

Committee: Planning Committee
Date: Thursday 28 January 2010
Time: 4.00 pm
Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Fred Blackwell
(Chairman)
Councillor Ken Attack
Councillor Maurice Billington
Councillor Colin Clarke
Councillor Mrs Catherine
Fulljames
Councillor Michael Gibbard
Councillor Eric Heath

Councillor Rose Stratford (Vice-Chairman)
Councillor Alastair Milne
Home
Councillor David Hughes
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Leslie F Sibley
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor John Wyse

Substitutes

Councillor Luke Annaly, Councillor Rick Atkinson,
Councillor Nick Cotter, Councillor Mrs Diana Edwards,
Councillor Andrew Fulljames, Councillor Timothy
Hallchurch MBE, Councillor Russell Hurle, Councillor
Kieron Mallon, Councillor P A O'Sullivan, Councillor George
Parish, Councillor Nicholas Turner and Councillor Barry
Wood

AGENDA

- 1. Apologies for Absence and Notification of Substitute Members**
- 2. Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. Minutes (Pages 1 - 12)

To confirm as a correct record the Minutes of the meeting of the Committee held on 10 December 2009.

Planning Applications

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|-----|--|---------------------|
| 6. | Land Parcel, 2783 Main Street, Great Bourton (Pages 15 - 21) | 09/01299/F |
| 7. | Church End, Church Street, Somerton (Pages 22 - 28) | 09/01411/F |
| 8. | Church End, Church Street, Somerton (Pages 29 - 35) | 09/01412/LB |
| 9. | 10 Strawberry Terrace, Bloxham, Banbury, Oxfordshire, OX15 4PA (Pages 36 - 41) | 09/01522/F |
| 10. | Holly Close, Main Street, Sibford Gower (Pages 42 - 55) | 09/01586/F |
| 11. | Land at Colne Close, Bicester (Pages 56 - 60) | 09/01739/CDC |
| 12. | Verge To Front of 2 to 12 Braithwaite Close, Banbury, Oxfordshire, OX16 0WN (Pages 61 - 65) | 09/01740/CDC |

Information and Other Reports

13. **Request for a variation of the S106 Agreement relating to the proposed development at South West Bicester - Application 06/00967/OUT** (Pages 66 - 85)

Report of Head of Development Control and Major Developments

Summary

To enable Members to consider a request to vary the S106 Agreement in relation to the development at South West Bicester and determine whether or not to accept the variation of the Agreement.

Recommendations

The Planning Committee is recommended to:

- (1) Agree the variation of the S106 Agreement in accordance with the attached schedule of Heads of Terms.

Tree Preservation Orders

14. Tree Preservation Order (No 12) 2009 Lime Tree at 14 Main Street, Mixbury (Pages 86 - 88)

Report of Development Control and Major Developments

Summary

To seek the confirmation of an unopposed Tree Preservation Order relating to a Lime Tree at 14 Main Street, Mixbury (copy plan attached as Annex 1)
Tree Preservation Order No. (12/2009).

Recommendation

The Planning Committee is recommended to:

- (1) Confirm the Order without modification.

Enforcement Action

15. Quarterly Enforcement Report (Pages 89 - 108)

Report of Head of Development Control and Major Developments

Summary

To inform and update Members of the progress of outstanding formal enforcement cases and to inform Members of various caseload statistics.

Recommendation

The Planning Committee is recommended to:

- (1) Accept this report.

Review and Monitoring Reports

16. Decisions Subject to Various Requirements (Pages 109 - 111)

Report of Head of Development Control and Major Developments

Summary

This report aims to keep members informed upon applications which they have authorised decisions upon to various requirements which must be complied with prior to the issue of decisions.

An update on any changes since the preparation of the report will be given at the meeting.

Recommendation

The Planning Committee is recommended to:

- (1) Accept the position statement.

17. Appeals Progress Report (Pages 112 - 114)

Report of the Head of Development Control and Major Developments

Summary

This report aims to keep members informed upon applications which have been determined by the Council, where new appeals have been lodged, Public Inquiries/hearings scheduled or appeal results achieved.

Recommendation

The Planning Committee is recommended to:

- (1) Accept the position statement.

18. Exclusion of Public and Press

The following report contains exempt information as defined in the following paragraph of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A (4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

19. Bodicote Park

Joint Report of Head of Development Control and Major Developments and Head of Legal and Democratic Services

**** Exempt report will be circulated under separate cover to Committee Members ****

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221587 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Queries Regarding this Agenda

Please contact Alexa Coates, Legal and Democratic Services alexa.coates@cherwell-dc.gov.uk (01295) 221591

Mary Harpley
Chief Executive

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