

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Planning Committee

6 January 2011

Title

Written Update

If you need any further information about the meeting please contact Michael Sands, Legal and Democratic Services michael.sands@cherwell-dc.gov.uk (01295) 221554

Agenda Item 14

CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

6th January 2011

WRITTEN UPDATES

Agenda Item 6 **10/01592/OUT** **Land S Talisman Rd. Bicester**

- Letter from Environment Agency dated 22/12/10 in which they explain that they wish to maintain their objection on flood risk grounds. It would appear that whilst the related application for the provision of off-site flood compensation capacity overcomes the previous objections related to building in the flood plain, the proposed on-site swales are of insufficient capacity to cope with rain water run-off produced on the site. Given the density of development proposed this calls into question the capability of the site to provide the necessary additional surface water capacity and the number of houses proposed. It is likely therefore that a revised illustrative site layout plan will be required and a further round of consultation with the EA will be needed.

It is therefore RECOMMENDED that consideration of this application be **DEFERRED**

Agenda Item 7 **10/01316/F** **Langford Park Farm, Bicester**

In the light of the situation with regards to the Environment Agency's objection to 10/01592/OUT above it is RECOMMENDED that this application is also **DEFERRED**

Agenda Item 8 **10/01347/F** **Land at Southam Rd. Banbury**

The Council's Environmental Protection Officer notes that the submitted air quality assessment draws attention to higher levels of nitrogen dioxide than the national objective (this is related to traffic emissions). This matter can be resolved by condition.

Agenda Item 9 **10/01599/F** **Land adj 54 Highlands, Tadmarton**

- 25 further letters of objection have been received since the completion of the committee report raising issues (in addition to those reported) as follows:

Material Considerations:

Dangerous entrance to Highland from busy road
Gardens minute and nowhere else suitable for children to play
Outlook of bungalows ruined
New houses would be an eyesore and change the character of the area

Non-Material Considerations:

Someone is trying to make a profit
Disregard for existing residents
Emergency access always required for elderly residents (obstruction by construction vehicles)

- There is an error in the committee report relating to the number of units off of what was known as Cannards Close. This information was taken from the planning history for the entire site. There are four properties served by 'The Courtyard' which includes Tadmarton House. These four properties are not covered by the age limit which applies to the rest of the dwellings served by Highlands.

Agenda Item 13 Appeals Progress Report

08/02472/CM Appeal by Viridor Waste Management Ltd. Re Energy from Waste (EFW) plant at Ardley Landfill site, Ardley Fields Farm, Ardley

Development Control Team Leader to report that a letter has been received from Department for Communities and Local Government indicating that the Secretary of State is minded to agree with his Inspector's recommendation and grant planning permission for the EFW facility. However the SoS has invited further representations on two limited aspects prior to his determination of the case. He seeks comments on:-

- Whether the SE Plan has any relevance not addressed in the party's written evidence. This is a necessary area of further consideration because the SE Plan was revoked on the first day of the Inquiry and therefore no verbal evidence/cross examination was given or undertaken. The Secretary of State does however have from all parties their proofs of evidence which did refer to the SE Plan.
- The necessity of an additional condition requiring cessation of the use of the proposed EFW within a fixed period of the date that the plant becomes operational in order that the site returns to open countryside and does not become derelict after the operational life of the plant. He also seeks opinions upon the need for any other consequent conditions that may be required

Any comments from the Council are required to be submitted to DCLG by 14 January 2011.

Members will recall that the Council's reason for objection and the scope of evidence given at the Inquiry was restricted to the visual impact of the proposal upon the open countryside and criticism of the site finding exercise. The areas upon which comments are sought by the SoS have only limited relevance to our objections. The officers therefore intend to reply to say that our Proofs of Evidence deal with the relevant SE Plan policies, and that it would be appropriate to match the life of this permission to that intended to be granted by Oxfordshire County Council, and that enforceable conditions should be attached that ensure the removal of the buildings/structures and the restoration of the site at the termination of the consent.