

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 27 November 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 Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Matt Johnstone
Councillor James Macnamara
Councillor Alastair Milne Home
Councillor Nigel Randall
Councillor Barry Richards
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Douglas Williamson
- Substitute Members: Councillor Ken Atack (In place of Councillor G A Reynolds)
Councillor Nicholas Turner (In place of Councillor Mike Kerford-Byrnes)
- Apologies for absence: Councillor Mike Kerford-Byrnes
Councillor G A Reynolds
- Officers: Bob Duxbury, Development Control Team Leader
Stuart Howden, Assistant Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Team Leader Democratic and Elections

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Declarations of Interest

10. Banbury AAT Academy (formerly Banbury School), Ruskin 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 Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as member of Banbury Town Council and as the Chairman of the Friends Group of Banbury Health and Wellbeing group at Standbridge House..

Councillor Michael Gibbard, Non Statutory Interest, as the written update contained reference of his support to the proposed development, therefore he would not take part in the debate..

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

11. Land North West of Wroxton Mill, Wroxton.

Councillor Alastair Milne Home, Declaration, as the applicant was known to him and would not take part in the debate..

Councillor James Macnamara, Non Statutory Interest, as Executive member of North Oxfordshire Conservative Association, and Declaration as the applicant was known to him

Councillor Ken Atack, Declaration, as the applicant was known to him and would abstain from the vote..

12. Kannegiesser UK, Beaumont 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 Barry Richards, 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, and a Declaration as the applicant was known to him and he would leave the meeting for the duration of the item..

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

118 **Requests to Address the Meeting**

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

119 **Urgent Business**

There were no items of urgent business.

120 **Minutes**

The Minutes of the meeting held on 30 October 2014 were agreed as a correct record and signed by the Chairman.

121 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

122 **OS Parcel 4300 North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris**

The Committee considered application 14/00962/OUT for the erection of six affordable local needs dwellings and two market sale dwellings with associated car parking and access road including the provision of open space and allotments.

Helen Pearce, a neighbour, addressed the committee in objection to the application.

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

Resolved

That application 14/00962/OUT be approved, subject to:

- a) The applicants entering into an appropriate legal agreement to secure the provision of the affordable housing.
- b) the following conditions:
 1. No development shall commence until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
 2. In the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
 3. The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

4. Notwithstanding the submitted site plan, the area of development shall be constrained to within the red line area shown on the indicative site layout plan unless otherwise agreed in writing by the Local Planning Authority.
5. Prior to the commencement of development full specification details of a new footway to link with the existing footway network shall be submitted and agreed in writing by the Local Planning Authority. Prior to the first occupation of the dwellings, the footway shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with approved details.
6. Except to allow for the means of access and vision splays the existing hedgerow along the east boundary of the site shall be retained and properly maintained at a height of not less than 2 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
7. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
8. If a potential risk from contamination is identified as a result of the work carried out under condition 7, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
9. If contamination is found by undertaking the work carried out under condition 8, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and

submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

10. If remedial works have been identified in condition 9, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
11. 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.

123 **Land North of Station Road, Bletchingdon**

The Committee considered application 14/01141/REM for 40 market and 18 affordable dwellings, shop, new accesses and ancillary development.

Tony Saunders, Chairman of Bletchingdon Parish Council, addressed the committee in support to the application.

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

Resolved

That application 14/01141/REM be approved, subject to:

- a) The applicant successfully addressing the objection raised by the Environment Agency;
- b) the following conditions:
 - 1 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the approved plans: 13/ESA/1022/L005 Rev C; X-212655/200 P2; X-212655/201 P2; X-212655/202 P2; X-212655/203 P2; P01 Rev H; P10 Rev J; P11 Rev H; P10 Rev J; P12 Rev J; P20 Rev J; P30 Rev J; P31 Rev J; P40 Rev J; P50 Rev H; P60 Rev J; P70 Rev H; and P90 Rev J.

- 2 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 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.
- 3 The walls of the dwellinghouses 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 Details and samples of the roofing material 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 The windows and external doors shall be constructed from timber and details, at a scale of 1:20 including a cross section and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.
- 6 That full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and such means of enclosure, in respect of those dwellings which it is intended shall be screened, shall be erected prior to the first occupation of those dwellings.
- 7 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- 8 Prior to the commencement of the development hereby approved, full 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 of any of the approved dwellings 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 0.6 metres above carriageway level.

- 9 Prior to the commencement of the development hereby approved, a plan showing car parking provision for vehicles to be accommodated within the site, 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 spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.
- 10 That, before any of the dwellings are first occupied, the whole of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained to the Oxfordshire County Council's "Conditions and Specifications for the Construction of Roads."
- 11 Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.
- 12 Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
- 13 No development shall commence on site for the development until a Construction Management Travel Plan providing full details of the phasing of the development and addressing each construction activity within each phase 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 and delivery traffic during the peak traffic periods and an agreed 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.
- 14 That no surface water from the development shall be discharged onto the adjoining highway, and a scheme to prevent this occurrence shall be submitted to and approved in writing by the Local Planning Authority and constructed prior to the commencement of building operations.
- 15 Prior to the commencement of 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 those to the front of the proposed school), including 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 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)

- 18 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.
- 19 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.
- 20 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 dwellings 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.
- 21 That, notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and its subsequent amendments, 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.
- 22 That, notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the dwellings and the highway, other than the boundary treatment approved as a result of this permission, without the prior express planning consent of the Local Planning Authority.

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Green Interiors, The Straw Barn, Station Road, Cropredy

The Committee considered application 14/01379/F for a change of use from horticulture to B1 business, small changes to front and rear entrance of building to add glazed doors and fire escapes and addition of car parking and landscaping around building.

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

Resolved

That application 14/01379/F be approved, subject to:

- a) The end of the consultation period (4 December 2014) and further comments being taken into consideration;
- b) the following conditions and any others that officers may be deemed appropriate (following the result of the highway consultation) in consultation with the Chairman;
 1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
 2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Business Case and drawings numbered: GI01/2014 received 11 November 2014, LAND01/2014, Landscaping 02.2014, 01.2014 dated 12 August 2014.
 3. Prior to the commencement of the development hereby approved, full details of the external lighting including its luminance and hours of illumination 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 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 use of the development for the purposes of B1, 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.
 5. (a) There shall be no deliveries to, or collections from the premises between 8am and 9:30am or 2.30pm and 4pm on weekdays.

(b) Consultation response from Oxfordshire County Council Highways.
 6. That the development hereby permitted shall be used solely for the purposes set out in the documents and plans accompanying the application, and shall not be used for retail or any other purpose.

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Banbury AAT Academy (formerly Banbury School), Ruskin Road, Banbury

The Committee considered application 14/01482/OUT for the variation of conditions 1, 6, 9, 10, 11, 12, 13, 14, 18, 20, 21, 24, 31, 32, 33, 36, 28, 29, 40, 42, 43, 44 and 46 of 13/00265/OUT – Vary wording of conditions to allow development to come forward in phases.

Rob Totterdell PhD, local resident representing the residents of Stanbridge House, Ruskin Road, Banbury addressed the committee in objection to the application.

Louise Steele, the agent, addressed the committee in support to the application.

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

Resolved

That application 14/01482/OUT be approved, subject to:

Approval, subject to:

- a) The applicants entering into an appropriate legal agreement to link the application with the previously agreed Section 106 agreement.
- b) the following conditions:
 1. No development shall commence on the sports facilities phase or the residential phase of the development hereby approved until, full details of the layout, scale, appearance, and landscaping (hereafter referred to as reserved matters) for that phase have been submitted and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved reserved matters application relating to it.
 2. In the case of the reserved matters, application for approval shall be made not later than 24 April 2017.
 3. The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
 4. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement and drawing numbered: PJF/omjt/SCH01/PF/8750.01 Rev B.
 5. That the residential phase shall be developed with a mix of housing types/sizes in accordance with housing mix set out in Policy BSC4 of the Cherwell Local Plan - Proposed Submission Draft (May 2012).
 6. That no development shall commence on the residential phase of the development hereby approved until, there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the residential phase of the site which shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
7. 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.
8. In this condition a retained tree is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the commencement of the residential phase of the development.
- (a) No retained tree shall be cut down, uprooted 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 tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
9. No works or development shall commence on the residential phase of the development hereby approved until, a scheme for the protection of the retained trees (section 7, BS5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:
- (a) A plan that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan

- (b) The details of each retained tree as required at paragraph 4.2.6 of BS 5837 in a separate schedule
 - (c) A schedule of tree works for all the retained trees in paragraphs (a) and (b) above specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work
 - (d) The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837)
 - (e) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - (f) The details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837)
 - (g) The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837)
 - (h) The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (paragraph 5.2.2 of BS5837) of any retained tree including those on neighbouring or nearby ground
 - (i) The details of the working methods to be employed for the installation of drives and paths within the Root Protection Areas of retained trees in accordance with the principles of "no-dig" construction
10. No development shall commence on the residential phase of the development hereby approved until, a detailed scheme for the surface water and foul sewage drainage of the development has been submitted to, and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be carried out prior to commencement of any building works on the residential phase and the approved foul sewage drainage scheme shall be implemented prior to the first occupation of any building to which the scheme relates. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".

11. No development shall commence on the residential phase of the development hereby approved until, the access is constructed to County Council specification, including visibility splays which are to be provided and maintained free from obstructions over 0.6 metres in height.
12. No development shall commence on any phase of the development hereby approved until, a construction phase travel plan for that phase of development has been submitted to and approved by the Local Planning Authority. Throughout development the approved plan(s) must be adhered to.
13. No development shall commence on the residential phase of the development hereby approved until; full details of a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the residential phase the lighting scheme shall be completed in all respects in accordance with the approved details, inclusive of parking courts, and maintained in a working order thereafter.
14. The proposed residential phase shall be served by an estate road (or Roads) laid out and constructed in accordance with details, including a means of surface water disposal, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the residential phase of the development hereby approved. (To include, amongst other details, tracking demonstrations for turning heads, rumble strips and any other lining or means of traffic calming).
15. No dwelling shall be occupied until the access road between that dwelling and the existing county highway, including footways and turning heads (where applicable), has been laid out in accordance with the approved plans and details and constructed to at least base course level.
16. No dwelling on the development hereby approved shall be used or occupied until the car parking and associated turning area for that dwelling has been completed and marked out in accordance with the approved plan(s). The car parking area and turning areas shall thereafter be retained in accordance with the approved plans and available for use as car parking and turning.
17. No garages shall be converted to habitable or any other use without the prior permission of the Local Planning Authority.
18. Prior to first occupation of the residential phase of the development hereby approved, a travel plan to reduce dependency on the private car by residential occupiers of the development, which shall include clear and unambiguous objectives and modal split targets, together with a time-bound programme of implementation, monitoring and regular review and improvement; shall be submitted to and approved in writing by the Local Planning Authority and thereafter operated.

19. Storm flows shall be attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.
20. A Local Area of Play (LAP) shall be provided in accordance with the Council's adopted policy. Details of the siting and design of the LAP shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the residential phase and thereafter it shall be provided in accordance with the approved details prior to the occupation of any dwelling within 30m of the LAP or prior to the occupation of the first 10 dwellings whichever is sooner.
21. That prior to the first occupation of any part of the residential phase of the development hereby approved, fire hydrants for the residential phase shall be provided or enhanced on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority
22. Notwithstanding the submitted details, full details of the all-weather astro turf pitch, lighting, climbing wall and the extension and alteration of the sports hall and changing facilities shall be submitted for approval at the Reserved Matters stage and the facilities shall be provided/constructed in accordance with the approved details.
23. The surface of the all-weather astro turf pitch shall be finished, drained, and the fencing surrounding the all-weather training pitch shall be constructed in accordance with a specification which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the sports facilities phase of the development hereby approved. The surface, drainage and fencing shall be constructed in accordance with the approved details and retained as such thereafter.
24. Use of the sports facilities development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Sports Hall, Artificial Grass Pitches, grass pitches and tennis courts forming part of the development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

25. No development shall commence until details for the phasing of the development, including the provision of the sports facilities, have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby permitted shall not be carried out other than in accordance with the approved details.
26. No development shall commence on the development hereby approved until, the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
 - (a) (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

(ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
 - (b) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority after consultation with Sport England. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
27. The playing fields and pitches shall be constructed and laid out in accordance with the planning application drawing No. PF/omjt/SCH01/PF/8750.04 submitted with application 13/00265/OUT and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use or occupation of the development hereby permitted.
28. No development shall commence on the development hereby approved until, a scheme for the improvement and maintenance of playing field drainage, based upon an assessment of the existing playing field quality and including an improvement and maintenance implementation programme, has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The playing fields shall thereafter be improved and maintained in accordance with the approved scheme.

29. Before the Artificial Grass Pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.
30. That the areas all-weather astro turf pitch shall not be used between the hours of 21.00 and 08.00.
31. Details of the proposed lighting scheme for the astro-turf pitch which shall include column height, luminaire type, positions, aiming angles and shielding of the lighting elements shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the sports facilities phase of the development. The development shall be carried out and thereafter maintained in accordance with the approved details. Once installed the lighting scheme shall be inspected by a qualified lighting engineer and certified as being correctly installed prior to its first use.
32. No development shall commence on the residential phase of the development hereby approved until, a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. 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.
33. No development shall commence on the residential phase of the development hereby approved until, a surface water drainage scheme for the residential area 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 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the residential phase of the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall also include:
 - details of how the scheme shall be maintained and managed after completion
34. All clearance of hedgerow, trees and shrubs shall be timed so as to avoid the bird nesting/breeding season from 1st March to 31st August inclusive.

35. No development shall commence on the residential phase of the development hereby approved, including any works of site clearance, until a recent survey (no older than six months) for badgers, along with any mitigation strategy if required, and information on whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes if required, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
36. No development shall commence on the residential phase of the development of the development hereby approved, including any works of site clearance, until a method statement for enhancing biodiversity on the residential phase of the development, has been 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.
37. All species used in the planting proposals associated with the development shall be native species of UK provenance. Planting schemes should not currently include *Fraxinus excelsior*.
38. No development shall commence on any phase of the development of the development hereby approved, including any works of site clearance, until a Construction Environmental Statement (CES) which shall include details of the measures to be taken to ensure that construction works do not adversely affect retained biodiversity, for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CES.
39. No development shall commence on any phase of the development of the development hereby approved until, an assessment of the impact of the proposed lighting on bats, along with any mitigation plan, lighting design and usage times/frequency proposals for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.
40. No development shall commence on the residential phase of the development hereby approved 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 or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.

41. No development shall commence on any phase of the development hereby approved until, a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development on that phase of development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
42. If a potential risk from contamination is identified as a result of the work carried out under condition 41, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
43. If contamination is found by undertaking the work carried out under condition 42, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
44. If remedial works have been identified in condition 43, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 10. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
45. 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.
46. No development shall commence on any phase of the development of the development hereby approved until, 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, for that phase of the development, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

126 **Land North West of Wroxton Mill, Wroxton**

The Committee considered application 14/01491/F for a proposed new dwelling.

Councillor Macnamara proposed that consideration of the application be deferred for a formal site visit. Councillor Blackwell seconded the proposal.

Resolved

That application 14/01491/F be deferred for a formal site visit.

127 **Kannegiesser UK, Beaumont Road, Banbury**

The Committee considered application 14/01836/F for the construction of loading canopy.

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

Resolved

That application 14/01836/F be approved, subject to:

- a) The expiry of the public consultation period provided no adverse comments are received.
- 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 condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings number 1190-KTS-03.

128 **Decisions Subject to Various Requirements**

The Committee considered a report which informed Members of the overall performance and level of activity in the Development Management service and of the progress of outstanding formal enforcement cases.

Resolved

1.1 That the position statement be accepted

129 **Appeals Progress Report**

The Head of Development Management submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled or appeal results achieved.

Resolved

1.1 That the position statement be accepted.

130 **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 item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 5 of Schedule 12A of that Act.

131 **Land North West of Hill Cottage, Lower Heyford Road, Caulcott**

The Head of Development Management and Head of Development Management and Head of Law and Governance submitted an exempt report which advised Members on whether reasons for refusal 2 and 3 of application 13/01802/F are well founded such that they can reasonably be defended at the forthcoming public inquiry.

Resolved

1.1 As set out in the exempt minutes.

The meeting ended at 6.00 pm

Chairman:

Date: