

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 21 January 2016 at 4.00 pm

- Present: Councillor Colin Clarke (Chairman)
Councillor Fred Blackwell (Vice-Chairman)
- Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
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
- Substitute Members: Councillor Ken Atack (In place of Councillor Russell Hurle)
Councillor Nicholas Turner (In place of Councillor Rose Stratford)
Councillor Barry Wood (In place of Councillor Lawrie Stratford)
- Also Present: Councillor Lynn Pratt, Ward Member for Ambrosden and Chesterton, for agenda item 7
- Apologies for absence: Councillor Andrew Beere
Councillor Russell Hurle
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Sean Woodcock
- Officers: Jon Westerman, Development Services Manager
Bob Duxbury, Development Control Team Leader
Jenny Barker, Bicester Delivery Manager
Caroline Ford, Principal Planning Officer
Gemma Magnuson, Senior Planning Officer
Bob Neville, Planning Officer
Aaron Hetherington, Democratic and Elections Officer

153 **Declarations of Interest**

7. OS Parcel 4200 Adjoining And North East Of A4095 And Adjoining And South West Of Howes Lane, Bicester.

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

10. Franklins House, Manorsfield Road, Bicester.

Councillor Barry Wood, Declaration, as a member of Executive and would leave the chamber for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of Executive and would leave the chamber for the duration of the item.

Councillor Ken Atack, Declaration, as he was on the Franklins House Phase 2 Project Board which was overseeing the development site. Subsequently he would stay in the meeting but would not take part in the vote

Councillor Michael Gibbard, Declaration, as a member of Executive and would leave the chamber for the duration of the item.

Councillor Nicholas Turner, Declaration, as a member of Executive and would leave the chamber for the duration of the item.

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

154 **Requests to Address the Meeting**

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

155 **Urgent Business**

There were no items of urgent business.

156 **Minutes**

The Minutes of the meeting held on 17 December 2015 were agreed as a correct record and signed by the Chairman.

157 **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 February may need to start at 2pm. The Development Services Manager would update members prior to the meeting.

158

OS Parcel 4200 Adjoining And North East Of A4095 And Adjoining And South West Of Howes Lane, Bicester

The Committee considered application 14/01675/OUT, an outline application, for the erection of up to 53,000 sqm of floor space to be for B8 and B2 with ancillary B1 (use classes) employment provision within two employment zones covering an area of 9.45ha; parking and service areas to serve the employment zones; a new access off the Middleton Stoney Road (B4030); temporary access of Howes Lane pending the delivery of the realigned Howes Lane; 4.5ha of residential land; internal roads, paths and cycleways; landscaping including strategic green infrastructure (G1); provision of sustainable urban systems (suds) incorporating landscaped areas with balancing ponds and swales and associated utilities and infrastructure at OS Parcel 4200 Adjoining And North East Of A4095 And Adjoining And South West Of Howes Lane, Bicester for Albion Land Ltd.

Councillor Lynn Pratt addressed the committee as Ward member.

Councillor Norman Bolster and Councillor Les Sibley addressed the committee in objection to the application as members of the public as the application was outside their ward.

Peter Frampton, agent for the applicant, addressed the committee in support of the application.

Councillor Mould proposed that application 14/01675/OUT be deferred in order to allow further negotiations with the agent to discuss the proportion of B uses across the application site. Councillor Heath seconded the proposal.

Resolved

That consideration of application 14/01675/OUT be deferred in order to allow further negotiations with the agent to discuss the proportion of B uses across the application site.

159

The Paddock, Main Street Great Bourton

The Committee considered application 15/01587/F, a change of use application from agriculture to agriculture and equestrian (mixed use) which sought approval for the demolition of an existing toilet and shower block and the construction of a stable building with three stables, feed store, tack room for the breeding of foals and also including toilet/shower facilities and restroom for staff use at The Paddock, Main Street, Great Bourton for Mr Wayne Walsh

Roger Cumming, 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 15/01587/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, Design and Access Statement, Typical Horse Walker details, Site Photos Sheets 1 and 2 and drawings numbered: 103 Rev. D, 104 and 105
3. Prior to the commencement of the development hereby approved, a sample of the slate to be used in the construction of the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
4. Prior to the commencement of the development hereby approved, details of the timber cladding to be used on the stable building, including colour, type and finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details so approved.
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, pavements and pedestrian areas.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the

sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

7. Except to reasonably allow for the means of access and vision splays, the existing hedgerow along the northern boundary of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
8. The access, parking and manoeuvring areas shall be kept free of obstructions at all times and used only for the specified purpose.
9. Manure and soiled bedding shall not be allowed to accumulate and shall not be burned on the site but shall be removed at frequent intervals for use within the agricultural holding or disposal elsewhere.
10. No external lights or floodlights shall be erected on the land without the grant of further specific planning permission from the Local Planning Authority.
11. Within six months of the date of this decision or within one month following the first use of the stable building hereby approved, whichever comes sooner, the unauthorised static caravan, as indicated on drawing 103 Rev. D and shown on 'Site Photos Sheet 2', shall be removed from the site and the land shall be restored to its former condition to the satisfaction of the Local Planning Authority.

160

Orchard Way, Heyford Road, Somerton, Bicester, OX25 6LL

The Committee considered application 15/01895/F for alterations and the erection of extension at Orchard Way, Heyford Road, Somerton, Bicester, OX25 6LL for Mr D Berlouis.

Neil Good, Somerton Parish Council, addressed the committee in objection to the application.

Councillor Macnamara proposed that the application be refused as it was not in accordance with policy. Councillor Kerford-Byrnes seconded the proposal.

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

Resolved

That application 15/01895/F be refused for the following reason:

1. By virtue of its scale, form, massing and materials, the proposed development would fail to preserve the character and appearance of the

Mollington Conservation Area. The proposal would therefore fail to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031, Policies C28 and C30 of the Cherwell Local Plan 1996 and paragraphs 14, 17, 132 and 134 of the National Planning Policy Framework, and it is considered that this identified harm significantly and demonstrably outweighs the proposal's benefits.

161 **Franklins House, Manorsfield Road, Bicester**

The Committee considered application 15/02230/F which sought consent to vary Conditions 2 and 18 from the original consent (ref: 14/00403/F). Both conditions had previously been varied by application 15/00180/F that was approved on 20 March 2015, and the current application sought to vary these again (albeit with different amended plans).

The Committee was advised that the suggested conditions incorporate those from the original consent 14/00403/F, the variation of condition application 15/00180/F and the details submitted in order to discharge relevant conditions from both applications.

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

Resolved

That application 15/02230/F be approved, subject to the following conditions:

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Drawing nos. P-001, P-303B received 04 January 2016, and nos. 003C, 100B, 101B, 102B, 103B, 104B, 105B, 200B, 201B, P-310, P-311, P-312 and 304C received on 12th November 2014 and the amended Mayer Brown drawings LSHBICESTER.1/05 Rev B & TCRBICESTER2.2/04 Rev M.
2. Prior to the first occupation 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.
3. Prior to the first occupation of the development, the refuse bin storage area shall be provided in accordance with Drg. No. P-501 approved as part of 15/00016/DISC unless otherwise approved in writing by the Local Planning Authority, and retained unobstructed except for the storage of refuse bins at all times thereafter.
4. The development shall be landscaped fully in accordance with Hyland Edgar Driver letter dated 22 May 2015 and Drawing Number: HED.1087.200 Rev. D received 22 May 2015 approved as part of 15/00016/DISC unless otherwise approved in writing by the Local Planning Authority.

5. 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.
6. The development shall be implemented fully in accordance with the approved biodiversity plan for the site that is the Biodiversity Enhancement Report Ref: RP-HED-004 dated November 2014 approved as part of 15/00016/DISC, unless otherwise 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.
7. The development will be conducted fully in accordance with the submitted Site Investigation Report by RSK, February 2015 approved as part of 15/00044/DISC unless otherwise approved in writing by the Local Planning Authority.
8. 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.
9. The development shall be implemented and maintained fully in accordance with the approved Surface Water Disposal scheme that is the Flood Risk and Drainage Statement by Curtins dated 8th October 2014 approved as part of 15/00028/DISC unless otherwise approved in writing by the Local Planning Authority.
10. The drainage works for the development shall be carried out and completed in accordance with the Flood Risk and Drainage Statement by Curtins dated 8th October 2014 approved as part of 15/00028/DISC unless otherwise approved in writing by the Local Planning Authority, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
11. The development shall be carried out fully in accordance with the Construction Traffic Management Plan Morgan Sindall report ref: SH PLN1 Rev. 3 dated March 2013 approved as part of 15/00016/DISC unless otherwise approved in writing by the Local Planning Authority.
12. Prior to the first use or occupation of the development hereby permitted, cycle parking facilities shall be provided on the site in accordance with drawing number 09059 / P-502 Rev. C approved as part of

15/00281/DISC unless otherwise approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

13. Prior to the first use of the development hereby approved, full design and operational details of the method of the air conditioning, extract ventilation and refrigeration systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the building, the systems shall be installed, brought into use and retained and maintained in accordance with the approved details.
14. Prior to the first occupation of the development the scheme of public art shall be completed and thereafter retained in accordance with Crows of Bicester Phase II by Philip Bews Diane Gorvin dated February 2014 approved as part of 15/00016/DISC unless otherwise approved in writing by the Local Planning Authority.
15. No external lights shall be erected on the land without the grant of further specific planning permission from the Local Planning Authority.
16. Prior to the first occupation of the development hereby approved, details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved must be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The development shall be carried out and maintained fully in accordance with the approved details.
17. No later than two years from the date of this planning permission, unless a different time limit for this condition has been agreed in writing by the Local Planning Authority, confirmation shall be sent in writing to the Local Planning Authority that the "Secured by Design" accreditation has been received.

162

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.
- (2) That with regards to the previously approved application 14/01737/OUT, the agreement be completed without the former contribution sought by Thames Valley Police

163 **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 6.08 pm

Chairman:

Date: