

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 14 April 2011 at 4.00 pm

Present: Councillor Fred Blackwell (Chairman)
Councillor Rose Stratford (Vice-Chairman)

Councillor Ken Atack
Councillor Colin Clarke
Councillor Mrs Diana Edwards
Councillor Mrs Catherine Fulljames
Councillor Chris Heath
Councillor Alastair Milne Home
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Lawrie Stratford

Substitute Members: Councillor David Hughes (In place of Councillor Michael Gibbard)

Officers: John Hoad, Strategic Director - Planning, Housing and Economy
Bob Duxbury, Development Control Team Leader
Ross Chambers, Solicitor
Laura Bailey, Planning Officer
Michael Sands, Democratic and Scrutiny Officer

178 **Declarations of Interest**

Members declared interest with regard to the following agenda items:

6. Land west of Begbroke Science Park and east of Woodstock Road, Yarnton.

Councillor Trevor Stevens, Personal, as he had previously been involved in the application.

7. Bicester Golf & Country Club, Akeman Street, Chesterton, Bicester, OX26 1TE.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor James Macnamara, Prejudicial, as a Member of the Golf and Country Club.

Councillor Lawrie Stratford, Personal, as a Member of Bicester Town Council.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council.

8. 35 The Rydes, Bodicote.

Councillor Chris Heath, Personal, as she had previously been involved in the application.

9. British Bakels, Granville Way, Bicester.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor Lawrie Stratford, Personal, as a Member of Bicester Town Council.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council.

10. 31 North Street, Bicester.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor Lawrie Stratford, Personal, as a Member of Bicester Town Council.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council.

11. 31 North Street, Bicester.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor Lawrie Stratford, Personal, as a Member of Bicester Town Council.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council.

179 **Petitions and Requests to Address the Meeting**

The Chairman advised that petitions and requests to address the meeting would be dealt with at each item.

180 **Urgent Business**

There was no urgent business.

181 **Minutes**

The Minutes of the meeting held on 24 March 2011 were agreed as a correct record and signed by the Chairman.

Land west of Begbroke Science Park and east of Woodstock Road, Yarnton

The Committee considered a report for an access road and all traffic movement's, junctions, landscaping and associated works.

The Committee considered the issue of light pollution and also expressed concern regarding the traffic arrangements.

In reaching their decision the Committee considered the Officers report, presentation and written update.

Resolved

That application 11/00069/F be approved subject to:

- i) The expiry of the consultation period (28 April 2011) and there being no further representations that are additional material consideration not already covered as part of this report.
- ii) Referral to SoS as departure procedure

The following conditions:

- (1) 1.4A Full Permission: Duration Limit (3 years) (RC2)
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans:
31327/PDL/001 Rev C, 31327/LE/003 Rev A and 31327/PHL/004 Rev D
- (3) The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Assessment Survey and Bat Building Survey of the Begbroke Science Park site by Applied Ecology dated November 201 and February 2011 (respectively) unless otherwise agreed in writing by the Local Planning Authority. And that during the construction phase of the development best practice construction methods be applied ie. open trenches be covered at night or a means of escape be provided to ensure that foraging badgers do not become trapped and access to setts must remain unobstructed at all times.
- (4) That before any works commence on site badger proof fencing shall be erected to form a boundary between the construction zone and the section of hedgerow in which the badger sett is located and as illustrated on Figure 3 of the Ecological Assessment Survey by Applied Ecology dated November 2011.
- (5) That prior to the demolition of the two buildings within the Science Park, a further bat survey including emergence survey, shall be undertaken during the bat active season (May-August), details of which shall be

submitted to and approved in writing by the Local Planning Authority, and if any bats are found to be present, a method statement shall be provided with the bat survey details of how and when the building is to be demolished and how the bats are to be removed.

- (6) That prior to the first use of the proposed A44 junction and access road the existing means of access onto Sandy Lane shall be permanently stopped up by the means to be agreed; details of which shall be submitted to and approved in writing the Local Planning Authority within 3 months of the date of this permission and in accordance with the highway authority's specifications and shall not be used by any vehicular traffic whatsoever (except in emergencies).
- (7) That prior to the first use of the proposed A44 junction and access road it shall be formed, laid out and to the approval of the Local Planning Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken.
- (8) That prior to the first use of the access road hereby permitted an updated Travel Plan shall be submitted to and approved in writing by Local Planning Authority and implemented in accordance with the approved details.
- (9) That no connection for vehicular or pedestrian traffic shall be made from the approved road (other than for the Begbroke Science Park) for which it is designed without the prior express planning consent of the Local Planning Authority.
- (10) 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 and tree protection measures for retained trees 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,
 - (c) a plan that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - (d) the details of each retained tree as required at paragraph 4.2.6 of

BS5837 in a separate schedule.

- (e) the details and positions (shown on the plan at paragraph (c) above) of the Ground Protection Zones (section 9.3 of BS5837).
 - (f) the details and positions (shown on the plan at paragraph (c) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- (11) That 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.
- (12) Prior to the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
- (13) Prior to the commencement of the development, and following the approval of the Written Scheme of Investigation referred to in condition 12, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of archaeological evaluation and mitigation shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority as soon as practically possible following the completion of the on site investigation. Providing that the timing of the archaeological evaluation and mitigation is carried out in accordance with the wording of this condition, the submission of the full report may follow the commencement of the development on site.
- (14) That notwithstanding the approved plans, no additional lighting shall be provided along the access road hereby permitted without the prior

express permission of the Local Planning Authority.

- (15) The development shall proceed in accordance with the Flood Risk Assessment prepared by WSP Development and Transportation dated January 2011 accompanying the application unless otherwise previously approved in writing by the Local Planning Authority.

183 **Bicester Golf & Country Club, Akeman Street, Chesterton, Bicester, OX26 1TE**

The Committee considered a report for the removal of condition two of 09/01357/F.

The Committee was satisfied with the evidence presented.

In reaching their decision, the Committee considered the Officers report and presentation.

Resolved

That application 11/00157/F be approved.

184 **35 The Rydes, Bodicote**

The Committee considered a report for an extension and alterations.

The Committee requested that the application be deferred to enable a site visit to take place.

In reaching their decision, the Committee considered the Officers report and presentation.

Resolved

That application 11/00230/F be deferred to enable a site visit to take place.

185 **British Bakels, Granville Way, Bicester**

The Committee considered a report for an extension to the existing factory to create a goods in warehouse facility.

The Committee expressed concern regarding the issue of drainage for the proposed development.

In reaching their decision the Committee considered the Officers report, presentation and written update.

Resolved

That application 11/00253/F be approved subject to:

- (1) SC 1.4A (RC2) [Time limit]
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing no's 3927-001 P1, 3927-002 P2, 3927-006 P2, 3927-005 P2, 3927-004 P1, 3927-003 P1, 3927-007 P2 and site specific flood risk assessment by JPP Consulting dated January 2011.
- (3) Prior to the first use of the building hereby permitted, the parking and turning areas, approved under application no. 09/01775/F, shall be provided in accordance with the approved details and subsequently shall be retained unobstructed except for the parking of vehicles at all times thereafter. (RC13BB)
- (4) SC 4.21AA (RC19AA) [Surface/Foul Water disposal]

186

31 North Street, Bicester

The Committee considered a report for the demolition of the existing rear extensions and outbuildings and removal of the prefabricated garaging and the development of three dwellings, incorporating the original dwelling.

Mr Ian Mills spoke in favour of the application as the applicant's agent.

The Committee expressed concern regarding the size of the proposed development and the impact it may have on neighbouring properties. Members also considered the lack of parking provision at the site.

In reaching their decision the Committee considered the Officers report, presentation and written update.

Resolved

That application 11/00279/F be refused for the following reasons:

- (1) The proposed development would by reason of its scale, bulk and appearance result in an unsympathetic and incongruous extension to the dwelling which would be detrimental to the historic character and appearance of the dwelling, the surrounding area and would not preserve or enhance the character and appearance of the Conservation Area. As such, the proposal is considered to be contrary to PPS5: Planning for the Historic Environment, Policies BE1 and BE6 of the South East Plan 2009, Policies C28 and C30 of the Adopted Cherwell Local Plan and Policies D3, EN39 and EN40 of the Non-Statutory Cherwell Local Plan.
- (2) The proposed extension by reason of its height, length and proximity to the neighbouring properties, will appear overbearing when viewed from both the garden and from within the dwelling of no. 33 North Street and would result in an unacceptable level of overlooking into the rear

windows of no. 1 Hailles Gardens. This will have a significant and adverse effect on the amenities the occupiers of these properties currently enjoy, contrary to Policies CC1 and CC6 of the South East Plan, Policy C30 of the adopted Cherwell Local Plan and Policy D6 of the Non-Statutory Cherwell Local Plan 2011

187 **31 North Street, Bicester**

The Committee considered a report for the demolition of the existing rear extensions and outbuildings and the removal of prefabricated garaging.

The Committee was satisfied with the evidence presented.

In reaching their decision the Committee considered the Officers report, presentation and written update.

Resolved

That application 11/00385/CAC be approved subject to the following condition:

- (1) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing no. 1104/5.

188 **Begbroke Business and Science Park**

The Committee considered a report which sought to inform Members of the history of planning decisions related to the site and to invite Members to re-affirm their acceptance of this proposed development.

In reaching their decision, the Committee considered the Officers report and presentation.

Resolved

- (1) That the report be noted
- (2) That Members' willingness to grant planning permission for the long-term phase of development of research buildings at Begbroke Business Park, originally proposed under planning application no. 01/00622/OUT subject to a legal agreement as previously sought, be re-affirmed.

Councillor Mrs Fulljames requested that her abstention from the vote be recorded as she had not been present for the whole of the debate.

189 **Tree Preservation Order No. 04/2011 Ash, Tulip, Walnut and one group of Holly and Yew trees at Hanwell Castle, Hanwell**

The Committee considered a report of the Strategic Director Planning, Housing and Economy which sought the confirmation of an unopposed Tree Preservation Order relating to an Ash, Tulip, Walnut tree and one group of Holly and Yew trees at Hanwell Castle, Hanwell.

Resolved

That Tree Preservation Order No. 04/2011 be confirmed without modification.

190 **Decisions Subject to Various Requirements**

The Committee considered a report which updated Members on decisions which were subject to various requirements.

Resolved

That the position statement be accepted.

191 **Appeals Progress Report**

The Committee considered a report which updated Members on applications where new appeals had been lodged, public inquiries/hearings scheduled or appeal results received.

Resolved

That the position statement be noted.

The meeting ended at 5:25 pm

Chairman:

Date: