

Committee: Planning Committee
Date: Thursday 20 November 2008
Time: 4.00 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Fred Blackwell (Chairman)	Councillor Mrs Catherine Fulljames (Vice-Chairman)	
Councillor Ken Atack	Councillor Alastair Milne Home	Councillor Leslie F Sibley
Councillor Maurice Billington	Councillor David Hughes	Councillor Chris Smithson
Councillor Colin Clarke	Councillor James Macnamara	Councillor Lawrie Stratford
Councillor Diana Edwards	Councillor Christopher Pack	Councillor Rose Stratford
Councillor Michael Gibbard	Councillor D M Pickford	
Councillor Eric Heath	Councillor G A Reynolds	

Substitutes

Councillor Luke Annaly, Councillor Rick Atkinson, Councillor Margaret Cullip, Councillor Andrew Fulljames, Councillor Timothy Hallchurch MBE, Councillor P A O'Sullivan, Councillor George Parish, Councillor Trevor Stevens, Councillor Carol Steward, Councillor Nick Turner, Councillor Barry Wood and Councillor John Wyse

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 - 8)

To confirm as a correct record the Minutes of the meeting of the Committee held on 30 October 2008.

Planning Applications

6. **Land at Tramway Road Banbury** (Pages 11 - 17)

Site: Land at Tramway Road, Banbury	Application: 08/01897/F	Ward: Banbury Grimsbury and Castle
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7. **Ardley composting Site, Ashgrove Farm** (Pages 18 - 23)

Site: Ardley composting Site, Ashgrove Farm, Middleton Stoney Road	Application: 08/02113/CM	Ward: Caversfield
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8. **Campsfield House, Kidlington** (Pages 24 - 33)

Site: Campsfield House, Langford Lane, Kidlington	Application: 08/01942/F	Ward: Kidlington North
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Review and Monitoring Reports

9. **Decisions Subject to Various Requirements - Progress Report** (Pages 34 - 35)

Joint report of the Head of Development Control and Major Developments and the Head of Legal and Democratic Services.

Summary:

This is a standard report item the aim of which is to keep Members informed upon applications which they have authorised decisions upon subject to various requirements which must be complied with prior to the issue of decisions. A verbal update on any changes since the preparation of the report will be given.

Recommendation:

The Committee is recommended to accept this position statement.

10. **Appeals - Progress Report** (Pages 36 - 38)

Summary

This is a standard report item, the aim of which is 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 received. A verbal update on any changes since the preparation of the report will be given.

Recommendation

It is **RECOMMENDED** that the Committee resolves to accept this position statement.

11. Prosecution Proceedings - Progress Report (Pages 39 - 40)

Summary

This is a standard report item the purpose of which is to keep Members informed of progress upon authorised enforcement action and prosecution proceedings against unauthorised developments. A verbal update will be given on any changes in situation since the preparation of the report.

Recommendation

It is **RECOMMENDED** that the Committee resolves to accept this position statement.

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 Part 5 Section A of 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

Published on Wednesday 12 November 2008

Planning – 30 October 2008

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, on 30 October 2008 at 4.00 pm.

Present: Councillor Fred Blackwell (Chairman)

Councillor Ken Atack
Councillor Maurice Billington
Councillor Colin Clarke
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor James Macnamara
Councillor Alastair Milne Home
Councillor George Parish
Councillor Debbie Pickford
Councillor George Reynolds
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Mrs Rose Stratford

Substitute

Members: Councillor Andrew Fulljames substituted for Councillor L Stratford, Councillor Parish substituted for Councillor Sibley and Councillor Stevens substituted for Councillor Gibbard.

Apologies for absence were received from Councillors Edwards, Heath, Hughes and Pack.

Officers: Jameson Bridgwater (Head of Development Control and Major Developments)
Bob Duxbury (Development Control Team Leader)
Nigel Bell (Assistant Solicitor)
Paul Manning (Assistant Solicitor)
Alexa Coates (Democratic and Scrutiny Officer)
Theresa Goss (Democratic Officer)
Simon Dean (Planning Trainee)

P.69

Declarations of Interest

Councillors Miss Debbie Pickford and Mrs Rose Stratford indicated that as Members of Bicester Town Council they had been involved in the consideration of applications on the agenda for the meeting.

Councillors Colin Clarke, Alastair Milne Home, George Parish and Chris Smithson made similar declarations in respect of Banbury Town Council (Councillor Milne Home was a Member of the Banbury Town Council's Planning Committee).

All of the aforementioned Members declared that they would form judgements on the appropriate applications on the basis of the evidence presented at the meeting and that judgement might differ from any views they had expressed at the meetings of the Town and Parish Councils which had been based on the evidence available at that time.

P.70 **Minutes**

The Minutes of the meeting of the Committee held on 9 October 2008 were approved as a correct record.

P.71 **Additional Items and Petitions**

The Chairman outlined that there were no additional items or petitions.

Planning Applications

P.72 **Begbroke Science Park - Access Road and Land Including Part of OS0004 and OS0028 Adjacent to Woodstock Road** **08/00899/F**

The Committee considered a report from the Head of Development Control and Major Developments for the widening and southern extension of access road including public highway junctions alterations and associated works at Begbrooke Science Park.

The proposal involved the widening of the existing access driveway from the complex to Sandy Lane and the construction of an entirely new section (about 600 metres) of roadway to the east of Broadfield Road and Ryder Close and to the south of Gravel Pits Lane. It was proposed to be a two way single carriageway road with associated landscaping of hedgerows and tree planting. It would cross Sandy Lane as a simple crossroads and would terminate at Woodstock Road as a traffic light controlled junction. The application had been accompanied by a design and access statement, a transport assessment, a flood risk assessment (both the latter of which has been supplemented by additional information) and a planning statement.

Following consideration of the Officers' report, written update and presentation, the Committee were of the opinion that the application should be refused, in line with the officer's recommendation.

Resolved that application 08/00899/F be refused for the following reason:

The proposed roadway significantly increased the detrimental impact upon the openness and visual amenity of the Oxford Green Belt over that associated with the previously proposed roadway. Therefore, it was contrary to Policies G2 and G4 of the Oxfordshire Structure Plan 2016, saved Policy GB1 of the adopted Cherwell Local Plan and Policies GB1 and GB6 of the Council's Non-Statutory Cherwell Local Plan 2011.

P.73 **Sapa Profiles UK Southam Road, Banbury** **08/01987/F**

The Committee considered a report from the Head of Development Control and Major Developments for the change of use of the existing rolling mill building from Class B2 (general industrial) to flexible uses, use Class B2 (general industrial) and/or Class B8 (warehousing or distribution) at Sapa profiles UK Southam Road, Banbury.

The application site was located at the northern end of the town and had an area of 12.65 hectares. The site was currently occupied by Sapa Profiles, which would close its operations on the site at the end of 2008. The site lay adjacent to

the A423 route between Banbury and Southam and had an established B2 employment use.

The Head of Development Control and Major Developments felt that the application should be approved because the application was in accordance with the development plan. The development was considered to be acceptable on its planning merits as the proposal sought to ensure the economic continuation and reuse of the buildings. As such the proposal was in accordance with Policy E1 of the Oxfordshire Structure Plan 2016 and the Council's informal development guidance for the site.

Following consideration of the Officers' report, written update and presentation, the Committee were of the opinion that the application should be approved, in line with the officer's recommendation.

Resolved that application 08/01987/F be approved subject to the following conditions:

- 1 the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site, and in particular the northern boundary to Noral Way and the southern boundary adjacent to the Oxford canal which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) 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, 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 Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 3 all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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 Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

- 4 a Green Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the planning process to secure travel plans", shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies G1 and T1 of the Oxfordshire Structure Plan 2016.

- 5 the parking and servicing areas shall be kept free of obstructions at all times and used only for the specified purpose.

Reason - In the interests of highway safety, to ensure a proper standard of development and to comply with Government advice in PPG13: Transport and Policy T8 of the Oxfordshire Structure Plan 2016.

- 6 no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan.

- 7 the existing rolling mill building, office building, gates and gatehouse shall not be structurally altered in any way without the prior consent of the LPA

Reason - To safeguard the preservation and retention of the 'Planning and the Historic Environment', Policy EN4 of the Oxfordshire Structure Plan and Policy C18 of the adopted Cherwell Local Plan.

- 8 the premises shall be used only for purposes falling within Class B2/B8 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.

Reason - In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises in accordance with Policy G2 of the Oxfordshire Structure Plan 2016 and Policies C28 and C31 of the adopted Cherwell Local Plan.

9. the existing listed art-deco office building shall be retained as ancillary office accommodation in connection with the use/occupation of the remainder of the site for B2/B8 purposes and shall remain unaltered unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of highway safety and to comply with Government advice contained in PPG13: Transport and Policy T8 of the Oxfordshire Structure Plan 2016.

10. prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies G1 and T1 of the Oxfordshire Structure Plan 2016.

11. prior to the first occupation of the development hereby permitted and in conjunction with the Green travel Plan, shower facilities shall be provided for use by employees within the building in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies G1 and T1 of the Oxfordshire Structure Plan 2016.

P.74

60A Foxdown Close, Kidlington

08/01925/LB

The Committee considered a report from the Head of Development Control and Major Developments for a pedestrian access at 60A Foxdown Close, Kidlington, Oxon.

The site comprised former stone barns which were currently undergoing a conversion and an extension to create an independent dwelling and were located between the houses in the residential cul-de-sac Foxdown Close and to the rear of the High Street. The principle access to the site was from Foxdown Close and there was also an access which served this site from between 95 and 101 High Street, the continued and type of use of this access was the subject of this application.

This proposal sought to construct a natural stone wall to a height of 1.9m, with a timber lintel and rounded coping, bringing the total height to just over 2m, at its highest point. A timber framed pedestrian gate was proposed to be installed in the wall.

The Head of Development Control and Major Developments felt that the application should be approved because the application was in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Government advice contained within PPG15 and the development plan. The development was considered to be acceptable on its merits as the proposal preserved the character and appearance of the listed wall. As such, the proposal was in accordance with Policy EN4 of the Oxfordshire Structure Plan 2016 and Policy C18 of the adopted Cherwell Local Plan.

Following consideration of the Officers' report, written update and presentation, the Committee were of the opinion that the application should be approved, in line with the officer's recommendation.

Resolved that application 08/01925/LB be approved subject to the following conditions:

1. the works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. lime mortar shall be used in the construction and/or repointing of the natural stone wall.

Reason - To ensure appropriate materials are used which preserve the listed building and to comply with Policy EN4 of the Oxfordshire Structure Plan and Policy C18 of the adopted Cherwell Local Plan.

3. full design details of the pedestrian gate, at a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Government advice in PPG15: Planning and the Historic Environment, Policy EN4 of the Oxfordshire Structure Plan 2016 and Policy C18 of the adopted Cherwell Local Plan.

4. the wall shall be constructed in natural weathered limestone which shall be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1metre square in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority prior to the construction of the development hereby permitted.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and/or on the adjoining building and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

P.75

60A Foxdown Close, Kidlington

08/01824/F

The Committee considered a report from the Head of Development Control and Major Developments for a pedestrian access gate within stone wall at 60A Foxdown Close, Kidlington, Oxon.

The site comprised former stone barns which were currently undergoing a conversion and an extension to create an independent dwelling and were located between the houses in the residential cul-de-sac Foxdown Close and to the rear of the High Street. The principle access to the site was from Foxdown Close and there was also an access which served this site from between 95 and 101 High Street, the continued and type of use of this access was the subject of this application.

This proposal sought to construct a natural stone wall to a height of 1.9m, with a timber lintel and rounded coping, bringing the total height to just over 2m, at its highest point. A timber framed pedestrian gate was proposed to be installed in the wall

The Head of Development Control and Major Developments felt that the application should be approved because the application was in accordance with the development plan. The development was considered to be acceptable on its planning merits as the proposal was not considered to detrimentally impact highway safety, the character and appearance of the Conservation Area nor setting of the nearby Grade II listed outbuildings. As such, the proposal was in accordance with PPG 13: Transport, PPG 15: Planning and the Historic Environment, Policies G2, T8 and EN4 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

Following consideration of the Officers' report, written update and presentation, the Committee were of the opinion that the application should be approved, in line with the officer's recommendation.

Resolved that application 08/01824/F be approved subject to the following condition:

1. the natural stone wall and pedestrian gate shall be constructed within 3 months from the date of this permission. No other means of access whatsoever shall be formed or used between the site and the highway other than via Foxdown Close as indicated on the plans approved under reference no. 00/02458/F.

Reason - In the interests of highway safety, and to comply with Government advice contained in PPG 13: Transport and Policy T8 of the Oxfordshire Structure Plan 2016.

P.76 **Completion of the S106 Agreement for Land at Bankside Banbury- Progress Report**

The Committee considered a report from the Head of Development Control and Major Developments on the completion of the S106 Agreement for Land at Bankside, Banbury.

Since the last report was submitted to the Committee on 17 July 2008, the section 106 agreement had been completed and was ready for engrossment along with a complete set of planning conditions. This was currently with Oxfordshire County Council's legal department and would take some time, as would the sealing exercise, due to the number of parties to the agreement.

Resolved that the report be noted.

Review and Monitoring Reports

P.77 **Decisions Subject to Various Requirements – Progress Report**

The Committee considered a report from the Head of Development Control and Major Developments on the applications which they had authorised decisions upon, subject to various requirements which must be complied with, prior to the issue of decisions.

The Committee were also advised that the section 106 agreement for Bicester Town Centre was currently with the developers for comment.

Resolved that the position statement be noted.

P.78 **Appeals – Progress Report**

The Committee considered a report from the Head of Development Control and Major Developments on applications which had been determined by the Council, where new appeals had been lodged, public inquiries/hearings had been scheduled or appeal results received.

The Committee were advised that although the appeal by Mr D Williamson against the refusal of application 07/02134/F for retrospective solar panels at Manor Cottage, Mill Road, Stratton Audley (delegated), was dismissed by the inspector, the Council would not take enforcement action as the development was now a permitted development.

Resolved that the position statement be noted.

P.79 **Exclusion of the Public and Press**

Resolved

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 the following paragraph of Schedule 12A of that Act

Paragraph 7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

PART II: MATTERS CONTAINING EXEMPT INFORMATION

EXEMPT

P.80 **Prosecution Proceedings – Progress Report**

(Exempt by virtue of paragraph 7)

The Committee considered a joint report from the Head of Development Control and Major Developments and the Head of Legal and Democratic Services indicating the present position in respect of outstanding prosecution proceedings.

Resolved that the position statement be noted.

The meeting ended at 5:10pm

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

20 November 2008

PLANNING APPLICATIONS INDEX

The Officer's recommendations are given at the end of the report on each application.

Members should get in touch with staff as soon as possible after receiving this agenda if they wish to have any further information on the applications.

Any responses to consultations, or information which has been received after the application report was finalised, will be reported at the meeting.

The individual reports normally only refer to the main topic policies in the Cherwell Local Plan that are appropriate to the proposal. However, there may be other policies in the Development Plan, or the Local Plan, or other national and local planning guidance that are material to the proposal but are not specifically referred to.

The reports also only include a summary of the planning issues received in consultee representations and statements submitted on an application. Full copies of the comments received are available for inspection by Members in advance of the meeting.

Legal, Health and Safety, Crime and Disorder, Sustainability and Equalities Implications

Any relevant matters pertaining to the specific applications are as set out in the individual reports.

Human Rights Implications

The recommendations in the reports may, if accepted, affect the human rights of individuals under Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. However, in all the circumstances relating to the development proposals, it is concluded that the recommendations are in accordance with the law and are necessary in a democratic society for the protection of the rights and freedom of others and are also necessary to control the use of property in the interest of the public.

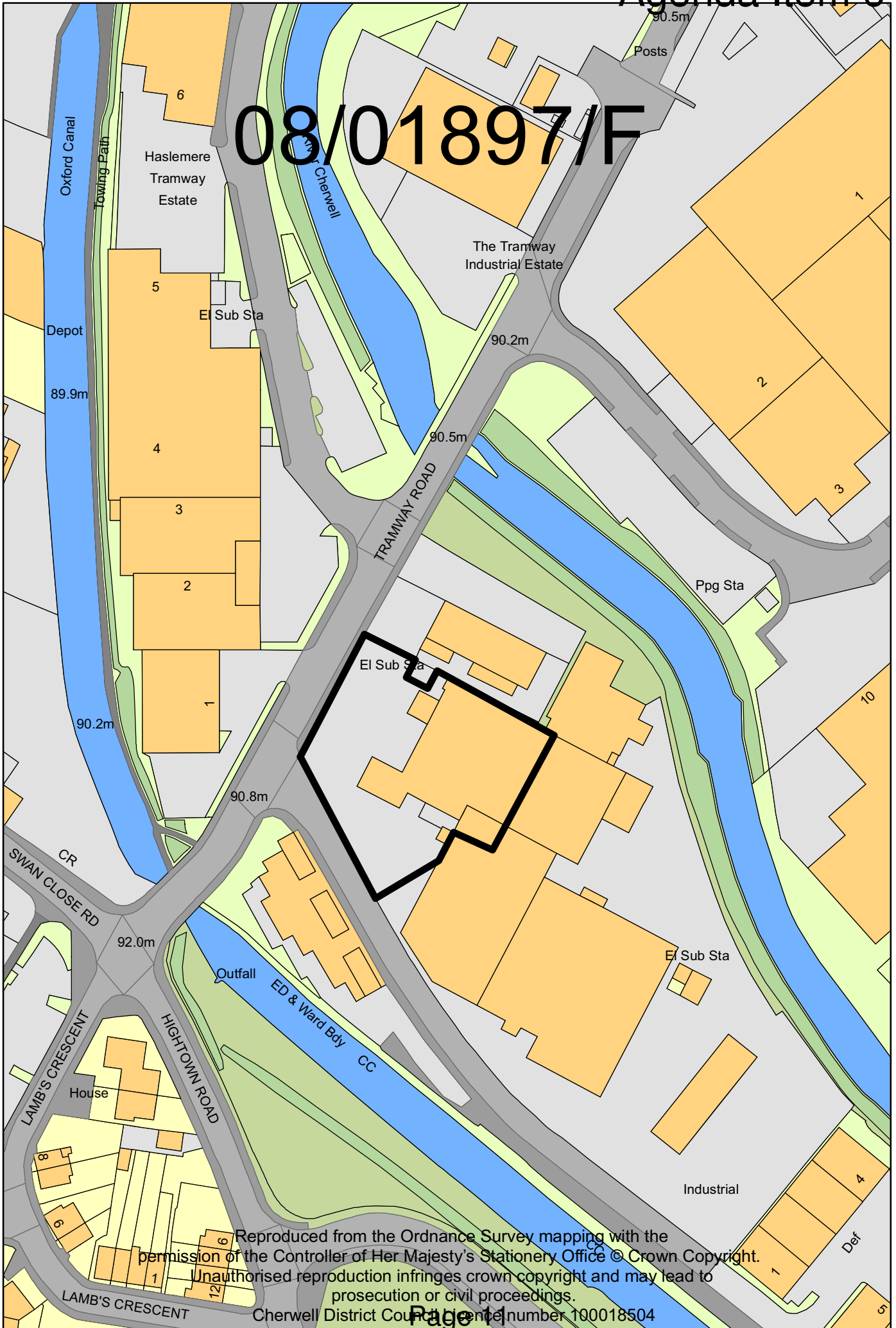
Background Papers

For each of the applications listed are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; representations made by bodies or persons consulted on the application; any submissions supporting or objecting to the application; any decision notices or letters containing previous planning decisions relating to the application site.

Applications

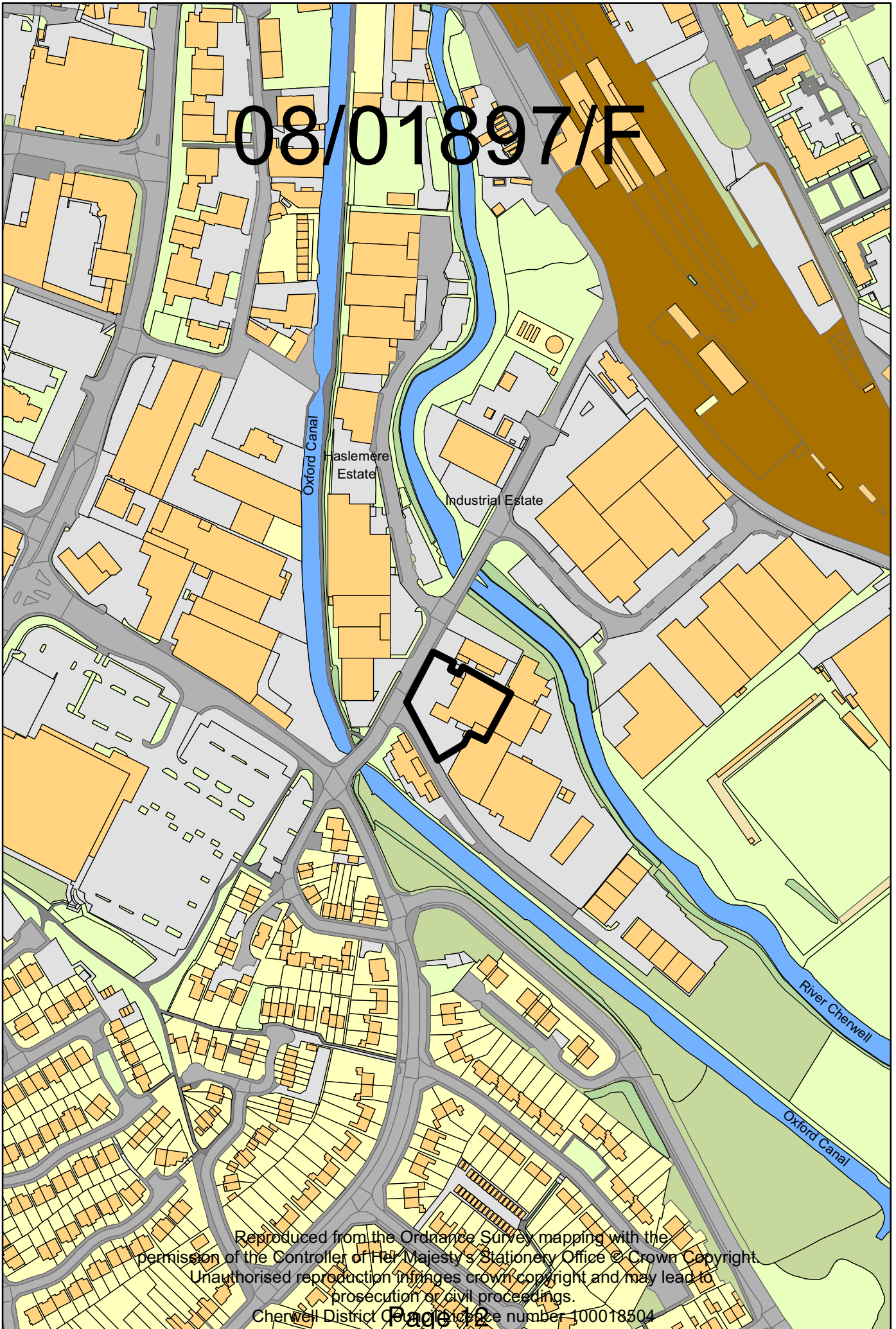
	Site	Application No.	Ward	Recommendation	Contact Officer
6	Land at Tramway Road, Banbury	08/01897/F	Banbury: Grimsbury and Castle	Approval	Caroline Roche
7	Ardley composting Site, Ashgrove Farm, Middleton Stoney Road, Ardley, Oxon, OX27 7PJ.	08/02113/CM	Caversfield	No Objections	Bob Duxbury
8	Campsfield House, Langford Lane, Kidlington	08/01942/F	Kidlington North	Approval	Bob Duxbury

08/01897/F



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08/01897/F



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Application No: 08/01897/F **Ward:** Banbury Grimsbury and Castle **Date Valid:** 03/09/08

Applicant: Minns Estates Ltd

Site Address: Land at Tramway Road, Banbury

Proposal: Erection of 1 no. building for class B1 office development with associated access and car and cycle parking (amendments to 07/02639/F)

1. Site Description and Proposal

This application site is located on the corner of Tramway Road on a parcel of land between the canal and river. The site was occupied by a former industrial building which has been recently demolished. The site has a frontage on to the main aspect of Tramway Road and also a road frontage onto a spur of Tramway Road. To the south west of the site is a three storey office building whilst to the south east of the site is a further industrial building. This adjoining building has outline consent for B1 offices. To the north east of the site is a building occupied by Britannia Joinery.

The applicant has previously received full planning permission for the erection of a building for use as B1 offices (07/02639/F). The applicant has requested amendments to the approved scheme. Some of these amendments have been approved as minor amendments and others are more significant and form part of the consideration of this application. The minor amendments which have been previously agreed include the reduction in the north wing by 600mm and the south wing by 1200mm, the inclusion of ventilation and comfort cooling grilles, the removal of the Brise Soleil, the installation of a bat roost and the inclusion of a circle slide door and atrium. The amendments that require formal approval and are part of this application are the insertion of 16 velux roof lights, solar panels, amendments to the car parking arrangements and the utilisation of the roof space for further office accommodation.

2. Application Publicity

The application has been advertised by way of a site notice, press notice and neighbour notification letters. The end of the consultation period was 9 October 2008.

No third party representations have been received.

3. Consultations

Banbury Town Council raises no objections.

The Local Highway Authority raises no objection subject to an increase in BITLUS contribution and conditions.

The Environment Agency raises no objections to the development and requires that similar conditions are used to those included on the previous consent.

Natural England has no objections to the proposal.

Thames Valley Police made the following comments; it is intended to have 1.8 metre brick wall on three sides of the application site. On the fourth side, the main entrance, facilities

will be laid for external CCTV. I recommend this CCTV system is installed at the earliest opportunity as a deterrent. Although levels of crime on this estate are relatively low, there have been two break-ins to vehicles nearby during daylight hours this year. There has also been one burglary at premises on the estate this year.

The Rights of Way Field Officer raises no objections as the proposal will have no significant impact on the footpath.

The Head of Planning and Affordable Housing - Policy raises no objections. The comments are as per the original application and included the fact that the site lies within the Banbury Regeneration Area as designated by Policy S5 of the Non-Statutory Cherwell Local Plan 2011 (NSCLP). The policy does support the introduction of a wider range of employment uses as part of a mixed use environment. The construction of B1 office space would be in keeping with the general terms of the policy.

The Council's Contaminated Land Consultant has stated that there are no contaminated land implications for this proposed development.

The Council's Principal Engineer raises no objections.

Thames Water raises no objections subject to the inclusion of informatives.

British Waterways raises no objection to the development but asks for a proportionate and reasonable contribution to be made for the improvement of the Oxford Canal area. This could be signage, or local towpath improvement.

4. Relevant Planning Policies

Oxfordshire Structure Plan 2016	- Saved Policies	G1, G2, G3, E1, E3 and T8
Adopted Cherwell Local Plan 1996	- Saved Policies	C28

5. Appraisal

The principle of the development has already been established therefore it is only necessary to consider the implications of the amendments to the scheme. The intention to use the roof space for further office accommodation will increase the internal floor space from 2090 square metres to 2361 square metres.

The insertion of the roof lights is a result of utilising the roof space for further office accommodation. The roof lights themselves are relatively small in comparison with the scale of the building. They are evenly spaced along the front and rear elevations and do not look out of character on such a building. Given the location of the building within an industrial area they will not have an adverse impact on privacy.

The proposed solar panels are on the front elevation which faces south west. This is the most appropriate position in terms of effectiveness and as with the roof lights they do not look out of place on a building of this scale or nature.

The car parking arrangement is remaining largely similar to that approved in 2007. However there is a reduction in the number of parking spaces by 2. Whilst this does not have a significant impact in itself the fact that the intention is to utilise the roof space for further office accommodation may raise issues. However the Local Highway Authority are

satisfied that in this central location and with the inclusion of a condition requiring a travel plan there will be no detriment caused to highway safety. Furthermore the S106 agreement relating to the previous application is being amended to increase the BITLUS contributions.

With regard to British Waterways' request, there is no functional relationship between the site and the canal and no provision was made in the original application.

The amendments to the scheme are considered to be acceptable and do not result in any concerns over the principle of the development which has already been established. The proposal complies with the policies set out. Therefore the application is recommended for approval subject to the conditions set out below. These conditions cover all those previously imposed as this consent will technically replace the previous approval.

6. Recommendation

Approval subject to

- (i) an amendment to the existing S106 agreement
- (ii) the following conditions
 1. SC 1.4A
 2. That the following materials will be used in the construction of the development hereby approved, as agreed through the discharge of Condition 2 of 07/02639/F, unless otherwise agreed in writing by the Local Planning;
 - a. Ibstock brick, Berkshire Orange/Parham Red Blend for the external walls
 - b. Powder coated aluminium RAL 7024 for the windows and curtain walling
 - c. Bath wet cast fine etch masonry for the portico and curtain walling
 - d. Marley Edgemere Eternite Thrutone Slate for the roof
 - e. Marshalls Tegular Concrete Sett Paving for the external surfaces.
 - f. Tarmac with granite setts on the car park.
 - RC4
 3. That the finished floor levels of the building, shall be built in accordance with plan no. 100 'Site Layout' which shows the floor levels in relation to the existing ground levels on site which was submitted to the Local Planning Authority 29 October 2008 with the agents email dated 29 October 2008. (RC7)
 4. That the landscaping of the site be carried out in accordance with drawing nos. 002A 'External Works Construction Details' and 004A 'Proposed Planting Plan' as received by the Local Planning Authority on 13 October 2008 with the agents letter dated 10 October 2008.(RC10)
 5. SC 3.1 (RC10)
 6. SC 4.0AA (RC13B) 'construction' 'building'
 7. SC 4.13CC (RC13B)
 8. SC 4.14D (RC66)
 9. SC 8.13 (RC80)
 10. SC 8.14 (RC81)
 11. That the building shall be used only as offices falling within Class B1 (a) of the Town and Country Planning (Use Classes) Order 1987 (as amended 2006) and for no other purposes whatsoever including any other use falling within Class B1. Reason: In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises in accordance with Policy G2 of the Oxfordshire Structure Plan 2016.
 12. The cycle parking provision hereby approved shall be provided on site prior to the first use of the development hereby permitted and shall thereafter be retained and

maintained for the parking of cycles in connection with the development. Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies G1 and T1 of the Oxfordshire Structure Plan 2016.

13. That full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved enclosures shall be erected prior to the building first being brought into use. Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

PLANNING NOTES

1. A Landfill Gas Risk Assessment has been undertaken which highlighted elevated levels of Methane. A protective gas barrier should be installed to mitigate the effects of pollution arising from ground gas exposure. This should be covered as part of the remediation process. Further rounds of gas monitoring should be carried out and the Environment Agency asks to be consulted on these details.
2. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or redevelopment to a surface watercourse. Contact Graham Tanner on 01491 828334 for further details.
3. Any further visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present.

Roof water down pipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

Prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas, roads and hard standing shall be passed through sealed trapped gullies to BS. 5911:1982' with an overall capacity compatible with the site being drained.

All sewerage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. Such areas should be connected to the foul sewer subject to the approval of Thames Water Utilities or its sewerage agent.

4. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. There is a Thames Water main crossing the development site which may/will need

to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water developer Services on the above number for further information.

6. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 01635 268881.

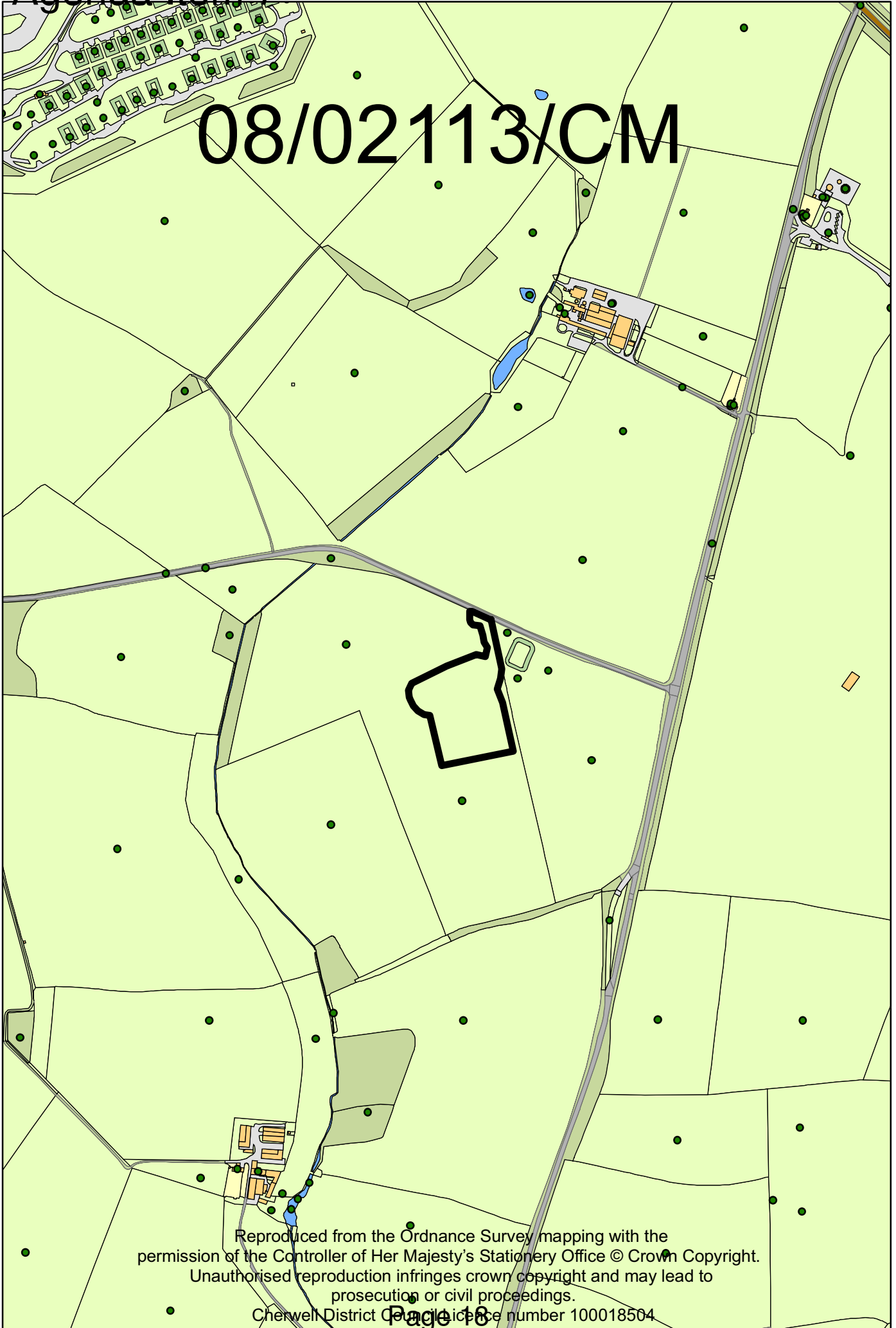
SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal pays proper regard to the character and appearance of the site and surrounding area and has no undue adverse impact upon the amenities of any neighbouring properties or highway safety. As such the proposal is in accordance with Policies G1, G2, G3, E1, E3 and T8 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONTACT OFFICER: Caroline Roche

TELEPHONE NO: 01295 221816

08/02113/CM



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A map showing a large area outlined in black, with a road and a building complex nearby. The map is oriented with a road running diagonally from the top right to the bottom left. A large, irregularly shaped area is outlined in black in the lower-middle section. To the right of this area is a road, and further right is a building complex with several orange-colored structures. A blue water feature is visible near the top right. The background is light green with various lines representing boundaries and roads.

08/02113/CM

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Application No: 08/02113/CM Ward: Caversfield

Date Valid: 26.09.08

Applicant: Agrivert Limited

Site Address: Ardley composting Site, Ashgrove Farm, Middleton Stoney Road, Ardley, Oxon, OX27 7PJ.

Proposal: Erection and operation of an In-Vessel composting centre, comprising of weighbridge, reception building, composting tunnels, office/welfare facility, bio-filter and maturation pad.

1. Site Description and Proposal

This application relates to 1.9 hectares of land on the south side of the Upper Heyford Road approximately 350 metres west of its junction with the B430 Ardley to Middleton Stoney Road, and adjacent (west) of the above grand grass covered reservoir. The nearest residential properties are Ashgrove Farm (600 metres to the north) and Manor Farm (800 metres to the south). Part of the site (1 hectare) is currently operated by the applicants as an open-air composting facility set up approximately 1 year ago. The site presently processes green waste collected from residential properties.

The proposal seeks to expand the existing facility from its current licensed maximum throughput of 12,000 tonnes per annum to 35,000 tonnes per annum of biodegradable organic waste. This would be sourced from Cherwell District Council and Oxford City Council household collections plus commercial and industrial sources. The applicant is the provisionally successful bidder for a 20 year contract for such services from Oxfordshire County Council.

The facility would consist of:

1. A reception building to receive incoming waste measuring 27m x 30m x 10m high. It would be a steel framed building with profiled metal cladding above a concrete lower wall section.
2. Site office and welfare building – prefabricated measuring 12m x 3.6m x 2.4m high.
3. A bio filter (13m x 10m x 3m high) containing bark and woodchip. This would facilitate and clean air extracted from the reception building.
4. A workshop building (6m x 2.7m x 2.3m high) and ancillary storage.
5. 10 composting tunnels each 30m x 6.8m with 2.2m high concrete walls with a pitched opening roof above (maximum height 6.5 metres high).
6. 2,700m² maturation pad when compost is matured in open piles.
7. External lighting will be required to allow safe working during working hours.

The material, arriving by refuse collection vehicles is received in the reception building where it is screened for contamination and shredded. It is then moved to the composting tunnels. After 2-3 weeks it is then transferred to another set of tunnels (allowing re-blending and aeration). After a further 2-3 weeks the batch is then moved to maturation pad for a final 8-10 weeks being turned weekly. The end product will be sold loose and bagged.

At maximum capacity the site will receive 15 refuse collection vehicles per day (286 days per year). The majority of the product the majority of the material produced is intended to go to Ashgrove Farm and other local farms. It is anticipated that approximately 3 vehicles per day would remove more bulk loads of material (landscape gardeners for example) and bagged product is estimated as no more than 40 vehicles per annum. The existing facility has approximately 12 hours per day using it.

2. Application Publicity

Oxfordshire County Council are responsible – Cherwell District Council is a consultee.

3. Consultations

Oxfordshire County Council are responsible – Cherwell District Council is a consultee.

4. Relevant Planning Policies

Oxfordshire Structure Plan 2016	-	Policies	Policy WM2 has <u>not</u> been saved. Policy G5 and EN1 relevant
Oxfordshire Waste and Minerals Local Plan	-	Policies	Policy W4 provides that recycling proposals will not normally be allowed in open countryside unless overriding need and or other suitable sites. Policy W3 criteria based policy for assessing proposals for recycling including location, highways impact, nuisance impacts to amenity; histology.
Adopted Cherwell Local Plan 1996	-	Saved Policies	Policies C7, C8, C28, ENV1 and ENV7
Non-Statutory Cherwell Local Plan 2011	-	Policies	Policies EN1, EN3, EN5, EN6, EN12, EN30, EN34 and D12.

5. Appraisal

This is a county matter application where the Council is a consultee. As such Oxfordshire County Council is best placed to assess the need for this facility in this location and the locational attributes of the proposal to serve the markets to be met. The application is accompanied by a letter from this Council's Head of Environmental Services in which it is stated:

“Ardley is a central point for Cherwell. Good road access from the 3 major population centres (Banbury, Bicester and Kidlington) makes the location of a composting site at Ardley very beneficial for Cherwell. When the current site opened for garden waste collections we were able to significantly reduce the number of miles our garden waste crews traveled. The current site works well and services our needs. For a single future processing plant a location in the Ardley vicinity would fit Cherwell's future needs”.

The County Council is also best placed to assess the highway impact of the proposal. The application indicates a 50% grant in traffic to the site, but still amounts to only 18 vehicles per day (36 movements) some of the extra will be diverted from vehicles going to current landfill sites (including Ardley). It is indicated that most HGV movements will take place between 1000 and 1430, along the B430, with most approaching/leaving to the north through Ardley but some will travel southwards through Middleton Stoney (and Weston on the Green). The Head of Development Control and Major Developments does not consider that the increased number of vehicles will cause undue harm to the amenity of residents who live alongside these access routes.

The remainder of this report therefore addresses the amenity impacts of the proposal i.e. noise nuisance; impact on air quality; landscape and visual impact; hydrology impact; archaeology; vermin/birds and litter.

Noise

Noise will emanate from the site from the shredder and from the movement of vehicles within the site. The shredder will be within the reception building. The nearest residential properties are a minimum of 600 metres from the site. This distance should ensure that noise nuisance is not experienced. An update of comments from the Council's Anti-Social Behaviour Manager will be given at Committee.

Air Quality

Dust is a potential problem of any waste operation. The County Council are well versed in techniques that can be controlled by conditions to minimize (the existing consent already contains a condition regarding the dowsing of the external composting piles.

The potential of odour nuisance is raised given the intention to deal with biodegradable organic waste (this could include food waste). The reception building is designed to contain initial smells and is proposed to be equipped with a mechanical ventilation system with filters. The composting tunnels with their roofs are designed to minimize odour nuisance. They propose a complaints response system to enable rapid reaction to complaints. Again an update from the Anti-Social Behaviour Manager will be reported to Committee.

Visual Impact

The existing site is well screened from the B430 and the Upper Heyford Road by the reservoir and roadside hedgerows (the piles are limited by condition to a maximum of 3 metres high). The reception building and the tunnels are quite large structures. However the building will not be any larger than a large agricultural barn, and will be similar in design. The tunnels are less normal buildings, but their position west of the building will enable that building and the reservoir to screen them from the B430 to the east.

Additional landscaping is proposed to the north to limit their impact when seen from the Upper Heyford Road. On balance the Head of Development Control and Major Developments considers that the impact is tolerable in this large flat landscape.

External lighting is essential for winter operation given the outdoor nature of the tunnels and window piles. With careful attention to shielding and siting this issue should not create unsatisfactory levels of light pollution. Conditions can be attached to ensure lighting is

switched off outside of operational hours.

Hydrology

A flood risk assessment has been submitted and the Environment Agency will comment direct to Oxfordshire County Council upon this aspect.

Archaeology

An archaeological watching brief was undertaken for the existing site. A similar watching brief is proposed for the extended site.

Vermin and Birds

The tunnels are designed to prohibit vermin intrusion.

Litter

Litter is not perceived as a significant issue from this type of recycling operation.

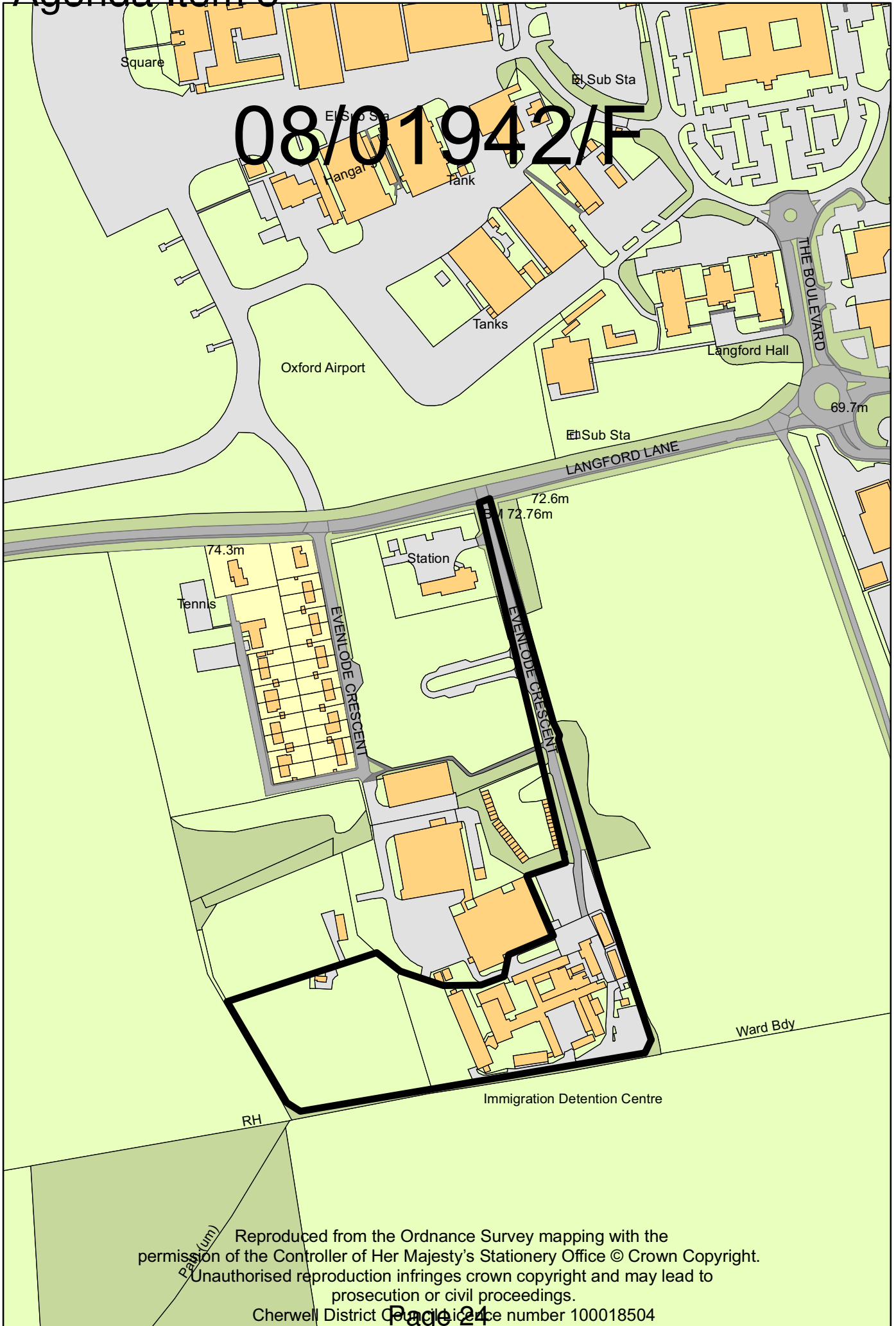
6. Recommendation

It is recommended that Oxfordshire County Council is advised that this Council raise no objections to the proposal subject to the imposition of conditions concerning hours of operation (proposes 0800-1800 Mon – Fri and 0800-1230 Saturday only – as current operation); landscaping; surface water drainage; dust suppression; maximum height of material stock piles; floodlighting appraisal; odour control system (including complaints process); noise complaints process; archeological watching brief; no retailing of compost.

CONTACT OFFICER: Bob Duxbury

TELEPHONE NO: 01295 221821

Agenda Item 8



Oxford Airport

08/01942/F

Oxford Airport

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Application No: 08/01942/F Ward: Kidlington North Date Valid: 24.09.08

Applicant: Home Office UK Border Agency C/o CgMs Ltd, Marley House, 26 Holborn Viaduct, London, EC1A 2AT

Site Address: Campsfield House, Langford Lane, Kidlington

Proposal: Erect new multi-faith education and workshop unit

1. Site Description and Proposal

Campsfield House is a 2.8ha site sited south of Langford Lane, Kidlington, to the rear of the ambulance station and Prison Service training centre and south-east of Evenlode Crescent. The site is an existing immigration removals centre operated by the Home Office. The existing buildings are a collection of two-storey brick buildings with numerous smaller single storey buildings and portacabin style structures. The site is banded by a 5.2m high security palisade type fence.

The proposal is to erect a new two-storey building to contain education, library and workshop training rooms on the ground floor and a chapel, Muslim prayer room and another multi faith room at first floor. It will have a total floorspace of approximately 770m². The proposed building is 5.7m high to eaves and 8.4m to ridge. The building will be linked to other buildings in the complex with a covered walking. The building would be of modular construction with light grey cladding at high level, blue grey brick at low level with red brick to the stair towers. The building is proposed to be sited on a grass area to the west of the western most accommodation building. I attach as Annex 1 a letter accompanying the application which explains the need for the development and sets out the applicant's case.

2. Application Publicity

The application was advertised in the local press, a site notice was erected and letters sent to all properties in Evenlode Crescent. No representations have been received.

3. Consultations

Kidlington Parish Council objects to the proposal on the grounds that use should be made of existing land rather than extension into the green belt; they consider that the applicant should provide the facility re-allocating space within the footprint of the existing buildings and that therefore the proposal is not compatible with Green Belt Policy GB1.

Oxford Airport raise no objections subject to the buildings being no higher than those existing.

The Environment Agency consider the proposal is a low environmental risk and will not comment further.

The Council's Environmental Protection Team raise no objections.

Natural England raise no objections.

No comments yet received from Oxfordshire County Council as Local Highway Authority.

4. Relevant Planning Policies

Oxfordshire Structure Plan 2016	- Saved Policies	G1, G2, G4, EN1
Adopted Cherwell Local Plan 1996	- Saved Policies	GB1, C7
Non-Statutory Cherwell Local Plan 2011	- Policies	GB1, EN34

5. Appraisal

The key issues to be considered are:

- The impact of the proposal upon Green Belt policy.
- An assessment of the very special circumstances advanced.
- Comparison to previous objections to development at this site.
- Visual impact and mitigation proposed.

Green Belt Policy and Very Special Circumstances

This site lies within an area which was first proposed as Green Belt in 1958 and was so designated in 1975. The inner Green Belt boundaries were finalized via local plans. The green belt designation washes access this site. PPG2 'Green Belts' defines inappropriate development, and this proposal must be classified as such. There is a strong prescription against inappropriate development in PPG2 and the Development Plan (both Structure Plan and adopted Local Plan), and it should only be approved if there are very special circumstances advanced which outweigh that presumption. In Annex 1 the applicant's agent explains that this building is required to provide needed facilities to improve the well being of inmates of this facility where they may stay up to 17 months (average stay 53 days). They explain that the existing buildings are all in use, and that the courtyards between buildings are needed for outdoor recreation for the inmates. The location is within the existing security fencing and that their own landscape assessment concludes that there will be no material impact on the Green Belt.

Members are reminded that the openness of Green Belts should be protected, and that 'openness' is principally a strategic concept rather than a visual one. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The site of this building is somewhat unusual when tested against this issue. Whilst the land is undeveloped currently it lies within the existing large (and in some places prominent) security fence and does not really contribute to the openness of the Green Belt.

Previous Objections

In September 2004 the Council objected to a Circular 18/84 consultation with respect to two two-storey accommodation buildings (one of which was located in the same position as the current proposal) (04/01393/GD). That objection was contrary to recommendation. The grounds of objection were:

1. The proposal is inappropriate development in the Green Belt and the development would be contrary to the advice contained in PPG2, Policy G4 of the Oxfordshire Structure Plan 2011 and Policy GB1 of the adopted Cherwell Local Plan. The Council considers that the need to expand the detention centre has not been demonstrated, nor has it been demonstrated that there are not other non-Green Belt locations where this development could occur without causing harm to the Green Belt and its purposes and objectives. The Council consequently considers that the

very special circumstances advanced are insufficient to outweigh the strong presumption against such inappropriate development.

2. The Council considers that the proposed accommodation buildings and any additional external lighting that may be required are likely to be unduly prominent when viewed from Begbroke to the south, so an extent that will cause harm to the visual amenities of the Green Belt.
3. The Council has concerns about the accuracy of the submitted Transport Assessment and the conclusions therein that it considers that the impact of the traffic flows along Langford Lane and its junctions with the A44 and A4260 have not been assessed, information on bus routes is out of date, inadequate parking is proposed, poor facilities for disabled access, and no new green travel initiatives are proposed. Consequently the proposal is considered to be unsustainable in transport terms and contrary to Policy G1 of the Oxfordshire Structure Plan and Policies TR2, TR4 and TR11 of the revised deposit draft of Cherwell Local Plan 2011.

That proposal related to a significant addition to the number of proposed in-mates. Members adopted the position that this use could take place at other removal centres nationwide which were not situated in the Green Belt.

GOSE subsequently set a public inquiry process underway to adjudicate in this dispute between the developing department and the Council (inquiry set for Autumn 2005). Following a confidential report to South Area Planning Committee in June 2005 the Council decided to pursue only reason 1 above. In July 2005 the inquiry was postponed following a Ministerial announcement concerning the future of the Bicester Accommodation Project and the possibility of a remand centre on that site, and subsequently the appeal process at Campsfield House was abandoned in 2006.

The scheme is fundamentally different insofar as it is not aimed at increasing capacity at the existing establishment, but instead improves facilities for inmates. Such improvements cannot be diverted elsewhere, and the previous objections are therefore not valid.

Visual Impact

The site is banded by substantial hedgerows with trees to the west, south and east and is screened from the north by the large buildings of the Prison Service Training Centre. However, these hedgerows are not complete and are deciduous. Consequently glimpses of the roofs of the existing buildings are available from limited positions on the A44 to the west and from the Begbroke Lane footpath to the south. The applicants propose additional planting in the southern hedgerow at a weak part in that line adjacent to the proposed building and extreme additional planting on the land to the west of the proposed building. In your officer's opinion this is sufficient to deal with the increased impact of a further building.

Conclusion

This scheme is different in nature to the 2004 scheme. In the opinion of the Head of Development Control and Major Development the need for these facilities is proven and the degree of impact upon openness and the visual amenities of the Green Belt will be minimal, especially when mitigated by the additional planting proposed. Consequently it is considered that the very special circumstances advanced outweigh the strong presumption against inappropriate development.

6. Recommendation

It is therefore recommended that the application is approved subject to:

- (i) the completion of departure procedures; and
- (ii) the following conditions:-
 1. SC 1.4 Full Duration Limit (3 years) (RC2)
 2. SC 2.0 Details of Matls and Ext Fns (RC4)
 3. SC 3.6 Reinforce Hedge (RC11) 'south'
 4. That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- 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 Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 5. SC 3.1 Impl Landsc Sch and Repts (RC10)

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits in that whilst defined as inappropriate development the very special circumstances advanced are considered to outweigh the normal presumption against such development. As such the proposal is in accordance with Policies G1, G2 and G4 of the Oxfordshire Structure Plan 2016 and saved Policies GB1 and C7 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONTACT OFFICER: Bob Duxbury

TELEPHONE NO: 01295 221821

Our Ref EM/CC/4380

E-mail erica.mortimer@cgms.co.uk
Direct dial 020 7832 1465

R Duxbury Esq,
Planning Department
Cherwell District Council
Bodicote House,
Bodicote,
Banbury OX15 4AA

3712-00

29 August 2008

Dear Mr Duxbury

Campsfield Removal Centre

On behalf of UK Border Agency and further to our recent meeting on site at Campsfield I am writing to enclose an application for a new workshop/education/multi-faith building on land within the existing secure fence immediately to the east of the existing buildings

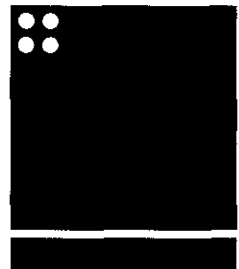
As discussed at our meeting on site there is a continuing need for removal centre places nationally for immigration offenders and failed asylum applicants pending their removal from the country

The average length of detention has increased over the last couple of years, largely due to administrative processes outside of the control of the Agency, but in response to this we are now proposing introducing workshops into Removal Centres as a means of expanding the range of purposeful activities

As you will be aware the existing buildings at Campsfield are fully occupied and there is no spare space within the existing complex of buildings to build a new unit.

The new unit will house multi-faith on the ground floor and workshops/education rooms on the first floor. The existing education unit housed in a very small portacabin was recently destroyed by fire during a detainee disturbance. This small portacabin was in any case inadequate for the education requirement and the new unit will provide a much larger facility which will allow for a greater range of activities. This small portacabin will be replaced in the short-term pending approval of this application, but would be removed as soon as the new facility is opened in order to provide more outside recreation space for the detainees

The average length of stay for detainees at Campsfield House is currently 53 days. However, a number of detainees are detained from between 3 and 12 months and the longest up to 17 months. It is often difficult to obtain agreement from the country of origin (or a third country) to return detainees, the paperwork can be very minimal and the appeal process sometimes very lengthy



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27 SEP 2008

The proposed location of the new workshop/education building is within the existing 5.2m security fencing and it will hardly be visible from any public viewpoints

The Design and Access Statement includes a Landscape Statement which sets out a visual assessment together with some additional landscape proposals to strengthen the existing boundary planting

It is accepted that the whole of Campsfield House is within the Green Belt and that in terms of national and local Green Belt policy it is inappropriate development in the Green Belt

The adopted Cherwell Local Plan (November 1996) reiterates PPG2's five purposes for the green belt, namely

- i) *check the unrestricted sprawl of large built up areas,*
- ii) *prevent neighbouring towns from merging into another,*
- iii) *assist in safeguarding the countryside from encroachment,*
- iv) *preserve the setting and special character of historic towns, and*
- v) *assist urban regeneration, by encouraging the recycling of derelict and other urban land*

The proposal for an extension at Campsfield meets these five purposes of green belts. The Oxford Green Belt is controlling the unrestricted sprawl of Oxford. The proposed extension at Campsfield, sited within the existing high and dense security fence, will not lead to further sprawl of Oxford. This part of the green belt is not preventing neighbouring towns from merging together. The land upon which the extension is proposed is not open countryside, it is part of the existing Campsfield Removal Centre. This part of the green belt is not preserving the setting or special character of an historic town. If the extension did not take place at Campsfield it would not take place on a derelict site in an Oxford urban area since it is, by definition, an extension to an existing facility in the green belt which is generally well and appropriately located for its use as a secure Centre of detention.

Policy GB1 of the adopted plan sets out 3 more purposes specific to the Oxford Green Belt, namely

- vi) *protect the special character of Oxford and its landscape setting;*
- vii) *check the growth of Oxford and prevent ribbon development and urban sprawl, and*
- viii) *prevent the coalescence of settlements "*

The proposal will not affect the special character of Oxford. Comment on the aim to prevent urban sprawl of Oxford is made above as is the issue of coalescence of settlements.

This proposal is for an extension to the existing Immigration Removal Centre at Campsfield. The Removal Centre has operated at Campsfield House for over 10 years. It is strategically located and it forms an important part of the UK Border Agency Removal estate.

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The Campsfield House Removal Centre forms part of a larger Government institution at Campsfield. The other part of the comprises large hanger type buildings used by the Prison Service for riot training.

Not only does the Removal Centre form part of the larger institution, but it is also clearly part of a larger, generally built-up area around Oxford airport. The extent of built development in the area demonstrates yet further that the small extension to Campsfield will be insignificant when viewed in relation to this wider area.

Green Belt policy requires inappropriate development in the Green Belt to demonstrate that there are very special circumstances in existence which justify the proposal.

As explained above the proposal is for a new multi-faith/education/workshop unit which is urgently required at Campsfield in order to improve the purposeful activities for detainees, which is a deliberate strategy to keep them occupied and relieve any sense of boredom or frustration which can lead to disturbances. The existing complex of buildings are all fully utilised and there is no room for the new unit within one of the small courtyards. The existing small courtyards are in any case required for providing outside recreation space for the detainees.

The location chosen for the new unit is still within the existing 5.2m security fence, part of which is solid metal up to the eaves height. The security fence is a significant visual barrier to views of the new unit from outside the Centre.

The proposed building is 5725mm high to eaves and 8430mm to ridge. The existing accommodation block next to the proposed unit is approximately 6375mm high to the top of the parapet.

It is proposed that the materials will be light grey cladding at high level, blue grey brick at low level and soft red facing brickwork for the stairs.

The Landscape Statement analyses the visual impact of the proposed new unit and concludes that there will be no material impact on the Green Belt.

It is accepted that there is harm to the Green Belt by reason of inappropriateness; this harm is however clearly outweighed by the urgent need for the new unit.

The proposed facility has no impact on either staff or detainees numbers and consequently there will be no additional trip generation. All parking arrangements and access remain as existing.

The proposed new building is 831m² gross external (739m² gross internal). The site area is 2.79ha.

I enclose the following:-

- Red Line Site Plan (included in the Design and Access Statement).
- 4 copies of the site layout plan no A8098/001
- 4 copies of the ground floor plan and first floor plan, no A8098/002
- 4 copies of the elevations and cross sections, plan no A8098/003



- 4 copies of the Design and Access Statement, including the Landscape Statement
- 4 copies of the Application Forms
- An application fee of £3,712 Payable to Cherwell District Council

Yours sincerely



Erica Mortimer
Director

Enc

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2008

Agenda Item 9

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

20 NOVEMBER 2008

REPORT OF THE HEAD OF DEVELOPMENT CONTROL AND MAJOR DEVELOPMENTS

DECISIONS SUBJECT TO VARIOUS REQUIREMENTS – PROGRESS REPORT

1 Introduction and Purpose of Report

- 1.1 This is a standard report item the aim of which is to keep Members informed upon applications which they have authorised decisions upon subject to various requirements which must be complied with prior to the issue of decisions.
- 1.2 A verbal update on any changes since the preparation of the report will be given.

2 Wards Affected

- 2.1 All wards in the southern part of District.

3 Effect on Policy

- 3.1 Nil.

4 Contact Officer(s)

- 4.1 R Duxbury (Ext 1821).

5 The Committee to note that the following applications remain outstanding for the reasons stated:

5.1 Subject to Legal Agreement with Cherwell District Council and Oxfordshire County Council

01/00662/OUT	Begbroke Business and Science Park, Sandy Lane, Yarnton – Subject to legal agreement re: off-site highway works, green travel plan, and control over occupancy now under discussion. Revised access arrangements refused 30 October 2008.
05/01337/F	Land NE of Oxford Road, West of Oxford Canal and East of Bankside, Banbury. Subject to Section 106 Agreement with other side for signing. Update given to Committee 30.10.08
06/00967/OUT	Land South West of Bicester – Subject to legal agreement concerning affordable housing, sports provision, local centre, community provision, safeguarding land for uses, ecological mitigation, play areas, public art, landscaping, perimeter road provision, infrastructure provision etc. Issue of planning

permission imminent.

- 07/00422/F Bicester Town Centre Scheme – Subject to a detailed S106 legal agreement.-draft with other side.
- 07/01106/OUT Land to south East of A41 Oxford Road, Bicester. Subject to departure procedures and legal agreements with Oxfordshire County Council re: off-site transportation contributions and HGV routing during construction.
- 08/01171/OUT Pow Wow Water site, Langford Lane, Kidlington
Subject to agreement re transport infrastructure payments

5.2 Subject to Other Matters

- 08/00444/F OS 4900, adj Leycroft Barn, Souldern.
Subject to legal agreement re earlier permissions.
- 08/00709/F Former Lear site, Bessemer Close, Bicester
Subject to legal agreement with OCC
- 08/00876/F Chilling Place Farm, Piddington
Subject to legal agreement re occupancy of main house and ancillary accommodation.

6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

- 6.1 The following details have been approved by David Spilsbury (Risk) (Ext 1560) and Eric Meadows (Financial) (Extension 1556).
- 6.2 Risk assessment – this is a monitoring report where no additional action is proposed. As such there are no risks arising from accept the recommendation.
- 6.3 Financial effects – there are no additional financial effects for the Council arising from this report.
- 6.4 Efficiency savings – there are no efficiency savings arising from this report.

7 Recommendations

- 7.1 It is **RECOMMENDED** that the Committee resolve to accept this position statement.

Background papers: All papers attached to the planning application files referred to in this report.

Agenda Item 10

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

20 NOVEMBER 2008

REPORT OF THE HEAD OF DEVELOPMENT CONTROL AND MAJOR DEVELOPMENTS

APPEALS – PROGRESS REPORT

1 Introduction and Purpose of Report

- 1.1 This is a standard report item, the aim of which is 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 received.
- 1.2 A verbal update on any changes since the preparation of the report will be given.

2 Wards Affected

- 2.1 All wards in the southern part of the District.

3 Effect on Policy

- 3.1 Nil.

4 Contact Officer(s)

- 4.1 R Duxbury (extension 1821)

5 New Appeals

- 5.1 08/01663/OUT – appeal by Mr J Salter against the refusal of planning permission for the Change of Use of land to residential and proposed development of 5 no. two storey units consisting of 10 no. two bed and 10 no. one bed low cost flats at land west of St. Barnabas Church, Church Lane, Horton cum Studley – Written Reps
- 5.2 08/01044/F – appeal by Messrs Carter and Grossi against the refusal of planning permission for proposed internal alterations to convert office unit back to residential use at Wykham Mill Farm, Bloxham Road, Banbury – Written Reps
- 5.3 08/01239/F – appeal by Mr E Grove against the refusal of planning permission for the variation of conditions nos. 11 and 14 and removal of condition no. 12 of permission 06/00762/F at Ingleby Farm, Station Road, Enslow, Kidlington - Written Reps
- 5.4 08/00604/F – appeal by James Doran against the refusal of planning permission for the change of use of land to use as a residential caravan site for two gypsy families with a total of up to 6 no. caravans, including access improvements, construction of a driveway and laying of a hardstanding at Corner Meadow adjoining and east of Farnborough Road, Mollington - Inquiry

- 5.5 ENF 19/08 – appeal by Andrew Thorburn against the service of an enforcement notice alleging a breach of planning control – without planning permission, the erection of a dormer window on the rear elevation of the house on land at 22 Milton Street, Banbury – Written Reps

6 Forthcoming Public Inquiries and Hearings between 20 November 2008 and 11 December 2008

- 6.1 Hearing on Tuesday 25 November 2008 at 10.00am in Room 163, Bodicote House, Bodicote to consider the appeals by Mr & Mrs R J Fenemore against the refusal of applications 08/00151/F and 08/00152/CAC for the demolition of steel framed buildings and part removal of dairy building to facilitate erection of new dwelling and improvements to existing access and application 08/01799/F for the erection of 1 no. dwelling and demolition of redundant barn at Church Cottage, Wardington.
- 6.2 Hearing on Thursday 27 November 2008 at 10.00am in Room 164, Bodicote House, Bodicote to consider the appeal by Mr M Smithson against the refusal of application 08/00197/F for the change of use from agricultural land to part business and part domestic use. Existing gates to be re-positioned at The Studio, Locks Barn, Canal Road, Thrupp.

7 Results

- 7.1 Inspectors appointed by the Secretary of State have:
- 7.2 Dismissed the appeal by Ms L A Mines against the refusal of application 08/01140/F for the erection of fencing panels around the front and sides of a corner plot house at 1 Magdalen Close, Bicester (Delegated)- The Inspector stated “ in such a situation erecting a 1.8m fence of considerable length would be very much out of keeping, introducing a harsh and unsympathetic feature” and concluded that the proposal would harm the character and appearance of the area, contrary to the aims of the development plan
- 7.3 Dismissed the appeals by Wendy Williamson and Ian Loader against the refusal of applications 07/02372/LB and 07/02371/F for the removal of existing single storey ‘lean-to’ extension and erection of new single storey extension at the rear of house at The Malthouse, Malthouse Lane, Shutford (Delegated) – in the Inspector’s view the extension would obscure an unacceptable proportion of the elevation as a whole, detracting from the distinctive historic interest and architectural character of the house and concluded that the works and development proposed would not preserve the character of the listed building, or features of special architectural or historic interest.
- 7.4 Dismissed the appeal by Mr A Mackenzie- Wintle against the refusal of application 07/01046/F for the demolition of an existing garage belonging to 4 Petre Place and the erection of a new detached dwelling with associated parking at land adjacent to 69 Mill Street, Kidlington (Delegated) In the Inspector’s view, the proposal would cause material harm in relation to privacy at the rear of the proposed dwelling and at Nos. 61, 67 and 69 Mill Street; outlook at No. 71; and disturbance at No. 67. Such adverse impacts on occupiers’ living conditions would conflict with that part of saved Cherwell Local Plan policy C30 that requires new housing development to provide acceptable standards of amenity and privacy.

- 7.5 Dismissed the appeal by Mrs M Gibbard against the refusal of application 08/00578/F for dwelling with parking and garden at Woodview, Station Road, Ardley (Delegated) – The Inspector considered the appeal site to be located beyond the built – up limits of the village. The appeal scheme failed to satisfy the requirements of policy H18 of the Cherwell Local Plan and concluded that the proposal would not accord with the adopted policy on residential development in rural areas. In addition, the Inspector found that the appeal scheme would not preserve or enhance the character or appearance of the Conservation Area. The outlook from Westview would be affected by the built development proposed and the increase in vehicular activity in the shared courtyard would be likely to cause disturbance to the occupiers of Westview due to vehicle movements close to windows at the front of the existing dwelling.

8 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

- 8.1 The following details have been approved by Eric Meadows (Ext 1552) (Financial) and Rosemary Watts (Ext 1566) (Risk)
- 8.2 Risk assessment – this is a monitoring report where no additional action is proposed. As such there are no risks from accepting the recommendation.
- 8.3 Financial effects – the cost of defending appeals can normally be met from within existing budgets. Where this is not possible a separate report is made to the Executive to consider the need for a supplementary revenue estimate.
- 8.4 Efficiency savings – there are no efficiency savings arising from this report.

9 Recommendations

- 9.1 It is **RECOMMENDED** that the Committee resolves to accept this position statement.

Background Papers:

All papers attached to the planning application files reported in this report.

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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