

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 27 October 2016 at 4.00 pm

Present: Councillor David Hughes (Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Colin Clarke
Councillor Chris Heath
Councillor Alastair Milne-Home
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Les Sibley

Substitute Members: Councillor Ken Atack (In place of Councillor Nicholas Turner)
Councillor Hugo Brown (In place of Councillor Ian Corkin)
Councillor Barry Wood (In place of Councillor James Macnamara)

Apologies for absence: Councillor James Macnamara
Councillor Ian Corkin
Councillor Nicholas Turner

Officers: Bob Duxbury, Team Leader (Majors)
Nigel Bell, Team Leader - Planning / Deputy Monitoring Officer
Aaron Hetherington, Democratic and Elections Officer
Alex Keen, Team Leader (Minors)
Nat Stock, Team Leader (Others)
Caroline Ford, Principal Planning Officer
Andrew Lewis, Principal Planning Officer
Bob Neville, Senior Planning Officer
Matt Parry, Principal Planning Officer
George Smith, Assistant Planning Officer

Declarations of Interest

7. Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS.

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 and a separate declaration as he lived close to the application site and would therefore leave the meeting for the duration of the item.

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 D M Pickford, 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 Ken Atack, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

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

10. Land Adj To Manor Farm Barns, Spring Lane, Cropredy.

Councillor G A Reynolds, Declaration, as comments made by him in his capacity as County Councillor were included in the report.

11. Mckay Trading Estate, Station Approach, Bicester.

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

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.

Requests to Address the Meeting

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

91 **Urgent Business**

There were no items of urgent business.

92 **Minutes**

The Minutes of the meeting held on 29 September 2016 were agreed as a correct record and signed by the Chairman.

93 **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.

94 **Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS**

The Committee considered application 16/00075/NMA for the amendment to 16/00246/F - Retain existing door in breakout room due to escape route and addition of a new compound in timber to enclose area where new condensers will be.

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

Resolved

That Cherwell District Council, as Local Planning Authority, hereby approves the non-material amendments described in the application in accordance with drawing numbers: 2168/111 Rev A, 2186/122 Rev A, 2168/123 Rev A.

95 **Building 455 And 457, Heyford Park, Camp Road, Upper Heyford**

The Committee considered application 16/01000/F for development of the Village Centre (south) comprising a Hotel and associated facilities (involving the partial demolition and the refurbishment and extension of Building 455 and its change of use); Bar/Brasserie (involving the partial demolition and refurbishment and extension of Building 457) and a Covered Market (canopy link between Buildings 455 and 457) with associated landscaping and car parking.

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

Resolved

That application 16/01000/F be approved, subject to the following conditons:

- 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 and drawings numbered: TBC, under delegated authority to officers
- 3 Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roofs of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.
- 4 That full design details of the entrance glazing to the canopy link shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
- 5 Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works seek to minimise the effect on residential properties adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
- 6 Notwithstanding the details submitted, prior to the commencement of the development hereby approved, full details of the method of mechanical ventilation of the proposed kitchen's extraction systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.
- 7 All plant, machinery, mechanical ventilation equipment and ducting including air conditioning, 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 unless otherwise agreed with the Local Planning Authority.

- 8 No development shall take place until a noise assessment survey of the site has been carried out and a scheme for protecting residential premises from noise from the commercial development is submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before the development is brought into use.
9. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
- 10 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) Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas, other than for privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.
 - (e) That full design details of the railings, means of enclosures, seats, bollards, tree grills, cycle hoops and any other street furniture shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

- 11 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.
- 12 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 this permission
- 13 Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- 14 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.

- 15 Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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 and specifications.
- 16 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- 17 Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any part of the development, vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.
- 18 Prior to commencement of the development hereby approved, a Delivery and Servicing Plan for all elements of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.
- 19 Notwithstanding the details submitted, prior to the commencement of the development hereby approved, a revised plan showing car parking provision for vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.
- 20 Prior to commencement of the development hereby approved, a Car Park Management Plan, including measures to protect the proposed car parking from long stay residential parking, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Management Plan shall be implemented in accordance with the approved details.
- 21 Prior to the commencement of the development hereby approved, a full Construction Traffic Management Plan (CTMP) will be submitted to and approved in writing by the Local Planning Authority, including:

- Routing of construction traffic and delivery vehicles, and details of route signage
 - Details of any road closures and traffic management needed during construction.
 - Details of wheel wash facilities to be provided to prevent migration of mud onto highway
 - Details of appropriate signing for pedestrians during construction works, including any footpath diversions.
 - Details of a regime to inspect and maintain all signing, barriers etc.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - Details of parking of site related vehicles (worker transport etc.) in the vicinity
 - Layout plan of the site that shows structures, roads, site storage, parking, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highway Authority
 - A communications plan for engagement with local residents
 - Any temporary access arrangements as agreed with Highway Authority
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
- 22 Prior to the first use or occupation of the development hereby permitted, cycle parking facilities, including covered cycle parking for staff, 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 cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
- 23 Prior to the first use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be firstly submitted to and approved in writing by the Local Planning Authority.
- 24 Unless otherwise agreed in writing by the LPA the development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) OCT 2010 Waterman and update in AUG 2016 Woods Hardwick (Ref: 16871/B4 - REV 3) by and the following mitigation measures detailed within the FRA:
- o Limiting the surface water run-off generated by the 1 in 100 year + 30% allowance for Climate Change critical storm so that it will not exceed the run-off from the existing site and not increase the risk of flooding off-site.
 - o Underground Storage Cells and Oversized pipes. (As shown on drawing HEYF- 5-219F and para 6.3.1 of the FRA update)

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

- 25 Prior to occupation of the development the Applicant shall submit to the Local Planning Authority a SUDS Maintenance and Management Plan for the development. This will include:
 - o A maintenance schedule, A site plan showing location of SUDS features and details, Maintenance areas, and Outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan and a health and safety plan where risks are involved in the maintenance activity will be required.
- 26 Prior to occupation of the development the Applicant shall submit to the Local Planning Authority a revised Flood Route and Storage Plan for exceedance flows at the site:
 - o This will update the existing drawing (Ref: HEY- 5-148D) to reflect any revised microsimulation modelling results, as-built constructed site changes, and storage areas.
- 27 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.
- 28 Prior to the commencement of the development hereby approved, full details of any proposed 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.
- 29 The north-south pedestrian route through the canopy link should be open to the public not less than when the adjacent bar/brasserie in Building 457 is in operation and normally between the hours of 07.00 to 23.00 hours unless otherwise agreed in writing with the Local Planning Authority.
- 30 Before any building is brought into use, details of a work of art proposed in the Village Centre shall be submitted to and approved in writing. The details shall be undertaken as approved within 12 months of the first building being brought into use

The Committee considered application 16/01119/F for creation of north basin to form extension to marina including installation of pontoons for up to 100 boat moorings, extension to existing car park for 42 cars, installation of swing bridge, replacement of approved office and associated landscaping - re-submission of 15/01949/F

Andy Partridge, the agent for the applicant, addressed the committee in support to the application.

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

Resolved

That application 16/01119/F be approved as recommended with amended wording to conditions 10 and 13 to be agreed with the Chairman and Ward Councillor (Councillor Attack). Also an additional Environment Agency suggested condition to be included.

- a) The applicant completing a satisfactory S106 unilateral undertaking to preclude the erection of the office building previous approved under 11/01255/F;
- 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 forms
 - Design and Access Statement
 - Site location Plan Ref: BMF/IS/89/B/AP/01 Rev C
 - North basin layout 100-1 Rev F
 - North basin Sections 100-4
 - Connecting cut detail 100-3
 - Culvert detail 100-2
 - Landscape Proposals plan (Existing Marina) ID622.02
 - Landscape Proposals plan (proposed basin) ID622.01H
 - Landscape specifications 25th August 2016
 - Elevations of office building 128B
 - Swing bridge details BMF/IS/89/B/AP/03
 - Flood Risk Assessment Final dated 16th October 2015
 - Transport Assessment Revision A dated August 2015
 - Arboricultural Impact Assessment, Method Statement and Protection Plan dated 11th April 2016
 - Section of bank detail and tree BMF/IS/89/B/AP/02
 - Extended Phase I Habitat Survey dated 19th October 2015.
 3. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, prior to commencement of development full details of mitigation

measures to prevent their harm 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 mitigation scheme.

4. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing the site for birds and reptiles, and to increase opportunities for water vole on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
5. Prior to the commencement of the development, a Construction Traffic Management Plan, which shall include details of the measures to be taken to ensure construction traffic does not adversely affect the wider road network or residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved Construction Traffic Management Plan.
6. Prior to the swing bridge hereby approved being provided on the site, full details of the design, material and colour finish for the swing bridge shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the swing bridge shall be provided in accordance with the approved details.
7. 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 development 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.
8. (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 this permission.

9. Prior to the first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.
10. Notwithstanding the details shown on the approved plans, prior to any new external lighting being provided on the site full design and specification details of the new lighting, along with details of their operation and timings for their use, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall only be provided and operated in strict accordance with the approved details.
11. Before the first use or occupation of the boat berths hereby approved, details of the car parking areas to serve them showing the layout of the spaces and the necessary manoeuvring and turning together with construction details and surfacing details shall be submitted to and approved in writing by the Local Planning Authority. The approved car parking areas shall be provided prior to the first use or occupation of the boat berths and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
12. The marina basin hereby approved shall be occupied only for the purposes of recreational moorings and not for any permanent residential or hire fleet purposes or any other purpose whatsoever.
13. On or before the 31st January following the first occupation of the development hereby approved and annually on or before the same date thereafter, a register of the previous 12 months of occupations (1st January to 31st December) at the marina shall be submitted to the Local Planning Authority. The register shall include:
 - i) occupant names and permanent addresses;
 - ii) boat names and moorings occupied; and
 - iii) duration of occupation.
14. No more than 100 boats shall be moored at any one time in the marina basin hereby approved and no boats, other than those on the water, shall be stored on the site.

Land Adj To Manor Farm Barns, Spring Lane, Cropredy

The Committee considered application 16/01468/OUT for demolition of existing building and outline planning application for residential development of up to 60 dwellings; provision of open space, landscaping and car parking for Cropredy Primary School (all matters reserved except access).

Stephen Moffat, a local resident, addressed the committee in objection to the application.

Ed Barrett, the agent to the application, addressed the committee in support to the application.

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

Resolved

That application 16/01468/OUT be refused for the following reasons:

1. The proposed development, by reason of its excessive scale, siting, lack of cohesive form, relationship with the adjacent development and resultant removal of the established vegetation to form the southern access would result in an unacceptable extension of the village that would harm the character, rural setting and quality of the village and the rural setting of the nearby listed building Springfields to the detriment of the built, natural and historic environment. The proposal is therefore contrary to Policies Villages 2 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy C28 of the Cherwell Local Plan 1996 and Government advice within the National Planning Policy Framework.
2. The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. This includes the siting, form, appearance, materials and detailing of the proposed new dwellings. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respond to its constrained nature, respect its context, properly respond to local distinctiveness and safeguard the standards of amenity enjoyed at neighbouring properties. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the Cherwell Local Plan 1996 and Government advice within the National Planning Policy Framework.
3. Potential additional reason relating to drainage
4. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and the advice within the National Planning Policy Framework.

The Committee considered application 16/01469/OUT for the The demolition of existing buildings and structures and the development of 2,120 sq m (GIA) of office (Use Class B1) and new vehicle and pedestrian access; the provision of parking; and all necessary enabling works, plant and equipment.

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

Resolved

That application 16/01469/OUT be approved, subject to the following conditions:

1. No development shall commence until full details of the layout, scale, external appearance, and landscaping (hereafter referred to as reserved matters) of the hereby approved development have been submitted to and approved in writing by the Local Planning Authority.
2. In the case of the reserved matters, no application for approval shall be made later than the expiration of three years beginning with the date of this permission.
3. The development to which this permission relates shall be begun not later than the expiration of two years from the approval of all the reserved matters or, in the case of approval on different dates, the approval of the last such reserved matter to be approved.
4. Except where otherwise stipulated by condition or relating to a matter to be determined as part of the reserved matters, the development shall be carried out strictly in accordance with the following plans and drawings:
16/021/P-001 Rev. B
16/021/P-003 Rev. E
5. The premises shall be used only for purposes falling within Use Class B1 as defined in the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and for no other purpose(s) whatsoever.
6. All applications for reserved matters approval shall include, and be accompanied by, full details of a scheme of surface water drainage relating to the development. The surface water drainage scheme approved pursuant to granting reserved matters approval(s) shall be carried out in full prior to first occupation of the development.
7. Prior to first occupation of the approved development, details of cycle and refuse storage facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided and made available for use prior to first occupation of the development and shall be retained as such thereafter.

8. Prior to the commencement of the development, a construction traffic management plan (CTMP) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter only be constructed in accordance with the approved CTMP.
9. Development shall not commence until a waste water drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
10. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
11. If contamination is found by undertaking the work carried out under condition 10, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
12. If remedial works have been identified in condition 11, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 11. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
13. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
14. Prior to commencement of the development, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall

cover, in particular, the nuisance potentially caused by noise and dust during demolition and construction for surrounding residential and commercial premises as well as any potential implications arising from demolition/construction works on the safe operation of the nearby railway line.

15. Prior to the commencement of the development, full details of the access vision splays, (including layout and construction) shall be submitted to and approved in writing by the local planning authority. Thereafter, and prior to the first use of the approved development, the visibility splays shall be constructed in accordance with the details approved and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.9m above carriageway level.
16. No development shall take place until details of the new footpath/footway along the site's frontage with Station Approach has been submitted to and approved in writing by the local planning authority. The new footpath/footway shall be laid out and available for use prior to the first occupation of the approved development and shall be retained as such thereafter.
17. No development shall take place until details of the means by which the site shall be prevented from receiving/accommodating any vehicular traffic associated with the adjacent Bicester Village (factory outlet) shopping centre have been submitted to and approved in writing by the local planning authority. Such approved restrictions shall be in place from the outset of commencement of the development and in place thereafter with no use of the approved development taking place other than in accordance with the approved restrictions.
18. The building hereby granted planning permission shall be constructed to achieve BREEAM 'Very Good' standard based on the BREEAM criteria applicable at the time of this decision for a proposed building use of this type. All applications for reserved matters approval shall include details of how the approved building will meet such a standard.
19. All applications for reserved matters approval shall include details of any on-site renewable energy provision to be incorporated into the development. Thereafter, the approved renewable energy provision shall be provided on site in accordance with that approved as part of granting reserved matters approval prior to first occupation of the development.

The Chairman advised that the application had been withdrawn by the applicant.

100

Muddle Barn Farm, Colony Road, Sibford Gower, OX15 5RY

The Committee considered application 16/01563/F for the demolition of an existing dwelling and a range of large scale equestrian buildings and the erection of a replacement dwelling including associated works and landscaping (resubmission 15/01693/F).

Gregory Besterman, the applicant, addressed the committee in support to the application.

Councillor Reynolds proposed that application 16/01563/F be refused as the proposal conflicts with Policies H17, H18, C30 (i) of the Cherwell Local Plan 1996 and Policy ESD13 of the Cherwell Local Plan 2011-2031 Part 1 and paragraphs 17 and 55 of the National Planning Policy Framework. Councillor Attack 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 16/01563/F be refused for the following reason:

The proposal would result in a considerably larger dwelling than the one it would replace, on a different siting and not within the curtilage of the existing dwelling, and would not be for an agricultural or other land based business. Therefore, by virtue of its scale and siting, the proposal would not constitute an appropriate replacement dwelling and would result in a new dwelling in an isolated location in the countryside. In addition, by virtue of its scale and siting, the proposal would fail to preserve the intrinsic character and beauty of the countryside and adversely affect the character and visual amenity of the local landscape. The proposal therefore conflicts with Policies H17, H18, C30 (i) of the Cherwell Local Plan 1996 and Policy ESD13 of the Cherwell Local Plan 2011-2031 Part 1 and paragraphs 17 and 55 of the National Planning Policy Framework.

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OS Parcel 9507 South Of 26 And Adjoining Fewcott Road, Fritwell

The Chairman advised that application 16/01594/F had been withdrawn by the applicant.

102

Land South Of Blackwood Place and Molyneux Drive and North West Of Cotefield Farm, Oxford Road Bodicote

The Committee considered application 16-01599-F for the amendments to planning permission reference 11/00617/OUT (and reserved matters approval 12/01802/REM) to create an additional 4 dwellings and replacing a number of the existing approved dwellings with new house types.

Nick Cotterall, the applicant, addressed the committee in support to the application.

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

Resolved

That application 16-01599-F be approved subject to:

- A) The completion of a satisfactory legal agreement (Deed of Variation) to mitigate the off-site infrastructure impacts of the development and linking the development to the obligations contained in the S106 legal agreement entered into in respect of the original permission (ref: 11/00617/OUT)
- 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 forms, 'Planning, Design and Access Statement', and drawings labelled: SL.100, CFB_FUL_PLN_SP Rev. D, CFB_FUL_PLN_201 Rev. B, CFB_FUL_PLN_202 Rev. A, CFB_FUL_PLN_203 Rev. A, CFB_FUL_PLN_204 Rev. A and CFB_FUL_PLN_205 Rev. A.
 - 3 The development hereby approved, shall be carried out in accordance with the schedule of materials and finishes for the external walls and roofs of the development, as submitted to and approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
 - 4 With the exception of the walls shown on the approved plans to be stone, the materials to be used in the construction of the external walls and roofs of the development shall be in accordance with the samples of the bricks and tiles/slates submitted to and approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
 - 5 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 stone sample panel approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
 - 6 The doors and windows shall be installed within the buildings in accordance with the door and window details approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
 - 7 Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing and proposed site levels for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

- 8 Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure in respect of those dwellings which they are intended to screen, shall be erected in accordance with the approved details prior to the first occupation of those dwellings.
- 9 Prior to the first occupation of any of the dwellings, details of the construction, surfacing and drainage of the access, driveways and turning areas serving those dwellings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
- 10 The development hereby approved shall be carried out in accordance with the recommendations within the Brownfield Consultants Desk Top Study and Site Investigation Report dated 17 March 2014, approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
- 11 If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
- 12 The development hereby approved shall be carried out in accordance with the Construction Environment Management Plan (CEMP), approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
- 13 The development hereby approved shall be carried out in accordance with the biodiversity enhancement measures submitted to and approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
- 14 Prior to the occupation of any dwelling, bat, bird, owl and invertebrate boxes shall be installed on the site in accordance with the details submitted to and approved in writing by the Local Planning Authority under planning application 13/00358/DISC.
- 15 Prior to the first occupation 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 development 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.

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

- 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.
- 17 The garages and carports shown on the approved plans shall not be converted to provide additional living accommodation without the prior express planning consent of the Local Planning Authority.

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Ashgrove Farm, Middleton Stoney Road, Ardley, Bicester, OX27 7PH

The Committee considered application 16/01617/F for the conversion of 3 no. redundant farm buildings into 5 no. dwellings, erection of covered car parking building and extensions to barns and demolition and removal of 7 no. redundant farm buildings and 3 no. lean-to extensions.

Julian Philcox, the applicant, addressed the committee in support to the application.

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

Resolved

That application 16/01617/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 Form submitted with the application;

- Architectural Design & Access Statement dated May 2008 submitted with the application;
 - Drawing Numbers: 1.06; P1.01; P1.02 Revision A; P1.03 Revision A; P2.01 Revision B; P2.02 Revision A; P2.03 Revision B; P2.04 Revision A; P2.05 Revision A; P2.06 Revision B; P2.07; P3.01 Revision B; P3.02 Revision B; P3.03 Revision B; P3.04 Revision B; P3.05 Revision B; P3.06 Revision A; P3.07 Revision B; P3.08 Revision A; P3.09; R3.01; R3.02; R3.03; R3.04 and OGD/152/001 Revision A submitted with the application;
3. The external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel inspected on site by the case officer on 26th August 2016.
 4. The external roofs of the development shall be constructed in accordance with the slate sample inspected on site by the case officer on 26th August 2016.
 5. The development shall be carried out in accordance with the Section 7 (recommendations) of the Bat Survey Report by Windrush Ecology dated August 2016 submitted with the application (except where affected by condition 11).
 6. Should more than 12 months elapse from August 2016 (the time of the ecological survey referred to in condition 10) before works commence on Barn 4, a new ecological survey shall be submitted to and approved in writing by the Local Planning Authority before any works on Barn 4 commence. Thereafter the works to Barn 4 shall be carried out in accordance with the recommendations of the new ecological survey.
 7. Prior to the first occupation of the dwellings hereby approved, 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 dwellings, 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.
 8. Prior to the first occupation of the of the dwellings hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
 9. Prior to the first occupation of the dwellings hereby approved the hedge line fronting the main road shall be cut back and undergrowth cleared to

provide the vision splays either side of the access as shown on Drawing No. 1.06. The vision splays shall be maintained as such thereafter.

10. Any remedial stonework necessary for the repair or making good of the walls shall be carried out in natural weathered limestone 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 using lime mortar, unless otherwise approved in writing by the Local Planning Authority prior to the works commencing.
11. The rainwater goods to be used shall be cast iron/aluminium and permanently so retained thereafter.
12. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing Number OGD/152/001 Revision A submitted with the application) 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.
13. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
14. Notwithstanding the provisions of Classes A to G of Part 1, Schedule 2 of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) the approved dwelling(s) shall not be extended nor any structures be erected within the curtilage of the said dwelling(s) without the prior express planning consent of the Local Planning Authority.
15. Notwithstanding the provisions of Classes A to E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no new window(s) or other openings, other than those shown on the approved plans, shall be inserted in the walls or roofs of the building(s) without the prior express planning consent of the Local Planning Authority.

The Committee considered application 16/01618/LB for conversion of redundant farm building into a dwelling, including the demolition of lean-to structures, erection of 2.No extensions and construction of a wall.

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

Resolved

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents:
 - Application Form submitted with the application;
 - Architectural Design & Access Statement dated May 2008 submitted with the application;
 - Drawing Numbers: 1.06; P1.01; P1.02 Revision A; P1.03 Revision A; P2.01 Revision B; P2.02 Revision A; P2.03 Revision B; P2.04 Revision A; P2.05 Revision A; P2.06 Revision B; P2.07; P3.01 Revision B; P3.02 Revision B; P3.03 Revision B; P3.04 Revision B; P3.05 Revision B; P3.06 Revision A; P3.07 Revision B; P3.08 Revision A; P3.09; R3.01; R3.02; R3.03; R3.04 and OGD/152/001 Revision A submitted with the application.
3. The external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel inspected on site by the case officer on 26th August 2016.
4. The external roofs of the development shall be constructed in accordance with the slate sample inspected on site by the case officer on 26th August 2016.
5. Any remedial stonework necessary for the repair or making good of the walls shall be carried out in natural weathered limestone 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 using lime mortar unless otherwise approved in writing by the Local Planning Authority prior to the works commencing.
6. The rainwater goods to be used shall be cast iron/aluminium and permanently so retained thereafter.

The Head of Development Management submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled or appeal results achieved.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 7.30 pm

Chairman:

Date: