



SUPPLEMENTARY INFORMATION

Planning Committee

11 July 2024

Agenda Item Number	Page	Title
As set out in document	(Pages 2 - 4)	Public Speakers
As set out in document	(Pages 5 – 12)	Written Updates

If you need any further information about the meeting please contact Matt Swinford / Martyn Surfleet, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 11 July 2024 – Public Speakers¹

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker – Support
8	22/01682/F	Land North of Manor Farm, Noke	Councillor Alisa Russell Councillor Gemma Coton	Michael Heaney, local resident Michael Tyce on behalf of CPRE Joanna Matthews on behalf of Noke Parish Meeting	Jonathan Thompson, applicant, Oxford New Energy
9	22/03873/F	Land North and Adjacent to Mill Lane, Stratton Audley	None	Christobel Smith, local resident, Lucy Broome or David Jenks, Godington Parish Meeting Ian Brent Smith, on behalf of Stratton Audley Parish Council	Robin Johnson, applicant, RWE Renewables
10	23/02355/F	Waverley House, Queens Avenue, Bicester, OX26 2PY	None	Pastor James Adeyemi, The Redeemed Christian Church of God	Joe Bennett, agent, RCA Regeneration Limited
11	23/01085/F	Bicester Heritage, Buckingham Road, Bicester	None	None	Jonty Ashworth, applicant, Bicester Motion,
12	24/00807/F	OS Parcel 0927 East of and Adjoining Chacombe Road, Wardington	None	None	Dr Matt Kerton, applicant, DSV United Kingdom Ltd

¹ Where more than one person has registered to speak in support or objection to an application, the 5 minutes allocated for this category is shared between the registered speakers. It is for the registered speakers to agree amongst themselves how they share the five minute speaking time.

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker – Support
13	24/00893/F	Kelberg Ltd, Northampton Road, Weston On The Green, Bicester, OX25 3TH	None	None	None
14	24/00214/F	12-14 Sheep Street, Bicester, OX26 6TB	None	None	None
15	24/00401/F	20 Almond Road, Bicester, OX26 2HT	None	Sandra Nicholson, local resident	John Prpa, applicant
16	23/03368/F	73 High Street, Kidlington, OX5 2DN	Councillor Dorothy Walker	None	None
17	23/02096/OUT	Land East of Banbury Road Ditch And North Of Earls Lane Deddington OX15 0TY	Councillor Andrew McHugh	Richard Broadbent, local resident	Bhavash Vashi, agent, BVA Planning Helen Oldfield, Chair Deddington Parish Council - in person
18	24/01153/F	Cornhill Cafe 1 Castle Street Banbury OX16 5NT	None	None	None
19	24/01172/CDC	Cattle Market Car Park, Victoria Road, Bicester, OX26 6QB	None	None	None
20	24/01117/F	143 The Fairway, Banbury, OX16 0QZ	None	None	None

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker – Support
21	24/01224/CDC	Cherwell District Council Lock 29 Castle Quay, Banbury OX16 5UN	None	None	None
22	24/01150/DISC	Castle Quay 2 Spiceball Park Road, Banbury, Oxfordshire, OX16 2PA	None	None	None

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

11 July 2024

WRITTEN UPDATES

Agenda Item 7

Pre-Committee Site Visits

Site Visit – 23/02098/OUT and 23/03307/OUT – Land East of A44 (Local Plan Allocation known as PR8)

Members may be aware that there are three current planning applications in respect of the Local Plan Partial Review allocation of 1950 homes, which is known as PR8. These applications are under consideration. It is likely that two of these applications (which represent the significant proportion of the allocation in terms of site area and numbers) will be presented to committee in the near future.

Members are therefore requested to decide whether they wish to carry out a formal committee site visit prior to the consideration of these applications due to the scale and significance of these proposals.

The site visit will aim to allow members to see key points of interest on the site.

Resolution Required – Members to agree or not agree that a site visit to be carried out by the Committee.

Agenda Item 8

22/01682/F - Land North of Manor Farm, Noke

Summary of Additional Representation Received:

Public comments have been received raising concerns with the proposed stopping points for the Committee site visit.

The applicant's agent has requested the archaeological conditions be amended because additional information has already been submitted to address the requirements that would be sought by the conditions.

Officer Response:

The Committee site visit has been planned taking account of logistical and time constraints of the coach company. The stopping points have been selected to give members an opportunity to consider the wider landscape impact of the proposal and it was not intended to be used to visit every viewpoint. The site visit is an additional tool and forms only part of members' consideration of the application.

The case officer is currently liaising with Oxfordshire County Council's Archaeologist with respect to the additional information and the wording of archaeology conditions. It should be stressed that the County Archaeologist raises no objection to the proposal and the discussion is purely related to the wording of conditions to ensure appropriate archaeological recording takes place. The case officer recommendation includes a request for delegated authority to

amend conditions where necessary, therefore this matter can be resolved post-committee if the recommendation is agreed.

Amended Recommendation:

No change to the officer recommendation.

Agenda Item 9

22/03873/F - Land North and Adjacent to Mill Lane, Stratton Audley

Summary of Additional Representation Received:

Public comments have been received raising concerns with the proposed stopping points for the committee site visit.

A public comment has been received regarding the references in the case officer report to appeal decisions. The commentator would like to draw members attention to appeal decision APP/P1615/W/23/3331416 (Land North of Stream Lane, Upleadon) which was dismissed.

The comments also raise a concern about appeal decisions / 'case law' being considered or given weight stating that each decision should be considered on its own merits.

Officer Response:

The Committee site visit has been planned taking account of logistical and time constraints of the coach company. The stopping points have been selected to give members an opportunity to consider the wider landscape impact of the proposal and it was not intended to be used to visit every viewpoint. The site visit is an additional tool and forms only part of members consideration of the application.

The public comments are correct that all applications should be considered on their own merits. The appeal decisions are included within the report to demonstrate how National Planning Policy is being applied by the Planning Inspectorate on similar proposals and this is a material planning consideration when balancing the merits of the application.

Amended Recommendation:

No change to the officer recommendation.

Agenda Item 10

23/02355/F – Waverley House, Queens Avenue, Bicester

Summary of Additional Representation Received:

Cllr Michael Waine provided the following comments:

Unfortunately I am unable to attend the meeting as I am in back-to-back meetings all day at County, however, I would ask that my previous objections are put to the committee again along with the following statement:

'It is imperative that whatever decision is arrived at for the former Magistrates Court the current building-line is maintained so that the overall openness of Queens Avenue is

ensured for future generations. This avenue has been a major feature of our town since 1953 and every care needs to be taken to preserve it for the future!

Officer Response:

The existing building line would be retained – the proposed replacement building would not project further forward than the existing building (Waverley House) thereby preserving the overall openness of Queens Avenue for future generations.

Additional Officer comments:

Some of the letters of support, although sent from the 'Just Build Homes', are from individual residential properties.

The Just Build Homes website (<https://justbuildhomes.co.uk/>) advises that it is a campaign group set up to make people (who are supportive of new housing) aware of new residential proposals.

Finally, officers' understanding is that the applicant's agent intends to contact Oxfordshire County Council's Estates department (as owner of Queen's Avenue) re: refuse from the development being collected on the Queens Avenue side road.

Amended Recommendation:

No change

Agenda Item 11
23/01085/F – Bicester Heritage, Buckingham Road, Bicester

Summary of Additional Representation Received:

None.

Officer Response:

Further consideration has been given to the planning conditions, including discussions with the Council's enforcement team to ensure any controls could be adequately enforced if required.

Two additional conditions are recommended. The first condition will require the applicant to keep a record of events for a rolling period of two years. This will ensure information is readily available to the Local Planning Authority to monitor compliance with other conditions.

The second condition relates to the frequency of larger scale events. An overall number of larger events has been provided, but it is more likely for these to occur during the spring/summer months. The cumulative impacts of back to back weekend events have the potential to impact on the neighbouring properties. Therefore, it is suggested that no more than two larger scale events can take place in any rolling 28-day period.

Amended Recommendation:

As set out in the case officer report with the inclusion of the following additional conditions:

Condition 9:

A register of all events shall be kept that includes details of the nature of the event (e.g. exercising of vehicles, members day, music festival etc.), dates of the event (including set up/close down days), timings for each day, number of attendees for each day (and overall total). Each entry on the register shall be retained for no less than 2 years from the date the event ended. This register shall be made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: To ensure the levels of activity and size of events can be adequately monitored and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Condition 10:

No more than two events exceeding 5000 attendees in total during the event shall occur in any rolling 30 day period (from the first day of any event to the last day of the subsequent event) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Agenda Item 12

24/00807/F – OS Parcel 0927 East of and adjoining Chacombe Road, Wardington

Summary of Additional Representation Received:

OCC HIGHWAYS updated response: My objection to this development had been on the basis that the applicant was not proposing to make any changes to the access off Wardington Road. With the previous application, 23/01164/F, it had been agreed that modest improvements were required to accommodate turning movements, and these were set out in the 'Response to highways objection' document submitted for that application, which stated at paragraph 2.4: 'The applicant is willing to reconstruct the access, increase the junction splay and strip widen the carriageway opposite the access by 1m for a distance of 15m either side of the access'.

However, in the TA submitted for the current application, it was stated at 1.6 that 'there are no proposed changes to the vehicular access arrangements from Wardington Road' – this was the reason for my objection.

I note that an updated Transport Appraisal has been submitted, dated 10 May (Rev A). This now states at 4.5.1 that 'the proposed development will utilise the existing farm access from Wardington Road, with some modest improvements to enable the safe movement of vehicles to and from the site. This includes removal and replanting of some existing hedgerow to improve intervisibility between the access and the first car park entrance as well as strip widening the carriageway opposite the access by 1m for a distance of 15m either side of the access.' And at 5.2 'Minor improvements to the access and Wardington Road will be delivered to respond to concerns raised by the LHA.'

This shows a commitment to improve the access, although no drawing showing the improvement is provided. On the basis of this commitment, I can remove the highways objection subject to the footpath contribution and the conditions previously requested, which include details of the access.

Bus service: The applicant has picked up in the report that the bus service through the village is indeed running and has requested this be in the update to Members.

Drainage Update: A response from the OCC Drainage team has been received and raise no objections in principle subject to the following condition being added.

Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall 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”.
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change and 10% urban creep (Note: the Cv values should be set to 0.95 for roofs and 0.90 for paved areas and MADD should be 0.0);
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (to include three tests at each location and using the full depth of the trial pit);
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element;
- Details of how water quality will be managed during construction and post development in perpetuity; and
- Consent for any connections into third party drainage systems

Reason:

To ensure that there is no flooding due to the site drainage and that the water environment is protected.

Legal Agreement Update: Instruction given for a S106 to secure financial contributions towards OCC LHA to upgrade the PROW styles to kissing gates, offsite BNG and use restrictions of the buildings for research and development, ancillary office associated/linked with agriculture.

Officer Response:

OCC Highways Updated: A condition would be added to the final decision notice securing this information and the agreed works in line with OCC Highways comments.

Sustainable Transport: Officers can confirm that the No.200 bus runs a regular service from Daventry Bus Station to Banbury via Wardington hourly from approx. 7:30 am to the early evening.

Drainage Condition: A condition would be added to the final decision notice securing this information and the agreed works in line with OCC Drainage comments.

Legal Agreement Update: Its drafting is ongoing.

Amended Recommendation:

As set out in the case officer report with the inclusion of the following additional conditions:

Those requested by OCC Highways, wording amended as necessary

Surface water drainage scheme condition, as set out above, wording amended as necessary

Agenda Item 13

24/00893/F – Kelberg Ltd, Northampton Road, Weston on the Green, Bicester

No updates.

Agenda Item 14

24/000214/F – 12-14 Sheep Street, Bicester

No updates.

Agenda Item 15

24/00401/F – 20 Almond Road, Bicester

No updates.

Agenda Item 16

23/03368/F – 73 High Street, Kidlington

Summary of Additional Representation Received:

A public comment has been received questioning the description of the neighbouring property in the officer report. They state the adjacent part of the neighbouring property is an original part of the dwelling and not an extension as described. They have also questioned the accuracy of the site plan with concerns that the submitted site plan includes part of the neighbours' (No. 77) property.

Officer Response:

Officers accept that the rear two storey projection on the neighbouring property may have been part of the building before it was converted and not a later extension. However, this does not change the acceptability of the proposed first floor extension. The addition would match the depth of the adjacent two storey projection.

Whilst part of the red line identifying the application site as shown on the location plan may encroach onto part of No. 77's property, the applicant has signed 'Certificate of Ownership - Certificate B' on the application form and given the requisite notice to anyone (other than the applicant) that was an owner of any part of the land or building to which the application relates.

Any works that take place beyond the applicant's ownership require the consent of the relevant landowner and the granting of any planning permission does not override that requirement. Any encroachment beyond the applicant's ownership would become a civil matter. There is also separate legislation that would need to be followed (the Party Wall Act) where building works are close to or adjoining a boundary/building.

Amended Recommendation:

No change

Agenda Item 17

23/02096/OUT - Land East of Banbury Road ditch and North of Earls Lane, Deddington

Summary of Additional Representation Received:

Applicant: any BNG surplus, beyond the statutory requirement, will be retained by the applicant. A minor technical point but one that is important to us.

OCC Highways: Have requested an additional condition regarding further details of the cycle/footpath access onto the highway.

Officer Response:

Please note the trigger points for the S106 are all 'to be confirmed' and are subject to further negotiation.

An additional condition is therefore recommended to allow for further details of the cycle/footpath access. Wording to be confirmed following further discussions with the Local Highway Authority.

Amended Recommendation:

As set out in the case officer report with the inclusion of the following additional conditions:

Further details of the cycle/footpath access

Agenda Item 18

24/01153/F – Cornhill Café, 1 Castle Street, Banbury

No updates.

Agenda Item 19

24/01172/CDC – Cattle Market Car Park, Victoria Road, Bicester

Officer Comments:

Policy H1b of the Non-Statutory Cherwell Local Plan 2011 allocates the application site as suitable for residential development of approximately 40 dwellings with development anticipated to come forward in the period between 2008-2011. Policy S16 supports the redevelopment of the Cattle Market site provided the new use is compatible with the adjoining residential areas.

Whilst these policies are material considerations to this application, they do not form part of the statutory plan and therefore carry very little weight. In this regard, and as set out in the report, the development accords with adopted planning policies and its continuation of a car park would provide a convenient location for town centre users to park which supports the economy of the town centre by making it easily accessible.

Amended Recommendation:

No change to the officer recommendation.

Agenda Item 20
24/01117/F – 143 The Fairway, Banbury

No updates.

Agenda Item 21
24/01224/CDC – Cherwell District Council, Lock 29 Castle Quay, Banbury

Environmental Health Update: A response from the CDC Environmental Health Team has been received raising no objections in principle to the development but advising that the submitted noise data isn't clear and that the email from the applicant's agent states that "*due to the nature of the project, the proposed AHUs (with the exception of the ETFE AHU) are indicative selections and have scope to change once the appointed contractor has undertaken their detailed design*". As the specification of the units could change, the Environmental Health Officer suggests dealing with the noise concerns by condition as follows: [Condition follows in the amended recommendation below.]

Officer Response:

Environmental Health Update: The statement condition would be added to the final decision to ensure that the development is installed, maintained and operated in compliance with the recommended condition and its requirements.

Amended Recommendation:

As set out in the case officer report with the inclusion of the following additional conditions:

All plant, machinery, and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5 dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary (boundary of the roof). Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996

Agenda Item 22
24/01150/DISC – Castle Quay 2, Spiceball Park Road, Banbury

No updates.