

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 21 May 2015 at 4.00 pm

- Present: Councillor Colin Clarke (Chairman)
Councillor Fred Blackwell (Vice-Chairman)
- Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Richard Mould
Councillor Lynn Pratt
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Rose Stratford
- Substitute Members: Councillor Andrew Beere (In place of Councillor Matt Johnstone)
Councillor D M Pickford (In place of Councillor Alastair Milne Home)
- Apologies for absence: Councillor Matt Johnstone
Councillor Alastair Milne Home
Councillor Trevor Stevens
- Officers: Jon Westerman, Development Services Manager
Bob Duxbury, Development Control Team Leader
Linda Griffiths, Principal Planning Officer
Alex Keen, Principal Planning Officer
Ross Chambers, Solicitor
Natasha Clark, Team Leader, Democratic and Elections

3 **Declarations of Interest**

Members declared interests in the following agenda items:

7. Land to Rear of Tangmere Close and Scampton Close, Skimmingdish Lane, Bicester.

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

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

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

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

9. 1 Hyde Grove, Bloxham.

Councillor Colin Clarke, Declaration, as he knew the partner of the public speaker registered to speak in objection to the application but there was no conflict of interest.

Councillor James Macnamara, Declaration, as the applicant was known to him and had taught his children and he would leave the meeting for the consideration of the application.

10. Garage Block Adjacent 29 Westbeech Court, Banbury.

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.

Councillor Colin Clarke, Declaration, as one of the council's appointed representatives and trustee on Banbury Charities.

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 were no items of urgent business.

6 Minutes

The Minutes of the meetings held on 16 April 2015 and 19 May 2016 were agreed as correct records and signed by the Chairman.

7 Chairman's Announcements

The Chairman made the following announcements:

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.
2. The Chairman paid tribute to former Planning Committee Chairman, Councillor Rose Stratford for her hard work over the past four years.

8 **Land to Rear of Tangmere Close and Scampton Close, Skimmingdish Lane, Bicester**

The Committee considered application 14/00697/F for Residential development for 46 dwellings at land to the rear of Tangmere Close and Scampton Close, Skimmingdish Lane, Bicester for Taylor Wimpey and Persimmon.

Bicester Town Councillor James Porter, whose town council ward the proposed development was located within, addressed the Committee in objection to the application

Alex Hayles, Savilles of Oxford, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

That application 14/00697/F be approved, subject to:

1. The applicants entering into an appropriate legal agreement to the satisfaction of the District Council, with delegation to Head of Development Management to secure financial contributions.
2. the following conditions: with any final revisions/wording to be delegated to the Head of Development Management.

1 Full Application: Duration Limit

The development to which this permission relates shall be begun not later than the expiration of one year beginning with the date of this permission.

2 Plans Condition

Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Transport Assessment; Addendum to Transport Assessment; Flood Risk Assessment and Drainage Strategy; Planning Statement; Design and Access Statement and Addendum; Tree Quality Survey and Arboricultural Method Statement; Ecological Assessment and Addendum; Landscape and Visual Impact Assessment and Addendum; Drawing Numbers: 1441103/SS01 Rev B; 141103/SS02 ; 141103/SL/05 Rev B; 141103/SL Rev L; 141103/SL/03 Rev A; 141103/SL/02 Rev A; 141103/SL/01 Rev A; 141103/SL/04 Rev A; AA11/EP ; AA23.A/EL; AA11/EL; AA23/FP;

AA31/EL; AA31/EL; AA31/FP; AA41/EL; AA41/FP; AB/DG1/EP; AB/SG1/EP; AB/SG2/EP; PA25/EP; PA25-MID/EP Rev A; PA33.1/EP; PA33.2/EP; PA33.3/EP; PB48.1/EL; PB48.2/EL; PA48/FP; PB30-G/EL; PB30-G/FP; PB3G.2/EL; PB33G (style3)(style 1); PB33G.2/EL; PB33G/FP; PB51.1/EL; PB51.2/EL; PB51/FP; PT43/ELPB51/FP; 1498/P21a Landscape Strategy Plan; Location Plan and External Enclosure details.

3 Details of Materials and Finishes

Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s), roads, accesses, driveways, parking courts and hard surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.

4 Samples of Materials

Prior to the commencement of the development hereby approved, samples of the brick/tile/slate/pavior to be used in the construction of the walls/roof/hardstandings, driveways, parking courts and pedestrian areas of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

5 Stone Sample Panel

Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in artificial 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.

6 Brick Sample Panel

Prior to the commencement of the development hereby approved, brick sample panels, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m² in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.

7 B11 Window Details

That notwithstanding the information submitted, prior to the commencement of the development, full details of the roof verge and eaves, porches, dormers, doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roof verge, eaves, porches, dormers, doors and windows shall be installed within the building in accordance with the approved details.

8 Floor Levels/Site Levels

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/existing and proposed site levels] 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 **Submit Boundary Enclosure Details (more than one dwelling)**
Prior to the commencement of the development hereby approved, 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. Thereafter, the approved means of enclosure, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved details, prior to the first occupation of those dwellings.
- 10 **Fire Hydrants**
Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on 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 fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
- 11 **Submit Landscaping Scheme**
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.
- 12 **Carry Out Landscaping Scheme and Replacements**
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.

- 13 No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998:Recommendations for tree Works
 - a) if any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority
 - b) in this condition a retained tree is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the commencement of the development.

- 14 Arboricultural Method Statement (AMS)

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 [specify appropriate section if required] 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.

- 15 Retain Existing Hedgerow Boundary (with access)

Except to allow for the means of access and vision splays the existing hedgerow along the [insert] boundary of the site shall be retained and properly maintained at a height of not less than [insert] 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.

- 16 Notice of Tree Works and Major Operations

Prior to the commencement of any approved tree works, any operations that present a risk to retained trees, or any operations to facilitate specialised tree planting (eg: tree surgery, trenching operations close to the Root Protection Areas of retained trees or construction of load-bearing structured cell planting pits), the applicant shall give the Local Planning Authority seven days written notice that works are due to commence.

- 17 Open Space Details

Prior to the commencement of the development hereby approved full details of the provision, landscaping and treatment of open space/play space within the site together with a timeframe for its provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space/play space shall be landscaped, laid out and completed in accordance with the approved details and retained at all times as open space/play space.

- 18 Arboricultural Site Supervision

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)

19 Planting Pits (hard landscaped areas)

Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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

20 Planting Pits (soft landscaped areas)

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.

21 Prior to the commencement of the development hereby permitted, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of measures to be taken to ensure that construction works do not adversely affect retained habitats and protected or notable species, 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 CEMP.

- 22 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, an Ecological Management Plan (EcMP), which shall include details of habitat features to be retained/created/provided and their long-term management, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the EcMP shall be carried out in accordance with the approved details.
- 23 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highways (A4421), 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.
- 24 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.
- 25 No development shall commence on site for the development until a full drainage design for the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Councils Drainage Team)
- 26 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 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.
- 27 Prior to the commencement of work on site a Travel Plan is to be first submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority)
- 28 Submission of Watching Brief (where evaluation and mitigation will suffice)
Prior to any demolition on the site, the commencement of the development hereby approved and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

- 29 Prior to any demolition on the site and the commencement of the development hereby approved, and following the approval of a Written Scheme of Investigation referred to in condition 27, 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.
- 30 No development shall commence on site 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 approved strategy have been completed.
- 31 Residential: No Conversion of Garage
The garages, car-ports and drive throughs 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.
- 32 Residential: Open Fronts/No enclosures
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/forward of the principle elevation/on the site] without the prior express planning consent of the Local Planning Authority.
- 33 Prior to the first occupation of any of the dwellings on the site, a final certificate certifying that the dwellings in question achieve Zero Carbon development shall be issued, proof of which shall be submitted to and approved in writing by the Local Planning authority.
34. Prior to the commencement of the development hereby permitted, a road traffic noise assessment shall be carried out to identify the impact of road noise from Skimmingdish Lane on the proposed development. The report shall include any identified noise mitigation measures which shall also be submitted to and approved in writing by the LPA prior to the commencement of the development. The noise assessment shall include the necessary noise mitigation measures required to achieve the standards contained within BS 8233:2014 Guidance on Sound Insulation and Noise Reduction in buildings in respect of all the dwellings proposed. The noise mitigation measures identified and agreed in writing with the LPA shall be provided within the development in accordance with the approved details prior to the first occupation of any dwelling and retained thereafter.

9

Otmoor Lodge, Horton Hill, Horton cum Studley

The Committee considered application 14/01153/F for the change of use from C1 into 4no. dwellings (C3) at Otmoor Lodge, Horton Hill, Horton cum Studley for B A Property Management Ltd.

Huw Mellow, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

That application 14/01153/F be approved, subject to resolving a highways/parking issue with Oxfordshire County Council and the following condition:

1. Full Application: Duration Limit

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.

10

1 Hyde Grove, Bloxham

The Committee considered application 15/00263/F for a single storey front extension and two storey side extensions at 1 Hyde Grove, Bloxham for Mr and Mrs Dan McInerney.

Prior to the officer presentation of the report and addresses of public speakers, Councillor Heath proposed that consideration of the application be deferred to allow for a formal site visit to enable Committee Members to view the effect of the proposed development on the adjoining properties. Councillor Pickford seconded the proposal.

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

Resolved

That consideration of application 15/00263/F be deferred to allow for a formal site visit.

11

Garage Block Adjacent 29 Westbeech Court, Banbury

The Committee considered application 15/00300/F for the construction of 4 new houses and associated parking with access from Westbeech Court and The Shades at the Garage Block Adjacent 29 Westbeech Court, Banbury for Mr Norman White.

Helen Middleton, John Hatton and Brian Butler, local residents, and Paul Stilgoe, Secretary of Banbury Trades and Labour Club, addressed the Committee in objection to the application.

Nick Price, architect 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 addresses of the public speakers.

Resolved

That application 15/00300/F be refused for the following reasons:

- 1 The proposal represents an overdevelopment of the site, resulting in a cramped layout which is to the detriment of the character and appearance of Westbeech Court, and the wellbeing of future occupiers through provision of insufficient private amenity space. The proposal contravenes Policies C28 and C30 of the Adopted Cherwell Local Plan, Policy ESD16 of the Submission Cherwell Local Plan and the good design ethos of the Framework.
- 2 The scale of plots 1 – 3 by reason of their three storey form and fenestration detailing appear overdominant within the Westbeech Court street scene. This relationship is considered contrary to Policies C28 and C30 of the Adopted Cherwell Local Plan, Policy ESD16 of the Submission Cherwell Local Plan and the good design ethos of the Framework.
- 3 Plot 4 is in an elevated and prominent location on Westbeech Court. The design of this dwelling does not make a positive contribution to the street scene due to poor fenestration detailing, contrary to Policy C30 of the Adopted Cherwell Local Plan.

12

The Roebuck, Banbury Road, North Newington

The Committee considered application 15/00307/F for the erection of a detached single storey dwelling at The Roebuck, Banbury Road, North Newington for Mrs Jayne Hughes.

Prior to the officer presentation of the report and addresses of public speakers, Councillor Reynolds proposed that consideration of the application be deferred to allow for a formal site based on the officer's recommended reasons for refusal. Councillor Pickford seconded the proposal.

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

Resolved

That consideration of application 15/00307/F be deferred to allow for a formal site visit.

13 **Land to west of Banbury Road Twyford**

The Committee considered application 15/00317/OUT, an outline application with all matters except access reserved, for a residential development of up to 98 dwellings, land for potential GP outreach surgery/pharmacy/community use, landscaping, public open space, associated infrastructure and associated works at Land to west of Banbury Road, Twyford for Gladman Development.

Parish Councillor David Griffiths, Adderbury Parish Council, and Peter Burrows, Chair of Adderbury Conservation Group, addressed the Committee in objection to the application.

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

Resolved

That application 15/00317/OUT be refused for the following reasons:

1. The proposed development, by reason of its siting and scale on the edge of a village in an open countryside location, and taking into account the amount of new housing development already planned to take place at Adderbury and Cherwell Council's ability to demonstrate an up-to-date 5.1 year housing land supply, is considered to be unnecessary, undesirable and unsustainable new housing development that would harm the rural character and setting of the village and would prejudice a more balanced distribution of the rural housing growth planned for in the Cherwell Submission Local Plan. Therefore the proposal is considered unacceptable in principle and conflicts with saved Policies H12, H18, C8, C9, C27 and C33 of the adopted Cherwell Local Plan, draft Policies ESD13, ESD16 and Villages 2 of the Cherwell Submission Local Plan, the NPPF in particular paragraphs 7, 8, 9, 10, 14 and 17 and section 7 'Requiring good design', and the PPG.
2. By reason of its siting, size, scale, form and appearance, in particular the extensive loss of important views across open countryside of the historic core of Adderbury village including Adderbury Conservation Area and the Grade I listed church of St. Mary, as experienced along one of the main approaches into the village, the proposed development is considered to cause considerable, unnecessary and unjustified harm to the setting and significance of designated heritage assets. There are no public benefits that outweigh this level of harm. Therefore the proposal conflicts with saved Policies C27 and C33 of the adopted Cherwell Local Plan, draft Policies ESD13, ESD16 and Villages 2 of the Cherwell Submission Local Plan, the NPPF in particular paragraph 17 'Core planning principles' and section 12 'Conserving and enhancing the historic environment', and the PPG.
3. By reason of its siting, size, scale, form and appearance, in particular the extensive loss of important views across open countryside of the historic core of Adderbury village and the Sor valley, the proposal is considered to cause significant and unacceptable harm to the rural landscape character

and quality of the area and the setting of the village as experienced by local residents, visitors and users of the A4260 and the public rights of way. Therefore the proposal conflicts with saved Policies C7, C27 and C33 of the adopted Cherwell Local Plan, draft Policies ESD13, ESD16 and Villages 2 of the Cherwell Submission Local Plan, the NPPF in particular paragraph 17 'Core planning principles' and section 7 'Requiring good design' and the PPG.

4. By reason of the engineered, regular linear position and form of the proposed internal access roads, the details of access shown on the Initial Framework Plan are considered to dictate an overly modern, urban estate layout that would not be successful at responding to, and integrating with, the traditional rural character and settlement pattern of the historic village and the surrounding countryside. Therefore the proposal conflicts with saved Policies C27, C28 and C30 of the adopted Cherwell Local Plan, draft Policies ESD13 and ESD16 of the Cherwell Submission Local Plan, the NPPF in particular paragraph 17 'Core planning principles' and section 7 'Requiring good design' and the PPG.
5. By reason of the siting and size of the development and the resulting loss of some 14 hectares of grades 2 and 3a agricultural land, and taking into account the Council's ability to demonstrate an up-to-date 5.1 year housing land supply, the quantum of housing development already planned for in Adderbury, and the lack of evidence to demonstrate that there are no other sites in Category A villages in the District which would be preferable in terms of using areas of poorer quality agricultural land to meet the District's housing needs, the proposal is considered to result in the unnecessary and unjustified loss of best and most versatile agricultural land. Therefore the proposal conflicts with draft Policies BSC2 and Villages 2 of the Cherwell Submission Local Plan, the NPPF in particular paragraphs 17, 28, and 112, and the PPG.
6. By reason of the site's location in an area of known archaeological interest with high potential for significant archaeological deposits to survive on site, in the absence of a detailed and adequate archaeological field evaluation the Local Planning Authority cannot be satisfied that the proposal would not result in unacceptable and unavoidable harm to archaeological assets. Therefore the proposal conflicts with draft Policies ESD16 and Villages 2 of the Cherwell Submission Local Plan, the NPPF in particular paragraph 17 'Core planning principles' and section 12 'Conserving and enhancing the historic environment', and the PPG.
7. By reason of the lack of a satisfactory completed s106 legal agreement to secure contributions to the community services and infrastructure that would be directly affected by the development, and to secure the provision of affordable housing to meet housing need, the Local Planning Authority cannot be satisfied that the impacts of the development in these respects can be made acceptable. Therefore the proposal conflicts with saved Policy H5 of the adopted Cherwell Local Plan, draft Policies BSC3 and INF1 of the Cherwell Submission Local Plan, the NPPF in particular paragraphs 17, 203 and 204 and section 6 'Delivering a wide choice of high quality homes', and the PPG.

14 **Land adjacent to Shipton Road Shipton on Cherwell**

The Committee considered application 15/00394/F for a temporary haul road at land adjacent to Shipton Road, Shipton on Cherwell for Pye Homes Ltd.

Trish Redpath, a local resident, addressed the Committee in objection to the application.

John Ashton, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

That application 15/00394/F be approved, subject to amended conditions to those in the officers' report with the exact wording delegated to the Head of Development Management, in consultation with the Chairman:

1. At the expiration of two years from the date hereof the use of the haul road shall be discontinued and the land shall be restored to its former condition on or before that date.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application Form, site plan and drawing no.12-1162 07 P06.
3. That the haul road hereby approved shall be constructed and used only in association with the development approved under West Oxfordshire District Council's application reference 13/0982/P/FP only and for no other purpose whatsoever. Use of the haul road shall cease upon the completion of the development of that application site.
4. That prior to its first use the proposed road shall be laid out, constructed, surfaced, drained, and with crossings of the public rights of way strictly in accordance with the details contained on drawing no.121162/07/P06.
5. The implementation of this permission shall be undertaken in accordance with the Construction Management Plan and Construction Method statement already submitted to and approved by West Oxfordshire District Council.
6. Full details of the remediation and reinstatement works which shall include replanting of the gaps where hedgerow/trees are to be removed shall be submitted within 18 months of the date of this permission to be approved in writing by the Local Planning Authority prior to those remediation works commencing. The approved scheme shall be implemented within 6 months of the cessation of the use of the haul road.

7. The public right of way shall at all times remain open except when a vehicle(s) is accessing the development which shall then be operated in accordance with the details shown on drg no.121162/07/P06 and set out in para 4.3 of the Design and Access statement. The signage will be installed in accordance with the drawing submitted to the Local Planning Authority on 28 May 2015 and retained for the life of the haul road.
8. Prior to the commencement of the development a photographic record shall be taken of the surface condition of the route of the haul road in order that on restoration the route is returned to its former condition.
9. All site clearance (including vegetation removal, movement of vehicles on site and all ground works) shall be timed so as to avoid the bird nesting/breeding season of 1 March to 31 August Inclusive, unless the Local Planning Authority has confirmed in writing that such works can commence based on the submission of a recent survey(no older than one month) that has been undertaken by an ecologist to assess nesting bird activity on site (including ground nesting birds) together with details of measures to protect the nesting bird interest on the site.

15

Bloxham Mill, Barford Road, Bloxham, Banbury

The Committee considered application 15/00418/F for the erection of B1 (Class 2) leased office accommodation – provision of two storey office accommodation, parking and landscaped at Bloxham Mill, Barford Road, Bloxham, Banbury for Bloxham Mill Ltd.

Ray Avery, Managing Director, Bloxham Mill Business Centre, address the Committee in support of the application.

Councillor Heath proposed that the application be approved, subject to appropriate conditions, with authority for the exact wording delegated to the Head of Development Management. Councillor Pickford seconded the proposal.

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

Resolved

That application 15/00418/F be approved, subject to appropriate conditions with the exact wording delegated to the Head of Development Management.

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 form, drg nos. 6117.01A, 03A, 04A

3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.
4. Prior to the commencement of the development hereby approved, samples of the timber boarded screening to be used in construction of the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved, a plan showing 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.
6. 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 building the refuse bin storage area and appropriate number of refuse bins required in relation the building shall be provided in accordance with the approved details and, other than on the day of refuse collection, the refuse bins shall be stored at all times in the approved location.
7. 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 position, 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 as 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 area, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
8. All planting, seeding or turfing comprised in the approved details of the 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.

9. Within the first available planting season following the occupation of the building, or on the completion of the development, whichever is the sooner, the existing hedgerow along the northern boundary shall be reinforced by additional planting in accordance with a detailed scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. Thereafter, any plant/tree within the hedgerow which, within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species 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). Thereafter the new planting shall be properly maintained in accordance with this condition.
10. Prior to the commencement of the development hereby approved, full specification details of the parking/turning area including construction, surfacing, layout, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development shall be constructed in accordance with the approved details.
11. 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 Associations current edition "Sewers for Adoption".
12. The premises shall be used only for purposes falling within Class B1 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
13. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site 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.
14. Prior to the commencement of the development hereby approved, an Arboriculture 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.

15. 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", 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.

16

Land west of Oxford Close and north of Corner Farm, Station Rd, Kirtlington - Application 14/01531/OUT

The Head of Development Management submitted a report to advise the Planning Committee of changes to the Council's 5 year housing land supply position which occurred after it resolved that the Council would have refused planning permission for this application (which was the subject of an appeal against non-determination), and to seek a further resolution to amend the reasons planning permission would have been refused to take account of this change.

Resolved

- (1) That the policy implications of the changes to the Council's 5 year housing land supply position be noted.
- (2) That the reasons the Council would have refused planning permission for the application as set out below:
 1. The proposed development, by reason of its scale, size and form, fails to respect the traditional linear settlement pattern of Kirtlington and extends beyond its built up limits into the open countryside, resulting in an incongruous and inappropriate form of development that would relate poorly to the remainder of the village and would cause demonstrable harm to its rural character and setting and the visual amenities of the area. In the context of the Council's ability to demonstrate an up-to-date 5.1 year housing land supply, this harm decisively outweighs the benefits of the proposal which is unnecessary, undesirable and unsustainable development in this location. Therefore the proposal is contrary to saved Policies H13, H18, C8, C27, C28 and C30 of the adopted Cherwell Local Plan and draft Policies ESD13, ESD16 and Villages 2 of the Cherwell Submission Local Plan and Central government advice within the National Planning Policy Framework.
 2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to saved Policy H5 of the adopted Cherwell Local Plan and draft Policy INF1 of the Cherwell Submission Local Plan and Central government guidance within the national Planning policy Framework.

17 **Decisions Subject to Various Requirements**

The Head of Development Management submitted a report which informed Members upon applications which they had authorised decisions upon subject to various requirements which must be complied with prior to the issue of decisions.

Resolved

- (1) That the position statement be accepted.

18 **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) That the position statement be accepted.

The meeting ended at 7.15 pm

Chairman:

Date: