

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 29 September 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 Chris Heath
Councillor Alastair Milne-Home
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Les Sibley
Councillor Nicholas Turner
- Substitute Members: Councillor Hugo Brown (In place of Councillor Mike Kerford-Byrnes)
Councillor Barry Wood (In place of Councillor D M Pickford)
- Apologies for absence: Councillor Mike Kerford-Byrnes
Councillor D M Pickford
- Officers: Bob Duxbury, Team Leader (Majors)
Matt Chadwick, Planning Officer
Linda Griffiths, Principal Planning Officer
Alex Keen, Team Leader (Minors)
Nat Stock, Team Leader (Others)
Andrew Lewis, Principal Planning Officer
Nigel Bell, Team Leader - Planning/ Deputy Monitoring Officer
Amy Jones, Legal Assistant
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

8. OS Parcel 0070 adjacent and North of A41 London Road, Bicester.
Councillor David Hughes, Declaration, as his business was in the vicinity of the area and would stay in the room but not take part in the debate or vote.

Councillor Hugo Brown, Declaration, as he knows the developer's directors socially.

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

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

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

11. Tudor Hall School, Wykham Lane, Banbury, OX16 9UR.

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.

Councillor Hugo Brown, Declaration, as he knew the headteacher socially, his wife was on the PTA and his daughters were ex-pupils of the school.

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

12. OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick 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 Barry Wood, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Colin Clarke, Non Statutory Interest as a member of Banbury Town Council which had been consulted on the application and a declaration as a member of the Executive and would leave the meeting for the duration of the item.

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

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

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

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

13. OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury.

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

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

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

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

Councillor Colin Clarke, Non Statutory Interest as a member of Banbury Town Council which had been consulted on the application and a declaration as a member of the Executive and would leave the meeting for the duration of the item.

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

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

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Nicholas Turner, Non Statutory Interest, as a member Banbury Town Council which had been consulted on the application.

76 **Requests to Address the Meeting**

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

77 **Urgent Business**

There were no items of urgent business.

78 **Minutes**

The Minutes of the meeting held on 1 September 2016 were agreed as a correct record and signed by the Chairman.

79 **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 Development Services Manager, Jon Westerman would be leaving Cherwell District Council in the next few weeks and thanked him for his contribution to the planning department at Cherwell District Council.

80 **Pool Farm, Mill Lane, Stratton Audley, OX27 9AJ**

The Committee considered application 15/02314/F for the permanent use of land as a Rally school including use of land for quad bikes, buggies and jeeps for Mr Christopher Wigmore at Pool Farm, Mill Lane, Stratton Audley, OX27 0AJ.

Ken Smith and Tim Good, local residents, addressed the committee in objection to the application.

Christopher Wigmore, 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 15/02314/F be approved subject to the following conditions:

1. 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;
 - Drawing Number 5013/2 submitted with the application;
 - Site Location Plan at a scale of 1:5,000 received by e-mail from the applicant on 25th February 2016;
 - Additional plan outlining 'Rally Stage' and 'Yard' at a scale of 1:5,000 received by e-mail from the applicant on 29th February 2016;

- E-mail from the applicant containing a list of vehicles to be used on the 'Rally Stage' and 'Yard' on 29th February 2016.
2. Within 4 calendar months starting from the date of this decision, a Noise and Dust Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the use hereby permitted shall only operate in strict accordance with the approved Management Plan.
 3. The area of the site to be used for quad bikes, jeeps, and 'Honda Pilots' shall be restricted to the area outlined in green on Drawing Number 5013/2 submitted with the application.
 4. No more than 4 quad bikes and/or 'Honda Pilots' and/or jeeps shall be operated at any one time.
 5. The 'Rally Stage' and 'Yard' outlined in the additional plan (scale of 1:5,000 received by e-mail from the applicant on 29th February 2016) shall only be used for the purposes of tuition in accordance with the terms of this consent and shall not be used for any testing, trial of speed, racing or other practicing whatsoever.
 6. No more than one vehicle shall be used on the 'Rally Stage' and 'Yard' outlined in the additional plan (scale of 1:5,000 received by e-mail from the applicant on 29th February 2016) at any one time, and the 'Rally Stage' and 'Yard' shall only be used by the vehicles listed on the e-mail received from the applicant on 29th February 2016.
 7. There shall be no use of the rally stage when the quad bikes and/or 'Honda Pilots' and/or jeeps are being used.
 8. The use hereby approved shall only operate between the hours of 10:00 and 18:00 Monday to Saturday and shall not operate at any time on Sundays and Public Holidays.
 9. The use hereby approved shall not operate on more than 3 occasions in any one calendar week.
 10. The level of noise emissions from the use hereby permitted when measured in free field conditions at 1.2 to 1.5 metres height above the surrounding ground level at the boundary of the residential properties at Copse Cottages and Oldfields Farm shall not exceed 45dB LAEQ(5m).
 11. Notwithstanding the provisions of Schedule 2, Part 4 of the Town and Country Planning (General Permitted Development) order 2015, the site shall not be used for any temporary purpose or activity, including War Games, Paintballing, Corporate Event Days, Clay Pigeon Shooting or helicopter rides, other than those expressly approved by this permission.

12. Motor car or motorcycle racing or any other form of motor sport including testing, trials of speed and practising for such activities shall not take place on the site.

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OS Parcel 0070 adjacent and North of A41 London Road, Bicester

The Committee considered application 16/00861/HYBRID for revisions to outline planning application 15/02316/OUT to comprise a HYBRID planning application for: Full planning permission for 18,394 sqm (198,000 sqft) of logistics floor space within Class B8 of the Town and Country Planning Use Classes Order 1987, with ancillary Class B1(a) offices together with access from A41 Aylesbury Road, associated infrastructure including lorry parking, landscaping, amenity open space and sustainable drainage and private sewage treatment plant. Outline planning permission from up to 44,314 sqm (477,000 sqft) of logistics floor space, within class B8 of the Town and Country Planning Use Classes Order 1987, with ancillary B1(a) offices, together with associated site infrastructure including lorry parking, landscaping, amenity open space, sustainable drainage and private sewage treatment plant. Details of means of access from Aylesbury Road were also included for approval. The application was for Mr Warren Francis Reid.

Councillor Sames addressed the committee as local Ward member.

Michael Earnshaw, James Glaisher & John Broad addressed the committee in objection to the application.

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

In reaching their decision, Members considered the officers' report, written update and presentation and the addresses of the local ward member and public speakers.

Resolved

That application 16/00861/HYBRID be approved, subject to,

- a) The receipt of a satisfactory agreed Unilateral Undertaking
- b) The following conditions with delegated authority granted to the Development Control Team Leader, in consultation with the Chairman of Planning Committee, to allow further adjustments and additions to the conditions proposed in the report if considered necessary.

Full Permission

1. A4 – time limit 3 yrs
2. A6 – plans condition
3. B3 – samples of wall and roof materials
4. B15 – external lighting details
5. B18 – boundary enclosure details
6. C2 – carry out landscaping in accordance with the approved plans

7. C3 – maintain landscaping in accordance with the approved management/maintenance plan
8. C7 – retained trees
9. C9 – AMS
10. C11/12 retain hedgerows
11. C20 – tree pit details hard landscaped areas
12. C21 – tree pit details soft landscaped areas

13. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on the A41, 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 the first occupation of any of the development, the means of access shall be constructed and retained in accordance with the approved details – the visibility splay shall be kept clear of obstructions (including trees and other vegetation) between 0.6m and 2.0m.

14. Prior to the commencement of the development hereby approved, full specification details of the site roads and turning areas to serve the development, which shall include construction, layout, surfacing, lighting 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 development, the site roads and turning areas shall be constructed in accordance with the approved details.

15. Prior to the commencement of development in zone 1 hereby approved shown on the approved parameters plan, full details showing car parking spaces and HGV parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of development in zone 1, the parking for that zone shall be constructed in accordance with the approved details. All car and HGV parking shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority. Car and HGV parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

16. Prior to commencement of development in zone 1 hereby approved, full details showing space for a minimum of 118 bicycles (98 for staff and 20 for visitors) shall be submitted to and approved in writing by the local planning authority. At least 49 of the staff spaces shall be under cover. The cycle parking shown on the agreed plan shall be provided prior to the first occupation of the development. The cycle parking shall be permanently retained and maintained for the parking of cycles in connection with the development.

17. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk assessment (FRA)(May 2016/32765/3006/Peter Brett), Drainage Design Statement (April 2016/32765/2006/001/Peter Brett), technical note 32765-2004-TN002 and the following mitigation measures detailed within the FRA statement:

- a) Limiting the surface water run-off generated by the 1 in 100 year critical storm to 5 litres per second so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site
 - b) Provision of underground storage tank and swale as shown on drawing number 32765-2006-001 Rev B
 - c) Provision of flood storage as shown on drawing number 32765-2006-001 rev B
 - d) Hydrocarbon interceptor and wastewater treatment centre as detailed in the Drainage design Statement (April 2016/32765/2006/001 Peter Brett) and technical note 32765-2004-TN002.
 - e) The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.
18. Prior to commencement of development the applicant shall submit to the LPA a SUDS Maintenance and Management Plan for the development. This shall include a comprehensive maintenance schedule; a site plan showing the location of SUDS features and details; maintenance areas, location of outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan. A health and safety plan will be provided where risks are involved in any maintenance activity.
 19. Prior to commencement of the development the applicant shall submit to the LPA a Construction Environmental Management Plan (CEMP) in accordance with paragraph 12.7.3 of the approved Flood Risk Assessment (FRA) (May2016/32765/3006/Peter Brett). This will detail the drainage scheme to control surface water runoff during the construction phase and measures to be adopted to mitigate the risk to ground and surface waters from contaminated surface runoff.
 20. Prior to commencement of development the applicant shall submit to the Local Planning Authority site infiltration test results in accordance with BRE365
 21. Prior to commencement of development, the applicant shall submit to the LPA a Phase 2 intrusive geoenvironmental ground investigation. This work shall assess the need for any remedial works with respect to soil and groundwater contamination (if present). This may be in accordance with paragraph 12.7.4 of the approved flood Risk Assessment (FRA) (May 2016/32765/3006/Peter Brett).
 22. H10 - no extensions

Outline Permission

1. A1
2. A2

3. A3
4. B23 – height limit 15.5m
5. Prior to the commencement of each phase of development in zone 2 shown on the approved parameters plan, full details showing car parking spaces and HGV parking spaces for each phase shall be submitted to and approved in writing by the local planning authority. Thereafter and prior to the first occupation of development in each phase shall be constructed in accordance with the approved details. All car and HGV parking shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the Local Planning Authority. Car and HGV parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
6. Prior to the commencement of each phase of development in zone 2 shown on the approved parameters plan, full details showing the number of bicycle parking spaces being provided for each phase of development within that zone shall be submitted to and approved in writing by the local planning authority. Thereafter and prior to the first occupation of development within each phase of zone 2, the parking for that phase shall be constructed in accordance with the approved details. At least 50% of the spaces provided for staff shall be under cover. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.
7. 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 LPA. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - a) SUDS (OCC requirements include the provision of suitable vegetative SUDS (swales etc) and source control techniques to meet water quality objectives in a treatment train approach)
 - b) Discharge rates
 - c) (Assessment of the runoff rates and proposed attenuation measures to demonstrate compliance with Defra Non-Statutory Technical Standards for SUDS paragraph S2 and Cherwell local planning policy discharge volumes)
 - d) (Assessment of the pre and post-development runoff volumes to the greenfield condition to demonstrate compliance with Defra Non-Statutory Technical Standards for SUDS, paragraphs S4-S6 and Cherwell planning policy)
 - e) Flood Risk within the development
 - f) (Demonstrate compliance with Defra Non-Statutory Technical Standards for SUDS, Paragraphs S7-S9 and Cherwell policy. This shall include a drawing plan showing exceedance routes through the development and storage areas)

- i) Maintenance and management of SUDS features
 - ii) Sizing of features – attenuation volume
 - iii) Infiltration in accordance with BRE365
 - iv) Detailed drainage layout with pipe numbers
 - v) Network drainage calculations
 - vi) Phasing
 - vii) These matters shall be covered in a comprehensive sustainable drainage statement submitted to the LPA
8. The first reserved matters submission shall also include full details and the precise route and location of the proposed green infrastructure links and footpath/cycle links from this development into the remainder of the Bicester 12 development site. These links shall be a minimum of 10m wide and shall be provided to the boundaries of the site, in accordance with the detail shown on the approved parameters plan, drawing number 4036-015 rev P21 and indicative site master-plan, drawing number 4036-013 rev P26. The development shall be carried out in accordance with these approved details prior to the first occupation of any building in zone 2 and thereafter retained and maintained.

Full and Outline Permission

1. Prior to the commencement of the development hereby approved on any phase of the development, 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 construction works do not adversely affect residential properties adjacent or surrounding the site, together with details of the construction and communication to be carried out with adjacent residents, and to ensure that works do not adversely affect biodiversity, 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. The CEMP shall also include the following matters
 - a) Signage for construction traffic, pedestrians and other users of the site
 - b) Controls on arrival and departure times for construction vehicles
 - c) Piling methods (if employed)
 - d) Earthworks
 - e) Hoardings to the site, including future adjacent development plots
 - f) Noise limits
 - g) Hours of working
 - h) Vibration
 - i) Control of emissions
 - j) Waste management and disposal, and material re-use
 - k) Materials storage, and
 - l) Hazardous material storage and removal
2. Cumulative noise output from any mechanical ventilation or plant associated with the development shall be noise attenuated or mitigated so that it achieves the following levels at 1m from the nearest receptors (listed below):
 - a) Daytime (0.700-23.00)

- i) Wretchwick Farm Cottages and Wretchwick Farm: 43dB LAeq
- ii) Little Wretchwick Farm: 34dB LAeq

- b) Night time (23.00-07.00)
 - i) Wretchwick Farm Cottages and Wretchwick farm: 31dB LAeq
 - ii) Little Wretchwick Farm: 28dB LAeq

- 3. J13 – land contamination: intrusive investigation
- 4. J14 – land contamination: remediation scheme
- 5. J16 – land contamination: carry out remediation

- 6. Development shall not commence until a drainage strategy detailing any on and/or off 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.

- 7. Development shall not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point.

- 8. F8 – archaeology

- 9. F9 – archaeology

- 10. Prior to commencement of development, an updated Framework Travel Plan that complies with OCC's travel planning guidance document 'transport for New Developments: Transport Assessments and Travel Plans' for the whole site will be submitted to and approved by the LPA in consultation with the highway authority. Prior to occupation, workplace travel plans for each separate phase of the development will be submitted to and approved in writing by the LPA and consultation with the HA. The plans shall incorporate details of (i) the means of regulating the use of private cars at the development in favour of other modes of transport (ii) how employees can travel to the site by bus in the evening and at night time (7pm to 7am) and (iii) the means of implementation and methods of monitoring site related travel. Thereafter the approved Travel Plans shall be implemented and operated in accordance with the approved details.

- 11. Prior to commencement of development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the LPA. Thereafter the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

12. G17 – no outside storage or other operations
13. K8 – protected species
14. K12 – nesting birds, no works between march and August unless agreed
15. K17 – biodiversity enhancement
16. K20 – landscape and ecological management plan

82

15 And 17 Milton Road, Bloxham, OX15 4HD

The Committee considered application 16/00892/OUT, an outline application for 3 No dwellings for Messrs J Barnby and M Howard at 15 and 17 Milton Road, Bloxham, OX15 4AD.

Susan Slater, on behalf of Bloxham Parish Council, addressed the committee in objection to the application.

Jane Papenfus, 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 addresses of the public speakers.

Resolved

That application 16/00892/OUT be refused for the following reasons:

- 1 The proposed development represents inappropriate 'backland' development as the proposal fails to sympathetically relate to the established linear form and pattern of existing development along Milton Road, appearing incongruous within this location, detrimental to the visual amenities and the overall character of the area. The proposal does not constitute acceptable 'minor development' and is unacceptable in principle. Thus, the proposal is contrary to Policies Villages 1, ESD13 and ESD15 of the Cherwell Local Plan Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policies BL11 and BL12 of the Bloxham Neighbourhood Plan 2015-2031 (Referendum Version September 2016) and Government guidance contained within the National Planning Policy Framework.
- 2 The proposed development, by virtue of the layout of the access track serving the proposed dwellings, would result in unsatisfactory living conditions within the adjacent residential properties of No.15 and 17 Milton Road through the introduction of noise and disturbance as a result of increased vehicular activity. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan Part 1, saved Policies C30 and ENV1 of the Cherwell Local Plan 1996, Policy BL9 of the Bloxham

Neighbourhood Plan 2015-2031 (Referendum Version September 2016), and Government guidance contained within the NPPF.

- 3 The access which is proposed to serve the site is substandard in vision terms and its use for the purpose proposed will be of detriment to the safety and convenience of other road users, contrary to Policy ESD15 of the Cherwell Local Plan Part 1, Policy BL9 of the Bloxham Neighbourhood Plan 2015-2031 (Referendum Version September 2016) and Government guidance contained within the NPPF.

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

The Committee considered application 16/01078/F for alterations to include extension and basement (revised scheme of 15/01895/F) for Cadmonkies at Orchard Way, Heyford Road, Somerton, Bicester, OX25 6LL.

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

Resolved

That application 16/01078/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application Form, Drawing No's: P/16/103/001 and P/16/103/002
3. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid, dressed, coursed and pointed to match that of the existing building.
4. The slate to be used for the roof of the extension hereby approved shall match in terms of colour, type and texture those used on the existing building.
5. The flue shall be painted black with a matt finish.
6. Prior to the commencement of the development and notwithstanding the submitted details, an arboricultural survey, 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.
7. 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. Application No.: 16/01078/F

8. The existing hedgerow/trees along the southern boundary of the site shall be retained and properly maintained at a height of not less than 4 metres. Any hedgerow/trees which dies within five years from the completion of the development shall be replaced and thereafter properly maintained in accordance with this condition.
9. Prior to the commencement of the development hereby approved, full details of the hardsurfacing, (including material, colouring and layout), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the development, the hardsurfacing shall be provided on site in accordance with the approved details.

84

Tudor Hall School, Wykham Lane, Banbury, OX16 9UR

The Committee considered application 16/01443/F for the demolition of an existing single storey teaching accommodation to be replaced by a purpose built teaching building consisting of 12 classrooms and an atrium link to an existing teaching building – Blyth and externally a hard-landscaped amphitheatre which is stepped and ramped connects the new building with the heart of the school for Tudor Hall School at Wykham Lane, Banbury, OX16 9UR.

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

Resolved

That application 16/01443/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Design and Access Statement dated July 2016, D200A, D202F, D230P, D231P, D232M, D233N, D240M and D241G.
3. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) for the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CTMP shall be implemented in accordance with the approved details.

4. Prior to the commencement of the development, 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.
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; and that 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, unless the Local Planning Authority gives written consent for any variation.
6. Prior to the commencement of the development hereby approved, an up-to-date 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.
7. Prior to the commencement of the development hereby approved above slab level, samples of the materials to be used for the covering 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.
8. Prior to the commencement of the development hereby approved above slab level, samples of the render to be used for the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
9. Prior to the commencement of the development hereby approved above slab level, 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 shown on the approved plans to be stone shall be laid, dressed, coursed and pointed in strict accordance

with the approved stone sample panel.

10. Prior to the commencement of the development hereby approved above slab level, full details of the doors and windows, including a cross section and colour/finish, together with cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the door and windows shall be installed in accordance with the approved details.
11. Full details of any external lighting required in association with the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Thereafter the lighting shall be installed, operated and retained in accordance with the approved details.

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OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury

The Committee considered application 16/01484/CDC for the erection of single storey building to provide 5 one bed flats for adults with acquired brain injury, associated parking area, secured courtyard area, and staff and communal accommodation in an additional unit (six units in total) (revised scheme of 16/00515/CDC) for Cherwell District Council at OS Parcels 4083 and 6882 adjoining and north of Broken Furrow, Warwick Road, Banbury.

In introducing the report, the Development Control Team Leader referred Members to the written update and that the officer recommendation had changed from refusal to approval.

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

Resolved

That application 16/01484/CDC 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 application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement, Site Location Plan (except as amended by other plans listed in this condition), Ecological Appraisal (Willmott Dixon Housing Ltd, February 2016), Tree Survey Report (RGS, March 2016) and drawings numbered "16022-GNA-XX-ST-DR-A-0101-D", "16022-GNA-A-ST-DR-A-0102-C", "16022-GNA-A-00-DR-A-1100", "16022-GNA-A-E-DR-A-2100", "16022-GNA-A-E-DR-A-2101-A", and "16022-GNA-A-RF-DR-A-1101".

3. Prior to the occupation of any dwellings an Energy Strategy shall be submitted to and approved by the Local Planning Authority. This strategy shall be in line with the mandatory requirements of Code 4 in respect of ENE1 2010 or otherwise agreed with the Local Planning Authority.
4. Prior to the commencement of the development hereby approved above slab level, samples of the brick to be used in the construction of the external walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved above slab level, samples of the tile 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.
6. Notwithstanding the details submitted, no development shall commence above slab level until amended design details for the front façade of the building and the entrance gates have been 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.
7. Prior to the construction of the development hereby approved above slab level, the proposed means of access between the land and the highway shall be improved to geometry as plans submitted, formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
8. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
9. Notwithstanding the details submitted, 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 (which shall be native species of UK provenance), 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) the reinforcement of the existing hedgerow along the Western, Eastern and Southern boundaries
- (d) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
- (e) Details of the minor artefacts/structures (ie. surfaces, benches, fencing, walling etc) which comprise public art works

The hard landscaping elements shall be carried out fully in accordance with the details approved and shall be retained as such thereafter.

10. All planting, seeding or turfing comprised in the approved details of landscaping on each phase identified in condition no. 6, shall be carried out 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; and that any trees 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.
11. 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.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the decision.

12. Prior to the commencement of the development above slab level, full details of existing and proposed ground and finished floor levels and all boundary treatments and means of enclosure shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

13. Prior to the commencement of the development above slab level, an update to the mitigation strategy for badgers, which shall include details of a recent survey (no older than six months on the date of the submission to the Local Planning Authority), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
14. The development hereby approved shall be implemented fully in accordance with the Landscape and Ecology Management Plan (LEMP) approved pursuant to Condition 27 of 12/01789/OUT.
15. Prior to the commencement of the development above slab level, a method statement for biodiversity enhancements on site together with the long term maintenance 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.
16. Prior to the commencement of the development above slab level, details of the proposed street lighting scheme to be installed, which shall include column height, luminaire type, positions, aiming angles and cowl and deflectors to direct light sources, to demonstrate that there is no light spillage from the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details. Once installed the lighting scheme shall be inspected by a qualified lighting engineer and certified as being correctly installed prior to the first occupation of the development, the certificate shall then be submitted to the Local Planning Authority.
17. Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be implemented fully in accordance with the Construction Environment Management Plan (CEMP) approved pursuant to Condition 42 of 12/01789/OUT.
18. 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.

The Committee considered application 16/01485/CDC for the erection of single storey buildings to provide 6 one bed flats for adults with learning difficulties and autistic spectrum condition, associated parking area, shared landscaped gardens, secured courtyard area, and staff and communal accommodation in an additional unit (seven units in total) (revised scheme of 16/00504/CDC) for Cherwell District Council at OS Parcels 4083 and 6882 adjoining and north of Broken Furrow, Warwick Road, Banbury.

In introducing the report, the Development Control Team Leader referred Members to the written update and that the officer recommendation had changed from refusal to approval.

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

Resolved

That application 16/01485/CDC 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 application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement, Site Location Plan (except as amended by other plans listed in this condition), Ecological Appraisal (Willmott Dixon Housing Ltd, February 2016), Tree Survey Report (RGS, March 2016) and drawings numbered "16022-GNA-XX-ST-DR-A-0101-D", "16022-GNA-B-ST-DR-A-0104-D", "16022-GNA-B-00-DR-A-1102", "16022-GNA-B-E-DR-A-2102-A", "16022-GNA-B-E-DR-A-2103-A", and "16022-GNA-B-RF-DR-A-1103".
3. Prior to the occupation of any dwellings an Energy Strategy shall be submitted to and approved by the Local Planning Authority. This strategy shall be in line with the mandatory requirements of Code 4 in respect of ENE1 2010 or otherwise agreed with the Local Planning Authority.
4. Prior to the commencement of the development hereby approved above slab level, samples of the brick to be used in the construction of the external walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved above slab level, samples of the tile 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.

6. Notwithstanding the details submitted, no development shall commence above slab level until amended design details for the front façade of the building and the entrance gates have been 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.
7. Prior to the construction of the development hereby approved above slab level, the proposed means of access between the land and the highway shall be improved to geometry as plans submitted, formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
8. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
9. Notwithstanding the details submitted, 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 (which shall be native species of UK provenance), 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) the reinforcement of the existing hedgerow along the Western, Eastern and Southern boundaries
 - (d) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
 - (e) Details of the minor artefacts/structures (ie. surfaces, benches, fencing, walling etc) which comprise public art works
10. All planting, seeding or turfing comprised in the approved details of landscaping on each phase identified in condition no. 6, shall be carried out 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; and that any trees 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

11. 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.

In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the decision.

12. Prior to the commencement of the development above slab level, full details of existing and proposed ground and finished floor levels and all boundary treatments and means of enclosure shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.
13. Prior to the commencement of the development above slab level, an update to the mitigation strategy for badgers, which shall include details of a recent survey (no older than six months on the date of the submission to the Local Planning Authority), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
14. The development hereby approved shall be implemented fully in accordance with the Landscape and Ecology Management Plan (LEMP) approved pursuant to Condition 27 of 12/01789/OUT.
15. Prior to the commencement of the development above slab level, a method statement for biodiversity enhancements on site together with the long term maintenance 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.
16. Prior to the commencement of the development above slab level, details of the proposed street lighting scheme to be installed, which shall include column height, luminaire type, positions, aiming angles and cowl and deflectors to direct light sources, to demonstrate that

there is no light spillage from the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details. Once installed the lighting scheme shall be inspected by a qualified lighting engineer and certified as being correctly installed prior to the first occupation of the development, the certificate shall then be submitted to the Local Planning Authority.

17. The development hereby approved shall be implemented fully in accordance with the Construction Environment Management Plan (CEMP) approved pursuant to Condition 42 of 12/01789/OUT.
18. 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.

87 **103 & 315 Heyford Park, Camp Road, Upper Heyford, Bicester, OX25 5HA**

The Committee considered application 16/01545/F for the change of use of Building 103 to A Heritage Centre (Use Class D1) and Building 315 for storage and distribution (Use Class B8) and associated works Heyford Park Estates Limited at 103 & 315 Heyford Park, Camp Road, Upper Heyford, Bicester, OX25 5HA.

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

Resolved

That application 16/01545/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 application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement and drawings numbered:
D0341 -107 Site Location Plan
6002.02.D Proposed Arrangement(Building 103)
UPP/85/315/AB1 Floor Plan (Building 315)
- 3 That prior to the commencement of the development hereby approved, an access phasing strategy shall be submitted to and approved in writing by the Local Planning Authority, showing the transition of the access to the site in accordance with the long term strategy for the site.

- 4 Unless otherwise previously agreed in writing, the development shall be undertaken in accordance with the routing agreement approved under schedule 20 of the Unilateral Undertaking dated 23rd January 2009.
- 5 No part of the development shall be commenced until a detailed green travel plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the planning process to secure travel plans" and the emerging Oxfordshire County Council guidance on Developer Travel Plans, including an HGV routeing agreement, has been submitted to and approved in writing by the Local Planning Authority.
- 6 This permission shall exclude the details of parking layout shown on the submitted drawings and development shall not commence until a revised plan showing car parking provision for vehicles to be accommodated within the site of each building together with any areas for manoeuvring, has been submitted to and approved in writing by the Local Planning and such parking and manoeuvring facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before either building is brought into use.. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.
- 7 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 to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.
- 8 All new works and works of making good to Building 103 shall be carried out in materials and detailed to match the adjoining original fabric except where shown otherwise on the approved drawings.
- 9 All plant, machinery, mechanical ventilation equipment and ducting, other than that shown on the approved plans, shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building without the prior written permission of the Local Planning Authority.
- 10 Prior to Building 315 being brought into use, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the building or its adjacent service area.
- 11 That no goods, materials, plant or machinery shall be stored repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

- 12 Neither of the buildings shall be occupied until screened provision for the storage of refuse and recycling facilities has been made in accordance with details as submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be retained solely for their intended purpose and refuse and recycling items shall be placed and stored only in this storage area.
- 13 Details of any proposed external lighting shall be provided before it is erected on either building. The development shall be undertaken in accordance with the details as approved
- 14 No signs or advertisements shall be erected on either building unless a signage strategy has previously been submitted to and agreed in writing with the Local Planning Authority. Any proposed signage shall comply with the terms of the signage strategy
- 15 Prior to the occupation of Building 103, 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.
- 16 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.

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 7.21 pm

Chairman:

Date: