

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 October 2015 at 2.00 pm

Present: Councillor Colin Clarke (Chairman)  
Councillor Fred Blackwell (Vice-Chairman)

Councillor Michael Gibbard  
Councillor Chris Heath  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Matt Johnstone  
Councillor Mike Kerford-Byrnes  
Councillor James Macnamara  
Councillor Alastair Milne Home  
Councillor Richard Mould  
Councillor Lynn Pratt  
Councillor Nigel Randall  
Councillor G A Reynolds  
Councillor Barry Richards  
Councillor Trevor Stevens  
Councillor Lawrie Stratford  
Councillor Rose Stratford

Officers: Jon Westerman, Development Services Manager  
Bob Duxbury, Development Control Team Leader  
Linda Griffiths, Principal Planning Officer  
Emily Shaw, Principal Planning Officer  
Ross Chambers, Solicitor  
Aaron Hetherington, Democratic and Elections Officer

90

### **Declarations of Interest**

#### **9. Land South of and Adjoining Bicester Services, Oxford Road, Bicester.**

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 Richard Mould, 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.

**11. Hill Farm, Hill Farm Lane, Duns Tew, Bicester.**

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 Richard Mould, 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.

**12. Oxford and Cherwell College, Broughton Road , Banbury.**

Councillor Alastair Milne Home, 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.

**14. Bicester Village Rail Land Car Park, Land South of Station Approach, West of Bicester Village, Pingle Drive, Bicester.**

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 Richard Mould, 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.

91 **Requests to Address the Meeting**

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

92 **Urgent Business**

There were no items of urgent business.

93 **Minutes**

The Minutes of the meeting held on 3 September 2015 were agreed as a correct record and signed by the Chairman.

94 **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.

95 **Moorlands Farm, Murcott, Kidlington, OX5 2RE**

The Committee considered application 14/01979/F for the change of use of existing agricultural barn to equine and lean-to extension to include 10 stables, store room and tack room and change of use of land to equine at Moorlands Farm, Murcott, Kidlington, OX5 2RE for Mr B Franklin.

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

**Resolved**

That application 14/01979/F be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, Report dated November 2014, Flood Risk Assessment and drawings numbered:
  - 200-01 Revision B
  - 200-02
  - 200-03
3. The development hereby approved shall proceed in accordance with the Flood Risk Assessment received on the 26<sup>th</sup> November 2014 accompanying the application unless otherwise previously approved in writing by the Local Planning Authority.

**Before development commences**

4. Prior to the commencement of any works on the extension hereby approved, details of the flood resilient construction method/s to be used in the construction of the extension 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 details.
5. Prior to the commencement of any works on the extension 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.

**Before first use of the development**

6. Prior to the first use of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning area which shall be provided within the curtilage of the site so that motor vehicles and horse boxes may enter, turn around and leave in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall be retained for the manoeuvring of motor vehicles at all times thereafter.
7. Prior to the first use of the development hereby approved, a plan showing car, van and trailer parking provision for 10 spaces to be accommodated within the site to include layout, surface details, and drainage, 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.
8. Prior to the development hereby approved being brought into use a scheme for the storage and disposal of manure and soiled bedding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
9. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed on the site without the prior express planning consent of the Local Planning Authority.
10. The use of the existing building and land for equestrian purposes shall be limited to use by the owners and/or riders of the horses kept in the stables approved on the site, and shall not be used by any other persons, or as a riding school or equestrian training centre open to the general public, or for any other purpose whatsoever.
11. The existing hedgerow and trees along the northern, western and eastern boundaries of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant or tree 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.
12. Except as otherwise approved under a condition of this planning permission, no horse boxes, trailers, horse jumps, exercise equipment, or other horse related paraphernalia, shall be stored in the open

without the prior express planning consent of the Local Planning Authority.

13. Prior to any works commencing at the site, an ecological report detailing an assessment of the surrounding land features of ecological interest, including the adjacent Local Wildlife Site and Otmoor Site of Special Scientific Interest, to identify important ecological features and any mitigation required to preserve these features, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

96

### **Land South Of Perdiswell Farm, Shipton Road, Shipton On Cherwell**

The Committee considered application 14/02004/OUT an outline planning application (all matters reserved except for means of access) for a mixed use development comprising: up to 1,200 dwellings, including affordable housing and up to 120 unit care village (C2) with associated publically accessible ancillary facilities; site for a new primary school; up to 930sqm of retail space; up to 13,800sqm of locally led employment (B1/B2/B8) including transport interchange; site for a Football Association step 5 football facility with publically accessible ancillary facilities; public open space; associated infrastructure, engineering and ancillary works at Land South Of Perdiswell Farm, Shipton Road, Shipton On Cherwell for The Vanbrugh Trust and Pye Homes Ltd.

Councillor Simon Holland, addressed the meeting as a local Ward Member.

Huw Mellor, on behalf of Woodstock Town Council addressed the meeting in objection to the application.

Nigel McGurk and John Hoye of Blenheim Palace Estate addressed the meeting in support to the application.

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

### **Resolved**

That application 14/02004/OUT be refused for the following reasons:

1. The proposed development would result in unnecessary and undesirable new housing development in open countryside in that the application site is not allocated for development in either the adopted Cherwell Local Plan 2011-2031, the West Oxfordshire Local Plan 2011, or the Submission West Oxfordshire Local Plan 2031. Cherwell District Council is able to demonstrate that it has a 5 year supply of deliverable housing land and the development of land at Woodstock does not accord with the Council's development strategy of focussing development at Banbury and Bicester and allowing only limited development in rural areas, and therefore the proposal is contrary to

Policies BSC 1 AND Policy Villages 1 of the Cherwell Local Plan 2011-2031 and to Policy H18 of the saved policies of the Cherwell Local Plan (1996)

2. This substantial development proposal would result in a significant loss of open countryside and have a substantial and adverse impact upon the character and appearance of that countryside and therefore be contrary to Policy ESD13 of the Cherwell Local Plan 2011-2031.
3. It has not been demonstrated that the development, by reason of its siting, size, and height of buildings, will not have a significant and adverse detrimental impact upon the Blenheim Palace and Park World Heritage Site, the Grade 1 listed building, and the Listed Garden, or the Blenheim Villa Scheduled Ancient Monument, which would impact upon the setting of these assets and visitors experience of the WHS and other heritage assets both on their approach to it from the south along the A44, and whilst within the park, and would therefore be contrary to Policy ESD16 of the Cherwell Local Plan 2011-2031. It is considered that the evidence to support the applicants case for securing the future of the World Heritage site is not sufficient to outweigh this concern
4. The proposed development would be poorly connected to the existing facilities offered by Woodstock, with the principle effective pedestrian/cycle route being along the A44. Additional proposed connections through existing housing estates are considered to be indirect and of lesser attraction to users as they do not lead to the facilities sought. Given the size of the site walking and cycling distances from the southern/eastern extremities of the site are excessive. The proposal is therefore considered to be contrary to Policy SLE 4 of Cherwell Local Plan 2011-2031
5. Given the refusal of planning permission by West Oxfordshire District Council for their part of the site the remaining development would result in an unconnected and isolated community in an unsustainable location poorly related to either Woodstock or Bladon, and it has not been demonstrated that the necessary facilities for the community could be provided in a satisfactory manner within the remaining area, and therefore the proposal would be contrary to Policies PSD1, Policy Villages 1 and 2, and Policy INF 1
6. The transport interchange (formerly Link & Ride) car park is contrary to transport strategy as set out in the Oxford Transport Strategy that forms part of the adopted Oxfordshire County Council Local Transport Plan 4, 2015 – 2031.
7. The provision of employment development of the scale proposed is inconsistent with the Cherwell Local Plan strategy which focusses employment development at Banbury and Bicester or on existing employment sites elsewhere. No attempt has been made to address the criteria set out in Policy SLE1 of the adopted Cherwell Local Plan 2011-2031 and therefore the proposal is contrary to that Policy

8. It has not been demonstrated to the satisfaction of either the Local Planning Authority or Sport England that the proposed sports facilities have been planned in a positive and integrated way in accordance with Paragraph 70 of the NPPF and may not therefore be fit for purpose, accessible and sustainable, and therefore the proposal is contrary to Policies BSC10 AND BSC 11 of the adopted Cherwell Local Plan 2011-2031
9. By reason of a lack of a satisfactory completed S106 legal agreement to ensure that the development adequately mitigates its impact on community infrastructure and secures the provision of affordable housing, the local planning authority cannot be satisfied that the impacts of the development in this respect can be made acceptable. Consequently the proposals conflict with the requirements of Policies BSC3 and INF1 of the Cherwell Submission Local Plan as well as paragraphs 17, 203 and 204 of the National Planning Policy Framework

97 **Land South of and Adjoining Bicester Services, Oxford Road, Bicester**

The Committee considered application 15/00250/OUT, an outline application for 3 No Class A1 (retail); 3 No Class A3 (café and restaurants); 1 No Class D2 (gym); surface level car park, servicing and associated works Land South of and Adjoining Bicester Services, Oxford Road, Bicester for CPG Development Projects Ltd

Richard Mallows, on behalf of Bicester Traffic Action Group and John Liggins, on behalf of Bicester Vision, addressed the meeting in objection to the application.

Arfon Hughes, agent for the applicant and David Waters, on behalf of the Kingsmere Residents Association, addressed the meeting in support to the application.

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

**Resolved**

That application 15/00250/OUT be refused for the following reasons:

1. The development proposed will have a significant adverse impact upon the vitality and viability of Bicester Town Centre, contrary to Policies SLE2 and Bicester 5 of the adopted Cherwell Local Plan 2011-2013 and Paragraphs 26 and 27 of the National Planning Policy Framework.
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the impact of the traffic generated by the proposed development would not be detrimental in terms of traffic congestion on the surrounding network, contrary to government advice contained in the National Planning Policy Framework and contrary to Policy SLE4 of the Cherwell Local Plan 2011-2031.

3. In the absence of a satisfactory planning obligation, the Local Planning authority is not convinced that the necessary infrastructure directly required as a result of this scheme will be delivered. This would be contrary to Policy INF1 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.
4. The development proposed, by virtue of its form, scale and height, together with limited landscaping provision, would be out of scale and character with the adjacent residential development and detrimental to the visual amenities of the street scene, and of the area; and would result in a poor relationship with the adjacent residential development, contrary to saved Policy C28 of the adopted Cherwell Local Plan 1996 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government advice within the National Planning Policy Framework.

98

### **Ambrosden Court, Merton Road, Ambrosden**

The Committee considered application 15/00480/REM for reserved matters to the previously approved application 13/00621/OUT - Appearance, landscaping, layout and scale for 45 dwellings - (Amended Plans - Amended design and layout of buildings and road layout, together with alterations to landscaping and site enclosures) at Ambrosden Court, Merton Road, Ambrosden for Croudace Homes.

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

### **Resolved**

That application 15/00480/REM be approved, subject to the following conditions:

- 1 Except where otherwise stipulated by condition, for the purposes of the layout, scale, external appearance and landscaping of the approved development, the development shall be carried out strictly in accordance with the following plans and drawings in addition to those approved with respect to matters of access as part of the original outline consent:
  - Site Layout: DES/023/100G
  - Storey Heights Layout: DES/023/102F
  - Materials Layout: DES/023/101G
  - Affordable Housing Layout: DES/023/105F
  - Enclosure Layout: DES/023/103F
  - Lighting Strategy: DES/023/107F
  - Refuse and Cycle Storage Layout: DES/023/106F
  - Parking Strategy Layout: DES/023/104F
  - Drainage Strategy: DES/023/108F
  - Plots 1-3: DES/023/200 E
  - Plots 4-6: DES/023/201 A
  - Plot 7: DES/023/202 B
  - Plots 8 \_ 9: DES/023/203 B



Plots 10 \_ 17: DES/023/204 B  
Plot 11: DES/023/205 B  
Plot 12: DES/023/206 B  
Plot 13: DES/023/207 B  
Plots 14 \_ 19: DES/023/208 B  
Plots 15 \_ 16: DES/023/209 C  
Plots 18 \_ 31: DES/023/211 A  
Plots 24 \_ 25: DES/023/212  
Plots 26-30: DES/023/213 B  
Plots 32: DES/023/219 B  
Plots 33-36: DES/023/214 E  
Plots 37-39: DES/023/216 B  
Plot 40: DES/023/216 B  
Plots 41 \_ 42: DES/023/217 A  
Plots 43-45: DES/023/218 E  
Garages 1: DES/023/220 A  
Garages 2: DES/023/221 A  
Garages 3: DES/023/222 A  
Car Ports: DES/023/223 C  
Street Scenes Sheet 1: DES/023/300 E  
Street Scenes Sheet 2: DES/023/301 D

- 2 Prior to the commencement of any works of construction as part of the development hereby approved, a stone sample panel (minimum 1m2 in size) of natural rubble stone shall be constructed on site and then inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the buildings shown to be constructed in stone on the approved materials layout plan (ref: DES/023/101 G) shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
- 3 Prior to the commencement of any works of construction in connection with the carrying out of the development hereby approved, samples of the brick types to be used in the construction of the external walls of the development as well as samples of all types of external roof coverings to be used 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 samples so as to accord with the specifications set out in the approved Materials Plan (ref: DES/023/101 G).
- 4 Prior to the construction of any building above slab level, full details of the proposed doors and windows to be used at 1:20 scale including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

- 5 Prior to the commencement of any works of construction in connection with the carrying out of the approved development, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
- 6 Prior to the first occupation of the development hereby approved, the appropriate number of refuse bins required in relation to each dwelling shall be provided to accord with the current standards of Cherwell District Council.
- 7 Prior to the construction of any new site boundary wall, a sample panel of natural stone walling for use in the construction of the walls shall be erected on site and approved in writing by the local planning authority. All new stone boundary walls shown in plan no. DES/023/103 F shall be erected in accordance with the approved sample panel and such boundary walls shall in turn be fully constructed prior to first occupation of any of the approved dwellings.
- 8 Prior to the first occupation of any dwelling, the car parking, garages, car ports and manoeuvring areas serving it shall be provided in accordance with that shown in plan ref. DES/023/104 F and shall be constructed from porous materials or with provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the car parking, garages, car ports and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed at all times except where used for the parking and manoeuvring of motor vehicles.
- 9 Prior to the first occupation of any dwelling within the development hereby permitted, covered and secure cycle parking facilities shall first be provided to serve that dwelling in accordance with details set out in plan ref. DES/023/106 F. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the dwelling.
- 10 The garage(s) shown on the approved plans (ref. DES/023/104 F) shall be laid out such that they are available for the parking of motor vehicles at any time and shall not be converted to any other purpose (including to provide living accommodation) without the prior express planning consent of the Local Planning Authority.
- 11 Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the principal elevations of dwellings identified as Plots 1-3, 33-36 and 43-45 and Merton Road other than that shown on the approved "Enclosure Plan" ref. DES/023/103 F without the prior express planning consent of the Local Planning Authority.

- 12 Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, no new windows or other openings, other than those shown on the approved plans, shall be inserted in the walls or roof of the approved dwellings referred to as Plots 36, 37 and 43 in approved plan ref. DES/023/100 G without the prior express planning consent of the Local Planning Authority.
- 13 Notwithstanding the provisions of Classes A, B and E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, the approved dwellings shall not be extended, nor shall any structures be erected within the curtilage of the dwellings without the prior express planning consent of the Local Planning Authority.
- 14 Prior to the carrying out of any works of construction on the site in connection with the approved development, the proposed means of enclosure surrounding the boundaries of the existing curtilage of the dwelling known as Roman Way as shown in plan ref. DES/023/103 F shall be fully laid out and, where this involves construction of new stone walling, this shall be in accordance with the approved sample panel of boundary walling as specified in condition 7.
- 15 Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect surrounding residential properties together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
- 16 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.

- 17 All hard and soft landscaping set out in the approved landscape scheme shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces) by the end of the first planting and seeding seasons following the first occupation of the development or on substantial 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.
- 18 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 that details methods for the protection of retained trees during construction 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.
- 19 The development approved shall only be carried out in accordance with the lighting strategy set out in plan no. DES/023/107 F. No other external lighting in public areas shall be used without the prior written consent of the local planning authority.
- 20 Prior to the first occupation of any of Plots 33-36 (inclusive), the 1m post and rail fence shown in plan no. DES/023/103 F shall be erected in full in the position shown in the approved plan and retained as such thereafter.

99

### **Hill Farm, Hill Farm Lane, Duns Tew, Bicester**

The Committee considered application 15/00570/F for the erection of 5MW PV Solar Farm and associated infrastructure at Hill Farm, Hill Farm Lane, Duns Tew, Bicester for Earthworm Energy Ltd

Christopher Hall and Christian Smith, local residents, addressed the meeting in support to the application.

Councillor Macnamara proposed that application 15/00570/F be approved, subject to conditions with authority delegated to officers to agree the exact wording. Councillor Kerford-Byrnes seconded the proposal.

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

### **Resolved**

That application 15/00570/F be approved subject to

- 1 That the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
- 2 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the planning application forms together with the following plans and drawings:  
  
GPP/EW/DT/10/02 Rev. 4  
P111-35 Rev. Draft 4  
1589-DD-003A
- 3 This permission shall expire no later than 25 years from the date when electricity is first exported from any part of the hereby approved development to the electricity grid network ('First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.
- 4 Not later than 24 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented within 12 months of the expiry of this permission
- 5 No artificial lighting shall be used as part of the development (either during construction or once operational), and the CCTV system to be used shall only be in accordance with the appearance of the development as shown in the approved plans listed under condition 2.
- 6 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, an update survey for badgers (no older than six months old), with, if required, the details of any mitigation, development licence and location and timing of the provision of any protective fencing around setts/commuting routes 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.
- 7 No removal of hedgerows, trees or shrubs shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

- 8 The development hereby approved shall be carried out strictly in accordance with the details and recommendations for buffer areas, biodiversity enhancements and supervision of works set out in the Extended Phase 1 Habitat Survey submitted with the application (prepared by Resource and Environmental Consultants Ltd dated 18th March 2015).
- 9 Prior to first operation 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 shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grassed areas and other planting,
  - (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.
- 10 Prior to first operation of the development hereby approved, a schedule of landscape management for the duration of the development to include the timing of the implementation of the schedule, management of grassland and landscape features together with replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.
- 11 Prior to commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be adhered to throughout the period of construction.
- 12 Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
- 13 Following the approval of the Written Scheme of Investigation referred to in condition 12, and prior to the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

- 14 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Hafren Water (ref: 1944/FRA) dated March 2015 and the following mitigation measures as detailed within the FRA:
1. There will be no PV Arrays and Inverters in Flood Zone 3
  2. The proposed fencing will be of wire construction so that it allows the free flow of flood water

The mitigation measures shall be fully implemented prior to first operation of the development and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- 15 No development shall take place until a scheme for the provision and management of a 10 metre wide buffer zone within the site alongside the Deddington Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:
- Plans showing the extent and layout of the buffer zone
  - Details of proposed planting
  - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- 16 Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed on the site other than those approved as part of this consent without the prior express planning consent of the Local Planning Authority.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings or structures shall be erected, altered, extended or installed at the site without planning permission from the local planning authority except for those works permitted by this permission.
- 18 Notwithstanding the requirements of conditions and 4 of this planning permission, if any of the individual solar panels hereby permitted ceases to export electricity to the grid for a continuous period of 6 months then a scheme of restoration for the whole site (including the removal of all above and below ground operational development associated with this planning permission) and its reversion back to its previous agricultural use shall be submitted to the local planning authority for its written approval. The approved scheme of restoration shall be fully implemented within 6 months of the date of its written approval by the local planning authority.

## **Oxford and Cherwell College, Broughton Road , Banbury**

The committee considered application 15/01024/F for the demolition of existing buildings and change of use from D1 non-residential to C3 dwelling houses comprising 78 1-bedroom and 2-bedroom extra care residential apartments with associated ancillary accommodation and 39 car parking spaces at Oxford and Cherwell College, Broughton Road, Banbury for Bromford Homes Ownership Ltd. And Activate Learning.

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

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

### **Resolved**

That application 15/01024/F be approved subject to:

- (i) The applicants first entering into a legal agreement to secure off-site infrastructure (if confirmed acceptable) and to secure affordable housing and nomination rights.
- (ii) The following conditions
  1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
  2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms Design and Access Statement and drawings contained in drawing issue sheet 1413 dated .....and other documents set out in Walker Troup Architects letter dated 3.6.15
  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, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
  5. Prior to the commencement of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.



6. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed buildings 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.
7. Prior to the commencement of the development hereby approved, all of the buildings and structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site
8. Prior to the commencement of the development full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first occupation of any of the units.
9. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
11. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS

12. 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.
13. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and [insert] parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.
14. Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".
15. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
16. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative roosts to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.
17. The Extra Care building hereby approved shall not be occupied until details have been submitted to and agreed in writing for a work of public art to be placed on site. The details shall including the size,

design and siting of the work of art and the design process for it. The development shall be undertaken in accordance with the details so approved and provided on site prior to the first occupation of the building.

18. Prior to the first occupation of the flats precise details of the pedestrian gateway to People's Park , including its locking arrangements shall be submitted to and approved by the Local Planning Authority , and the gateway shall thereafter be operated in the manner agreed.
19. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development
20. 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.

101 **OS Parcel 1424 Adjoining And Rear Of Jersey Cottage, Heyford Road, Kirtlington**

The Chairman advised the Committee that application 15/01128/OUT had been withdrawn by the applicant and would therefore not be considered at the meeting.

102 **Bicester Village Rail Land Car Park, Land South of Station Approach, West of Bicester Village, Pingle Drive, Bicester**

The Committee considered application 15/01169/F for alterations to the down ramp area of the existing car park deck, landscaping and the extension of and changes to the external appearance of the reception accommodation for visitors to Bicester Village (Amendments to previously approved 13/01934/F) at Bicester Village Rail Land Car Park, Land South of Station Approach, West of Bicester Village, Pingle Drive, Bicester for Bicester Nominees Ltd and Bicester II Nominees Ltd.

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

**Resolved**

That application 15/01169/F be approved subject to

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission
2. Except where otherwise stipulated by condition, the application shall be carried out in accordance with the following plans and documents: Application forms, Design and Access Statement dated June 2015; External lighting design planning statement dated December 2013; surface water drainage strategy dated December 2013; Drawing numbers 08048 P-540 Rev B; P-523; P-522; P-521; P-525; P-524; P-526; P-533; P-534; P-531; P-532; P-536; P-537; P-535; P-530; P-528; P-529; P-527; P-538 and P-539.
3. Within one month of the date of this permission, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the proposed tree and shrub planting including their species, number, sizes and positions, together with any grass seeded/turfed areas.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the car park being first brought into use, or on completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
5. Within one month of the date of this permission, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. The car parking shall thereafter be carried out in accordance with the approved management plan.
6. Within one month of the date of this permission a full drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Council's Drainage Team). The approved drainage scheme shall be implemented within three months of approval and shall be maintained as such thereafter.

103

### **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.

104 **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 6.05 pm

Chairman:

Date: