

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 July 2016 at 4.00 pm

- Present: Councillor David Hughes (Chairman)
Councillor James Macnamara (Vice-Chairman)
- Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Colin Clarke
Councillor Alastair Milne-Home
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Les Sibley
- Substitute Members: Councillor Ken Atack (In place of Councillor Chris Heath)
Councillor Barry Wood (In place of Councillor Nicholas Turner)
- Apologies for absence: Councillor Chris Heath
Councillor Nicholas Turner
- Officers: Jon Westerman, Development Services Manager
Bob Duxbury, Team Leader (Majors)
Linda Griffiths, Principal Planning Officer
Matt Chadwick, Planning Officer
Stuart Howden, Senior Planning Officer
Andrew Lewis, Principal Planning Officer
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

11. Oceans House, Noral Way, Banbury.

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

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

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

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

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

12. Norbar Torque Tools Ltd. Beaumont Road, Banbury.

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

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

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

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

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

32 **Requests to Address the Meeting**

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

33 **Urgent Business**

There were no items of urgent business.

34 **Minutes**

Subject to the amendments detailed below, the Minutes of the meeting held on 9 June 2016 were agreed as a correct record and signed by the Chairman.

Minute 17 – Declarations of interest

9. Cherwell District Council, Former Offices, Old Place Yard, Bicester.

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the Chamber for the duration of the item.

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

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

10. Banbury Academy, Ruskin Road, Banbury, OX16 9HY

Councillor Colin Clarke, Declaration, as a member of Banbury Town Council and a further declaration as he had been Chairman of the Standbridge House Friends Group and a number of residents are known to him and for this reason he would leave the Chamber for the duration of the item

35 **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.

36 **Camping Site, Heyford Leys Farm, Heyford Leys, Upper Heyford, Bicester, OX25 5LU**

The committee considered application 15/01446/F for the change of use for extension to mobile home park onto adjoining caravan site (Heyford Leys Camping Park).

Councillor Macnamara proposed that application 15/01446/F be deferred for a formal site visit. Councillor Clarke seconded the proposal.

Councillor Richards proposed that a recorded vote be taken. Councillor Macnamara seconded the proposal. A recorded vote was duly taken and the Members voted as follows:

Councillor Hughes – For
Councillor Macnamara – For
Councillor Banfield – Abstain
Councillor Beere – Abstain
Councillor Clarke – For
Councillor Atack – Abstain
Councillor Milne Home – For
Councillor Kerford-Byrnes – Abstain
Councillor MacKenzie-Wintle – For
Councillor Mould – Abstain
Councillor Pickford – For
Councillor Pratt – For
Councillor Randall – For
Councillor Reynolds – Abstain
Councillor Richards – Abstain

Councillor Simpson – Abstain
Councillor Sibley – For

Resolved

That application 15/01446/F be deferred to allow a formal site visit.

37

Land North of Gaveston Gardens and Rear of Manor Farm, Banbury Road, Deddington

The committee considered application 16/00053/F for the residential development of 99 dwellings (Use Class C3), together with parking, public open space, landscaping and associated infrastructure.

David Rogers, on behalf of Deddington Parish Council, addressed the committee in objection to the application.

Kathryn Young, the agent to the applicant, addressed the committee in support to the application.

Councillor Kerford-Byrnes proposed that application 16/00053/F be refused on the grounds of detrimental harm to the landscape and design of the village. Councillor Milne Home seconded the proposal.

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

Resolved

That application 16/00053/F be refused for the following reasons:

- 1 The development proposed by reason of its scale, layout and design, taking into account Cherwell District's ability to demonstrate an up to date housing land supply is considered to be an overdevelopment of the site which would be out of keeping with the existing adjacent development and the character of Deddington Village as a whole, and cause harm to the rural setting and approach into the village. The proposal is therefore considered unacceptable and contrary to Policies ESD13 and ESD15 of the adopted Cherwell Local Plan 2011-2031 and saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996 and the advice within the National Planning Policy Framework.
- 2 In the absence of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, including affordable housing will be delivered. This would be contrary to INF1 of the adopted Cherwell Local Plan 2011-2031 and the advice within the National Planning Policy Framework.

Christopher Rawlins Church of England Voluntary Aided Primary School, Aynho Road, Adderbury, OX17 3NH

The Committee considered application 16/00601/F for an extension to foundation stage unit, extension to existing school hall, erection of two new key stage 2 classrooms, staffroom and supporting ancillary rooms. Demolition works and refurbishment to existing, internal alterations including new kitchen and external landscaping including new Multi-use games area (MUGA).

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

Resolved

That application 16/00601/F be approved subject to:

- a) The applicant entering into an appropriate s106 Legal Agreement to the satisfaction of the District Council to secure financial contributions as outlined in paragraph 3.9 of the report.
- b) The following conditions:
 1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
 2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents:
 - Application Form submitted with the application;
 - Design and Access Statement (ref: 1428/2A) by Thinking Buildings dated 30th March 2016 submitted with the application;
 - Transport Statement (ref: TR8160177/BE002) by Glanville dated March 2016 submitted with the application;
 - Drawing Numbers: 01; 05 Revision B; 06 Revision D; 10 Revision D; and 11 Revision A submitted with the application; and
 - Drawing Number 110 Revision 01 received from the applicant's agent by e-mail on 23rd June 2016.
 3. Prior to the commencement of the development hereby permitted, samples of the materials to be used in the construction of the walls and roofs of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the walls and roofs of the development shall be carried out in accordance with the samples so approved.
 4. Prior to the occupation of the development hereby permitted, full specification details (including construction, layout, surfacing and drainage) of the extended layby on Aynho Road (shown on Drawing No: 05 Rev B), along with a timetable for the implementation of the works, shall be submitted to and approved in writing by the Local

Planning Authority. Thereafter, the extended layby shall be provided and made available for use in accordance with the approved details and timetable.

5. Prior to occupation of development hereby permitted, a school Travel Plan shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall incorporate (i) details of the means of regulating the use of private cars for journeys to school in favour of other modes of transport and (ii) the means of implementation and methods of monitoring the Travel Plan.
6. Prior to commencement of the development hereby permitted, a plan showing the number, location and design of new cycle and scooter parking for the school shall be submitted to and approved in writing by the Local Planning Authority. The new parking shown on the approved plan shall be provided prior to first occupation of the development. Thereafter, the parking shall be permanently retained and maintained for the parking of cycles and scooters in connection with the development.
7. Prior to the commencement of the development hereby permitted, a hard landscaping scheme including details of the layout, design, surfacing, and appearance of:
 - Pavements, pedestrian areas, reduced-dig areas, crossing points and steps;
 - Gates, fences, walls or any other means of enclosure;
 - Fencing surrounding the MUGA.

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 landscape scheme.

8. Prior to the commencement of the development hereby permitted, 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.
9. That:
 - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

10. The existing hedgerow along the southern boundary of the site and the south western boundary of the staff car park (displayed on Drawing Number 05 Revision B submitted with the application) shall be retained and properly maintained at a height of not less than 2 metres, and if any hedgerow plant dies within five years from the completion of the MUGA it shall be replaced by a plant of the same or similar species and shall thereafter be properly maintained in accordance with this condition.

39

Manor Cottage, Netting Street, Hook Norton, Banbury, OX15 5NP

The Committee considered application 16/00866/F for the erection of 1 no. dwelling.

Christine French, the applicant, addressed the committee in support to the application.

Councillor Kerford-Byrnes proposed that application 16/00866/F be refused as it would cause cramping form of development and would go against the Neighbourhood plan. Councillor Randall seconded the proposal.

Councillor Reynolds proposed that application 16/00866/F be approved. Councillor Clarke 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 16/00866/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 and Drawing Numbers: FRE/16/01 A and FRE/16/02 A.
3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in Hornton stone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shown on the approved plans to be constructed in stone shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
4. Prior to the commencement of the development hereby approved, samples of the slate to be used in the construction of the roofs 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 an arboricultural survey and method statement, 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 the development shall be carried out in accordance with the approved survey recommendations and method statement.
6. Prior to the commencement of the development, full details of the doors and windows hereby approved, including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows and their surrounds shall be installed within the building in accordance with the approved details.
7. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and 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.
 - (d) details of means of enclosure along the boundaries of and within the site.

Thereafter the development shall be carried out in accordance with the approved landscaping scheme.

8. 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.

9. Notwithstanding the provisions of Classes A to D (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and its subsequent amendments, the approved dwelling shall not be enlarged or extended without the prior express planning consent of the Local Planning Authority.
10. Prior to the first occupation of the development hereby approved, the first floor window in the east elevation of the dwelling shall be fixed shut, other than the top hung opening element, and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

40

Oceans House, Noral Way, Banbury

The Committee considered application 16/00927/F for the Change of use of existing buildings from Class B2 with ancillary Class B1(a) to Class B8 with ancillary Class B1(a).

Gemma Johnson, the agent for the applicant, addressed the committee 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 16/00927/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, Transport Statement and Drawing Numbers: SL-P-05 submitted with the application.
3. Prior to the first occupation of the site, a full workplace Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Travel Plan shall be implemented in accordance with the approved details.
4. Other than for the purposes of collection and delivery, no goods, materials, plant or machinery shall be stored, operated or displayed in the open without the prior submission of details and approval in writing by the Local Planning Authority.

41

Norbar Torque Tools Ltd. Beaumont Road, Banbury

The Committee considered application 16/00985/F for the proposed change of use from B2 to B1, B2 and B8.

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

Resolved

That application 16/00985/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 and site plan
3. Prior to its installation, full details of any new external lighting to be provided in the car parking areas or on the building shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.
4. Prior to the commencement of the development hereby approved, details of the revised car parking and HGV turning provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be retained for the parking of vehicles at all times thereafter
5. 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.
6. 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
7. The operational use of the premises shall be restricted to the following times:-

Monday-Friday – 5.00am- 9.00pm

Saturday – 8.30am to 1.00pm

Sunday and Public Holidays – No time

42 **OS Parcel 0070 adjacent and north of A41 London Road, Bicester**

The Head of Development Management submitted a report to notify members of the receipt of an application relating to the strategic allocation at SE Bicester and for Members to consider whether they wish to have a Formal Site Visit prior to 4 August Committee meeting.

Councillor Richards proposed that a recorded vote be taken. Councillor Hughes seconded the proposal. A recorded vote was duly taken and the Members voted as follows:

Councillor Hughes – For
Councillor Macnamara – For
Councillor Banfield – Abstain
Councillor Beere – Abstain
Councillor Clarke – For
Councillor Atack – For
Councillor Milne Home – Against
Councillor Kerford-Byrnes – Abstain
Councillor MacKenzie-Wintle – For
Councillor Mould – Abstain
Councillor Pickford – For
Councillor Pratt – For
Councillor Randall – For
Councillor Reynolds – Abstain
Councillor Richards – Abstain
Councillor Simpson – Abstain
Councillor Sibley – For
Councillor Wood - For

Resolved

That members are to undertake a Formal Site Visit prior to the Planning Committee Meeting on 4 August 2016 when the application will be before Members for determination.

43 **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 6.26 pm

Planning Committee - 7 July 2016

Chairman:

Date: