

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 17 December 2015 at 4.00 pm

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

Councillor Andrew Beere
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 Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Rose Stratford

Apologies for absence: Councillor Sean Woodcock

Officers: Jon Westerman, Development Services Manager
Aaron Hetherington, Democratic and Elections Officer
Matt Chadwick, Planning Officer
Stuart Howden, Senior Planning Officer
Linda Griffiths, Principal Planning Officer

138

Declarations of Interest

9. The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL.

Councillor Chris Heath, Declaration, as she had a personal interest and would therefore leave the chamber for the duration of the item and consequently not voting on the application.

Councillor G A Reynolds, Declaration, as he has a relative that lives near to the application site and would therefore leave the chamber for the duration of the item and consequently not be voting on the application.

11. Land North Of Bicester Avenue Garden Centre Adj To Oxford Road, Bicester.

Councillor Lawrie Stratford, 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.

139 **Requests to Address the Meeting**

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

140 **Urgent Business**

There were no items of urgent business.

141 **Minutes**

The Minutes of the meeting held on 26 November 2015 were agreed as a correct record and signed by the Chairman, subject to the following amendments:

Minute 119 – Declarations of Interest

11. The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL

Councillor Chris Heath, declaration as she had a personal interest and would therefore leave the Chamber for the duration of the item and consequently not voting on the application

Councillor G A Reynolds, declaration, as he has a relative that lives near to the application site and would therefore leave Chamber for the duration of the item and consequently not be voting on the application.

17. Proposed Sports Pavilion and Sports Field, Whitelands Way, Bicester.

Councillor Lawrie Stratford, declaration as a member of Oxfordshire County Council and would leave Chamber for the duration of the item.

Councillor Rose Stratford, declaration, as a member of the Bicester Sports Board and would leave the Chamber for the duration of the item.

142

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.
2. The Chairman advised that the next planning meeting in January may need to start at 2pm. The Development Services Manager would update members prior to the meeting.

143

Land East Of Evenlode Crescent And South Of Langford Lane Kidlington

The Committee considered application 14/02067/OUT for a Technology Park, 40,362 sqm office, R&D, laboratories, storage and ancillary space at Land East of Evenlode Crescent and South of Langford Lane, Kidlington for Hill Street Holdings/Bloombridge .

Richard Cutler, the applicant, addressed the committee in support to the application.

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

Resolved

That application 14/02067/OUT be approved subject to the following:

- a) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to secure financial contributions as outlined in paragraph 6.39;
- b) referral to the Secretary of State to ratify the decision to approve;
- c) the following conditions:
 - 1 That no development shall be started until full details of the siting, design, layout and external appearance of all buildings, landscaping and all means of access (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
 - 2 In the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
 - 3 The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

- 4 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the Site Location Plan (13045 1001) and the following documents:

Oxford Technology Park - The Compelling Case (Parts 1 & 2)
Transport Assessment produced by Peter Brett (December 2014)
Transport Note TN004 produced by Peter Brett (31/03/15)
Framework Travel Plan produced by Peter Brett (September 2014)
Updated Phase 1 Habitat Survey produced by Southern Ecological Solutions (December 2014)
Engineering Appraisal produced by Haydn Evans Consulting (November 2013)
Flood Risk Assessment and Drainage Strategy produced by Baynham Meike partnership (October 2012) updated by an email dated 17 April 2015.
Noise Impact Assessment produced by Peter Brett (December 2014)
Air Quality Screening Assessment produced by Peter Brett (December 2014)

- 5 Prior to the commencement of development hereby approved, a phasing plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the phasing plan.
- 6 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including position, layout, construction, drainage and vision splays, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to commencement on site, the means of access shall be constructed to base course and used as such during the initial construction phase. Prior to first occupation on site, the access scheme will be completed and retained in accordance with the approved details.
- 7 Prior to the commencement of each phase of the development hereby approved, detailed access and circulation specifications for that phase of development shall be submitted and approved in writing by the Local Planning Authority as part of the Reserved Matters Application for that phase. Thereafter, and prior to the first occupation of the phase of development considered, the access, and circulation, parking and manoeuvring areas shall be provided on the site in accordance with the approved details. Parking and manoeuvring areas shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- 8 Prior to the first occupation of the development hereby approved, a Framework Travel Plan, prepared in accordance with Oxfordshire County Council's Guidance on Transport Assessment and Travel Plans, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Framework Travel Plan shall be implemented and operated in accordance with the approved details.

- 9 Prior to commencement of development a Construction Traffic Management Plan must be submitted to and approved in writing by the Local Planning Authority.
- 10 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development including appropriate infiltration testing in accordance with BRE 365, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate:
- surface water run-off generated up to and including the 1 in 100 year (including a 30% allowance for climate change) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
 - surface water runoff will be managed so that it does not contaminate controlled waters

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- 11 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- 12 Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.
- 13 Prior to the commencement of the development hereby permitted, measures to encourage the uptake of low emission transport, shall be submitted to and approved in writing, by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that measures are in place which mitigate the impact of the development on local air quality and support the uptake of low emission technologies now and in the future.
- 14 The levels of noise emitted by fixed plant and equipment operated on the site shall not exceed the levels set out in Table 7.1 of the Noise Assessment Report produced by Peter Brett and dated December 2014.

- 15 Prior to the commencement of the development hereby approved, a reptile method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 16 Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing tree or shrub planting, areas of species rich grassland, habitat boxes for birds 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.
- 17 A full technical safeguarding study shall be undertaken, to assess the effects of the development on London Oxford Airport's navigations aids and radar equipment and shall be submitted as part of the reserved matters application(s).
- 18 Prior to the commencement of development a Bird Control Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 19 No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.
- 20 The development hereby permitted shall be constructed to meet at least BREEAM 'Very Good' standard.
- 21 The primary function of all businesses occupying the site should not be as a distribution centre. All B8 space should be ancillary to the either a B1 or B2 use.

144

Land At Lince Lane With Access Off Station Road, Enslow, Kidlington, OX5 3AX

The Committee considered application 15/00822/F for the erection of an office building and 14 no. dwellings together with associated car parking, cycle parking, garages, public amenity spaces and new footway link at Land at Lince Lane with access off Station Road, Enslow, Kidlington, OX5 3AX for Portdevon (Oxford) LLP Minns Estates Limited.

Huw Mellor, agent for the applicant, addressed the committee in support of the application.

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

Resolved

That application 15/00822/F be approved subject to

- The satisfactory completion of a legal agreement to secure the items listed in paragraph 7.40 of the officers' report.
- Receipt of amended plans to the satisfaction of the Head of Development Management that overcomes the concerns raised by OCC about on-site parking provision.
- 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 drawings: 2014063/P51, 2014063/P52, 2014063/P53, 2014063/P54, 2014063/P55, 2014063/P56, 2014063/P57, 2014063/P58 and 2014063/P59.
 - 3 Prior to the commencement of the development hereby approved and notwithstanding that shown in the approved plans, a schedule of materials and finishes for the external walls and roofs 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 roof coverings to be used in the construction 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 sample panel of all external walling to be used (minimum 1m² in size) shall be constructed on site which shall be 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 sample panel.
 - 6 Prior to the commencement of the development, a plan showing the details of the finished floor levels of the proposed dwellings in relation to existing ground levels on the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 7 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. Such details shall:
 - Include a natural rubble stone wall along the site's northern and western boundaries;

- Provide for a screen between the office building and the existing houses of Hill Top Cottage and Stone Quarry House to the south;
- Make provision for suitable access between the enclosures for hedgehogs.

Thereafter, the approved means of enclosure shall be laid out prior to the first occupation of the development and thereafter so retained.

- 8 The dwellings hereby approved shall not be occupied until 3 bins for the purposes of recycling, residual and garden waste have been provided for each of the approved dwellings, in accordance with the following specification:
 - One 240 litre blue wheeled bin for the collection of dry recyclable material;
 - One 240 litre green wheeled bin for the collection of residual waste;
 - One 240 litre brown bin for the collection of garden waste material
- 9 Notwithstanding any details shown to the contrary in the approved plans, all windows to be installed on buildings within the development shall be flush fitting balanced casements that are recessed a minimum of 75mm within the window surrounds unless otherwise agreed in writing by the local planning authority.
- 10 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is substantially completed. The scheme shall also include:
 - Discharge Rates
 - Discharge Volumes
 - Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
 - Sizing of features - attenuation volume
 - Infiltration in accordance with BRE365
 - Detailed drainage layout with pipe numbers
 - SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
 - Network drainage calculations
 - Phasing
- 11 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways, parking and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

- 12 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.
- 13 Prior to the first occupation of the development hereby approved, a Construction Traffic Management 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 Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
- 14 No development shall take place unless full details of a footway leading from the development to the Rock of Gibraltar public house (including its position, layout, construction, drainage and vision splays) have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no occupation of any dwelling shall occur (other than for construction purposes) until the footway has been provided in full in accordance with the approved details.
- 15 Prior to first occupation of the approved office building, details of its bin storage facilities shall be submitted to and approved in writing by the local planning authority. Thereafter the building shall only be occupied once the approved facilities have been provided and such facilities shall be retained as approved thereafter.
- 16 Prior to commencement of development, a scheme that includes the following components to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
 - 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. Reason
- 17 No occupation of any part of the development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
- 18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 19 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- 20 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.
- 21 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, to include full details of measures both within buildings and landscaping 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.

- 22 Prior to the commencement of the development hereby approved, a lighting design scheme to include all exterior lighting proposals on site and the estimated areas of light spill 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 scheme.
- 23 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.
- 24 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)
- 25 Notwithstanding the provisions of Classes A, B and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and any subsequent amendments or enactments, the approved dwellings shall not be extended nor shall any structures be erected within their curtilages without the prior express planning consent of the Local Planning Authority.

- 26 Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 and any subsequent amendments or enactments, the approved office building shall only be used for purposes within Class B1 as defined in the Schedule to the Use Classes Order 1987 (as amended) and shall not be extended or altered from that approved without the prior express planning consent of the Local Planning Authority.
- 27 Prior to commencement of development and in advance of works to any trees on the site (including removal, lopping, topping, pruning or any other action that could harm the health of any tree), a method statement setting out the means of enhancing the biodiversity value of Lince Lane Copse Local Wildlife Site (including the retention of all existing native trees, shrubs and hedges within it on the application 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.
- 28 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity (in particular the ecological value of the Lince Lane Copse LWS), 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 at all times.
- 29 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.

- 30 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.
- 31 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.
- 32 No development shall commence until details demonstrating how each dwelling on the site will achieve an energy efficiency standard equivalent to at least a 44% improvement over the Target Emission Rate (as determined in 2006 Building Regulation Standards) have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until it has been constructed to meet the required energy performance standard in accordance with the approved details.

145

The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL

The Committee considered application 15/01090/F for the demolition of existing dwelling, garage and car repair workshop and the erection of a terrace of 4 new dwellings with associated landscaping and parking to the rear at The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL for Inglenook Properties Ltd.

Andrew Lester, a local resident, addressed the committee in objection to the application.

Richard Liang, 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 15/01090/F be approved subject to the following:

- 1 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

- 2 Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and drawings: S5:722-001C; S5:722-002C; S5:722/03C; S5:722/04C; S5:722/05C; S5:722/06C; S5:722/08C; and, S5:722/09C
- 3 Prior to the commencement of the development hereby approved, samples of the external roofing materials to be used in the construction of the roof of the buildings in the approved development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the samples so approved.
- 4 Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural ironstone which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
- 5 Prior to the commencement of the development hereby approved, a brick sample panel, 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.
- 6 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.
- 7 Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels of the proposed development in relation to existing ground levels on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.
- 8 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 shall be installed on site in accordance with the approved details prior to first occupation of any of the approved dwellings.
- 9 No dwelling hereby approved shall be occupied until 3 bins for the purposes of refuse, recycling and green waste have been provided for that dwelling in accordance with the following specification:
 - One 240 litre blue wheeled bin for the collection of dry recyclable material
 - One 240 litre green wheeled bin for the collection of residual waste

- One 240 litre brown bin for the collection of garden waste material

- 10 No occupation of the any of the approved dwelling shall take place until details of dedicated bin and cycle storage facilities for each dwelling have been submitted to and approved in writing by the local planning authority. No occupation of the dwellings shall take place until the approved facilities have been provided on site and they shall be retained as such thereafter.
- 11 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: 14-1731-08-001 Rev B (Infrastruct CS Ltd, June 2015) and the following mitigation measures detailed within the FRA:
 1. Provision of compensatory flood storage as described in section 7 of the FRA and shown on Drawing 100 P02 (12 June 2015)
 2. Provision of a safe route into and out of the site
 3. Finished floor levels are set no lower than 110.35m above Ordnance Datum (AOD).
 4. The use of flood resilient construction techniques.
The mitigation measures shall be fully implemented prior to occupation or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- 12 Prior to commencement of development a scheme shall be submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency ensuring unhindered 24 hour access for Environment Agency staff to and from the Environment Agency's Bloxham flood warning station, both during construction and upon completion of the development .
- 13 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
- 14 Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

- 15 If contamination is found by undertaking the work carried out under condition 14, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
- 16 If remedial works have been identified in condition 14, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 15. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to occupation of any of the approved dwellings.
- 17 Prior to the commencement of the development hereby approved, full details of the means of vehicular and pedestrian access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed in accordance with the approved details prior to first occupation of the dwellings and retained as such thereafter.
- 18 Prior to the commencement of the development hereby approved, full specification details of the driveway 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 any of the approved dwellings, the development shall be constructed in accordance with the approved details.
- 19 No occupation of any dwelling shall take place until a scheme for the construction of an extension to the existing footway so that it continues across the road frontage of all the approved dwellings has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. No occupation of any of the approved dwellings shall occur until the approved works to the footway have been completed.
- 20 No development shall take place until a scheme for the relocation of the existing dropped kerb pedestrian crossing point has been submitted to and approved in writing by the local planning authority. No occupation of any of the approved dwellings shall occur until the pedestrian has been relocated in accordance with the approved details.
- 21 Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments/enactments, the approved dwellings shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

- 22 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/enactments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed within 8m of the bank of Bloxham Brook without the prior express planning consent of the Local Planning Authority.
- 23 No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the Bloxham Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out and managed thereafter in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from buildings, structures, lighting and domestic gardens and form part of wider green infrastructure provision along the brook.
- 24 No occupation of any of the approved dwellings shall take place until a scheme for the prevention of car parking on the verge/footway of Cumberford Hill to the front of the approved dwellings has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. No occupation of the approved dwellings shall occur until the approved scheme has been carried out and the measures shall be retained as such thereafter.
- 25 No occupation of the approved dwellings shall take place until the areas for the parking and turning of cars as shown on drawing no. S5-722-002C have been fully laid out and made available to occupants of the approved dwellings. Such areas shall be retained as approved for the parking of motor vehicles thereafter.
- 26 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 significantly adversely affect neighbouring 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 at all times.
- 27 Notwithstanding anything shown to the contrary in the approved plans, any rooflight to be inserted into the approved dwellings shall be of flush fitting conservation type where no part of it projects beyond the roofslope in which it is positioned.
- 28 No development shall commence until details demonstrating how each dwelling on the site will achieve an energy efficiency standard equivalent to at least a 44% improvement over the Target Emission Rate (as determined in the 2006 Building Regulation Standards) have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until it has been constructed to meet the required energy performance standard in accordance with the approved details.

- 29 No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit from thereon.

146

OS Parcel 2678 Adj A34, Part Of A34 By Hampton Gay And Poyle, Hampton Gay and Poyle, Oxfordshire

The Committee considered application 15/01605/F for an additional pitch for a mobile home and community day room on plot 1 at OS Parcel 2678 Adj A34, Part Of A34 by Hampton Gay And Poyle, Hampton Gay and Poyle, Oxfordshire for Mr David Goddard.

Sally Woodbury, agent for the applicant, addressed the committee in support of 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 15/01605/F be approved subject to the following conditions:

1. Development in respect of the additional mobile home hereby permitted 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 submitted with the application;
 - Design and Access Statement submitted with the application;
 - Site Location Plan submitted with the application;
 - Drawing Numbers 1564/01A and 1564/03 submitted with the application;
 - Floor Plan of Mobile Home Titled 'Tredegar 40' X 12'' submitted with the application;
 - E-mail received from the applicant's agent on 3rd November 2015;
 - Drawing Number 0970/02B received from the applicant's agent by E-mail on 9th November 2015; and
 - E-mail received from the applicant's agent on 26th November 2015.
3. No more than 17 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 9 shall be static caravans or mobiles homes), 7 utility day rooms and 1 community day room shall be stationed on the site at any one time and these shall be sited as is displayed on Drawing Number 0970/02B received from the applicant's agent by E-mail on 9th November.

4. The development hereby permitted shall be carried out in accordance with the recommendations in section 5 “issues to be addressed” of the Flood Risk Assessment prepared by Prior Associates Consulting Engineering dated August 2010 and Reviewed October 2015 (Ref: 9069/2) accompanying the application.
5. The Community dayroom shall be used only for the purposes outlined in the Design and Access Statement submitted with the application and E-mail received from the applicant’s agent on 3rd November 2015 and shall not be occupied as a separate unit of accommodation.
6. No commercial activities shall take place on the site, including the external storage of materials in association with a commercial activity, and no vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.
7. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of the 'Planning Policy for Traveller Sites' August 2015.

147

Land North Of Bicester Avenue Garden Centre Adj To Oxford Road, Bicester

The Committee considered application 15/01736/OUT for the erection of a building for retail use within Class A1, along with related access, parking, servicing, landscaping and other works at Land North of Bicester Avenue Garden Centre adjacent to Oxford Road, Bicester for Blooms Properties Limited Partnership.

Jonathan Best, agent for the applicant, addressed the committee in support of the applicant.

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

Resolved

That application 15/01736/OUT be refused for the following reason:

1. The development would result in the loss of land which forms part of an allocated employment site in the recently adopted Cherwell Local Plan 2011-2031 Part 1. It has not been demonstrated that there is no reasonable prospect of the site being used for its allocated purpose in the long term, and so the proposal is considered to be unacceptable in principle and would unnecessarily and unjustifiably erode the Local Plan employment strategy for Bicester. The proposed development would therefore be contrary to Policy SLE1 and Policy Bicester 4 of the Cherwell Local Plan Part 1, and the NPPF in particular paragraph 17 “Core planning principles” and section 1 “Building a strong, competitive economy”.

Land West Of Banbury Road, Twyford, Banbury

The Committee considered application 15/01773/OUT, an outline application for up to 50 residential dwellings (including up to 35% affordable housing), land for potential GP outreach Surgery/Pharmacy/Community Use/Primary School Relocation, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Banbury Road and associated ancillary works with all matters to be reserved with the exception of the main site access at Land West of Banbury Road, Twyford, Banbury for Gladman Developments.

David Griffiths, on behalf Adderbury Parish Council, addressed the committee in objection to the application.

Peter Hilldrup, the applicant, addressed the committee in support of the application.

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

Resolved

That application 15/01773/OUT be refused for the following reasons:

1. The development proposed, by reason of its scale and siting 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 in Adderbury and Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable new 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 Local Plan. Therefore the proposal is considered unacceptable in principle and contrary to Policies ESD13, ESD15 and Policy Villages 2 of the adopted Cherwell local plan 2011-2031 and saved Policies C8 and C33 of the adopted Cherwell Local plan 1996 and advice within the National planning Policy Framework.
2. By reason of its siting, scale, form and appearance, in particular the loss of important views across open countryside of the historic core of Adderbury village including the Adderbury Conservation Area and the Grade 1 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. The proposal therefore conflicts with Policies ESD13, ESD15 and Policy Villages 2 of the adopted Cherwell Local Plan 2011-2031, saved policy C33 of the adopted Cherwell Local Plan 1996 and the advice within the National Planning Policy Framework.

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 setting of the village as experienced by local residents, visitors and users of the A4260 and public rights of way. The proposal is therefore contrary to Policies ESd13, ESd15 and Policy Villages 2 of the adopted Cherwell Local Plan 2011-2031 and saved policy C33 of the adopted Cherwell Local plan 1996 and advice within the National planning Policy Framework.
4. By reason of the siting and size of the development and resulting loss of some 14ha of most versatile agricultural land, and taking into account the Council's ability to demonstrate a five 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 areas using poorer quality agricultural land to meet the District's housing needs, the proposal is considered to result in unnecessary and unjustified loss of best and most versatile agricultural land. The proposal is therefore contrary to Policies BSC2 and Policy Villages 2 of the adopted Cherwell local Plan 2011-2031 and advice within the National Planning Policy Framework.
5. 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 Policies ESd15 and Policy Villages 2 of the adopted Cherwell Local Plan 2011-2031 and advice within the National Planning Policy Framework.
6. It has not been satisfactorily demonstrated by the Transport Assessment submitted with this application what impact the proposed development, including the GP surgery, pharmacy, community facility and new primary school may have on the proposed access and local highway network contrary to the advice within the National Planning Policy Framework.
7. By reason of the lack of a satisfactory completed section 106 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. The proposal therefore conflicts with Policies BSC3 and INF1 of the adopted Cherwell Local Plan and advice within the National Planning Policy Framework.

Car Park, Ardley With Fewcott Community Hall, Ardley Road, Fewcott

The Committee considered application 15/01839/F for resurfacing of the existing car park and associated drainage works at the Car Park, Ardley With Fewcott Community Hall, Ardley Road, Fewcott for the Board of Trustees.

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

Resolved

That application 15/01839/F be approved, subject to the following conditions:

8. 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.
9. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents:
 - Application form submitted with the application;
 - Location Plan submitted with the application;
 - Drawing Number: 201 P1 dated 1st October 2015.
10. Prior to the commencement of the development hereby approved, full engineering 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.

Quills 36 Main Street, Duns Tew

The Committee considered application 15/01894/F for the erection of an open canopy and application of timber cladding to eastern elevation of dwelling (retrospective) and increase in height of stone wall to eastern boundary at Quills, 36 Main Street, Duns Tew for Mr J Scotchbrook.

Jonathan Scotchbrook, owner of Quills, addressed the committee in support of the application.

Councillor Kerford-Byrnes proposed that application 15/01894/F be approved with appropriate conditions delegated to the Head of Development Management. Councillor Macnamara seconded the proposal.

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

Resolved

That application 15/01894/F be approved subject to:

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings numbered: JL 100-011 Rev. A, JL 100-013 Rev. A and JL 100-014 Rev. A
3. Prior to the construction of the raised boundary wall hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural weathered stone to match the stonework on the existing boundary wall, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the boundary wall shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

151 **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.

152 **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 7.12 pm

Chairman:

Date: