park, Technology Drive, Kidlington, OX5 1GN for OxTec Developments Ltd.

In reaching its decision the Committee considered the officers' report and presentation.

**Resolved**

That authority be delegated to the Assistant Director for Planning and Development to grant permission subject to the conditions set out below and 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, or an alternative agreed mechanism to secure the heads of terms as set out in the annex of the Minutes as set out in the Minute book (and any amendments as seemed necessary).

**Conditions**

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
  - Drawing Ref: 2786-02-PL2 – 'Site Location Plan'
  - Drawing Ref: 2786-01-PL4 – 'Proposed Site Location Plan'
  - Drawing Ref: 2786-100-PL3 – 'Cycle Stores Plan'
  - Drawing Ref: 2786-101-PL3 – 'Bin storage'
  - Drawing Ref: 2786-10 PL3 – 'Building 8 Proposed Ground Floor Plan'
  - Drawing Ref: 2786-11 PL3 – 'Building 8 Proposed First Floor Plan'

- Drawing Ref: 2786-12 PL4 – ‘Building 8 Proposed Roof Plan’
- Drawing Ref: 2786-05 PL2 – ‘Building 8 Proposed Hard Landscaping Plan’
- Drawing Ref: 2786-14 PL2 – ‘Building 8 Proposed Elevations 1’
- Drawing Ref: 2786-15 PL2 – ‘Building 8 Proposed Elevations 2’
- Drawing Ref: 2786-16 PL2 – ‘Building 8 Proposed Sectional Elevations’
- Drawing Ref: 2760-10 PL5 – ‘Building 9 Proposed Ground Floor Plan’
- Drawing Ref: 2760-11 PL4 – ‘Building 9 Proposed First Floor Plan’
- Drawing Ref: 2760-12 PL5 – ‘Building 9 Proposed Roof Plan’
- Drawing Ref: 2760-05 PL4 – ‘Building 9 Proposed Hard Landscaping Plan’
- Drawing Ref: 2760-14 PL3 – ‘Building 9 Proposed Elevations 1’
- Drawing Ref: 2760-15 PL3 – ‘Building 9 Proposed Elevations 2’
- Drawing Ref: 2760-16 PL3 – ‘Building 9 Proposed Sectional Elevations’
- Drawing Ref: 2787-10 PL3 – ‘Building 10 Proposed Ground Floor Plan’
- Drawing Ref: 2787-11 PL5 – ‘Building 10 Proposed First Floor Plan’
- Drawing Ref: 2787-12 PL2 – ‘Building 10 Proposed Roof Plan’
- Drawing Ref: 2787-05 PL3 – ‘Building 10 Proposed Hard Landscaping Plan’
- Drawing Ref: 2787-14 PL1 – ‘Building 10 Proposed Elevations 1’
- Drawing Ref: 2787-15 PL1 – ‘Building 10 Proposed Elevations 2’
- Drawing Ref: 2787-16 PL1 – ‘Building 10 Proposed Sectional Elevations’
- Drawing Ref: 2788-10 PL4 – ‘Building 11 Proposed Ground Floor Plan’
- Drawing Ref: 2788-11 PL4 – ‘Building 11 Proposed First Floor Plan’
- Drawing Ref: 2788-12 PL3 – ‘Building 11 Proposed Roof Plan’
- Drawing Ref: 2788-05 PL3 – ‘Building 11 Proposed Hard Landscaping Plan’
- Drawing Ref: 2788-14 PL3 – ‘Building 11 Proposed Elevations 1’
- Drawing Ref: 2788-15 PL3 – ‘Building 11 Proposed Elevations 2’
- Drawing Ref: 2788-16 PL2 – ‘Building 11 Proposed Sectional Elevations’
- Drawing Ref: 5214-OTP-ICS-08-XX-DR-C-0200-S2 Rev P02 - Building 8 Drainage Design
- Drawing Ref: 5214-OTP-ICS-08-XX-DR-C-0300-S2 Rev P02 - Building 8 Drainage Design
- Drawing Ref: 5214-OTP-ICS-09-XX-DR-C-0200-S2 Rev P02 - Building 9 Drainage Design
- Drawing Ref: 5214-OTP-ICS-09-XX-DR-C-0300-S2 Rev P02 - Building 9 Drainage Design

- Drawing Ref: 5214-OTP-ICS-10-XX-DR-C-0200-S2 Rev P02 - Building 10 Drainage Design
- Drawing Ref: 5214-OTP-ICS-10-XX-DR-C-0300-S2 Rev P02- Building 10 Surface Finishes and Kerb Specification Design
- Drawing Ref: 5214-OTP-ICS-11-XX-DR-C-0200-S2 Rev P02- Building 11 Drainage Design
- Drawing Ref: 5214-OTP-ICS-11-XX-DR-C-0300-S2 P02 - Building 11 Surface Finishes and Kerb Specification Design

Transport Assessment prepared by Vectos  
Planning and Economic Statement prepared by Savills  
Design and Access Statement prepared by Savills  
Construction and Environmental Management Plan  
Great Crested Newt eDNA Survey prepared by BSG Ecology  
Sustainability and Energy Statement prepared by Lauren Bates  
Oxford Technology Park, Units 8, 9, 10 & 11 – Drainage  
Statement prepared by Infrastruct CS Ltd (Ref: 5214-OTP-ICS-  
RP-C-03.001)

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

#### **Approved Use Class**

3. The floorspace hereby approved is permitted to be used for uses in classes E(g) (i) and/or (ii) and/or (iii) and B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses in Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) are also permitted but only where they are ancillary to the function of an individual Class E(g) or B2 operation.

Reason: This permission is only granted in view of the very special circumstances and needs of the applicant, which are sufficient to justify overriding normal planning policy considerations and the building has been designed to meet the employment requirements to comply with Policies Kidlington 1 and ESD 14 of the Cherwell Local Plan 2015 and Government Guidance contained within the National Planning Policy Framework.

#### **Travel Plan**

4. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason: To encourage the use of sustainable modes of transport.

#### **EV Charging Points**

5. Prior to first occupation of the building hereby approved all electric vehicle charging points shown on plan numbers 2786-05 PL2, 2760-05 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be implemented. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. Passive provision for the remaining car parking spaces to allow the installation of further EV charging points shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the ongoing provision and movement towards electric vehicle provision in new cars by 2030.

#### **Parking area**

6. The vehicle parking area shown on plan numbers 2786-05 PL2, 2760-05 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be laid out prior to occupation of the approved development. Thereafter, the areas shall be retained solely for the purpose of parking, turning, and manoeuvring or their purpose.

Reason: To ensure satisfactory functioning of the development and in the interests of highway safety and to promote sustainable travel choices in accordance with Saved Policies C30 and C32 of Cherwell Local Plan 1996 and Policy ESD5 of the Cherwell Local Plan 2015

#### **External Lighting**

7. Other than lighting shown on the approved plans, no external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

Reason: To ensure that the development does not unduly affect operations at London Oxford Airport and in order to safeguard the amenities of the area and to comply with Government guidance contained within the National Planning Policy Framework and Policy ENV1 of the Cherwell Local Plan 1996.

#### **BREEAM Sustainability Standard**

8. The development hereby permitted shall be constructed to meet at least BREEAM 'Excellent' standard.

Reason: In order to comply with Policy ESD3: Sustainable Construction of the Cherwell Local Plan 2015 and the submitted information in support of the application.

#### **No outdoor storage**

9. No goods, materials, plant, or machinery shall be stored, repaired, operated or displayed outside the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Saved Policy C28 of the Cherwell Local Plan 1996.

**Noise Emissions**

10. The cumulative plant noise emissions from fixed plant and equipment on the site shall not exceed the levels set out in table 7.1 of the Noise Assessment Report produced by Peter Brett and dated December 2014 and approved under outline planning permission Ref: 14/02067/OUT. These being measured at 1m from a residential window shall not exceed:
- 45dBA (between 07:00 and 23:00 hours)
  - 35dBA (between 23:00 and 07:00hours)
  - 35dBA (for equipment operating over a 24hr period)

Reason: To ensure a satisfactory noise environment to comply with Policy ENV1 of the Cherwell Local Plan 1996

**Construction Environmental Management Plan**

11. The Development hereby permitted shall be constructed in accordance with the submitted Construction Environmental Management Plan (CEMP) and the associated Construction Traffic Management Plan (CTMP).

Reason: To ensure satisfactory development and management of the construction process.

**Bin and Cycle Storage**

12. Prior to the first occupation all cycle and refuse stores numbers 2786-05 PL2, 276005 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be in place and available for use.

Reason: To encourage the use of sustainable modes of transport and to ensure satisfactory provision for the parking of bicycles.

**Total Floorspace**

13. The total maximum floorspace of the approved development shall be 16,909 sq. m.

Reason: To define the permission and having regard to the transport infrastructure installed being created as part of the development to cater for a maximum of total floorspace as part of the previous outline permission.

**SuDS Implementation**

14. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with 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; (d) The name and contact details of any appointed management company information.

Reason: In the interests of satisfactory drainage and functioning of the site and to ensure that the sustainable drainage systems hereby approved are appropriately implemented.

#### **Cycleway Implementation**

15. Prior to first occupation of the development hereby approved, details of the timetable for implementation of the cycleway to Langford Lane, approved under planning permission 14/02067/OUT, shall be submitted to and agreed in writing by Local Planning Authority. The cycleway shall be implemented in accordance with the agreed timescale.

Reason: To encourage the use of sustainable modes of transport and to ensure appropriate infrastructure is delivered in accordance with Policy INF1 of the Cherwell Local Plan 2011 - 2031 Part 1 and Policy TR1 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

#### **Biodiversity**

16. Prior to first occupation details of Biodiversity Net Gain to be achieved over the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development meets the requirements of the NPPF in mitigating achieving biodiversity net gain

#### Informative

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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#### **New Science Park Land West Of The Junction With The Boulevard, Oxford Airport, Langford Lane, Kidlington**

The Committee considered application 23/00517/F for the redevelopment of the site to include the demolition of existing buildings and development of new accommodation across 5 buildings for employment uses (Class E(g)(ii) and (iii)) plus ancillary amenity building, outdoor amenity space, car parking, cycle parking, landscaping and associated works at New Science Park, Land West Of The Junction With The Boulevard, Oxford Airport, Langford Lane, Kidlington for Oxford Aviation Services Limited.



Nick Alton, Planning Consultant for the applicant and Adam Maker, Project Architect for the applicant addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers report, presentation, and addresses from the public speakers.

### **Resolved**

1. That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 23/00517/F, subject to
  - (a) The conditions set out below and any amendments to those conditions as deemed necessary and
  - (b) 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 infrastructure as set out set out in the annex to the Minutes, as set out in the Minute book (and any amendments deemed necessary)

### **Conditions**

#### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

Plans:

- 21.926.PL.001 - Existing Location Plan
- 21.926.PL.002 - Existing Site Plan
- 21.926.PL.003 - Demolition Site Plan
- 21.926.PL.004 - Existing Site Sections
- 21.926.PL.005 - Proposed Site Plan
- 21.926.PL.006 - Proposed Site Sections
- 21.926.PL.010 – Existing Building 1 Plan & Elevation
- 21.926.PL.011 – Existing Building 2 Plan & Elevation
- 21.926.PL.012 – Existing Building 3 Plan & Elevation
- 21.926.PL.015 – Existing Building 5 Plan & Elevation
- 21.926.PL.016 – Existing Building 6&7 Plan & Elev.
- 21.926.PL.020 (Rev A) – Proposed Building A Plans
- 21.926.PL.021 (Rev A) – Proposed Building A Elevations

