

**Committee:** Planning Committee  
**Date:** Thursday 12 March 2009  
**Time:** 4.00 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

### **Membership**

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

### **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 Nicholas 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. Communications**

The Chairman to report on any communications.

#### 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 - 6)

To confirm as a correct record the Minutes of the meeting of the Committee held on 19 February 2009.

### **Planning Applications**

- |    |  |                   |
|----|--|-------------------|
| 6. | <b>Land West of Barn Field and Adjoining Akeman Street, Chesterton</b><br>(Pages 9 - 20) | <b>08/02482/F</b> |
| 7. | <b>Part of A Site, DSDC, Bicester, Piddington</b> (Pages 21 - 37)                        | <b>08/02511/F</b> |
| 8. | <b>Tusmore Park Farm, Tusmore, Bicester, OX27 7SH</b> (Pages 38 - 44)                    | <b>08/02592/F</b> |
| 9. | <b>Noral Way, Banbury</b> (Pages 45 - 51)  | <b>09/00097/F</b> |

### **Tree Preservation Orders**

#### 10. **Tree Preservation Order (No 9) 2009 Trees at The Bothy, Weston Road, Bletchingdon**

Report of the Head of Development Control and Major Developments

##### **Summary**

The purpose of the report is to seek the confirmation of the above unopposed Tree Preservation Order in respect of a Beech Tree and Yew Tree at The Bothy, Weston Road, Bletchingdon.

##### **Recommendation**

It is **RECOMMENDED** that the Committee resolves to confirm the above Tree Preservation Order without modification.

### **Review and Monitoring Reports**

#### 11. **Decisions Subject to Various Requirements - Progress Report** (Pages 52 - 53)

Report of the Head of Development Control and Major Developments

##### **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.

##### **Recommendation**

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

#### 12. **Appeals Progress Report** (Pages 54 - 56)

## Report of the Head of Development Control and Major Developments

### **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.

### **Recommendation**

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

13. **Discharging of S106 Agreement Yellowell House, Horton Lane, Horley**  
(Pages 57 - 58)

## Report of the Head of Development Control and Major Developments

### **Summary**

To inform Members that a request to rescind or discharge an existing S106 Agreement has been received, following the granting of consent (08/02398/F - delegated) for the erection of a house and dwelling at Yellowel House, Horton Lane, Horley.

### **Recommendation**

It is **RECOMMENDED** that the Planning Committee resolves to discharge the S106 Agreement which no longer serves a planning benefit.

## 14. Introduction of Public Speaking at Planning Committee - Procedure Rules (Pages 59 - 69)

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

### Summary

On 19 February 2009 the Committee agreed to the introduction of public speaking and to introduce the following process,

- two groups to be recognised , one being objectors and one being supporters ( which can include the applicant ),
- each speaker to have 3 minutes with a total time limit of 9 minutes within each group, parish and town council representatives to be allocated the first time slot in their respective group.

The operation of public speaking will be reviewed after one year.

This report introduces the proposed procedures rules required to be added to the constitution, the draft code of conduct declaration and the draft leaflet for members of the public which will advise on their rights to speak at committee.

### Recommendation

It is **RECOMMENDED** that the Committee:

- 1) Approve the Procedure Rules as set out in appendix 1 to this report
- 2) Approve the Draft Guidance Leaflet as set out in appendix 2 to the report.
- 3) Approve the Code of Conduct Declaration set out in appendix 3 to this report.

## Information about this Agenda

### Apologies for Absence

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto: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](mailto:alexa.coates@cherwell-dc.gov.uk)  
(01295) 221591

**Mary Harpley**  
**Chief Executive**

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