

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 24 November 2016 at 4.00 pm

- Present: Councillor David Hughes (Chairman)
Councillor James Macnamara (Vice-Chairman)
- Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Chris Heath
Councillor Alastair Milne-Home
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Les Sibley
- Substitute Members: Councillor Barry Wood (In place of Councillor Mike Kerford-Byrnes)
- Apologies for absence: Councillor Mike Kerford-Byrnes
Councillor Nicholas Turner
- Officers: Bob Duxbury, Team Leader (Majors)
Bob Neville, Senior Planning Officer
Nat Stock, Team Leader (Others)
Stuart Howden, Senior Planning Officer
Preet Barard, Solicitor
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

12. FWP Matthews Ltd, Beaumont Road, Banbury.

Councillor Alastair Milne-Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Hannah Banfield, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

13. 2 - 4 Old Grimsbury Road, Banbury, OX16 3HG.

Councillor Alastair Milne-Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Hannah Banfield, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

14. Former Oxfordshire Care Partnership Building, London Road, Bicester.

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

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a declaration as a member of the Executive and would leave the meeting for the duration of this item..

Councillor G A Reynolds, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

15. OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury.

Councillor Alastair Milne-Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application and a declaration as a member of the Executive and would leave the meeting for the duration of this item.

Councillor G A Reynolds, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Hannah Banfield, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

107 **Requests to Address the Meeting**

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

108 **Urgent Business**

There were no items of urgent business.

109 **Minutes**

The Minutes of the meeting held on 27 October 2016 were agreed as a correct record and signed by the Chairman.

110 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

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Heatherstone Lodge, Banbury Road, Finmere, MK18 4AJ

The Committee considered application 16/01209/OUT for a residential development and associated infrastructure at Heatherstone Lodge, Banbury Road, Finmere for Siteplan UK LLP.

Andrew Hirst, neighbour to the application site, addressed the committee in objection to the application.

Alex Cowling, agent for the applicant, addressed the committee in support of the application.

In reaching their decision, the committee considered the officers report, presentation, written update and the address of the public speakers.

Resolved

That application 16/01209/OUT be refused for the following reasons:

1. The development proposed, by reason of its excessive scale in relation to the size and relative sustainability of Finmere, and taking into account Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development that would prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan (2011-2031) Part 1 and would undermine the housing strategy in the Cherwell Local Plan which seeks to distribute new housing to the most sustainable locations having regard to such matters as public services and facilities, transport and employment. Consequently the proposal is unacceptable in principle and contrary to Policies ESD1 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by reason of its detached siting, excessive scale and poorly integrated relationship with existing built development, would cause significant and unacceptable harm to the historic linear form of the village, rural landscape character and quality of the area and the traditional setting of the village as experienced by local residents, visitors and users of old Banbury Road and the existing Public Rights of Way which run through and within close proximity to the site. The development would detract from the area's established character and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Policy Villages 2 of the Cherwell

local Plan (2011-2031) Part 1, saved Policies C8 and C28 of the Cherwell local Plan 1996 and Government advice within the National Planning Policy Framework.

3. By reason of the site's location in an area of known archaeological interest with high potential for significant archaeological deposits to survive on site, and in the absence of a detailed and adequate archaeological field evaluation, the Local Planning Authority cannot be satisfied that the proposal would not result in unacceptable and unavoidable harm to archaeological assets. Thus, the proposal conflicts with Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
4. The Flood Risk Assessment submitted with this application does not comply with the requirements set out within the National Planning Policy Framework and does not sufficiently address the high risk area of flooding to the north of the boundary of the site. Thus, the submitted Flood Risk Assessment does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development and it has not been clearly demonstrated that the development and its future users will be safe over the lifetime of the development. The proposal is therefore contrary to Policy ESD6 of the Cherwell Local Plan Part 1 and Government guidance contained within the NPPF.
5. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, BSC3 and BSC11 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

112

The Lion, Main Street, Wendlebury, OX25 2PW

The Committee considered application 16/01430/F for a proposed accommodation block, which was an alteration to the previously approved application 15/00185/F, at The Lion, Main Street, Wendlebury for Mrs Sarah Robinson-Smith.

Parish Councillor Tim Hibbert, on behalf of Wendlebury Parish Council, addressed the committee in objection to the application.

In reaching their decision, the Committee considered the officers' report, presentation, written update and address of the public speaker.

Resolved

That application 16/01430/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents:
 - Application Form submitted with the application;
 - Design and Access Statement by Oxford Architects dated June 2016 submitted with the application;
 - Drawing Numbers: 010 Revision P1; and 022 Revision P1 submitted with the application; and
 - Drawing Numbers; 020 Revision P2; 021 Revision P2; 025 Revision P2; and 026 Revision P2 received from the applicant's agent by e-mail on 11th November 2016.
3. The development hereby approved shall only proceed and be occupied in accordance with the recommendations contained in Sections 7 (Flood Warning and Dry Route of Escape) and 8 (Emergency Planning) of the Flood Risk Assessment prepared by Infrastruct CS Ltd dated October 2014 received from the applicant's agent by e-mail on 25th March 2015.
4. The external roofs of the development shall be constructed in accordance with the slate samples inspected on site by the Local Planning Authority on 18th November 2016, unless samples of alternative slates are first submitted to and approved in writing by the Local Planning Authority prior to their use in the development.
5. The external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel inspected on site by the Local Planning Authority on 18th November 2016.
6. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and/or off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
7. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows and their surrounds shall be installed within the building in accordance with the approved details.

8. Full details of any external lighting to be fixed on the buildings hereby approved and on the ground shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the external lighting shall only be installed in accordance with the approved details.
9. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
 - a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - 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 surface areas, including pavements, pedestrian areas, reduceddig areas, crossing points and steps. Thereafter, the development shall be carried out in accordance with the approved landscaping scheme.
10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
11. The rain water goods to be used shall be constructed from cast iron or profiled aluminium and shall be painted or finished black, unless alternative details are submitted to and approved in writing by the Local Planning Authority.

Land North of Gaveston Gardens and Rear of Manor Farm, Banbury Road, Deddington

The Committee considered application 16/01548/F, a full planning application for a residential development of 99 dwellings (Use Class C3) together with parking, public open space, landscaping and associated infrastructure at land

north of Gaveston Gardens and rear of Manor Farm, Banbury Road, Deddington for David Wilson Homes (Mercia).

Parish Councillor David Rogers, Chairman of Deddington Parish Council, addressed the committee in objection to the application.

Councillor Pickford proposed that application 16/01548/F be refused by reason of its scale, layout and design and taking into account Cherwell District's ability to demonstrate an up to date housing land supply, the application was considered to be an overdevelopment of the site which would be out of keeping with the existing adjacent development and the character of Deddington Village as a whole, and cause harm to the rural setting and approach into the village. Councillor Sibley seconded the proposal.

In reaching their decision, the Committee considered the officers' report, presentation, written update and the address of the public speaker.

Resolved

That application 16/01548/F be refused for the following reasons:

1. The development proposed by reason of its scale, layout and design, taking into account Cherwell District's ability to demonstrate an up to date housing land supply is considered to be an overdevelopment of the site which would be out of keeping with the existing adjacent development and the character of Deddington Village as a whole, and cause harm to the rural setting and approach into the village. The proposal is therefore considered unacceptable and contrary to Policies ESD13 and ESD15 of the adopted Cherwell Local Plan 2011-2031 and saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996 and the advice within the National Planning Policy Framework.
2. In the absence of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, including affordable housing will be delivered. This would be contrary to INF1 of the adopted Cherwell Local Plan 2011-2031 and the advice within the National Planning Policy Framework.

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Corner Meadow, Farnborough Road, Mollington

The Committee considered application 16/01740/F for the change of use of part of the land to provide 6 additional caravan pitches at Corner Meadow, Farnborough Road, Mollington, for Mr James Doran.

Councillor Ken Atack addressed the committee as Ward Member.

In reaching their decision, the Committee considered the officers' report, presentation and the address of the Ward Member.

Resolved

That application 16/01740/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings labelled: 1073-J-2016-01b and 1073-J-2016-02b.
3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites (DCLG 2015).
4. Development of the permitted layout shall not begin until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to the occupation of the first new caravan. Once installed the agreed works shall be maintained as such.
5. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with approved drawing number 1073-J-2016-02a, so that motor vehicles may enter, turn around and leave in a forward direction and vehicles may park off the highway. The manoeuvring area and parking spaces shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter the manoeuvring area and car parking spaces shall be retained in accordance with this condition for the parking and manoeuvring of vehicles at all times.
6. No commercial activities shall take place on the land, including the storage of materials.
7. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site at any time whatsoever.
8. No external lighting shall be installed on the site unless details of the position, height and type of lights have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed and operated in accordance with the approved scheme and no other lighting shall be installed or operated.
9. The existing hedgerow along the eastern boundary of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

The Committee considered application 16/01760/F for the change of use of land to use as a residential caravan site for gypsy families with 5 caravans and laying of hardstanding at The Stable Block, Farnborough Road, Mollington for Mr Thomas Doran.

Councillor Atack addressed the committee as Ward member.

In reaching their decision, the Committee considered the officers' report, presentation and the address of the Ward member.

Resolved

That application 16/01760/F be approved, subject to the following conditions:

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.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement, 1:1250 Site Location Plan and Block Plan.
3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites (DCLG 2015).
4. Prior to the first use or occupation of the development hereby permitted, waste storage and collection shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the waste store/collection shall be permanently retained and maintained for the storage of bins in connection with the development.
5. Development of the permitted layout shall not begin until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to the occupation of the first new caravan. Once installed the agreed works shall be maintained as such.
6. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the approved Block Plan drawing, so that motor vehicles may enter, turn around and leave in a forward direction and vehicles may park off the highway. The manoeuvring area and parking spaces shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter the manoeuvring area and car parking spaces shall be retained in accordance with this condition for the parking and manoeuvring of vehicles at all times.

7. No commercial activities shall take place on the land, including the storage of materials.
8. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site at any time whatsoever.
9. No external lighting shall be installed on the site unless details of the position, height and type of lights have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed and operated in accordance with the approved scheme and no other lighting shall be installed or operated.
10. The existing hedgerow along the south-western boundary of the site adjacent the Farnborough Road shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

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FWP Matthews Ltd, Beaumont Road, Banbury

The Committee considered application 16/01761/F for the erection of a loading canopy for at Beaumont Road, Banbury for FWP Matthews Ltd.

In reaching their decision, the Committee considered the officers' report, presentation and written update.

Resolved

That application 16/01761/F be approved, subject to the following conditions:

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
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms Design and Access Statement and drawings numbered 436/01 and 436/02
3. Prior to the commencement of the development hereby approved, a colour scheme for the colouring of the external wall and roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the wall and roof shall be finished and thereafter maintained in accordance with the approved colour scheme.
4. Prior to the commencement of the development hereby approved, a detailed scheme for the surface water drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the first use of the canopy the approved surface water drainage scheme

2 - 4 Old Grimsbury Road, Banbury, OX16 3HG

The Committee considered application 16/01960/F for an external refurbishment to include two additional roof lights (conservation standard) to the west elevation of roof and one additional roof light to the east elevation, mended fenestration throughout, removal of fascia board on the north elevation and re-render of the whole frontage, except the top most portion of the north elevation and Gravel surfacing on drive at 2-4 Old Grimsbury Road, Banbury for Mr Alex Osborne.

Samantha Lambert, neighbour to the application site, addressed the committee in objection to the application.

David Holmes, agent to the application, addressed the committee in support of the application.

In reaching their decision, the Committee considered the officers' report, presentation, written update and the address of the public speakers.

Resolved

That application 16/01960/F be approved, subject to the following conditions:

- 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.
- 2 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Ecology report, Flood risk assessment, design and heritage statement and drawings numbered: 005C, 003D, 004C, 001, 006, 002, 007 and 008.
- 3 With the exception of the windows hereby approved, the materials and architectural detailing to be used in the construction of the external surfaces of the development hereby permitted shall match, in material and colour, those used in the existing building, and shall be retained as such in perpetuity.
- 4 Prior to the commencement of the development, and notwithstanding the details submitted, full details of the windows and rooflights hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
- 5 The access and remaining parking provision shall be kept free of obstructions at all times and used only for the storage of private motor vehicles.

- 6 Prior to the commencement of the development hereby approved, and notwithstanding the details submitted, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- 7 The application site shall be used only for purposes falling within Class C3 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) whatsoever.

118 **Former Oxfordshire Care Partnership Building, London Road, Bicester**

The Committee considered application 16/00478/DISC for the discharge of Condition 7 (Privacy Screens) of the previously approved application 13/01708/CDC at the former Oxfordshire Care Partnership Building, London Road, Bicester for Keepmoat.

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

Resolved

That the Local Planning Authority considers that the details submitted pursuant to Condition 7 of planning permission 13/01708/CDC are acceptable, and as such it is recommended that the details shown on the submitted drawings Nos: 1314-01 Privacy Screens Edition A Sheet 1; 1314/02; and WD.017 Revision B are approved.

119 **OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury**

The Committee considered applications 16/00498/DISC, 16/00499/DISC, 16/00511/DISC, 16/00512/DISC for the discharge of Conditions 3 (energy strategy), 4 (brick sample) and 5 (roof tile sample) of 16/01485/CDC (16/00498/DISC), Discharge of Conditions 3 (energy strategy), 4 (brick sample) and 5 (roof tile sample) of 16/01484/CDC (16/00499/DISC), Discharge of Conditions 8 (specification of parking and manoeuvring), 12 (details of ground and finished floor levels) and 18 (cycle store /parking facilities) and Partial Discharge of Condition 9 (landscaping scheme) of 16/01484/DISC (16/00511/DISC) and Discharge of Conditions 8 (specification of parking and manoeuvring), 12 (details of ground and finished floor levels) and 18 (cycle store /parking facilities) and Partial Discharge of Condition 9 (landscaping scheme) of 16/01485/CDC (16/00512/DISC) at OS Parcels 4083 and 6882 adjoining and north of Broken Furrow, Warwick Road, Banbury for Cherwell District Council.

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

Resolved

That authority be delegated to officers to determine all four applications once acceptable amended details have been received.

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Appeals Progress Report

The Head of Development Management submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled or appeal results achieved.

Resolved

(1) That the position statement be accepted.

The meeting ended at 6.45 pm

Chairman:

Date: