

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 12 August 2021 at 4.00 pm

Present:

Councillor George Reynolds (Chairman)
Councillor David Hughes (Vice-Chairman)
Councillor Andrew Beere
Councillor John Broad
Councillor Colin Clarke
Councillor Patrick Clarke
Councillor Ian Corkin
Councillor Sandy Dallimore
Councillor Mike Kerford-Byrnes
Councillor Tony Mephram
Councillor Cassi Perry
Councillor Lynn Pratt
Councillor Les Sibley
Councillor Dorothy Walker
Councillor Sean Woodcock

Substitute Members:

Councillor Richard Mould (In place of Councillor Maurice Billington)

Apologies for absence:

Councillor Maurice Billington
Councillor Hugo Brown
Councillor Simon Holland

Officers:

Alex Chrusciak, Senior Manager - Development Management
Nat Stock, Minors Team Leader
Wayne Campbell, Principal Planning Officer
Michael Sackey, Assistant Planning Officer
Samantha Taylor, Principal Planning Officer
Karen Jordan, Deputy Principal Solicitor
Natasha Clark, Governance and Elections Manager
Lesley Farrell, Democratic and Elections Officer

Declarations of Interest

8. Land To Rear Of 160 Bloxham Road, Banbury, OX16 9LE.

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

10. 21 Lawrence Way, Bicester, OX26 2FR.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and as local Ward Councillor who was against the application.

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

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

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

11. Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (1407).

Councillor Andrew Beere, 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 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 Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

12. Castle Quay 2 Spiceball Park Road, Banbury, OX16 2PA.

Councillor Andrew Beere, 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 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 Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

13. Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (0218).

Councillor Andrew Beere, 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 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 Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

49 **Requests to Address the Meeting**

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

50 **Minutes**

The Minutes of the meeting held on 15 July 2021 were agreed as a correct record and signed by the Chairman.

51 **Chairman's Announcements**

The Chairman made the following announcements:

1. Development Briefs, documents for endorsement in relation to Partial Review sites PR9 in Yarnton and PR7B in Kidlington would be submitted to the Committee for considered in either October or November 2021.
2. Officers proposed that a half hour briefing session be held prior to each Planning Committee meeting, to allow officers to update Committee members on changes to national planning policy and other relevant matters.

The Committee agreed that a half hour briefing should take place prior to each meeting of the Planning Committee.

52 **Urgent Business**

There were no items of urgent business.

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

Application 21/02573/F – Waverley House, Queens Avenue, Bicester.

It was proposed by Councillor Sibley and seconded by Councillor Broad that a site visit take place at Waverley House, Queens Avenue, Bicester as this site was of major concern to residents of Bicester and not all of the proposed development could be seen from the street.

Resolved

- (1) That a site visit take place prior to the meeting at which application 21/02573/F, Waverley House, Queens Avenue, Bicester will be considered by the Planning Committee.

54 **Land To Rear Of 160 Bloxham Road, Banbury, OX16 9LE**

The Committee considered application 21/01578/F for the erection of a new dwelling to the rear of 160 Bloxham Road, Banbury OX16 9LE for Mr Adrian Mitson.

Ursula Shanks, local resident, addressed the Committee in objection to the application.

In reaching its decision the Committee considered the officer's report and presentation, and the address of the public speaker.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01578/F subject to the following conditions (and any amendments to those conditions as deemed necessary):

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from 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. The development shall not be carried out otherwise than in complete accordance with the approved plans reference number 001 Rev A, 002 Rev A, received 04/05/2021 and amended plans reference 003 Rev B and 004 Rev B received 24/06/2021.

Reason: To clarify the permission and for the avoidance of doubt.

Materials

3. No development shall commence above slab level unless and until a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and to comply 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.

Access and Turning

4. Details of a turning area to be provided within the curtilage of the site so that motor vehicles may enter, turn around and leave in a forward direction including refuse and emergency service vehicles and including surfacing and drainage details shall be submitted to and approved in writing by the Local Planning Authority before the development reaches slab level. The turning area shall be constructed and completed in accordance with the approved details before the development is first occupied and shall be retained for the manoeuvring of motor vehicles at all times thereafter.

Reason: In the interests of highway safety and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

Construction Method Statement

5. No development shall take place, including any works of demolition until a Construction Method Statement [for that phase] has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g) Measures to control the emission of dust and dirt during construction;
 - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Boundary Treatment

6. Full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority before the dwelling hereby approved reaches slab level and such means of enclosure shall be erected prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Obscure Glazing

7. The window(s) in the rear elevation serving the en-suite shower and the walk in wardrobe to master bedroom shall be obscurely glazed, using manufactured obscure glass (at least Level 3 only and not an applied adhesive film) before the dwelling is first occupied and shall be permanently retained as such thereafter. They shall also be non-opening, unless those parts which can be opened are more than 1.7m above the floor of the room in which it is installed and shall be permanently retained as such thereafter.

Reason: To ensure that the amenities of the adjoining occupier(s) are not adversely affected by loss of privacy in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Permitted Development

8. Notwithstanding the provisions of Classes A-E (inclusive) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement alteration or improvement of the dwellinghouse or erection of outbuildings shall take place.

Reason: Given the close proximity to surrounding development, to ensure visual and residential amenity is safeguarded and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved

Policies C28 and C30 of the Cherwell Local Plan 1996 and Section 12 of the National Planning Policy Framework

Sustainable Development

9. The dwelling shall not be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

55

Kirtlington Post Office Stores, 1 Troy Lane, Kirtlington, OX5 3HA

The Committee considered application 21/00369/F for the change of use of a shop to residential use, alterations to rear of property, alterations to front window and two new roof lights at Kirtlington Post Office Stores, 1 Troy Lane, Kirtlington, OX5 3HA for Ms R Simpson. This application was a re-submission of application 19/02888/F.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/00369/F subject to the following conditions (and any amendments to those conditions deemed necessary):

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 application form and the following plans: 6168.01, 6168.02 A and 6168.04

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 finishes detailing and design

3. All works of making good shall be carried out in materials and detailed to match the adjoining existing fabric except where shown otherwise on the approved drawings.

Reason - To ensure the satisfactory appearance of the completed development and to comply 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.

4. Prior to the insertion of the window in the front elevation full design details of the window 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 window shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply 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.

56

21 Lawrence Way, Bicester, OX26 2FR

The Committee considered application 21/00332/F for a single storey rear extension, single storey side extension and part single storey front extension at 21 Lawrence Way, Bicester, OX26 2FR for Mrs Jenny Fenton.

Councillor Les Sibley, Local Ward Member, addressed the Committee in objection to the application. Having addressed the Committee, Councillor Sibley left the meeting and took no part in the debate or vote on the application.

Mrs Jenny Fenton, the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Broad and seconded by Councillor Walker that application 21/00332/F be refused contrary to the officer recommendation due to overdevelopment of the site.

On being put to the vote, the proposal was lost and the motion subsequently fell.

It was proposed by Councillor Perry and seconded by Councillor Woodcock that application 21/00332/F be approved in line with officer recommendations.

In reaching its decision the Committee considered the officer's report and presentation, the addresses of the public speakers and the written updates.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/00332/F subject to the following conditions (and any amendments to those conditions deemed necessary):

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 (1:1250), "Block plan 1:200 (21, Lawrence Way, Bicester, Oxfordshire, OX26 2FR)" "OX262FRFP01" and "OX262FREI01".

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

Boundary treatment

3. Notwithstanding the details submitted, no development shall commence above slab level until full details of means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

57 Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (1407)

The Committee considered application 21/01407/OUT, an amendment to the Approved Plans (Condition 4) and removal of condition 24 (use of units) of

application 16/02366/OUT at Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

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

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 21/01407/OUT subject to:
 - 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 ensure the terms of the original section 106 are applied to the current proposal;
 - The following conditions (and any amendments to those conditions as deemed necessary):

Conditions

1. Except otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - Site Location (407-OP-00 P3)
 - Site Plan (407-RM-S-P-100 Rev 7)
 - Site Boundary (407-OP-01 P2)
 - Demolition (407-OP-02 P4)
 - Excavation (407-OP-03 P2)
 - Land Use Lvl 00 (407-OP-04 P7)
 - Land Use Lvl 01 (407-OP-05 P7)
 - Land Use Lvl 02 (407-OP-06 P7)
 - Land Use Lvl 03-07 (407-OP-07 P6)
 - Area Schedule (407-OP-08 P6)
 - Deviations L00 (407-OP-09 P7)
 - Deviations L01 (407-OP-10 P8)
 - Deviations L02 (407-OP-11 P9)
 - Deviations L03-07 (407-OP-12 P7)
 - Canopies (407-OP-13 P7)
 - Deviations in Height - Sheet 1 (407-OP-14 P5)
 - Deviations in Height - Sheet 2 (407-OP-15 P5)
 - Bridges (407-OP-16 P6)
 - Active Frontages (407-OP-17 P7)
 - Pedestrian Site Circulation (407-OP-18 P7)
 - Pedestrian Access and Circulation (407-OP-19 P6)
 - Landscape (407-OP-20 P7)
 - Vehicle Access and Circulation (407-OP-21 P8)
 - Proposed Highway Works Social Club Retained (5764-HP010 Rev P)
 - Cinema Service Yard (5764-HSK005 Rev F)
 - Cinema Tracking (5764/HPAT02 Rev F)
 - Food Delivery Tracking (5764/HPAT13)

HGV deliveries to food retail unit and along Spiceball Park Road
(5764/HPAT14)

In addition approval is given for the documents submitted with the application and listed in the August 2016 list of plans and documents for approval.

Reason - For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with the National Planning Policy Framework March 2012.

2. The development permitted by this planning permission shall be carried out in accordance with the flood mitigation principles set out in the Flood Risk Assessment BMW/388/FRA rev A, undertaken by BWB Consulting dated 11th October 2013 and the addendum to the Flood Risk Assessment BMW/388/FRA-Addendum Rev A, dated 28th March 2014. Any subsequent amendments shall be agreed in writing with the local planning authority. Individual phases of the development shall be accompanied by a specific FRA to ensure that the individual elements follow the flood mitigation principles and do not affect flood risk in the wider catchment. Specific design requirements to ensure the safety of the development are:

The operational areas of the ground floor food store to be set above the 1 in 100 year plus 20% flood level.

Flood resilient construction techniques to be included for all development up to the 1 in 1000 year undefended flood level. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To reduce the risk of flooding to the proposed development and future occupants

3. 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason - This site is located over alluvial deposits (Secondary A Aquifer) that in turn sit over the Charmouth Mudstone (Unproductive Stratum). The site is within a flood plain and therefore groundwater will be present in the alluvium. Construction may mobilise contamination and if hot spots are encountered within the alluvium these should be dealt with in an appropriate manner. The Ridge and Partners LLP, Construction Environmental Management Plan (item 7.4 Water Management and Pollution) states that 'precautions will be taken prior to and during

construction to ensure the protection of watercourses and groundwater against pollution'. Therefore we are reassured that there is a strategy in place for protection of controlled waters.

4. All works on each phase of development shall proceed in accordance with the approved details contained within the Ecological Avoidance, Mitigation and Enhancement Strategy dated February 2019, as approved under application 18/00453/DISC.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the installation of the first and successive phases of the development hereby approved, a detailed 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, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. 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) of that phase 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 that phase 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.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

7. In respect of retained trees;
 - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of this permission.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. The development hereby approved shall be carried out in accordance with the previously approved Arboricultural Method Statement prepared by Sylva Consultancy, dated January 2019, as approved under application 18/00453/DISC.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

9. Prior to implementation of the landscaping scheme (approved pursuant to Condition 15) within the first and successive phases of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the

healthy development of the proposed trees for that phase, shall be submitted to and approved in writing by the Local Planning Authority for that phase. Thereafter, the development of that phase shall be carried out in accordance with the approved details and specifications.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

10. Prior to implementation of the landscaping scheme (approved pursuant to Condition 15) within the first and successive phases of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching for that phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of that phase shall be carried out in accordance with the approved details and specifications.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

11. The development hereby approved shall be carried out in accordance with the on-site noise measurements, agreed environmental noise limits and any necessary scheme of mitigation as set out in the Noise Impact Assessment (project number 50100626) prepared by WSP and dated February 2017, as approved under application 17/00147/DISC.

Reason - to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

12. Prior to the first occupation of the units within Blocks A and C, full details of operational plant and mitigation shall be provided to the local planning authority for approval, and the scheme to be installed and maintained thereafter in accordance with the approved details.

The development hereby approved shall be carried out in accordance with the approved operational plant and mitigation approved in respect of Block B under application 20/02961/DISC.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted

Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

13. The development hereby approved shall be carried out in accordance with the approved surface water and foul sewage drainage details as approved under application 17/00147/DISC, and as set out below:

Block A GA Drainage - CQ2-MJM-ZA-B2-DR-C01500 P6
Block B GA Drainage - CQ2-MJM-ZB-B2-DR-C01527 P3
Block C GA Drainage - CQ2-MJM-ZC-B2-DR-C01550 P5

Standard Drainage details on the following drawings:
CAQUBA-MJM-ZA-B2-DR-C-1501 P2
CAQUBA-MJM-ZA-B2-DR-C-1502 P2

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

14. The development hereby approved shall be carried out in accordance with the full specification of the turning areas and parking spaces within the site. The turning areas and car parking shall be retained for parking and manoeuvring of vehicles at all times thereafter as approved under application 18/00453/DISC and as set out below:

- Proposed Castle Quay Development Job No. 5764, Hard Paving Construction Specification
- Castle Quay 2 Mastic Asphalt Roofing, Insulation and Finishes
- Drainage Block A - CQ2-MJM-ZA-B2-DR-C-1500
- Drainage Block B - CQ2-MJM-ZB-B2-DR-C-1527
- Drainage Block C - CQ2-MJM-ZC-B2-DR-C-1550
- Block B Layout level 00 - 3706-LJA-B0-00-DR-A-15711 T1
- Block B Layout level 01 - 3706-LJA-B0-01-DR-A-15712 T1
- Block B Layout level B1 - 3706-LJA-B0-B1-DR-A-15710 T1
- Block B Layout level B1 - 3706-LJA-B0-B1-DR-A-15710 T1
- Block B Proposed floor and roof types - 3706-LJA-B0-XX0DR-A-20616 T1
- Block C Lower Ground level - 3706-LJA-C0-00-DR-A-20600 T2
- Block C Lower Ground Level - 3706-LJA-C0-00-DR-A-20602 T2
- Block C Floor Details - 3706-LJA-C0-XX-DR-A-20610

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

15. Prior to first use of the development, a highway signage strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed signage strategy must be fully implemented prior to first use of the development.

Reason - In the interest of highway safety and traffic management.

16. Prior to the first use or occupation of the first and successive phases of the development, cycle parking facilities including secure, covered cycle parking for employees, shall be provided on the site in accordance with details for that phase which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

17. Prior to the first occupation of the first and successive phases of development hereby approved, an updated Framework Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and OCC's Guidance "Transport for New Developments: Transport Assessments and Travel Plans" shall be submitted to and approved in writing by the Local Planning Authority. The updated Travel Plan shall accord with the general provisions of the approved Framework Travel Plan (July 2014), and shall clearly set out landlord and occupier provisions respectively. Within three months of occupation, and in accordance with the thresholds set out in OCC guidance, Occupier Travel Plans shall be submitted to the Local Planning Authority for approval. Thereafter, the Updated Framework Travel Plan and Occupier Travel Plans shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy.

18. Provision shall be made within the layout for vehicular and pedestrian access to serve the land adjoining to Mill Arts Centre, Castle Quay shopping centre and riverside path.

Reason - In order to secure the proper planning of the area and the comprehensive development of adjoining land and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. The development hereby approved shall be carried out in accordance with the SuDS drainage scheme approved under application 17/00147/DISC and as set out below:

Block A GA Drainage - CQ2-MJM-ZA-B2-DR-C01500 P6

Block B GA Drainage - CQ2-MJM-ZB-B2-DR-C01527 P3

Block C GA Drainage - CQ2-MJM-ZC-B2-DR-C01550 P5

Standard Drainage details on the following drawings:

CAQUBA-MJM-ZA-B2-DR-C-1501 P2

CAQUBA-MJM-ZA-B2-DR-C-1502 P2

Reason - In the interests of highway safety and flood prevention and to comply with Government advice contained within the National Planning Policy Framework.

20. The construction works must be carried out in accordance with the details approved in the Traffic Management Method Statement for Banbury Castle Quay 2 Development Rev.L, prepared by McLaren and dated April 2019, as approved under application 18/00453/DISC.

Reason - To mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

21. Prior to commencement of the use of any building hereby approved, details of a scheme for car park routeing and guidance, including matrix signs relating to car parking at the development, shall be submitted to and approved in writing by the LPA. Prior to any occupation on Phase 2 the car park routeing and guidance system shall be installed and implemented in accordance with the approved scheme and thereafter managed and maintained in accordance with the approved scheme.

Reason - In the interests of highway safety and convenience, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

58

Castle Quay 2 Spiceball Park Road, Banbury, OX16 2PA

The Committee considered application 21/00394/ADV for multiple signage forming part of wayfinding strategy, including: 7 x welcome signs, 4 x Vehicle Directional Signs, 4 x Pedestrian Orientation Signs, 14 x Directional Signs and 12 x Identification Signs at Castel Quay 2, Spiceball Park Road, Banbury 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 for Planning and Development to grant permission for application 21/00394/ADV subject to the following conditions (and any amendments to those conditions as deemed necessary):
1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations

2007 (as amended).

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved document: 10072 Castle Quay 2, Banbury – External Signage Locations P03 dated 24-06-2021

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

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. No advertisement shall be sited or displayed so as to - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does

not endanger the public or impair visual amenity.

Reason: To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

59 **Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury (0218)**

The Committee considered application 21/00218/DISC, the discharge of condition 27 (Highway Signage Strategy) of application 16/02366/OUT (Castle Quay 2) at Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

It was proposed by Councillor Perry and seconded by Councillor Reynolds that consideration of application 21/00218/DISC be deferred for one cycle to allow an opportunity for the outstanding Section 106 agreement required in association with a related application reference 20/00329/CDC, to be resolved.

Resolved

- (1) That application 21/00218/DISC be deferred, for one cycle to allow an opportunity for the outstanding Section 106 agreement required in association with a related application, reference 20/00329/CDC, to be resolved.

60 **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 6.05 pm

Chairman:

Date: