

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 April 2014 at 4.00 pm

Present: Councillor Rose Stratford (Chairman)
Councillor Alastair Milne Home (Vice-Chairman)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Colin Clarke
Councillor Tim Emptage
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
Councillor Lawrie Stratford

Officers: Bob Duxbury, Development Control Team Leader
Rebekah Morgan, Planning Officer
Caroline Ford, Senior Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Team Leader Democratic and Elections

251 **Declarations of Interest**

Members declared interests in the following agenda items:

7. Land incorporating former Holly House, Bath 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 Colin Clarke, 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.

8. Land South of Station Approach, West of Bicester Village, Pingle Drive, Bicester.

Councillor Andrew Beere, Declaration, as an employee of Chiltern Railways which has links with Bicester Town Station and the car and would abstain from voting on the application.

Councillor D M Pickford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council, which had been consulted on the application.

9. 4 The Rookery, Kidlington.

Councillor Tim Emptage, Non Statutory Interest, as a member of Kidlington Parish Council, which had been consulted on the application.

252 **Requests to Address the Meeting**

There were no requests to address the Committee.

253 **Urgent Business**

There was no urgent business.

254 **Minutes**

The Minutes of the meeting held on 6 March 2014 were agreed as a correct record and signed by the Chairman.

255 **Chairman's Announcements**

The Chairman had no announcements.

256 **Land incorporating former Holly House, Bath Road, Banbury**

The Committee considered application 13/01649/F for the demolition of existing buildings and the erection of a new care home, together with alterations to access, parking provision, landscaping and associated works.

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

Resolved

That application 13/01649/F be approved, subject to:

- a) Delegated authority to officers to complete of the legal agreement.
- b) 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents listed below: Drawings: 02 Rev B, 40 Rev B, 41 Rev B, 42 Rev A, 50 Rev A, 55 Rev A, A-623/58/A, TDA.1913.01 and Planning, Design and Access Statement Ref TPS/13179/RO1CG dated October 2013
3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) (including samples) of the development 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. The development hereby approved shall be used only for the purpose of a care facility and for no other purpose whatsoever, including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
5. Prior to the first occupation of the development hereby approved, written confirmation of the development's Secured By Design accreditation shall be submitted to and approved in writing by the Local Planning Authority.
6. 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.
7. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.
8. 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.

9. Prior to commencement of development, a plan demonstrating the proposed compound for parking of construction-related vehicles within the site must be submitted for consideration and approval. The approved construction vehicles' parking compound must be used thereafter during construction works and no vehicles must be parked on the public highway.
10. Finalised drainage designs needs to be checked by OCC and agreed prior to commencement of the development.
11. Calculations are to be provided to OCC Drainage team for approval to prove the final drainage design.
12. No development shall commence until details for the provision of 6 incorporated swift nest boxes have been submitted to and approved by the Council. Details shall include the type of nest boxes to be used and the proposed locations on the building. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Council.
13.
 - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of this permission.

14. The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Survey and Planning Integration Report and the Tree Protection Plan prepared by Quaife Woodlands on 24 October 2013.
15. 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 boundary treatments, pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
16. 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.
17. A scheme setting out how public art will be incorporated into the development shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction.

257

Land South of Station Approach, West of Bicester Village, Pingle Drive, Bicester

The Committee considered application 13/01934/F for alterations to the existing Car Park to include a reduction in site area, erection of parking deck and erection of reception accommodation for visitors to Bicester Village.

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

Resolved

That application 13/01934/F be approved, subject to to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the application shall be carried out in accordance with the following plans and documents: Application forms, Design and Access Statement dated 17 December 2013, Transport Statement dated 12 December 2013, External Lighting Design Planning Statement dated 6 December 2013, Surface Water Drainage Strategy dated December 2013 and the following plans: P-506-proposed finishes; P-512; P-511; P-510; P-509; P-507; P-505; P-504; P-503; P-502;P-501; and P-508 accompanying the application.

3. Notwithstanding the details submitted, prior to the commencement of development, full details of the enclosures along all boundaries of the development shall be submitted to and approved in writing by the local planning Authority. Thereafter the approved means of enclosure shall be erected prior to the car park being first brought into use and thereafter maintained and retained in accordance with the approved details.
4. 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 details of the proposed tree and shrub planting including their species, number, sizes and positions, together with any grass seeded/turfed areas.
5. Prior to the commencement of development, a car park management plan must be submitted to and approved in writing by the Local Planning Authority. The car parking must be carried out in accordance with the details approved in the car park management plan.
6. No development shall commence on the site until a full drainage design for the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Council's Drainage Team).

(Councillor Beere abstained from voting on this application)

258

4 The Rookery, Kidlington

The Committee considered application 13/01947/F for redevelopment to form 31 retirement living apartments including communal areas, car parking and associated landscaping.

Councillor Emptage proposed that application 13/01947/F be refused as the application proposed overdevelopment of the site, insufficient parking and the impact on neighbouring areas. Councillor Stevens seconds the proposal. The motion was duly voted on and subsequently lost.

Councillor Lawrie Stratford proposed that application 13/01947/F be approved. Councillor Clarke seconded the proposal.

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

Resolved

That application 13/01947/F be approved subject to:

- a) The applicant entering into an appropriate legal agreement to the satisfaction of the District Council to secure the following obligations and financial contributions:

Cherwell District Council

35% affordable housing – off site provision sought and is subject to further negotiation in respect to viability.

Refuse bins and recycling banks – contribution of £67.50 p/dwelling sought, the amount of bins are being negotiated.

CDC Admin and Monitoring fee – £650

Oxfordshire County Council

General Transport and Access impacts - £6,000 for a new bus shelter at the Chorefields bus stop on the northern side of Lyne Road.

Museum resource centre - £215

Strategic Waste Management - £2,496

Social & Health Care - £42,900

OCC Admin and Monitoring fee – £1500

- b) The following conditions:
1. 3 year time commencement
 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: application forms, design, access and sustainability statement, site location plan and drawing numbers 10-1937-101A and 105B received 14.03.14 and 10-1937-102, 103, 104A, 106A, 107A, 108 and MCCA 259/4-001B submitted with the application.
 3. That the external walls and roof(s) of the development hereby approved shall be constructed in accordance with the schedule of materials and finishes detailed on page 35 of the Design, Access and Sustainability Statement submitted with the application.
 4. That prior to commencement of any development on the site, an Arboricultural Method Statement (AMS), undertaken in accordance with BS5837:2012(as revised) shall be submitted and approved in writing by the Local Planning Authority. Thereafter all works on site shall be undertaken in accordance with the agreed document.
 5.
 - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the decision notice.

6. Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details.
 - a) Written confirmation of the contact details of the project arboriculturalist employed to undertake the supervisory role of relevant arboricultural issues.
 - b) The relevant persons/contractors to be briefed by the project arboriculturalist on all on-site tree related matters
 - c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturalist.
 - d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and arboricultural incidents
 - e) Details of appropriate supervision for the installation of load-bearing ‘structural cell’ planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (eg: reduced dig systems, arboresin, tree grills)
7. Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, 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 details.
8. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. MCCA 259/4-001B) 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, unless otherwise agreed in writing by the Local Planning Authority. 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.

9. Notwithstanding the submitted Drainage Survey and Strategy received 14.03.14 , development shall not commence until a further drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy.
10. Development shall not commence until elevation details of the building have been submitted to and approved in writing by the local planning authority which illustrates the positioning of the bat mitigation measures as detailed in the mitigation plan received on 14.03.14. The development hereby permitted shall then be carried out in accordance with the recommendations set out in Extended Phase 1 Habitat Survey Report by Marishal Thompson Group dated 6 December 2013 and the agreed proposed mitigation measures, unless otherwise agreed in writing by the Local Planning Authority.
11. That the enclosures along all boundaries and within the site shall be erected prior to the first occupation of the development and in accordance with drawing no. MCCA259/4-00, unless otherwise agreed in writing by the Local Planning Authority.
12. 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.
13. Prior to the first use of the access hereby approved, the existing access onto The Rookery shall be permanently stopped up in accordance with details to be submitted and approved in writing by the Local Planning Authority, prior to the first occupation of the development and shall not be used by any vehicular traffic whatsoever.
14. Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and panttechnicon turning within the site 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 details.
15. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in

accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

16. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The construction works must be carried out in accordance with the details approved in the construction traffic management plan.
17. 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.
18. 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.

259

Land NE of Wychford Lodge Farm, Whichford Road, Hook Norton

The Committee considered application 14/00095/F for the conversion of redundant agricultural buildings to form livery stables with on-site staff accommodation and the construction of new indoor training school.

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

Resolved

That application 14/00095/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Dwg nos. 001B, 002A, 101A and 201A received with the application and Dwg nos. 102A, 103B and 104B received by email dated 12.03.2014.
3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes including samples, for the external walls and roof(s) of the development (the linked barn, long barn, indoor ménage and horse walker) 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. Samples of the paving to be used in the surfacing of the areas of hard standing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Thereafter, the development shall be carried out in accordance with the samples so approved.
5. 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.
6. 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.
7. Prior to the commencement of the development full details of the enclosures along all boundaries of the external schooling area, junior schooling area and around the long barn shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first use of the site.
8. Prior to the commencement of the development hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with the submitted drawing and specification details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the

development shall be carried out in accordance with the approved details.

9. Prior to the first use of the access hereby approved, the existing access onto the highway shall be permanently stopped up in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. Thereafter the existing access shall not be used by any vehicular traffic whatsoever.
10. That the site shall be used for the livery of up to 25 horses only and associated facilities (including accommodation for one 1 No. permanent manager's dwelling) and for no other purpose whatsoever.
11. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the approved dwelling shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling, without the prior express planning consent of the Local Planning Authority.
12. Except where otherwise shown on the approved drawings, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed within the site either around the property or between the property and the stables without the prior express planning consent of the Local Planning Authority.
13. The living accommodation hereby approved shall be occupied solely in conjunction with and ancillary to the livery business subject of this application and shall not be sold, leased or occupied as a separate unit of accommodation.
14. Manure and soiled bedding shall not be allowed to accumulate and shall not be burned on the site but shall be removed at frequent intervals for disposal elsewhere.
15. Prior to the commencement of the development hereby approved, full details of the location, method of storage and disposal of all manure and waste from the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
16. No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

Stedman Cottage, Middle Aston

The Committee considered application 14/00145/F for a new dwelling.

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

Resolved

That application 14/00145/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: 1350-LP-BP C; 1350-01 C; 1350-02; 1350-03 F; and 135004 E.
- 3 The walls of the dwellinghouse shall be constructed in natural limestone which shall be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1m² 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.
- 4 That samples of the brick to be used for the detailing in the walls surrounding the approved openings of the dwellinghouse 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 samples so approved.
- 5 That samples of the slate to be used in the covering of the roof of the dwellinghouse 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 samples so approved.
- 6 That full 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.
- 7 That full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and such means of enclosure shall be erected prior to the first occupation of the dwelling.
- 8 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.
- 9 That, notwithstanding the provisions of Classes A to E (inc.) of Part 1, of the Town and Country Planning (General Permitted Development)

(Amendment) (No 2) (England) Order 2008 and its subsequent amendments, the approved dwelling(s) shall not be extended (nor shall any structures be erected within the curtilage of the said dwelling(s) without the prior express planning consent of the Local Planning Authority.

261

Yarnton Nurseries, Sandy Lane, Yarnton

The Committee considered application 14/00191/OUT, an outline application for alterations to an existing garden centre and the development of 14 new dwellings including access.

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

Resolved

That application 14/00191/OUT be refused for the following reasons:

1. In the opinion of the Local Planning Authority, whilst the site is previously developed, the proposed development would have a serious and materially greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and therefore the proposal represents inappropriate development in the Green Belt. The Local Planning Authority do not consider there to be any very special circumstances, which includes the Council's current inability to demonstrate a 5 year deliverable supply of housing throughout the District required by Paragraph 47 of the NPPF or any other benefits of the scheme, which would outweigh the demonstrable harm caused to the Green Belt by way of inappropriateness, harm to the openness and the fact that the development would conflict with the key purposes of including land within the Green Belt. The proposal is therefore unsustainable development. The proposal is contrary to Policies GB1 and C8 of the adopted Cherwell Local Plan, Policies GB1 and GB1a of the non-statutory Cherwell Local Plan, Policies ESD14 and ESD16 and Government Guidance contained within the National Planning Policy Framework 2012.
2. In the absence of a satisfactory unilateral undertaking or any other form of S106 Legal agreement, the Local Planning Authority cannot guarantee that the infrastructure directly required to service or serve the proposed development will be provided. This would be contrary to Policies H5, TR1 and R12 of the adopted Cherwell Local Plan and Policies H7, OA1, TR4, R8, R9, and R10A of the non-statutory Cherwell Local Plan 2011, Policies BSC3, BSC10, BSC11 and INF1 of the Submission Cherwell Local Plan January 2014 and Government guidance contained within the National Planning Policy Framework 2012.

262 **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

263 **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.

Councillor Wood, Ward member for Fringford, spoke in reference to the decision of the Inspector appointed by the Secretary of State to quash the enforcement notice 13/00138/EPlan relating to a breach of planning control and allow the planning appeal against the refusal of application 13/00718/F regarding the demolition and replacement with 2 no. new dwellings without complying with a condition attached to planning permission 11/01160/F at land at Rosemary, Main Street, Fringford.

Councillor Pickford proposed that officers be requested to submit a report to a future Planning Committee setting out the Council's proposed next steps in the matter of Rosemary, Fringford. Councillor Rose Stratford seconded the proposal.

Resolved

- (1) That the position statement be accepted.
- (2) That officers be requested to bring an informative report to a future Planning Committee setting out the Council's proposed next steps in the matter of Rosemary, Fringford.

The meeting ended at 5.52 pm

Chairman:

Date: