

## Cherwell District Council

### Planning Committee

Minutes of a meeting of the Planning Committee held as a Virtual meeting, on 13 August 2020 at 4.00 pm

- Present: Councillor James Macnamara (Chairman)
- Councillor Andrew Beere  
Councillor John Broad  
Councillor Hugo Brown  
Councillor Phil Chapman  
Councillor Colin Clarke  
Councillor Ian Corkin  
Councillor Chris Heath  
Councillor Simon Holland  
Councillor David Hughes  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor George Reynolds  
Councillor Les Sibley  
Councillor Surinder Dhesi
- Substitute Members: Councillor Barry Wood (In place of Councillor Mike Kerford-Byrnes)  
Councillor Conrad Copeland (In place of Councillor Katherine Tyson)
- Apologies for absence: Councillor Maurice Billington  
Councillor Mike Kerford-Byrnes  
Councillor Barry Richards  
Councillor Katherine Tyson
- Officers: Sarah Stevens, Interim Senior Manager – Development Management  
Samantha Taylor, Principal Planning Officer  
Karen Jordan, Deputy Principal Solicitor  
Lesley Farrell, Democratic and Elections Officer  
Natasha Clark, Governance and Elections Manager

### Declarations of Interest

#### **6. Urgent Business - Land adjacent to the Oxford Canal, Spiceball Park Road, Banbury, - 20/01103/DISC.**

Councillor Barry Wood, Non Statutory Interest, 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 the Executive and would leave the meeting for the duration of the item.

Councillor George Reynolds, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

**7. Saltway Farm, Broughton Road, Banbury, OX16 9UL.**

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

Councillor Colin Clarke, Declaration, as he was related to the applicant and would leave the meeting for the duration of the item.

**8. 36 Bridge Street, Banbury, OX16 5PN.**

Councillor Barry Wood, Non Statutory Interest, 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 the Executive and would leave the meeting for the duration of the item.

Councillor George Reynolds, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Surinder Dhesi, Non Statutory Interest, as an employee who works at this application site.

**9. Coach Park, Compton Road, Banbury.**

Councillor Barry Wood, Non Statutory Interest, 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 the Executive and would leave the meeting for the duration of the item.

Councillor George Reynolds, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

54 **Requests to Address the Meeting**

There were no requests to address the Committee

55 **Minutes**

The Minutes of the meeting held on 16 July 2020 were agreed as a correct record and would be signed by the Chairman in due course.

56 **Chairman's Announcements**

The Chairman made the following announcement:

1. The Chairman informed the Committee that the next meeting of the Committee on 10 September 2020 may require an earlier start of 2pm. The Committee would be updated before Friday 21 August 2020.

57 **Urgent Business - Land adjacent to the Oxford Canal, Spiceball Park Road, Banbury, - 20/01103/DISC**

The Chairman advised the Committee that he had agreed to add one item of urgent business to the agenda, application 20/01103/DISC – Land adjacent to the Oxford Canal, Spiceball Park Road, Banbury. The matter could not be included on an earlier agenda due to the holding objection which had just been removed that day. A decision was required before the next scheduled meeting of the Committee to ensure no significant delays and risks that may impact on the delivery of the Castle Quay 2 project.

The Committee considered application 20/01103/DISC for the discharge of condition 14 (Bridge Details) of application 17/00284/REM at land adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Ian Wallace on behalf of Cherwell District Council.

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

**Resolved**

- (1) That Planning Condition 14 of 17/00284/REM (details of the design for the pedestrian bridge crossing the canal) be discharged based upon the plans and documents submitted with the application.

58 **Saltway Farm, Broughton Road, Banbury, OX16 9UL**

The Committee considered application 20/00904/F for the erection of 3no Agricultural Buildings at Saltway Farm, Broughton Road, Banbury OX16 9UL for Nigel & Carole Morris.

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

### **Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 20/00904/F subject to the following conditions (and any amendments to those conditions 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:

- 001 – Site Location Plan
- 105 Rev A – Proposed Block Plan
- 108 – Barn 1 Plans and Elevations
- 109 – Barn 2 Plans and Elevations
- 110 – Barn 3 Plans and Elevations
- Flood Risk Assessment (20/064 – April 2020)

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.

#### **Use of Barns**

3. The development hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act, 1990 (as amended), and for no other purpose whatsoever.

Reason: To ensure that the development is used for agricultural purposes only, compatible with its isolated rural location, and because certain other uses would result in an unsustainable form of development, and in accordance with Policies PSD1 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

#### **Detailed Drainage Strategy**

4. No development shall take place until a Detailed Design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”
  - Detailed design drainage layout drawings of the SuDS proposals including cross section details.
  - Details of how water quality will be maintained during construction.
  - Infiltration test results to BRE365 to be submitted.
  - Evidence of groundwater depth test results to be submitted.
  - Discharge Rates, discharge volume, sizing of features - attenuation volume, detailed drainage layout with pipe numbers, SUDS, network drainage calculations, phasing

The approved drainage system shall be carried out in strict accordance with the approved Detailed Design prior to the first use of the buildings and shall be maintained as such thereafter.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to accord with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

#### **Outline Design Infiltration**

5. The development hereby permitted shall not commence until full Detailed Design details of the proposal, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:
- Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
  - Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
  - Flood water exceedance routes, both on and off site;
  - A timetable for implementation;
  - Site investigation and test results to confirm infiltrations rates

The approved surface water drainage scheme shall be carried out in strict accordance with the approved Detailed Design prior to the first use of the buildings and shall be retained as such thereafter.

Reason: To ensure that the proposed development can be adequately drained. To ensure that there is no flood risk on or off the site resulting from the proposed development and to accord with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

**Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans**

6. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan, (including contact details of any management company)

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter and to accord with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

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**36 Bridge Street, Banbury, OX16 5PN**

The Committee considered application 20/01130/CDC for external elevation alterations to the existing brick facade, including facade finish materials & shopfront at 36 Bridge Street Banbury OX16 5PN for Cherwell District Council.

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

**Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 20/01130/CDC subject to the following conditions (and any amendments to those conditions deemed necessary):

**CONDITIONS**

**Time Limit**

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**

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:

Location Plan, PMBAM-PWA-00-00-DR-A-0100-G1

Site Plan, PMBAM-PWA-00-00-DR-A-01010G1

Existing & Proposed Elevations, PMBAM-PWA-00-ZZ-DR-A-0105-G1

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.

#### **Details of Render**

Full design details of render shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within Section 16 of the National Planning Policy Framework.

#### **Details of Hardstanding**

Full design details of hardstanding shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within Section 16 of the National Planning Policy Framework.

#### **Details of the Artwork**

Full design details of any artwork on the side elevation (Drawing: Existing & Proposed Elevations, PMBAM-PWA-00-ZZ-DR-A-0105-G1) as shown shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within Section 16 of the National Planning Policy Framework.

#### **Details of Glazing**

Full design details of the glazing, sliding doors and infill panels shall be

submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within Section 16 of the National Planning Policy Framework.

60 **Coach Park, Compton Road, Banbury**

The Committee considered application 20/00329/CDC for the change of use from coach parking to car parking with modifications to the layout of hardsurfacing and landscaping at Coach Park, Compton Road, Banbury for Cherwell District Council.

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

**Resolved**

- (1) That permission be granted for application 20/00329/CDC subject to:
1. 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 following (and any amendments as deemed necessary):
    - a) A reasonable and proportionate financial contribution (to be negotiated by Officers) to go to Oxfordshire County Council to secure the provision and installation of appropriate off-site directional signs.
  2. The following conditions (and any amendments to those conditions as 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:



Location Plan, Map Ref: CDC 00  
Compton Road Car Park Existing and Proposed, CRCP-01  
Compton Road Car Park Planting Plan CDCP-02

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.

**Electrical Vehicle Charging Points**

3. Prior to the commencement of the works hereby permitted, a scheme for the provision of electrical charging points within the development shall be provided. The electrical vehicle charging points shall be constructed and made available for use prior to the first use of the development and retained in accordance with the approved details thereafter.

Reason – in accordance with policies SLE4, ESD1, ESD3 and ESD5 of the Cherwell Local Plan 2011-2031 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

**Signage Strategy**

4. Prior to the first use of the car park, a signage strategy for the site shall be submitted and approved by the Local Planning Authority and the signage installed in accordance with the approved details. Thereafter the signage shall be maintained and retained in accordance with the approved details.

Reason- To ensure that traffic is directed appropriately in the interests of highway safety, in accordance with policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

**Details of Access and Egress**

5. No development shall take place until full details of the means of access and egress between the land and the highway including position, layout, construction, drainage and vision splays have been submitted to approved by the Local Planning Authority. Thereafter, the means of access and egress shall be constructed and retained in accordance with the approved details.

Reason – In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

61 **Appeals Progress Report**

The Assistant Director Planning and Development 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 5.00 pm

Chairman:

Date: