

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 8 August 2013 at 4.00 pm

Present: Councillor Alastair Milne Home (Vice-Chairman, in the Chair)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Gordon Ross
Councillor Trevor Stevens

Substitute Members: Councillor Nigel Randall (In place of Councillor Rose Stratford)
Councillor Barry Wood (In place of Councillor Lawrie Stratford)

Apologies for absence: Councillor Rose Stratford
Councillor Colin Clarke
Councillor Tim Emptage
Councillor Lawrie Stratford

Officers: Bob Duxbury, Development Control Team Leader
Tracey Morrissey, Principal Planning Officer
Ross Chambers, Solicitor
Natasha Clark, Team Leader, Democratic and Elections

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Declarations of Interest

Members declared interests in the following agenda items:

7. Crown House, Christchurch Court, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Conflict of Interest, as Lead Member for Housing and would leave the meeting for the duration of the item.

Councillor Gordon Ross, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Nigel Randall, Conflict of Interest, as a Custodian Trustee on behalf of CDC of the Cherwell Community Land Trust and would leave the meeting for the duration of the item.

8. Crown House, Christchurch Court, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Conflict of Interest, as Lead Member for Housing and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Gordon Ross, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Nigel Randall, Conflict of Interest, as a Custodian Trustee on behalf of CDC of the Cherwell Community Land Trust and would leave the meeting for the duration of the item.

9. Crown House, Christchurch Court, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

9. Crown House, Christchurch Court, Banbury.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Conflict of Interest, as Lead Member for Housing and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Gordon Ross, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Nigel Randall, Conflict of Interest, as a Custodian Trustee on behalf of CDC of the Cherwell Community Land Trust and would leave the meeting for the duration of the item.

10. Land adjoining and west of Warwick Road, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Gordon Ross, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

12. 74 Heyford Park, Camp Road, Upper Heyford.

Councillor James Macnamara, Non Statutory Interest, as a member of Lower Heyford Parish Council which had been consulted on the application.

13. Unit A3, Pioneer Centre, Bure Place, Bicester.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would not participate in the debate or vote on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

16. Bicester Town Centre Development, Manorsfield Road, Bicester.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would not participate in the debate or vote on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

17. Bicester Town Centre Development, Manorsfield Road, Bicester.

Councillor Barry Wood, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would not participate in the debate or vote on the application.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the room for the duration of the item.

21. Land North of Withycombe Farm and West of Edinburgh Way, Banbury.

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the original application.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the original application.

Councillor Gordon Ross, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the original application.

Requests to Address the Meeting

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

65 **Urgent Business**

There was no urgent business.

66 **Minutes**

The Minutes of the meeting held on 11 July 2013 and the addendum to the Minutes of the Meeting of the Committee held on 13 June 2013 were confirmed as a correct record and signed by the Chairman.

67 **The Malthouse, Blacksmiths Lane, Charlton on Otmoor**

The Committee considered application 13/00291/F for a single storey rear extension to The Malthouse, conversion of barn to form new dwelling & rebuild of dilapidated cottage to form annexe to barn conversion with associated parking and manoeuvring area.

Consideration of the application had been deferred from the previous meeting to allow for a formal site visit.

Councillor Timothy Hallchurch addressed the Committee as local ward member.

Nicky Brock, acting on behalf of local residents, addressed the Committee in objection to the application.

Ian Coleman, agent for the applicants, and Graham Honour and Becky Honour, the applicants, addressed the Committee in support of the application.

Councillor Pickford proposed that application 13/00291/F be approved. Councillor Reynolds seconded the proposal.

In reaching their decision the Committee considered the officers' report, written update and presentation and the presentations of the local ward member and public speakers.

Resolved

That application 13/00291/F be approved subject to the following conditions:

- (1) That 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.
- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms and amended drawings numbered: 001, 004B, 005F and 006C.

- (3) Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural weathered stone to match the stonework on the existing building, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development, including works of making good to all stone work and stone boundary walls, shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
- (4) Prior to the commencement of the development hereby approved, samples of the slate to be used in the construction of the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
- (5) Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
- (6) Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
- (7) Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- (8) Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".
- (9) Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its

subsequent amendments, no new window(s) or other openings, other than those shown on the approved plans, shall be inserted in the walls or roof of the north and north-eastern elevations of the barn and annexe cottage without the prior express planning consent of the Local Planning Authority.

- (10) The detached annexe hereby approved shall be used solely as ancillary accommodation to the barn conversion property hereby approved and as such shall not be sold, leased or used as an independent dwelling unit.

68 **Crown House, Christchurch Court, Banbury**

The Committee considered application 13/00455/CAC for Conservation Area Consent for the partial demolition of 18 Bridge Street, Banbury.

Jonathon Smith, agent for the applicant, addressed the Committee in support of the application.

In reaching their decision the Committee considered the officers' report, and presentation and the presentation of the public speaker.

Resolved

That application 13/00455/CAC 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.
- (2) Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.
- (3) None of the buildings the subject of this consent shall be demolished until a contract has been let for the redevelopment of the site in accordance with the granting of a planning permission for such redevelopment.

69 **Crown House, Christchurch Court, Banbury**

The Committee considered application 13/00454/F for the partial demolition of 18 Bridge Street, Banbury.

Jonathon Smith, agent for the applicant, addressed the Committee in support of the application.

In reaching their decision the Committee considered the officers' report, and presentation and the presentation of the public speaker.

Resolved

That application 13/00454/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.
- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, design and access statement, drawing number(s) PP-10/A (Proposed ground floor plan), PP-11 (Proposed first floor plan), PP-12 (Proposed second floor plan), PP-13 (Proposed third floor plan), PP-14 (Proposed roof plan), PP-15 (Proposed elevations sheet 1), PP-16 (Proposed elevation sheet 2), PP-17 (Proposed elevations sheet 3), PP-18 (Proposed sections sheet 2), PP-19 (Proposed sections sheet 2), PP-20/A (Proposed linkages drawing), PP-21 (Proposed green areas drawing), PP-22/A (Site plan – showing drainage), Planning Statement (RPS Ref: NK017511P/CAD dated 25 March 2013 and Design and Access Statement (RPS Ref: NK017511P/CJ dated 25 March 2013)
- (3) Prior to the commencement of the development hereby approved, samples of the material to be used in the construction of the restaurant and duplex apartments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
- (4) Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
- (5) Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
- (6) Prior to the commencement of any development full details of the streetscape, including boundary treatment to any buildings, treatment of street parking, street landscape, hard and soft landscape details, street furniture and play features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved details.

- (7) Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- (8) Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning area which shall be provided within the curtilage of the site so that motor vehicles may enter, turn around and leave in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of motor vehicles at all times thereafter.
- (9) 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 which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
- (10) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site 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) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
- (11) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting 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 current/next planting season with others of similar size and species.

- (12) Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
- (13) Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
- (14) Prior to the commencement of the development hereby approved, full details of the method of mechanical ventilation of the proposed restaurant shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.
- (15) Prior to the commencement of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.
- (16) 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.
- (17) Prior to the commencement of the development hereby approved, including any demolition, any works of site clearance and approval of design details, a full survey for bats shall be carried out by suitably qualified ecologists and should it be required, a report outlining a full mitigation strategy for bats, which shall include timing of works, the location, design and timing of any alternative roosts to be provided, the measures taken to avoid disturbance during construction and whether a licence is required shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out strictly in accordance with the approved details.
- (18) No works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1 March and 31 August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect and where appropriate retain the nesting bird interest on the site.

- (19) Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a brief method statement for enhancing the biodiversity on site, including proposed locations of any habitat boxes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

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Crown House, Christchurch Court, Banbury

The Committee considered application 13/00502/CDC4 for the retention and conversion of the existing 3/4 storey Crown House and 2 storey conservation properties to provide 20 one bed and 20 two bed residential units together with 89.3m² of ground floor retail space - Involving a Change of Use from B1 Business to C3 Residential and A1 shops classifications.

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

Resolved

That application 13/00502/CDC4 be approved subject to:

- (i) The satisfactory completion of a legal agreement to secure developer contributions.
- (ii) 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.
 - (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, design and access statement, drawing number(s) 001/01 Rev A (Existing and proposed location plan and masterplans), 001/03 Rev B (proposed ground floor plan), 001/04 Rev B (Existing and proposed first floor plan), 001/05 Existing and proposed second floor plan), 001/06 (Existing and proposed third floor plan), 001/07 (Existing and proposed roof plan), 001/09 Proposed elevations A-A to D-D), 01/11 (Existing and proposed elevations E-E to F-F), 001/13 (Proposed ground floor plan with Type 3 turning head) and Design and Access Statement dated April 2013.
 - (3) Prior to the commencement of the development hereby approved, samples of the material to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
 - (4) Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a

cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

- (5) Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
- (6) Prior to the commencement of any development full details of the streetscape, including boundary treatment to any buildings, treatment of street parking, street landscape, hard and soft landscape details, street furniture and play features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved details.
- (7) That the existing vehicular access onto Bridge Street shall be permanently stopped up
- (8) That the vehicle parking, cycle parking and vehicle manoeuvring areas Retained in accordance with Plan No. 001/13 (Proposed Ground Floor Plan with Type 3 Turning Head)
- (9) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site 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) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
- (10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting 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 current/next planting season with others of similar size and species.

- (11) Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
- (12) Prior to the commencement of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.
- (13) 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.
- (14) Prior to the commencement of the development hereby approved, including any demolition, any works of site clearance and approval of design details, a full survey for bats shall be carried out by suitably qualified ecologists and should it be required, a report outlining a full mitigation strategy for bats, which shall include timing of works, the location, design and timing of any alternative roosts to be provided, the measures taken to avoid disturbance during construction and whether a licence is required shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out strictly in accordance with the approved details.
- (15) No works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect and where appropriate retain the nesting bird interest on the site.
- (16) Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a brief method statement for enhancing the biodiversity on site, including proposed locations of any habitat boxes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details

Land adjoining and west of Warwick Road, Banbury

The Committee considered application 13/00656/OUT, an outline application for up to 300 dwellings with access from Warwick Road together with associated open space, allotments and a 500 sqm retail store

Councillor Douglas Webb addressed the Committee as local ward member.

Mr Nicholas Turner, a local resident, addressed the Committee in objection to the application.

Steven Brown, agent for the applicant, addressed the Committee in support of the application.

In reaching their decision the Committee considered the officers' report, written update and presentation and the addresses of the ward member and public speakers.

Resolved

- (a) That in accordance with the provisions of Regulation 24 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 the report be accepted as setting out the main reasons, considerations and measures of mitigation proposed with regard to the ES.
- (b) That application 13/00656/OUT be refused for the following reasons:
 - (1) The proposal represents development beyond the built up limits of Banbury in an area of countryside and is not allocated for development by either the saved policies of the adopted Cherwell Local Plan 1996 or those of the Non-Statutory Cherwell Local Plan 2011 nor is the application site proposed for development as a strategic housing allocation in the Proposed Submission Local Plan March 2013. The land is proposed to be included within the Banbury Green Buffer, the purposes of which are to maintain Banbury's distinctive identity and setting and its neighbouring settlements, prevent coalescence, protect the identity of valued features of landscape & historic value and important views. It is considered that given the Council's ability to identify a supply of specific, deliverable sites sufficient to provide 5 years worth of housing against its housing requirements with an additional buffer, the proposal represents sporadic development in the countryside which fails to maintain its rural character and appearance and which fails to conserve and enhance the environment and furthermore fails to meet the Council's objectives to meet housing need in a way that is in line with the spatial vision for the area. The application is, therefore, contrary to Policies H18, C8 and C15 of the adopted Cherwell Local Plan, Policy ESD15: Green Boundaries to Growth of the Proposed Submission Local Plan March 2013 and Government guidance contained in the National Planning Policy Framework.

- (2) In the absence of a detailed design, the Local Planning Authority is not convinced that the erection of a 20m high net along approx. 200m of the western boundary of the site will not have adverse landscape impact, detrimental to the amenity of the locality. Furthermore, without satisfactory mitigation to prevent ball escape from the adjacent Drayton Leisure Golf Centre into the site, the proposal would result in an incompatibility of land uses that would cause harm to the amenities and safety of occupiers of the proposed development contrary to Policy C7, C13 and C31 of the adopted Cherwell Local Plan and Government guidance contained in the National Planning Policy Framework.
- (3) In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure directly required to service or serve the proposed development will be provided. This would be contrary to the Policy R12 of the adopted Cherwell Local Plan, Policies OA1, TR4, R8 and R10A of the Non-Statutory Cherwell Local Plan 2011, Policy INF1 of the Proposed Cherwell Local Plan Proposed Submission Draft March 2013 and government guidance contained within the National Planning Policy Framework.

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Campsfield House, Langford Lane, Kidlington

The Committee considered application 13/00692/F for a single storey extension linking an existing sports hall with an accommodation block.

In reaching their decision the Committee considered the officers' report and presentations.

Resolved

That application 13/00692/F be approved subject to the following conditions:

- (1) That 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.
- (2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following approved plans: S.541/29, S.541.31 and S.541.33a.
- (3) That the brick to be used for the external walls of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building.
- (4) Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be

laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".

73 **74 Heyford Park, Camp Road, Upper Heyford**

The Committee considered application 13/00740/F for the change of use of Building 74 and associated open space to Class D1 including external and internal alterations and associated infrastructure and landscaping works.

In reaching their decision the Committee considered the officers' report and presentation.

Resolved

That application 13/00740/F be approved subject to:

- (i) The applicants entering into an appropriate legal agreement to the satisfaction of the District and County Council relating to matters of education, transport and joint use.
- (ii) The Highway Authority receiving sufficient information to enable them to remove their objection.
- (iii) The following conditions:
 - (1) That 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.
 - (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms:
 - Design and access statement
 - Ecological survey carried out by 4Acre Ecology Limited in March 2013, together with the additional bat survey dated 8 July 2013
 - Transport Statement by Peter Brett Assoc dated November 2012
 - Drawing numbers
 - HFSK9000-Landscape Plan
 - HFSK9010-Site Location Plan
 - HFSK3030-Ground Floor Plan
 - HFSK3031-First Floor Plan
 - HFSK3032-Roof Plan
 - HFSK9000-Elevations
 - (3) Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development including samples of each material hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.

- (4) Prior to the commencement of the development, full design details of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- (5) That, notwithstanding the provisions of Part 32, of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 and its subsequent amendments, the approved school shall not be extended nor shall any structures be erected within the curtilage of the said school or hardsurface constructed without the prior express planning consent of the Local Planning Authority.
- (6) That Building 74 and its curtilage shall be used only for the purpose of non-residential educational use in association with use of Building 583 and for no other purpose whatsoever, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005. It shall not operate independently of Building 583 and the open space associated with that site unless alternative open space and recreation provision is made and agreed in writing with the Local Planning Authority.
- (7) That a revised plan or details showing parking provision for vehicles to be accommodated within or adjacent the site, including minibuses, and coach, together with details of access and manoeuvring space, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and that such parking facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before the first occupation of the premises. The parking spaces shall be retained for the parking of vehicles at all times thereafter.
- (8) This permission specifically excludes the location for cycle parking shown on drawing D9000 and 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.
- (9) 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.
- (10) Subsequent to the school roll reaching 120 no more than 120 additional pupils shall be permitted each year (or such other number as may be agreed in writing by the local planning authority from time to time) from 2013 to 2019. Each year the current roll shall be maintained until such time as the impact of the traffic and parking generated by the school on

the local highway network has been assessed, and a review of the implementation and effect of the Travel Plan has been carried out. Additional pupils may be allowed subject to the agreement in writing by the local planning authority of any necessary resulting highway works or other mitigating actions and a programme for their implementation.

- (11) That no development shall be commenced until full details of the safe pedestrian routes and crossings between Building's 74 and 583, together with full details of access for pedestrians and cyclists into the site from the surrounding development have been submitted to and approved in writing by the Local Planning Authority. Plans and particulars of the matters referred to above shall be carried out as approved.
- (12) Prior to the commencement of the development hereby approved, full details of both means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- (13) The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water run-off from car parks and on-site roads has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
- (14) Details of any proposed external lighting in and adjacent to the building, car parking areas and access way shall be submitted to and approved in writing by the Local Planning Authority and no lighting shall be installed without the consent of the Authority first being obtained.
- (15) All plant, machinery, mechanical ventilation equipment and ducting, other than that shown on the approved plans, shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building without the prior written permission of the Local Planning Authority unless otherwise agreed with the Local Planning Authority.
- (16) The building shall not be brought in to use until such times as a detailed scheme of fume extraction/odour mitigation measures has first been submitted to and approved in writing by the Local Planning Authority; and implemented in accordance with such approved details unless otherwise agreed in writing by the Local Planning Authority.
- (17) Prior to the commencement of the development hereby permitted details of the provision, landscaping and treatment of open space/play space within the site shall be submitted to and approved in writing by the Local Planning Authority. The open space/play space, once approved shall be landscaped, laid out and completed in accordance with the details approved and within a time period to be first approved in writing by the Local Planning Authority and thereafter retained as open space/play space.

- (18) 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.
 - (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) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
- (19) 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.
- (20) 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 occupation of the building, and such means of enclosure, shall be erected prior to the first use of the building.
- (21) Full design details of the refuse/bin storage area, including materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved area shall be available for use before the school is first brought into use.
- (22) Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.
- (23) The development hereby approved shall be carried out strictly in accordance with the details set out in points 7.20, 7.21 and 7.22 within the Bat Emergence Survey submitted with the application, which was prepared by 4 Acre Ecology Limited dated 8 July 2013.
- (24) Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site in line with recommendations within the submitted Ecological survey carried out by 4Acre Ecology Limited in March and to include provision for bats shall

be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

- (25) Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
- (26) If contamination is found by undertaking the work carried out under condition 25 prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
- (27) If remedial works have been identified in condition 26, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 26. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- (28) If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Unit A3, Pioneer Centre, Bure Place, Bicester

The Committee considered application 13/00742/ADV for 1 No. illuminated fascia.

In reaching their decision the Committee considered the officers' report and presentation.

Resolved

That application 13/00742/ADV be approved subject to the following conditions:

- (1) At the end of a period of five years form the date of this decision, this consent for the display of advertisements will lapse.
- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Drawing nos. HLP/454/10 Rev H received with the application and 454/05 Rev J received on 21 June 2013.
- (3) (a) No advertisement shall be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(b) No advertisement shall be sited or displayed so as to:-
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
(c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

75

Bicester Town Centre Development, Manorsfield Road, Bicester

The Committee considered application 13/00896/ADV for 1 No. illuminated fascia signage to car park ramp elevation.

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

Resolved

That application 13/00896/ADV be approved subject to the following conditions:

- (1) At the end of a period of five years form the date of this decision, this consent for the display of advertisements will lapse.

- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Drawing no. 04075/P7-01 Rev B received on 16.07.13.
- (3)
 - (a) No advertisement shall be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (b) No advertisement shall be sited or displayed so as to:-
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - (c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- (4) The maximum luminance of the internally illuminated sign hereby approved shall not exceed 100 cds per sqm.
- (5) The sign hereby permitted shall only be illuminated during shop trading hours or between 07:00 and 23:00 hrs should the store be in operation for 24 hours.

76

Bicester Town Centre Development, Manorsfield Road, Bicester

The Committee considered application 13/00978/ADV for 1 No. toilet signage; 1 No. pop-in centre signage; 1 No. café signage and 1 No. shopmobility signage.

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

Resolved

That application 13/00978/ADV be approved subject to:

- (i) Authority being delegated to officers being given delegated authority to consider the satisfactory resolution of any adverse comments being received prior to the expiration of the consultation period (15 August).
- (ii) the following conditions:

- (1) At the end of a period of five years from the date of this decision, this consent for the display of advertisements will lapse.
- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Drawing no. 04075/P7-02 Rev B received with the application.
- (3)
 - (a) No advertisement shall be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (b) No advertisement shall be sited or displayed so as to:-
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - (c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

77 **Paddock Adjoining And South East of 32 Mill Street, Kidlington**

The Committee considered application 13/00750/F for a detached dwelling.

Councillor Stevens proposed that consideration of the application be deferred to allow for a formal site visit. Councillor Hurle seconded the proposal.

Resolved

That consideration of application 13/00750/F be deferred to allow for a formal site visit.

78 **Land West of Hornton Hall, Quarry Road, Hornton**

The Chairman advised that Committee application 13/00868/F had been withdrawn by the applicant.

79 **Park Farm, Heyford Road, Middleton Stoney**

The committee considered application 13/00960/F for the erection of extensions to an existing building to form a new cattle yard and straw barn.

In reaching their decision the Committee considered the officers' report and presentation.

Resolved

That application 13/00960/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.
- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: application forms, planning, design and access statement dated June 2013, Agricultural Assessment dated June 2013, letter from RSK to Turney Group dated 14 June 2013, plan identifying Farm Holding and drawing numbers E/3241/04 D, Park Farm/1 Rev A, Park Farm/2 Rev A and Park Farm/4 Rev A.
- (3) The existing hedgerows/trees and previously implemented landscaping areas on the boundaries of the site shall be retained and properly maintained, and that any hedgerow/tree which may die within five years from the completion of the development shall be replaced and thereafter be properly maintained in accordance with this condition.
- (4) The development hereby approved shall be carried out strictly in accordance with the Great Crested Newt Method Statement set out in Annex 1 of the Phase 1 Habitat Survey Report submitted with the application, which was prepared by RSK Carter Ecological dated December 2009.
- (5) Should any development works take place between 1 March and 31 August inclusive, a temporary fence along the hedgerow to the South-West shall be installed to protect nesting bird interest.

80

Banbury Cross Retail Park, Lockheed Close, Banbury

The Committee considered application 13/00963/F for alterations to external elevations and car park layout.

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

Resolved

That application 13/00963/F be approved subject to

- (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.

- (2) Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement and drawings numbered: 1001 rev. A, 1002 rev. A, 1003 rev. A and 1005 received 05 July 2013.
- (3) Prior to the commencement of the development hereby approved, full details of a new section of fence to be constructed in the western side of the car park shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the development, the new section of fence shall be erected, in accordance with the approved details, and retained and maintained in situ at all times.

81 **Land West of Barton North of A40 and South of Boundary Brook Northern By-Pass RD Wolvercote**

The Committee considered application 13/01100/ADJ, an outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3), a maximum of 2,500sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350sqm GEA hotel (Class C1); a maximum of 3,000sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement).

Cherwell District Council was a consultee on the application which would be determined by Oxford City Council.

In reaching their decision the Committee considered the officers' report and presentation.

Resolved

That Oxford City Council be advised that Cherwell District Council raise no objection subject to Oxfordshire County Council and Oxford City Council making a thorough assessment of the highway/transport and infrastructure impacts on areas surrounding the site.

82 **Land North of Withycombe Farm and West of Edinburgh Way, Banbury**

The Committee considered a report of the Head of Public Protection and Development Management which advised Members of a scheme aimed at resolving highway concerns raised by Members in respect of the proposed access on to Edinburgh Way. The new access would be a second access to serve a development of up to 400 dwellings (planning application ref: 13/00444/OUT), which had been approved in principle at Planning Committee on the 11 July 2013.

Resolved

- (1) That the report be noted and it be agreed that the mitigation works proposed overcome Member reservations about access concerns on Edinburgh Way.
- (2) That officers be requested to include the mitigation works in the S106 legal agreement.

83 **Quarterly Enforcement Report**

The Committee considered a report of the Head of Public Protection and Development Management which informed and updated Members of the progress of outstanding formal enforcement cases and to inform Members of the overall level of activity in the Development Management service.

Resolved

- (1) That the report be noted.

84 **Decisions Subject to Various Requirements**

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

Resolved

- (1) That the position statement be accepted

85 **Appeals Progress Report**

The Committee considered a report which updated Members on application which had been determined by the Council, where new appeals had been lodged, hearings scheduled or appeal results achieved.

Resolved

- (1) That the position statement be accepted

The meeting ended at 6.45 pm

Chairman:

Date: