

## Cherwell District Council

### Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 June 2014 at 4.00 pm

Present: Councillor Rose Stratford (Chairman)  
Councillor Colin Clarke (Vice-Chairman)

Councillor Andrew Beere  
Councillor Fred Blackwell  
Councillor Michael Gibbard  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Mike Kerford-Byrnes  
Councillor James Macnamara  
Councillor Alastair Milne Home  
Councillor Nigel Randall  
Councillor G A Reynolds  
Councillor Barry Richards  
Councillor Lawrie Stratford

Substitute Members: Councillor Barry Wood (In place of Councillor Chris Heath)

Apologies for absence: Councillor Chris Heath  
Councillor Matt Johnstone  
Councillor Trevor Stevens  
Councillor Douglas Williamson

Officers: Bob Duxbury, Development Control Team Leader  
Rebecca Horley, Principal Planning Officer  
Ross Chambers, Solicitor  
Linda Griffiths, Senior Planning Officer  
James Doble, Democratic and Elections Manager

### 3 **Declarations of Interest**

Members declared interest on the following agenda items:

#### **7. Phase 2 SW Bicester Parcel 7849 North of Whitelands Farm Adjoining Middleton Stoney Road, Bicester.**

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council.

**9. Proposed Drayton Playgroup, North Oxfordshire Academy, Drayton Road, Banbury.**

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council.

**12. OS Parcel North of Adderbury Court, Oxford Road, Adderbury.**

Councillor Nigel Randall, Non Statutory Interest, following advice from officers, he would withdraw from the meeting as he had publicly expressed views on the development but despite this felt able to consider the application impartially and based on the evidence presented with an open mind.

**13. Franklins Yard, St Johns Street, Bicester.**

Councillor Barry Wood, Non Statutory Interest, as a member of the Executive.

Councillor G A Reynolds, Non Statutory Interest, as a member of the Executive.

Councillor Michael Gibbard, Non Statutory Interest, as a member of the Executive.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council.

**15. Units 5 & 6 Bicester Village, Pingle Drive, Bicester.**

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council.

**16. Cattle Market Car Park, Victoria Road, Bicester.**

Councillor Barry Wood, Non Statutory Interest, as a member of the Executive.

Councillor G A Reynolds, Non Statutory Interest, as a member of the Executive.

Councillor Michael Gibbard, Non Statutory Interest, as a member of the Executive.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council.

**20. Horsehay Quarry Middle Barton Road Duns Tew.**

Councillor G A Reynolds, Non Statutory Interest, as a member of the County Council Planning Committee, whilst a non-statutory interest he stated that he would not remain in the room for debate or to vote.

**21. Formerly Alcoa Europe, Southam Road, Banbury.**

Councillor Alastair Milne Home, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council.

Councillor Colin Clarke, Non Statutory Interest, as a member of Banbury Town Council.

4 **Requests to Address the Meeting**

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

5 **Urgent Business**

There was no urgent business.

6 **Minutes**

The Minutes of the meetings held on 15 May 2014 and 16 June 2014 were agreed as a correct record and signed by the Chairman.

7 **Chairman's Announcements**

The Chairman announced that the applicant following consultation with officers had requested that application 14/00463/F, The Bell Inn, Hook Norton be deferred, with no member indicating dissent assent to the deferral was given.

8 **Phase 2 SW Bicester Parcel 7849 North of Whitelands Farm Adjoining Middleton Stoney Road, Bicester**

The Committee considered application 13/00847/OUT, an outline application for a residential development within Use Class C3, Extra Care facility, Primary School, retail, formal and informal public open space, play facilities, sports pitches, allotments and associated infrastructure including landscaping, highways, footpaths/cycleways, drainage utilities and parking.

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

**Resolved**

That application 13/00847/OUT be deferred, due to concerns regarding the location and safety implications of the proposed public open space outside the development across Vendee drive, concerns that a public right of way is shown through the allotments creating security issues and that no contribution towards indoor sports had been made due to the lack of perceived need despite the increased pressure this would place on Bicester Leisure Centre.

9 **Land adjacent and north of St. Swithun's Church, Merton**

The committee considered application 13/01873/OUT, outline application for a residential development of up to 9 dwellings.

Ian Mills and Carl Evans, local residents, addressed the Committee in objection to the application.

Mr Bagshaw, the agent, addressed the Committee in support of the application.

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

### **Resolved**

That application 13/01873/OUT be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a 5 year supply of housing land required by Paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of the land supply shortfall alone. The proposal represents unsustainable development beyond the built up limits of Merton with no case being made for its consideration as a rural exception site or other essential undertaking. As the proposal cannot be justified on the basis of an identified need in an unsustainable location, it represents development which encroaches into the open countryside and causes demonstrable harm to the setting and significance of designated Heritage Asset, the Grade I listed St. Swithun's Church contrary to Paragraph 14 of the NPPF and also the enjoyment of the footpath that runs across the site by the public. It also fails to maintain the rural character and appearance of the area and to conserve, enhance and respect the environment and historic settlement pattern by introducing an incongruous, prominent, urbanising and discordant built form of development into this rural setting, injurious to its character and appearance and would also risk further harm to the character of this area which could arise from the precedent that may set. The application is, therefore, contrary to Policies H18, C7, C8, C27 and C30 of the adopted Cherwell Local Plan, Policies ESD13 & ESD16 and Villages 1 of the Submission Local Plan January 2014 and Government guidance contained in the National Planning Policy Framework.
2. The proposal would result in the residential development of land in an unsuitable backland position served by an access way between and behind residential dwellings, which is out of keeping with and causes harm to the existing residential form and character of the area. Furthermore, the development would be detrimental to the amenities of the adjacent residential properties by reason of the introduction of increased vehicular activity in an otherwise quiet and tranquil environment. The proposal is therefore contrary to the Policies C27, C30 and C31 of the adopted Cherwell Local Plan and Policy ESD16 of the Submission Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

3. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the affordable housing directly required as part of this scheme will be provided. This would be contrary to the Policy H5 of the adopted Cherwell Local Plan, Policy INF1 of the Submission Cherwell Local Plan and government guidance contained within the National Planning Policy Framework.

10 **Proposed Drayton Playgroup, North Oxfordshire Academy, Drayton Road, Banbury**

The committee considered application 14/00080/F, application for a Single storey pre-school building.

Lesley Blake, a local resident, addressed the Committee in objection to the application. In the course of her presentation it was expressed there had been delays in documents being made publicly available by the planning authority which may have adversely impacted her ability to raise objections to the proposals.

Sara Billins, Headteacher of North Oxfordshire Academy, addressed the Committee in support of the application.

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

**Resolved**

That application 14/00080/F be deferred, due to the concerns expressed by the objector regarding a delay in documents being made publicly available by the planning authority which may have adversely impacted her ability to raise objections to the proposal.

11 **Greenup Banbury Road Bloxham**

The committee considered application 14/00184/F, application for the demolition of existing bungalow and garage and construction of 3 new dwellings.

Councillor Lynda Thirzie Smart, addressed the Committee as ward councillor.

Sian Gaskell, a local resident, addressed the committee in objection to the application and on behalf of neighbouring properties.

Paul Townsend, the applicant, addressed the Committee in support of the application.

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

**Resolved**

That application 14/00184/F be deferred, to allow for a site visit for members to assess the effect on the neighbouring properties and the visual amenity of the locality.

## 12 **Land North of Milton Road, Adderbury**

The committee considered application 14/00250/F, application for demolition of existing agricultural buildings and erection of 20 private houses and 11 affordable dwellings, provision of public open space and land for a possible community use

James Young, a local resident, Peter Burrows, ACAG and David Griffiths, Adderbury Parish Council, addressed the committee in objection to the application.

Paul McCann, the applicant, addressed the Committee in support of the application.

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

### **Resolved**

That application 14/00250/F be approved, subject to the following (which includes a revision to condition 30 as reported at the meeting:

- a) The satisfactory completion of the Section 106 within an agreed timeframe;
- b) Members agreement to delegate to officers negotiations relating to the Section 106;
- c) Minor revisions to plots 24 and 31;
- d) 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: Planning Statement, Design and Access Statement, Statement of Significance of the Land in Relation to Local Heritage Assets, Drawing nos. 060116/PL.01, PL.02 Rev X, PL.03 Rev B, PL.04 Rev A, PL.05 Rev A, PL.06 Rev A, PL.07, PL.08, PL.09 Rev A, PL.10 Rev A, PL.11, PL.12 Rev A, PL.13 Rev A, PL.14 Rev A, PL.15, PL.16 Rev A, PL.17 Rev A, PL.18, PL.19 Rev A, PL.20 Rev A, PL.21 Rev A, PL.22 Rev A, PL.23 Rev A, PL.24 Rev A and PL.25 received on 21 May 2014 with your letter dated 19<sup>th</sup> May 2014.
  3. The development hereby approved shall be carried out in accordance with the conclusions and recommendations set out in Desk Top Study

and Site Investigation Report carried out by The Brownfield Consultancy dated 14<sup>th</sup> January 2014, unless otherwise agreed in writing by the Local Planning Authority.

4. The development hereby approved shall be carried out in accordance with the recommendations set out in the Flood Risk Assessment carried out by Banners Gate dated February 2014 unless otherwise agreed in writing by the Local Planning Authority.
5. Prior to the commencement of the development hereby approved, samples of the brick, natural stone, tile and slate to be used in the construction of the walls, roof, hardstanding 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.
6. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural ironstone which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development where indicated shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel.
7. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including 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 buildings in accordance with the approved details.
8. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed 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 approved finished floor levels plan.
9. Prior to the commencement of the development hereby approved, the buildings and structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site.
10. That before any of the dwellings are first occupied the whole of the estate roads and footpaths of that phase, shall be laid out, constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council's Specifications.
11. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

12. Before any of the dwellings are first occupied the parking and manoeuvring areas shall be provided in accordance with the approved plan and shall be constructed, laid out, surfaced, drained and completed, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.
13. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
14. That the garage and car port accommodation shall be retained as such and shall not be adapted for living purposes unless planning permission has first been granted by the Local Planning Authority on a formal application.
15. Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.
16. No development shall commence on site for the development until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.
17. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a precautionary method of working strategy for great crested newts shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.
18. No development shall commence until details for the provision of 8 swift nest boxes and 5 Schwegler bat tubes (or similar) have been submitted to and approved by the Council. Details shall include the type of bird boxes /bat tubes to be used and their proposed locations within new dwellings. The approved works shall be implemented in full



before the development is first brought into use, unless otherwise agreed in writing by the Council.

19. Prior to the commencement of the development hereby permitted, including any works of site clearance, an ecological enhancement scheme, including planting schemes incorporating a majority of native species, management regimes for retained grassland and who will be responsible for ensuring these are undertaken, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the ecological enhancement measures shall be carried out and retained in accordance with the approved details.
20. No removal of hedgerows, trees or scrub shall take place between the 1<sup>st</sup> March and 31<sup>st</sup> 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 the nesting bird interest on the site.
21. A fencing plan showing how trees, hedgerows and any grassland to be retained will be protected during construction, in accordance with BS5837:2005 'trees in relation to construction'.
22. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.
23. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, 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 and specifications.
24. That the landscaping scheme and play area/s shall be carried out strictly in accordance with ACD drawings nos. BAN 18703 03A, 12C, 13B, 14D, 15D and 20B unless otherwise agreed in writing by the Local Planning Authority.
25. 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.

26. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
27. Following the approval of the Written Scheme of Investigation referred to in condition 26, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
28. 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".
29. No development shall commence until details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied until confirmation has been sent in writing to the Local Planning Authority the SBD accreditation has been received.
30. Prior to the commencement of the development, evidence that the development is registered with an accreditation body under the Code for Sustainable homes and a Design Stage or Interim Code Certificate demonstrating that the development will achieve Code Level 4 (or the equivalent level of the relevant superseding scheme) for all dwellings shall have been submitted to and agreed in writing by the Local Planning Authority.
31. Within 3 months of the first occupation of any dwelling hereby approved, a post construction Final Code Certificate issued by an accreditation body confirming that the dwelling has achieved a code for

Sustainable homes rating of Code Level 4 shall have been submitted to the Local planning Authority

32. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the dwelling(s) and the highway, within the curtilage or forward of the principle elevation/on the site without the prior express planning consent of the Local Planning Authority.
33. The garage(s) shown on the approved plans shall not be converted to provide additional living accommodation without the prior express planning consent of the Local Planning Authority.

13

### **OS Parcel North of Adderbury Court, Oxford Road, Adderbury**

The committee considered application 14/00351/F, application for a proposed residential development of 25 units.

James Shuttleworth, 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 presentations of the public speakers.

### **Resolved**

That application 14/00351/F be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a 5 year supply of housing land required by Paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of the land supply shortfall alone. The proposal represents unsustainable development beyond the built up limits of Adderbury with no case being made for its consideration as a rural exception site or other essential undertaking. As the proposal cannot be justified on the basis of an identified need in an unsustainable location, it represents development which encroaches into the open countryside which fails to maintain the landscape's 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, C7 and C8 of the adopted Cherwell Local Plan and Policies ESD13 & ESD16 and Villages 1 of the Submission Local Plan January 2014 and Government guidance contained in the National Planning Policy Framework.
2. The site forms part of an Area of High Landscape Value and is prominently located adjacent to public rights of way. It is considered that the development of this site for a housing scheme would have a

harmful impact on an important part of the open countryside and would cause harm to the rural landscape setting of the village and would reduce the amenity value afforded from the existing Rights of Way. The proposal is considered, therefore, to be contrary to saved Policies C7 and C13 of the adopted Local Plan and Policies ESD13, ESD15, ESD16 and ESD18 of the Submission Local Plan January 2014 and Government guidance contained within the National Planning Policy Framework 2012.

3. The proposed site layout, design and mix of the proposed dwellings are considered to represent a form of development that does not reinforce and enhance the character of the village or provide affordable housing in accordance with the housing needs of the village. Furthermore the proposed Local Area of Play is not acceptable in terms of its size or location to allow sufficient natural surveillance. The resultant development would not create a high quality built environment nor would it reinforce local distinctiveness. The proposal is therefore contrary to Policies H5, R12, C28 and C30 of the adopted Cherwell Local Plan and Policies BSC3, ESD13 & ESD16 of the Submission Local Plan January 2014 Government guidance contained within the National Planning Policy Framework 2012.

14

#### **Franklins Yard, St Johns Street, Bicester**

#### **(Councillors Gibbard, Wood and Reynolds left the meeting)**

The committee considered application 14/00403/F, application for the erection of a five storey building comprising community and town centre uses together with servicing and alterations to the vehicle access

Roger Finch, 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 presentations of the public speakers.

#### **Resolved**

That application 14/00403/F be approved, subject to the following:

- a) the completion of the S106 legal agreement within a timescale to be agreed in writing between the Council and the applicant
- b) the following conditions:
  1. SC1.4 (Time)

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing nos. P-001, 002,003A, 100A,101A, 102A, 103A, 104A, 105A, 200A, 201A, 300, 301A, 302A, 303A, 304A received with the application and the amended Mayer Brown drawings LSHBICESTER.1/05 Rev B & TCRBICESTER2.2/04 Rev M.
3. 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.
4. 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 development, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
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 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 hereby approved, including any demolition, and any works of site clearance, a plan for enhancing biodiversity on site 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.

8. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- (1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - (2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
9. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local

planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

11. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
12. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
13. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan (CTMP) 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 CTMP.
14. Prior to the first use or occupation of the development hereby permitted, 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 cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
15. Prior to the commencement of the development hereby approved, full design and operational details of the method of the air conditioning, extract ventilation and refrigeration systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the systems shall be installed, brought into use and retained and maintained in accordance with the approved details.
16. That prior to the commencement of the development, the provision of a suitable scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed prior to the occupation of the development and thereafter retained in accordance with the approved details.
17. No external lights shall be erected on the land without the prior express consent of the Local Planning Authority.
18. No development shall commence until details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority, unless agreed otherwise. The development shall be carried out in accordance with

the approved details, and shall not be occupied until confirmation has been sent in writing to the Local Planning Authority the SBD accreditation has been received, unless agreed otherwise.

19. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
21. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
22. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
23. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan (CTMP) 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 CTMP.
24. Prior to the first use or occupation of the development hereby permitted, 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 cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.



25. Prior to the commencement of the development hereby approved, full design and operational details of the method of the air conditioning, extract ventilation and refrigeration systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the systems shall be installed, brought into use and retained and maintained in accordance with the approved details.
26. That prior to the commencement of the development, the provision of a suitable scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed prior to the occupation of the development and thereafter retained in accordance with the approved details.
27. No external lights shall be erected on the land without the prior express consent of the Local Planning Authority.
28. No development shall commence until details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority, unless agreed otherwise. The development shall be carried out in accordance with the approved details, and shall not be occupied until confirmation has been sent in writing to the Local Planning Authority the SBD accreditation has been received, unless agreed otherwise.

**(Councillors Gibbard, Wood and Reynolds left the re-joined the meeting)**

15

**The Stables, College Farm, Main Street, Wendlebury**

The committee considered application 14/00426/F, application for the demolition of existing barn/stables and silo and erection of stable and storage building.

David Holley, a local resident, addressed the committee in objection to the application.

Alex Cresswell, 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 presentations of the public speakers.

**Resolved**

That application 14/00426/F be approved subject to the following:

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. 730 01C, 730 02C, 730 03C and 730 04C

3. 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.

4. 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.
5. The access and areas of hard standing shall be kept free of obstructions at all times and used only for the specified purpose.
6. Prior to the first use of the development hereby approved, the hard standing 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 hard standing area shall be retained in accordance with this condition.
7. The stables and land hereby permitted shall be used for private use only and no commercial use including riding lessons, tuition, livery or competitions shall take place at any time.

8. 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.
9. 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.
10. No external lights/floodlights shall be installed/erected on the land without the prior express consent of the Local Planning Authority.
11. All construction traffic serving the development shall enter and leave the site via the northern access only in accordance details of a route and associated signage to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.
12. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site and adjacent neighbouring land to the west of the site for the proposed building 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 finished floor levels plan.

16

### **Units 5 & 6 Bicester Village, Pingle Drive, Bicester**

The committee considered application 14/00451/F, application for the erection of a part 2 storey and part three storey extension to provide B1 offices, together with enlargement and reconfiguration of Class A1 factory outlet retail floorspace.

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

### **Resolved**

That application 14/00451/F be approved subject to the following:

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: 08/032/P-2901, 2902, 2904, 2906, 2907, 2908, 2909, 2910 and 2911, received with the application.
3. The materials to be used for the external walls and roof of the development hereby approved shall match in terms of colour, type and texture those used on the existing building/s.

4. That the retail units shall only be used for the purpose of providing a factory outlet shopping centre only and for no other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
5. That the retail units hereby approved shall not be used for the retailing of food and other convenience goods including newspapers, magazines, confectionery and as a newsagents and chemists with both pharmacy and health products.
6. None of the units hereby approved shall be used for retailers who predominantly sell any of the following category of goods: Furniture hardware, garden products, dispensed optical goods, books, CDs, DVDs, videos, electrical goods, computers and software, mobile phones, toys, pets and pet accessories, arts and craft products.
7. That the service yards shall be kept free of obstructions at all times and used only for the specified purpose.
8. Prior to the commencement of the development, full design details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking shall be retained as approved and used only for the specified purpose.
9. That prior to the commencement of the development, the provision of a suitable scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed prior to the occupation of the development and thereafter retained in accordance with the approved details.
10. That office floorspace hereby approved shall only be used ancillary to the management of the Bicester Village retail outlet.

17

### **Cattle Market Car Park, Victoria Road, Bicester**

The committee considered application 14/00461/CDC, application for the variation of Condition 1 of 09/00828/CDC – to extend planning permission for existing car park for a further five years.

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

### **Resolved**

That application 14/00461/CDC be approved subject to the following:

1. That at the expiration of 5 years from the date hereof the use specified in your application shall be discontinued.
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 site location plan received with the application.

3. That the site shall be used only for the purpose of a public car park and for no other purpose whatsoever.

18 **The Bell Inn, High Street, Hook Norton**

**Resolved**

That application 14/00463/F be deferred, at the request of the applicant in consultation with officers.

19 **Bacon Farm, Whichford Road, Hook Norton**

The committee considered application 14/00549/F, application for the demolition of existing dwelling and some outbuildings. Repairs to retained outbuildings. Erection of dwelling and new swimming pool.

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

**Resolved**

That application 14/00549/F be approved subject to the following:

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 development shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement ref: W1051\_CF-DAS, Structural Inspection dated 01 December by OMK Design Consultancy Ltd and drawings: Location Plan 051, Block Plan, Proposed Ground Floor, Proposed First Floor, 051-001 dated April 2014, 051-002 dated April 2013, 051-003-A, 051-003-B and 051-003-C all dated April 2013, 051-004 dated April 2014, 051-004-C dated April 2013
3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural stone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development 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, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved, including samples where appropriate 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.

5. 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.
6. Prior to the commencement of the development full details of the enclosures along all boundaries of the site 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 occupation of the dwelling.
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 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.
9. 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.

10. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.
11. All construction traffic serving the development shall enter and leave the site via the northern access only and not via the southern access onto Whichford Road.
12. 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(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.
13. The garage shown on the approved plans shall not be converted to provide additional living accommodation without the prior express planning consent of the Local Planning Authority.

20

### **Bradshaws Bungalow, Steeple Aston Road, Middle Aston**

The committee considered application 14/00552/F, application for the demolition of existing dwelling and the erection of replacement dwelling

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

### **Resolved**

That application 14/00552/F be approved subject to the following:

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 planning application forms, Planning Design and Access Statement produced by JPPC dated March 2014, the Tree Survey Report produced by Sarah Venners dated April 2014, Section 5 of the Initial Bat Report produced by Swift Ecology dated 3 March 2014, and the following approved plans; 14001/L001, 14001/PP010/A, 14001/PE010, 14001/PE011 and 14/001/PP030. Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority, and in accordance with

Government guidance contained within the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, samples of the slate and timber boarding to be used in the construction of a proportion of the walls and 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.
4. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on non-weathered limestone which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel
5. Notwithstanding the provisions of Classes A, B, C and D 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 new windows or openings other than those shown on the approved plans be inserted into the walls or the roof of the new dwelling, without the prior express planning consent of the Local Planning Authority.

21 **Horsehay Quarry Middle Barton Road Duns Tew**

The committee considered application 14/00625/CM, application for proposed Northern and Eastern extension to Duns Tew Quarry (East) to extract approximately 415 000 tonnes of saleable sand and the continuation of importation of aggregate for blending and merchanting/onward sale for 16/17 years with restoration to a mix of woodland, geo-diversity benefits and nature conservation (OCC Ref MW.0036/14)

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

**Resolved**

That with regard to application 14/00625/CM Cherwell District Council raises no objections.

22 **Formerly Alcoa Europe, Southam Road, Banbury**

The committee considered application 14/00628/F, application for the erection of new distribution centre with ancillary offices, car parking, service yard and access.

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



## Resolved

That application 14/00628/F be approved subject to the following:

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 consent.
2. Upon the commencement of the development (at the latest) hereby approved, a colour scheme for the colouring of the external cladding shall be submitted to and approved in writing by the Local Planning Authority. Therefore and prior to the first occupation of the development, the building shall be finished and thereafter maintained in accordance with the approved colour scheme.
3. 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; Transport Statement; Travel Plan; Flood Risk Assessment; Ecology position Statement and drawings numbered 30261-PL-151; 30261-PL-152A; 30261-PL-153A; 30261-PL-154B 30261-PL-155A; concept landscape sections 02 and Landscape Concept layout 01 Rev A.
4. Upon the commencement of the development (at the latest), full details of the enclosures along all boundaries of the site 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 approved details prior to the first occupation of the building and thereafter maintained.
5. All planting, seeding or turfing comprised in the approved details (reference Landscape Concept Plan Layout 01RevA) 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 seasons following the occupation of the building, or on completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from 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.
6. Upon the commencement of development (at the latest), full detailed plans of the proposed access to Noral way, together with the vision splays shall be submitted to and approved in writing by the Local Planning Authority. Therefore and prior to the first occupation of the building, the access shall be provided in accordance with the approved plans.
7. Upon the commencement of development (at the latest) 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 retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

8. 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.
9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by BWB Consultancy ref BMW/454/FRA-Unit Rev A dated April 2014 and the following mitigation measures detailed within the FRA:
  - Surface water discharge shall not exceed 150l/s across a range of storm events up to and including the 1 in 100 year event with an allowance for climate change as detailed in Section 4.0 of the above FRA
  - Finished floor levels to be set no lower than 93.54m above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be subsequently agreed, in writing, by the Local Planning authority.

10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate:
  - The surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event
  - Infiltration drainage should not be located in contaminated areas

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local

planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

12. Upon the commencement of development (at the latest), details for the provision of a minimum of 10 swift nesting boxes, or a swift nesting tower, shall be submitted to and approved in writing by the local planning authority. Details shall include the type of nest boxes to be used and their proposed location(s) on or close to the southern side of the building. The approved works shall be implemented in full prior to the first occupation of the building.
13. The building hereby approved shall be constructed to at least a BREEAM 'very Good' standard.
14. Notwithstanding the provisions of Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 1995 and its subsequent amendments, the approved building shall not be extended or altered without the prior express planning consent of the Local Planning authority.
15. Notwithstanding the provisions of Section 55 (2) (a) (i) of the Town and Country Planning Act 1990 (as amended by Section 49 of the 2004 Act) and Article 2A of the Town and Country Planning (General Development Procedure) Order 1995 and Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 and its subsequent amendments, no internal operations increasing the floor space available within the building hereby permitted shall be carried out without the prior express planning consent of the Local Planning Authority.
16. That prior to the first occupation of the building hereby approved, full details of external lighting, both on the building or within the site shall be submitted to and approved in writing by the local planning authority. The lighting shall thereafter be installed and maintained in accordance with the approved details.

23

### **Land South of the Bridleway, Main Street, Duns Tew**

The committee considered application 1400754/F, application for the change of use of land from agriculture to equestrian, erection of building comprising 3 no. stables, a tack/feed room, a covered area and a lean to hay store; the formation of a new access; and a ménage.

Dirk Pretorius, a local resident, addressed the committee in objection to the application.

Gilly Burrows, the applicant, addressed the Committee in support of the application.

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

## Resolved

That application 1400754/F be approved subject to the following:

- 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: MUK1007-03 B; MUK1007-05 C; MUK 1007-11F; MUK1007-12 G; and MUK1007-13 E.
- 3 That samples of the timber boarding to be used to clad the walls of the stables 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.
- 4 Prior to the commencement of the development hereby approved, full specification details of the access track serving the stables including construction, surfacing, layout, drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the stables the development shall be constructed in accordance with the approved details.
- 5 The landscaping shall be carried out in accordance with approved plan MUK1007-12 G.
- 6 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.
- 7 That 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.
- 8 No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.
- 9 Details of the drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

- 10 No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.
- 11 No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team.
- 12 That no material be imported in to the site or exported out of the site in respect of the proposed cut and fill without being approved in writing by the Local Planning Authority.
- 13 No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.
- 14 The stables and land hereby permitted shall be used for private use only and no commercial use including riding lessons, tuition, livery or competitions shall take place at any time.

#### 24 **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 report be noted.

#### 25 **Appeals Progress Report**

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

##### **Resolved**

- (1) That the report be noted.

#### 26 **Exclusion of Public and Press**

##### **Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 5 of Schedule 12A of that Act.

27 **27 Park Road, Banbury**

The committee considered an exempt report from the Head of Development Management. In reaching their decision, the Committee considered the officers' report and presentation.

**Resolved**

- (1) That the resolutions as set out in the exempt minute be agreed.

28 **Rosemary Development - Fringford**

The committee considered an exempt report from the Head of Development Management and the Head of Law and Governance. In reaching their decision, the Committee considered the officers' report and presentation.

**Resolved**

- (1) That no enforcement action be taken whilst the new application is considered, but that enforcement action be prepared in parallel to the application.
- (2) That it be noted that Fringford Parish Council has concerns regarding the original enforcement process.

The meeting ended at 8.50 pm

Chairman:

Date: