

SUPPLEMENTARY INFORMATION

Planning Committee

3 September 2015

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

3 September 2015

WRITTEN UPDATES

Agenda Item 7 14/01816/F Land SE Blinking Owl PH, North Newington

- An e-mail was received yesterday from a neighbour containing extensive evidence to dispute any claim that a legal right of vehicular access exists over The Pound. The e-mail has a number of attachments including statutory declarations from nearby residents. As the information contains legal information, it has been decided to afford these the same confidentiality that the applicant has been allowed whilst dealing with this matter. The information submitted has been carefully considered by your officer's.
- No change in recommendation is made as a result of the above.

Agenda Item 8 14/01888/ Longford Park, Bodicote

- Comment from local resident
In respect of the Retail outlet/GP Surgery and Nursery -
 1. What are the proposals regarding traffic and parking issues along the main Longford Park Road and adjoining roads?
 2. Have additional spaces been put aside for this purpose?
Otherwise this will inevitably impact on the surrounding residents homes, causing access problems.

In respect of the apartments:

1. Has adequate parking been provided for all residents? Bear in mind that most households these days have more than 1 car. This equally applies to the existing houses as some people are parking on the pavements and across drives now. This can only be aggravated if the surgery, nursery, and retail outlet has not been thought through properly. As people will tend to park in the most convenient (and closest) place to their destination (human nature)

The above concerns will also apply to the other planning application of a community hall and recycling centre and a school. I have discovered that my house will be in the vicinity of most of these proposed building works. The over-riding concern here as well as with the above application, is noise and disruption. I used to live in a cul-de-sac with a primary school at the top of the road, and am well aware of the the impact on traffic,

both for the main road and the residents in the cul-de-sac, if nothing is done to address this now.

- **Amended recommendation**

b) The receipt of amended plans to the satisfaction of the HDM in consultation with the Chairman of Planning Committee ***following any necessary periods of re-consultation***

Agenda Item 9 14/02156/OUT Land SW Cotefield Business Park, Bodicote

- **Bodicote PC comments**

We have the following objections:

This land was not identified for development in the draft Local Plan which had been considered in the Public Examination.

It would cause undue visual intrusion into the open countryside and impact on areas judged to have a high level of tranquillity, contrary to CDC's Policy ESD13.

The developer's Planning Statement (para. 3.8) acknowledges that the "application is situated outside of the built-up area of Bodicote and, as such the proposal would be contrary to" Policies H13 and H18. Bodicote remains a Category 1 village in Policy H15.

Because of current and planned development on the east side of the Oxford Road, together with a new school and the re-siting of Banbury Football Club to this area – identified in the Local Plan - as well as the existing Bannatyne's leisure centre and Banbury Rugby Club, there are already several access roads along a short stretch of Oxford Road. There will undoubtedly be more traffic problems in the future to compound the existing large volume of traffic, so yet more housing across the road would bring even more traffic from this proposed development, causing more traffic chaos and highway safety problems.

Furthermore, the developer's Design & Access Statement (p.31) acknowledges that the "relationship with the adjoining consented residential development remains awkward, with the proposal failing to interact with the adjoining development." If, therefore, the District Council decides to approve this application, we request that Phase I and Phase II are brought together more effectively, to improve the relationship between the two phases.

They also comment that

1. When we submitted our objections, the Local Plan was still at draft stage. It has now been passed, but this site is not included in it. It should therefore be rejected.
2. Cherwell now has a Housing Land Supply of 5.1 years, so there cannot be a reason to include any further housing sites at this stage.

- **Recommended conditions**

General Implementation

- 1) No development shall commence until full details of the layout (including the layout of the internal access roads, footpaths and cycleways), appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) In the case of the reserved matters, the final application for approval shall be made not later than the expiration of three years beginning with the date of this permission. Each application shall demonstrate how the design and access principles shown on Drawing Nos: 7993-0047-04 (Phase Two Indicative Layout), 7993-0071-01 (Phase One and Two Interface Plan), 7993-0070-01 (Walking and Cycling Routes), and 7993-0060-01 (Walking Routes Plan) have been used to inform the reserved matters.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 3) The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 4) The approved plans to which this permission relates are: Drawing Nos. OXF7993 Rev A Site Boundary, and OXF7993 Fig. 7993-0058-02.