21.926.PL.022 (Rev A) – Proposed Building B Plans  
21.926.PL.023 (Rev A) – Proposed Building B Elevations  
21.926.PL.024 (Rev A) – Proposed Building C Plans  
21.926.PL.025 – Proposed Building C Elevations  
21.926.PL.026 (Rev A) – Proposed Building D Plans  
21.926.PL.027 – Proposed Building D Elevations  
21.926.PL.028 – Proposed Building E Plans  
21.926.PL.029 – Proposed Building E Elevations  
21.926.PL.030 – Amenity Building Plans & Elevations  
21.926.PL.031 (Rev A) – Outbuildings Plans & Elevations  
1493.OA.003 (Rev B) – Science Park Landscape Masterplan

Documents:

Planning Statement (including Statement of Community Involvement,  
Public Benefits Statement & S106 Head of Terms)  
Design & Access Statement (including landscape plans/strategy &  
photographs/montages)  
Landscape and Visual Impact Assessment  
Transport Assessment (including Travel Plan & Servicing and Delivery  
Strategy) Phase 1 Ecological Survey (inc. BNG Report)  
Flood Risk Assessment  
Surface Water Drainage/Management Strategy  
Utilities Strategy  
Economic Needs Assessment and Benefits Statement  
Energy and Sustainability Strategy (including BREEAM pre-assessment)  
Land Contamination Assessment (Baseline)  
Tree Survey  
Archaeological Watching Brief WSI  
Draft Construction Environmental Management Plan  
Lighting Strategy

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework

**Materials**

3. Prior to above ground works commencing on each building hereby approved a schedule of materials to be used on external walls and surfaces shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the principles set out in the approved Design and Access Statement.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

**Landscaping**

4. A scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority which shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.
  - (d) details of ecological enhancement including entomological enhancement

Such details shall be provided prior to the development progressing above slab level and shall include a time frame for phasing or implementation. The approved scheme shall be implemented in accordance with the submitted timescale or by the end of the first planting season following occupation of the development.

Any tree, shrub or landscape feature that dies or is diseased in the first five years post implementation shall be removed at the earliest available opportunity and replaced by a specimen of equal or commensurate landscape value in the first available planting season.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

#### **Approved Use Classes**

5. The floorspace hereby approved for Buildings A, B, C, D and E as shown on drawing number 21.926.PL.005 - Proposed Site Plan is permitted to be used for uses in classes E(g) (ii) and/or (iii) and B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses in Classes Eg(i) and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) are also permitted but only where they are ancillary to the function of an individual Class E(g)(ii), Eg(iii) or B2 operation.

The amenity hub building as shown on drawing number 21.926.PL.005 - Proposed Site Plan is permitted to be used for uses in classes E(a), (b) and F2(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) only. Uses for the sale of food and drink to be consumed

off the premises are also permitted where they are ancillary to the function of an individual Class E(a), (b) and F2(a) operation.

Reason: Having regard to the location of the development and the assessment of Green Belt purposes and to comply with the employment requirements of Policies Kidlington 1 and ESD 14 of the Cherwell Local Plan 2015 and Government Guidance contained within the National Planning Policy Framework.

#### **Travel Plan**

6. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason: To encourage the use of sustainable modes of transport

#### **EV Charging Points**

7. Prior to first occupation of each building hereby approved details of all electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be implemented prior to each building's car parking spaces being brought into use. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and shall be implemented on a minimum of 25% of parking spaces and 100% of disabled parking provision. Passive provision for the remaining car parking spaces to allow the installation of further EV charging points shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the ongoing provision and movement towards electric vehicle provision in new cars by 2030.

#### **Parking Space provision**

8. The proposed vehicle parking shall be laid out in accordance with plan 21.926.PL.005 – Proposed Site Plan. Prior to first occupation of each building no more than 1 car parking space per 45sqm in accordance with Oxfordshire County Council's Parking Standards 2022 shall be provided. The total car parking provision for the completed development shall not exceed 322 car parking spaces.

Reason: To ensure satisfactory functioning of the development and in the interests of highway safety and to promote sustainable travel choices in accordance with Saved Policies C30 and C32 of Cherwell Local Plan 1996 and Policy ESD5 of the Cherwell Local Plan 2015

#### **Lighting**

9. Prior to the implementation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The lighting details shall include measures to reduce light spillage, account for ecologically sensitive receptors and provide appropriate lighting to walking and cycling facilities and a phasing detail for implementation. Prior to the first occupation of the development the approved details shall be installed and in operation. No other external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

Reason: To ensure that the development does not unduly affect operations at London Oxford Airport and in order to safeguard the amenities of the area and future users of the development, to promote ecology on the site and to comply with Government guidance contained within the National Planning Policy Framework, Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2015 and Saved Policies ENV1, C28 and C30 of the Cherwell Local Plan 1996

**BREEAM Standard**

10. The development hereby permitted shall be constructed to meet at least BREEAM 'Very Good' standard.

Reason: In order to comply with Policy ESD3: Sustainable Construction of the Cherwell Local Plan 2015 and the submitted information in support of the application.

**No outdoor storage**

11. No goods, materials, plant, or machinery, excluding the approved external plant enclosures shown on plan 21.926.PL.005 - Proposed Site Plan, shall be stored, repaired, operated or displayed outside the buildings hereby approved.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Saved Policy C28 of the Cherwell Local Plan 1996.

**CEMP**

12. The Development hereby permitted shall be constructed in accordance with the submitted Construction Environmental Management Plan (CEMP) and the associated Construction Traffic Management Plan (CTMP).

Reason: To ensure satisfactory development and management of the construction process and to comply with Policy ENV1 of the Cherwell Local Plan 1996.

**Outbuildings and ancillary structures**

13. Prior to the first occupation of each building, phasing details of all outbuildings and ancillary buildings shown on drawing numbers 21.926.PL.005 (Proposed Site Plan) and 21.926.PL.031 (Outbuildings Plans & Elevations) shall be submitted to and approved in writing by the

Local Planning Authority. Prior to the first occupation of each building, all associated cycle and refuse stores shown on drawing 21.926.PL.005 (Proposed Site Plan) shall be in place and available for use.

Reason: To encourage the use of sustainable modes of transport and to ensure satisfactory servicing of the site

**Total approved floorspace**

14. The total maximum GIA floorspace of the approved development including mezzanine floors shall be 18,767sqm.

Reason: To define the permission and having regard to the transport infrastructure installed being created as part of the development.

**Water Strategy**

15. Prior to first occupation, a detailed potable water and surface water strategy and drainage plans shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the management of water within the Development Parcel accords with the submitted Flood Risk Assessment and Drainage Strategy. The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site. Details shall include any onsite water infrastructure (e.g. pumping stations) which shall be positioned and designed in a manner to reflect the need for high quality public realm and details of a timetable or any phased implementation shall be included.

The development shall be implemented in accordance with the approved details.

Reason: In the interests of satisfactory drainage and provision of potable water and functioning of the site and to ensure that the sustainable drainage systems hereby approved are appropriately implemented in accordance with Policies ESD6, ESD7 and ESD8 of the Cherwell Local Plan 2015.

**WSI Watching Brief**

16. Development on site shall be carried out in accordance with the recommendations of the approved Archaeological Report and Watching Brief.
- a) An archaeologist (Project Officer or Supervisor) will be present on site during ground work that has the potential to reveal archaeological remains.
- b) Any archaeological deposits and features revealed will be cleaned by hand and recorded in plan before being excavated and/or recorded in an appropriate manner. Any archaeological features or other remains i.e. concentrations of artefacts, will be recorded by written, drawn and photographic record.

c) Post-excavation assessment (to be produced for each archaeological site within 12 months of the completion of fieldwork or an alternative agreed timescale including the development of on-site interpretation resources containing information on heritage assets (as derived from the archaeological investigations)

d) Completion of post-excavation analysis; preparation and deposition of site archive at a store agreed with the local planning authority; completion of an archive report; and the submission of a publication report (to be completed to an agreed timescale following completion of the post-excavation assessments) and a strategy for community engagement and presentation to the general public and local groups at a facility to be agreed.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

### **Solar panels on roofs**

17. Prior to the first occupation of each building hereby approved details of solar panels on the roofs of each unit shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall be implemented prior to each building being brought into use. Passive provision for the remaining roofs to allow the installation of further solar panels shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the requirement for renewable energy sources and progression away from the reliance on fossil fuels.

### **SUDS**

18. Prior to the commencement of development, except site preparation and enabling works, details of the site wide surface water drainage (following the principles of the approved Flood Risk Assessment and Drainage Strategy) shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include:

i) measures to maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

ii) include details of all flow control systems and the design, location and capacity of all Sustainable Urban Drainage Systems (SuDS) relevant to that phase of development as part of a wider SuDS network on the site and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements/responsibilities. The details should also demonstrate that the exceedance of the

designed system has been considered through the provision of overland flow routes.

iii) The development of the phase shall be carried out in full accordance with the relevant approved detailed surface water strategy.

Reason: In order to reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site.

### **Contamination**

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework

### Informative:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. Thames Water highlight that additional infrastructure may be needed to support the connection of the development but this is not yet defined. Considering the undefined nature of the infrastructure, the matter should be taken forward with Thames Water via [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

11 **Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive, Banbury**

The application had been withdrawn from the planning process by the applicant.

12 **Land To The Rear Of No.12 And South Of Dismantled Railway, Heath Close, Milcombe, OX15 4RZ**



The Committee considered application 22/02104/F for the erection of 35 two storey dwelling houses, construction of access off Rye Hill, together with garaging, parking, open space with LAP, landscaping and all enabling works at Land To The Rear Of No.12 And South Of Dismantled Railway Heath Close, Milcombe, OX15 4RZ for Stoic Roofing and Construction and Abbeymill Homes.

Chris Hill, local resident, addressed the Committee in objection to the application.

Tim Northey, on behalf of the applicant, Abbeymill Homes, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers' report, presentation, and addresses from the public speakers.

### **Resolved**

That application 22/02014/F be refused, contrary to the officer's recommendation, for the following reasons:

1. Cherwell District Council is able to demonstrate 5.4 years housing land supply and therefore the housing strategy Policies in the Local Plan are up-to-date. The development of this site would conflict with the adopted policies in the Cherwell Local Plan and would undermine the housing strategy in the Cherwell Local Plan. The site is located outside the built form of the village, and within an area of open countryside and the proposed development would not contribute to the enhancement of the built environment of Milcombe, which is further exacerbated by the low density of the development. The principle of this development is therefore unacceptable and the application is as contrary to Policies BSC1, BSC2, Villages 1 and Villages 2 of the Cherwell Local Plan 2011-2031, Saved Policy H18 of Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
2. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure contributions required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and workers and contrary to policy INF 1 of the Cherwell Local Plan 2015, CDC's Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework.

### **Formerly The Bungalow, Queen Street, Bloxham**

The Committee considered application 22/03445/F for a single storey reduced level extension to an existing bungalow, with associated landscaping at Formerly The Bungalow, Queen Street, Bloxham for Mr John Tibbetts.

Ian Cox, local resident, addressed the Committee in objection to the application.

Cat Ablitt, agent for the applicant, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers' report, presentation and addresses of the public speakers.

### **Resolved**

That application 22/03445/F be refused, contrary to the officer's recommendation, for the following reason:

1. By reason of its overall design, appearance, materials and scale the proposed extension would be out of keeping with and have a detrimental visual impact upon this part of the village. It would also fail to preserve the character and appearance of the conservation area and causes harm to it. This harm would be less than substantial. The public benefits of the scheme do not outweigh the identified harm. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031, Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policies BL10, BL11 and BL12 of the Bloxham Neighbourhood Plan and Government guidance in the National Planning Policy Framework.

#### 14 **Castle Quay 2, Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury**

The Committee considered application 23/01337/DISC for the discharge of condition 7 (Landscape Management Plan) of 17/00284/REM at Castle Quay 2, Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

In reaching its decision the Committee considered the officers' report and presentation and the written updates.

### **Resolved**

- (1) That application 23/01337/DISC be approved subject to the expiry of the consultee publicity period with no new material objection that condition 7 to 17/00284/REM be discharged in accordance with the 'Landscape Maintenance & Management Plan' prepared by Gillespies, Ref: P21450-00-001-0500 Rev 01, dated 6 April 2023.

#### 15 **Appeals Progress Report**

The Assistant Director Planning and Development submitted a report which informed Members about planning appeal progress including decisions

received and the scheduling of public inquiries and hearings for new and current appeals.

**Resolved**

- (1) That the position statement be accepted.

The meeting ended at 6.09 pm

Chairman:

Date:

23/00915/F

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Travel Plan Monitoring fees for a period of 5 years post occupation	£ 3,780	To be agreed with Oxfordshire County Council	<p><b>Necessary –</b> Yes. The site will require a Framework Travel Plan to ensure all users of the site have the same overarching aims, objective and targets. This should be produced prior to first occupation and then updated once the site is fully occupied. A Framework Travel Plan has been produced and submitted with this application and whilst some minor modification is needed there is a need for monitoring of the travel plan for 5 years post occupation. A contribution is sought to carry out this monitoring.</p> <p><b>Directly related –</b> Yes. The contribution would be related to the site-specific Travel Plan</p> <p><b>Fairly and reasonably related in scale and kind –</b> Yes. The contribution would be appropriate to carry out monitoring for 5 years post occupation of the development.</p>

23/00517/F

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Public Transport Services towards the continuation and/or improvement of bus services on Langford Lane	£78,079	To be agreed with Oxfordshire County Council	<p><b>Necessary</b> – Service 7 has been replaced by new service S7 which extends beyond Woodstock to Witney, and also serves Oxford railway station. From June 2023, evening journeys on service S4 between Oxford and Banbury will also serve Langford Lane and will be funded from the contribution secured from permission 14/02067/OUT (Oxford Technology Park). In order to secure the continuation of this arrangement and/or further improvements to bus services on Langford Lane, a financial contribution is requested for public transport.</p> <p><b>Directly related</b> – Yes the contribution would be related to the development and the service in the vicinity.</p> <p><b>Fairly and reasonably related in scale and kind</b> – This has been calculated by a direct comparison with the Oxford Technology Park contribution in proportion to the increase in floorspace.</p>
Travel Plan Monitoring fees	£ 3,110	To be agreed with Oxfordshire County Council	<p><b>Necessary</b> – Yes. The site will require a Framework Travel Plan to ensure all users of the site have the same overarching aims, objective and targets. This should be produced prior to first occupation and then updated once the site is fully occupied. A Framework Travel Plan has been produced and submitted with this application and whilst some minor modification is needed there is a need for monitoring of the travel plan for 5 years post occupation. A contribution is sought to carry out this monitoring.</p>

			<p><b>Directly related</b> – Yes. The contribution would be related to the site specific Travel Plan</p> <p><b>Fairly and reasonably related in scale and kind</b> – Yes. The contribution would be appropriate to carry out monitoring for 5 years post occupation of the development.</p>
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