

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Planning Committee

23 February 2012

Title	Officer Responsible
Written Update	Development Control Team Leader

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Agenda Item 27

CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

23 February 2012

WRITTEN UPDATES

Agenda Item 9 **11/01808/F** **Stable Block Corner, Farnborough Rd,
Mollington**

One further third party objection summarised as follows:

- Permanent structures should not be permitted
- Calling this a day room will not mean it will not be used for accommodation
- None of the previous conditions have been met
- Site bears no resemblance to the previous applications granted
- Large section of hedge removed to create second access leaving sit extremely exposed
- Huge impact on local countryside and area of high landscape value
This will make visual impact worse on what was a field for grazing

Agenda Item 10 **11/01816/F** **140 Oxford Rd. Kidlington**

Letter received from the owner/occupier of 138 Oxford Rd with the following comments

“In the unfortunate event this application is approved, we would like the following conditions placed on the application.

1. No amplified music eg weddings, discos, funerals, youth club, private functions
2. Do not want hall be to hired out to private functions
3. No Noise pollution - as people leaving the building will be creating unacceptable noise slamming of cars doors, talking. etc
4. No licence for a Bar
5. No alcohol on the premises to be consumed
6. A restriction of the time of usage (acceptable before 8am and 10 pm 7 days a week)
7. We would like a 2 meter wall put up, instead of a wooden fence on the boundary to secure our privacy and security.
8. We would like the side access from the school blocked off (for security)
9. On the plans you have a door access between our boundary and the hall, we would like this removed off the plans and placed near the Church side.
10. We do not want the Bungalow (140 Oxford Road) knocked down and used as a Car Park for the Hall.
11. If the building is alarmed I am concerned about the alarm going off as there are problems in the vicinity with other alarms going off (limitation on decibel rating)
12. Can the Velux windows be placed on one side of the roof, near the Church side.

We would be grateful if you would consider our opposing plea on the grounds that it is a residential area and that it is an over development of the site”.

Agenda Item 11 **11/01863/F** **Bloxham Rd Caravan site, Bloxham Rd.Milton**

Comments received from **Thames Valley Police Crime Prevention Design Advisor**

Raises no objection to the proposal, however suggests conditions as there is an opportunity to design out crime and disorder and promote community safety.

- The first condition suggested relates to the LAP, this matter is addressed under the proposed condition no. 12 already.
- The second condition suggests the erection of 1.8m high fencing around the perimeter of the site to prevent opportunist casual intrusion and crimes such as theft from the rear of the properties.

HPP&DM considers that the erection of 1.8m high fencing would be visually intrusive and inappropriate in this rural location and that defensive planting as part of the landscaping scheme is sufficient to address this matter. Condition no. 6 should therefore read as follows:

6. That prior to the commencement of the development a scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority, the scheme shall include:

- (a) full details of the landscape bund, which shall include; the dimensions of the landscape bund (height, shape, width at base, length); the depth of top-soils to support any planting; a planting scheme for the bund; and proposals for the long-term landscape maintenance.
- (b) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
- (c) the reinforcement of the existing hedges along the northern and western boundaries by additional planting, which shall include defensive planting and shall also include details of the proposed tree and shrub planting including their species, number, sizes and positions
- (d) 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,
- (e) details of the hard surface areas, pavements, pedestrian 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 C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

- **Recommendation should be subject to receipt of no adverse comments re land contamination**

Agenda item 13 12/00012/F Bicester and Ploughley Sports Centre

Bicester Town Council welcomes the application

Agenda Item 14 12/00026/OUT Land S of Milton Rd, Adderbury

- The agent has submitted an alternative indicative layout plan and illustrative sketch plan for consideration. As the application is in outline only the plan simply demonstrates an alternative way of laying out the site.
- The **Local Highway Authority** has not got any further comments in relation to the alternative indicative plan.

- The **Council's Landscape Officer** has made the following comments in response to the alternative indicative layout:
 - Appear to be trying to limit the landscape impact in this alternative layout
 - There are fewer properties close to the rural boundary. Those that are adjacent to the boundary are the furthest from the public footpath
 - This layout is an improvement on the previous one. It is more coherent and fluid and gives the appearance of being at a lower density although it isn't.
 - Improved links into St Mary's Road and Norris Close and the proposed properties line up with the existing thus reducing impact
 - like the green route through from Norris Close to the sports field and beyond
 - only one LAP and it is located at one end of the site resulting in a longer walk than guidelines state. There should be another LAP in a more central location
 - cautious about the amount of tree planting in gardens as trees in these locations cannot be relied on to survive.
- For clarification the total contribution of £37,082.70 consists of the £32,082.70 required for public transport, £4,000 contribution towards public right of way improvements and £1,000 for administrative fees.
- The **Council's Public Art Officer** has requested that the £200 per household be secured through a S106 towards Public Art. This is the same figure as previously agreed in the original S106 agreement.
- **1 further letter of objection** has been received, this is from the applicants for a different scheme on land north of Milton Road, emphasis is placed on the fact that the scheme has previously been refused by the Council and Inspectorate and the fact that they themselves intend to submit a further application once previous concerns have been addressed. The letter suggests that proposals for land north of Milton Road may be preferable and as such the local community should be given the opportunity to be involved.

Agenda Item 15

12/00040/F

**Paragon Fleet Solutions, Heyford Park,
Upper Heyford**

1. The following additional comments have been received:
 - Natural England- Does not appear to effect statutory sites or landscape
 - Ardley with Fewcott Parish Council-No objection
2. Pegasus Planning on behalf of the Applicants have amended the application as follows;

“there is an agreement to cease operations on the whole of that part of the site comprising the main runway and the hardstanding between the main runway and the Victoria Alert Complex within 30 days of the grant of the temporary planning permission sought.”

They state the change is made recognising the the importance the Council attach to the landscape sensitivity and its importance from a heritage perspective.

Reference is made to the lack of a policy objection previously by the Head of Planning Policy & Economic Development subject to transitional arrangements not discouraging or providing a disincentive to implementing the lasting arrangement for the site. The application is seen as creating a framework to enable agreement to allow the business to transfer and change.

It is stated that Paragon Fleet Solutions have changed their operations very substantially as part of the commitment to transition and to reduce the footprint of the business. They no longer operate vehicle leasing processing at Upper Heyford. However a number of factors including the wider European Economy and reduced margins and other commercial requirements have meant that revenues and profitability at Heyford declined and that it has been imperative to introduce Jaguar landrover vehicle processing. A short but reasonable time is now needed to to reconfigure operations at the site.

In striking a balance on the application they ask that the following is taken into account;

In striking that balance today we would invite the Council to take into account:

- i. The continuing and indeed increased importance of the jobs and economic benefits. Pursuant to the Communities and Local Government letter of 31st March 2011, Planning for Growth makes it plain that the Secretary of State will attach especial weight to the need to secure economic growth and employment.
- ii. The changes Paragon have made to their operation to remove rental vehicle processing from Upper Heyford.
- iii. The changes to the current application in direct response to the Council Officer's concerns in relation to the main runway etc.
- iv. The ability to consider landscaping and boundary treatment as matters of condition relating to the eastern area.
- v. The fact that the operational arrangements proposed are transitional and move towards the minimum area recognised to be necessary by the SoS. No permanent use is proposed by this application.
- vi. The proposed redevelopment and creation of the settlement is not now likely to be completed much before 2030. The period for change in the character of the Conservation Area at Upper Heyford is therefore a long term issue.
- vii. There are wider economic difficulties which business at Upper Heyford is not immune from

The following transition arrangement is proposed

PHASE	<u>DESCRIPTION</u>	<u>RESULTING AREA APPROX</u>
Phase 1 within 30 days of planning permission * Note see Plan	End use of main runway and hardstanding to Victoria Alert Complex	Reduction from 24.8 ha to 19.4 ha 61 acres to 48 acres
Phase 2 by October 2012	Reconfiguration/reduction of the western end of the site in line with that permitted by the main permission, including replacement of existing gatehouse (Building 350a) through use of Building 3205 This will enable efficiencies in site flow, particular by allowing the loading and unloading of vehicle transporters to take place close to the new site entrance	18 ha 44.5 acres
Phase 2A by 1 June 2014	Provide details of the following in relation to the full permanent footprint as to be provided at Phase 3 <ul style="list-style-type: none"> • Any new underground pressure-sensitive cabling and/or above-ground radar • New perimeter security barrier (including ditch and bund), and • Installation of new external lighting Commence new site security measures	
Phase 3 By 1 April 2015	Create and move to the full permanent footprint as approved by virtue of the main permission [including release of Eastern taxiway and land within the northern part of the South East Hardened Aircraft Shelter (HAS) area, surfacing and occupation of the former tanker area] Remove any remaining existing temporary mobile external lighting, concrete rings and other security fencing within three months of first occupation of the former tanker area for car processing use	

3. **Comments of the Council's Team Leader Design and Conservation**

The comments conclude;

The matters pertaining to this application are essentially those determined at appeal. There is only one material consideration that has changed in respect of determining

this application.

The appeal was heard under PPG15, which has now been superseded by PPS5. The major changes in policy guidance relate to the umbrella term Designated and Undesignated heritage Assets and to balancing economic benefit with heritage protection.

The Inspector considered that the car storage had a “highly destructive” impact and one which could not be considered temporary. I consider that this would equate to “a harmful impact which is less than substantial harm” as it does not constitute total destruction of the heritage asset.

PPS5 Policy HE9.4 requires LPAs, where substantial harm that would result to the heritage asset, to

- (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm and*
- (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.*

I do not consider any public benefit in terms of employment opportunities to outweigh the harm caused by the proposals. The applicant was prepared to accept a reduced area, in fact Paragon proposed this, at the time of the appeal. It follows that this must be a commercially acceptable proposal for the company. It cannot therefore be argued that the viability of the company will be put at risk.

The applicants have had over two years in which to put a Business Plan in place that implements the Secretary of State’s decision. That they have failed to do so and, in fact, are now seeking an increased area of operation (albeit under this misnomer of the term “withdrawal”), suggests a creeping increase in operation by stealth. The principle of what is proposed in this application was considered unacceptable by the Secretary of State, there has been plenty of time to implement it and I consider no further non-compliance should be permitted.