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

- 5) Prior to the commencement of the development hereby approved, a Phasing Plan covering the application site (Phase 2) and the development of the 82 dwellings approved under planning application ref: 11/00617/OUT (Phase 1) as shown on Figure No: 7993-0058-02 shall be submitted to and approved in

writing by the Local Planning Authority. The Phasing Plan shall include a timetable for implementing the developments with estimated completion dates for each phase. Thereafter the development shall be carried out in accordance with the approved Phasing Plan.

Reason - To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework.

Scale

6) With regard to scale, the reserved matters shall demonstrate the following:

- a) No more than 30% of the dwellings to be 2.5 storey
- b) No more than 5% of the dwellings to be 3 storey
- c) No more than 35% of the dwellings to exceed 9 metres in height above existing ground level
- d) No building to exceed 11.5 metres in height above existing ground level

Unless alternative details of scale are submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the scale and appearance of the development is appropriate to its context and to ensure high quality design, 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

7) Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access 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.

8) Prior to the commencement of the development hereby approved, full specification details of the internal access roads, footpaths and cycle ways which shall include construction, layout, surfacing, drainage and lighting, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- 9) Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the accesses, driveways and turning areas shall be constructed in accordance with the approved details.

Reason – In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- 10) Prior to the first occupation of the development hereby approved, full details of the proposed enhancements to the local footpath network, as shown on Drawing No: 7993-0060-01, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include at least two points of connection between the development and the local footpath network and a timetable for implementing the proposed enhancements. Thereafter the approved details shall be implemented in accordance with the approved timetable.

Reason: To deliver a well-integrated and accessible development and to promote access to the public rights of way network, in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031: Part 1 and the National Planning Policy Framework.

Archaeology

- 11) Prior to the commencement of the development (other than in accordance with the submitted archaeological Written Scheme of Investigation produced by RPS), a staged programme of archaeological evaluation and mitigation shall be carried out by an appropriately qualified archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority prior to the first occupation of the development.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).

Drainage

- 12) Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development, which shall be broadly in accordance with the drainage proposals set out in the submitted Flood Risk Assessment produced by Forge Engineering Design Solutions, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved drainage scheme.

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 Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 13) Prior to the commencement of the development hereby approved, impact studies of the existing water supply infrastructure, which shall determine the magnitude and timing of any new additional capacity required in the system and a suitable connection point, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the water supply infrastructure has sufficient capacity to accommodate the additional demand in accordance with Government guidance contained within the National Planning Policy Framework.

Noise

- 14) Prior to the commencement of the development hereby approved, a noise mitigation scheme in respect of the dwellings falling within the zone "Treatment 1" as shown on Figure 3 in the Noise Assessment submitted with the application, demonstrating that internal noise levels do not exceed the criteria specified in Table 4 of the British Standard BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwellings affected by this condition, the dwellings shall be insulated and maintained in accordance with the approved details.

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.

- 15) Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Trees and Biodiversity

- 16) Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031: Part 1 and Government guidance contained within the National Planning Policy Framework.

- 17) The development hereby approved shall be carried out in strict accordance with the recommendations detailed in section 4 of the Bat Activity Survey dated November 2014 (paragraphs 4.9 to 4.31) submitted with the application.

Reason -To conserve and enhance biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031: Part 1 and Government guidance contained within the National Planning Policy Framework.

- 18) The development hereby approved shall be carried out in strict accordance with the recommendations detailed in sections 9, 10 and 11 of the Arboricultural Impact Assessment dated 28 November 2014 submitted with the application.

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 Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 19) (a) No retained tree shall be cut down, uprooted, damaged or destroyed without the prior written approval of the Local Planning Authority.

(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 first 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 – 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 Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Other matters

- 20) No development shall commence until a Sustainable Construction Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate which sustainable construction methods shall be used in the development to achieve, as far as practicably possible, zero

carbon development including but not limited to:

- (i) Minimising both energy demands and energy loss;
- (ii) Maximising passive solar lighting and natural ventilation;
- (iii) Maximising resource efficiency;
- (iv) Incorporating the use of recycled and energy efficient materials;
- (v) Incorporating the use of locally sourced building materials;
- (vi) Reducing waste and pollution and making adequate provision for the recycling of waste;
- (vii) Making use of sustainable drainage methods;
- (viii) Reducing the impact on the external environment and maximising opportunities for cooling and shading; and
- (ix) Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

The development shall thereafter be carried out in full accordance with the approved Statement.

Reason – In the interests of sustainability and to deliver low carbon development, in accordance with Policy ESD3 of the Cherwell Local Plan 2011-2031: Part 1 and the National Planning Policy Framework.

- 21) Prior to the first occupation of any dwelling on the site, a scheme for the provision of refuse and recycling bins to serve each dwelling including details of the type and specification of the bins to be provided and a programme for their provision, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason – To ensure the provision of adequate waste and recycling facilities to serve the development, in accordance with guidance contained in the National Planning Policy Framework.

- **Other matters**

With regard to the recommendation and in particular the planning obligation, it is now proposed to deal with the matter of tying the implementation of the development to the already consented development to the north (re: 11/00617/OUT) by condition – see condition 5 of the draft conditions. This approach has been agreed with the applicant

Agenda Item 10 15/00266/DISC Graven Hill, Ambrosden

- The following updates are reported:
 - A) Bus stops: although plans have now been submitted showing indicative locations for the bus stops, these have not been agreed by OCC Transport officers and discussions are on-going regarding the most appropriate locations. As this matter is unlikely to be resolved in the immediate future, and as final details can be agreed at reserved matters

stage, OCC Transport officers have agreed to the locations of bus stops being removed from the Masterplan and Design Code. Negotiations between the developer and OCC Transport regarding the locations of bus stops will however continue prior to the submission of the first reserved matters application.

B) Minor amendments to the street design principles: these have now been received and OCC Transport have confirmed that they are acceptable to discharge condition 26 of the outline permission, subject to some further minor revisions in the interests of clarity and to ensure sufficient flexibility for appropriate details in respect of street design and lighting to be agreed at reserved matters stage.

C) Amended Design Code: the design Code has now been amended and includes a section on sustainable construction methods.

- In light of the above, the **Recommendation is amended to: Delegate to the Head of Development Management to approve the Masterplan and Design Code, subject to minor amendments to the street design principles sufficient to address OCC Transport concerns**

Agenda Items 11 and 12 Elephant and Castle PH, Bloxham

Additional comments re representations received from applicants agent

An additional supporting statement was received on 25th August 2015. A full copy has been made available on Public Access and below is a summary of the main points raised:

Re-use of the bread oven

The agent notes that during a meeting, the Council's Conservation Officer suggested that the re-use of the oven should be explored.

The statement makes a case that the re-use of the bread oven would be uneconomical due to the costs associated with the works to bring it back into use and fire safety concerns could prevent its re-use.

The statement notes that the building is showing 'signs of structural distress' caused by previous alterations (including the insertion of internal doorways) and is exacerbated by the action of masonry bees causing damage to external walls. Therefore any further delay caused by a requirement to repair the bread oven, could have a catastrophic impact.

Less than significant harm

The statement re-iterates the agents view that the proposal represents 'the loss of the less significant part of the bread oven, the brick body' which constitutes 'less than significant harm' and therefore should be assessed against paragraph 134 of the National Planning Policy Framework.

Sustainability

The statement contends the removal of the bread oven is necessary on sustainability (economic, social and environmental) grounds.

- For the sustainable future of the bakehouse cottage itself (environmental)
- For the sustainable future of the public house business operated at the site adjacent which provides employment and social benefits (economic and social)
- To bring a listed 'building at risk' back into economic use (environmental)

Industry Context

The statement includes some lengthy detail on the general brewing and public house industry. Details relating to Hook Norton Brewery with some specific figures relating to the viability of the Elephant and Castle Public House are included.

Securing the future of the site

The statement includes a suggestion that the proposal would help secure the remainder of the site.

'It will be a concern for Cherwell's planning function that the works proposed will primarily secure the survival of the Bakehouse itself. Of secondary but related importance is securing the collection of buildings on the site which together make up the designated heritage assets (the listed Elephant and Castle and the Bloxham Conservation Area) in the long term. If the long term trend of the early decade of the C21st in brewing were to have continued, it may have been that the proposal merely delays the loss of the whole Elephant and Castle heritage asset to other uses eventually. i.e. that the additional revenues may subsidise the pub's chief trading business (selling drinks) and conservation of the site as a whole for a while but not forever. However, the signs are all pointing the other way. The health of British brewing is gaining strength through diversification and creative enterprise. Hook Norton has outperformed the sector generally in revenue and volume terms over the past six years (the whole time scope of analysis) and is enterprisingly exploring diversification into new craft beer styles and investing in its business to sustain future growth and business stability.

We argue that bringing back the Bakehouse to a viable economic use serves two purposes. Firstly, an environmental one, in giving new life to an 'at risk' curtilage-listed heritage asset which is beneficial in conservation terms alone. Secondly a social and economic one, bringing new revenue into the pub business itself to secure it (and the listed building it occupies) in long-term viable use as an operating pub valued by its local community. The loss of the bread oven body to secure these benefits is justified on all three sustainability grounds, but only if there is a reasonable expectation that the new use will be secured 'in the long run' which for the purpose of this scheme is the investment pay-off period of 10 years. No building can be said to have been 'permanently' secured by any means'.

The statement also suggests there are a number of other vacant buildings and structures on the site that could benefit from improvement/repair works and the income generated from this proposal could be used to carry out other works.

Planning History

The statement contends that in the agent's opinion the proposed scheme is a more sympathetic alteration to the building than the previously approved scheme in 2011 which included the retention of the bread oven but required other external alterations to the building.

Agenda Item 13 15/00392/OUT Land W of West End, Launton

- E-mail from applicants agent

As you know all Planning Authorities have the unenviable task of finding more housing sites without encroaching on attractive countryside, exacerbating flooding, upsetting neighbours and so on. It is a constant battle and there are lots of obstacles whenever a site is suggested.

I will not try to list all the advantages of the site in question but I would ask you to pay particular attention to the evaluation section (5) of your officers/consultants report. In there you will find that the proposed site ticks almost all the right boxes particularly regarding sustainable development, and where there are objections the report writer finds it difficult to condemn the scheme on planning merit. In the end it comes down to a fairly minor effect on the character of the village and an arguably small effect of occasional railway noise on summer evenings. Clearly there are many existing and proposed developments in the district that are or will be in a worse position regarding railway noise.

Finally, you will be aware that it is most unusual for a development of this nature not to cause uproar when proposed in a village location, yet the weight of local objection here (8 representations) is unusually small.

All planning applications involve a balancing act between advantages and disadvantages and I would suggest, in the light of the national need for housing, that the weight of all the positive issues must favour this most sustainable development. I hope you will feel able to agree.

Agenda Item 15 15/01024/F OCVC, Broughton Road, Banbury

- A petition has been received (via Cllr Mallon) signed by 21 residents of Bath Road who object to the proposal on grounds that
 - Building is too large. The modern design is not in keeping with the area and will destroy the view of all nearby residents
 - Overlooking of rear gardens due to height and proximity to rear boundaries will result in loss of privacy
 - Height and location of west wing will result in little or no sunlight

- reaching adjoining gardens in winter
- Only access is from Bath Road and traffic volume already a constant issue especially at peak times
- Parking is a major issue in Bath Road and this development will worsen the problem as it does not have sufficient parking
- No clarity of use of access adjacent to west wing. If used by delivery and service vehicles it would have a significant effect upon the use of adjacent gardens
- No details of service vehicle access and refuse bins. Current refuse vehicles serving collage cause significant nuisance to adjoining residents
- Inadequate consultation by applicants

- **Planning Policy Comments**

The application proposal would involve development within the built-up limits of Banbury and in principle would be in accordance with the new Local Plan policy for meeting housing requirements (Policy BSC1) and encouraging the re-use of previously developed land in sustainable locations (Policy BSC2). However, the proposed development would have to preserve and enhance the character of the Conservation Area.

It is noted that the level of affordable housing proposed accords with Policy BSC 3 of the adopted Local Plan 2011-2031 Part 1 and the needs for affordable housing is of course high as evidenced by the SHMA. The proposed development would also help meet the significant need identified for housing for those with care needs

Detailed design would need to be compatible with the surroundings in terms of scale, height and external appearance so that it would not have an adverse impact on the privacy and amenities of neighbouring properties. Consideration should be given to Policy ESD 15: The Character of the Built and Historic Environment, which emphasises the importance of good design when protecting Conservation Areas and ensuring high design standards are met in the town centres where Conservation Areas exist, in particular where development abuts or takes places within designated Conservation Areas.

The site is in a sustainable location within walking distance to town centre services and facilities. There are bus stops nearby with frequent services to the town centre. Banbury bus and railway stations are also situated within walking distance therefore making the site easily accessible without having to use a car.

The application details suggest that the site is now surplus to requirements and is no longer needed for education purposes. This could possibly be a consequence of the recent expansion and redevelopment of the southern campus on the opposite side of Broughton Road. Consideration should be given on the need for education facilities in the area.

The redevelopment of site can be considered sustainable in term of it being close to town centre services, facilities and public transport and would contribute towards an identified need. However, consideration should also be given to the potential impact on the character and appearance of the Conservation Area and community facilities

From the conclusions above, there is no Planning Policy objection in principle subject to further detailed assessment of heritage and community facilities impacts.

- **Ecology Officer**

I have now received the bat emergence survey report for the above and it confirms there is a roost of pipistrelles in building E (all other buildings are free from bat constraints). It also outlines the type of activities which would constitute an offence which would of course include demolition.

Unfortunately there is no mitigation plan outlined at all and therefore we do not know how they plan to deal with the bat issue. In order to carry out our duty to assess whether they are likely to obtain a licence from NE (and consider the three tests) to demolish the building we need to know what they intend to do in terms of mitigation. Without this information I cannot assess the appropriateness of the mitigation and whether a licence is probable. Their ecologist should have advised them on this point and suggested (as a minimum) timings of work, supervision, any working methodology for demolition or pre-demolition checks, location of mitigatory roosts both temporary and long term opportunity replacement etc..

Whilst this is not a roost of high conservation significance we still need this information so if they already have this can they send it on? Otherwise their ecologist will need to put something together.

- **Add to recommendation** – subject to satisfactorily resolving the bat mitigation matters

Agenda Item 19 15/01190/F former Rosemary, Main St.,Fringford

- **Fringford Parish Council** comment

The Parish Council has so far enjoyed the support of the Planning Committee on the application process regarding the Rosemary development on Main Street in Fringford.

It is hoped that at this week's meeting you will still be in a position to support a refusal of this latest application on the following grounds:

- This latest application is based on the developer's decision to accept only the favourable aspects of the Planning Inspector's findings (retain Plot 2 as built) and ignore those aspects that were intended to remedy

the key issues. (Set back by 1 metre the entire first floor of Plot 1)

- The application seeks to limit the expense of following the Inspector's findings by setting back only a small portion of the first floor front elevation of Plot 1 rather than setting back all of it.

- The proposed front elevation would be an incongruous, convoluted design, based on economic preferences rather than sound design principles.

- The Application does not remedy the fundamental problem with the two buildings in that they are to remain 1.2 metres closer to the road than the original approval allowed.

- The proposals within the application would still have a negative affect on the street scene.

- The proposed minor amendments will not sufficiently reduce the overbearing impact on the adjacent property Kohanka.

This latest application proposes a front elevation almost identical to the one in the refused application reference 14/00817/f (September 2014) which was described by the Officer in a proposed report to the Planning Committee as follows:

'The proposal by virtue of its contrived design does not respect the character and scale of the existing building as well as the surrounding built form and is therefore considered to introduce an incongruous feature into the street scene which is unsympathetic and harmful to the character and appearance of the area. The proposal is therefore contrary to the provisions of Policies C28 and C30 of the adopted Cherwell Local Plan, Policy ESD 16 of the Proposed Submission Local Plan and Government guidance contained within the National Planning Policy Framework.'

In terms of principles and good practice, the Parish Council believes that allowing developers to ignore the findings of Her Majesty's Planning Inspectorate with the support of Planning Officers makes a mockery of the Planning and Appeal processes and damages the credibility of CDC.

- Representation from local resident via local Member
Each time a planning application has been submitted for Rosemary Cottage I have been quick to respond with my comments online via the CDC planning section on the website.

For some reason my comments on the latest planning application have not been registered and I assume must be lost somewhere in the ether since our new high speed broadband arrived in Fringford.

Basically I object to the latest application as I have for all previous applications, in that it does not solve the problem of the house being built too far forward of the approved plan and I see very little benefit or difference, if any, in application 13/00718/F.

Agenda Item 20

APPLICATION WITHDRAWN