

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 19 January 2017 at 4.00 pm

Present: Councillor David Hughes (Chairman)
Councillor James Macnamara (Vice-Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Colin Clarke
Councillor Ian Corkin
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 Nigel Simpson
Councillor Les Sibley
Councillor Nicholas Turner

Apologies for absence: Councillor Barry Richards

Officers: Bob Duxbury, Team Leader (Majors)
Alex Keen, Team Leader (Minors)
Gemma Magnuson, Senior Planning Officer
Matt Chadwick, Planning Officer
Nigel Bell, Team Leader - Planning / Deputy Monitoring Officer
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

7. Site Of Former Playground, Woodpiece Road, Upper Arncott.

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

Councillor Mike Kerford-Byrnes, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

8. Phase 3 Apollo Office Park, Ironstone Lane, Wroxton.

Councillor Nicholas Turner, Declaration, as he leased a property which, whilst close to the development site, would have no impact on the site

9. Land Ad to Oxford Canal, Spiceball Park 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 Colin Clarke, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate 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 Lynn Pratt, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Mike Kerford-Byrnes, 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.

10. Unit 2, Franklins House, Wesley Lane, Bicester.

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

Councillor Lynn Pratt, Declaration, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Mike Kerford-Byrnes, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

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

138 **Requests to Address the Meeting**

There were no requests to address the Committee.

139 **Urgent Business**

There were no items of urgent business.

140 **Minutes**

The Minutes of the meeting held on 15 December 2016 were agreed as a correct record and signed by the Chairman.

141 **Chairman's Announcements**

The Chairman made the following announcements:

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 the Committee of application 16/02355/F, Barn at Bramshill Park Farm, Horley, which was expected to be submitted to the next meeting of the Committee and officers were of the view that a site visit prior to consideration of the application would assist the Committee. Councillor Clarke proposed that a site visit for application 16/02355/F be held before to the next meeting of the Committee. Councillor Sibley seconded the proposal.

Resolved

That a site visit for application 16/02355/F be held before the next meeting of the Committee.

142

Site Of Former Playground, Woodpiece Road, Upper Arcott

The Committee considered application 16/00562/DISC for the discharge of condition 12 (contamination) of 13/01882/CDC at the site of former playground, Woodpiece Road, Upper Arcott for Cherwell District Council.

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

Resolved

That authority be delegated to officers to determine application 16/00562/DISC once comments have been received from the Environmental Protection department.

143

Phase 3 Apollo Office Park, Ironstone Lane, Wroxton

The Committee considered application 16/02113/F for the provision of 10 No. Employment Units (B1, B2 & B8), together with associated car parking and landscaping provision at Phase 3 Apollo Office Park, Ironstone Lane, Wroxton for Apollo Business Parks LLP.

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

Resolved

That application 16/02113/F be approved subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, 'Design and Access Statement', Ecological Survey and Biodiversity Enhancement Scheme (dated September 2016) and drawings labelled: 2975-13B, 3120/01B, 3120/02D, 3120/03C, 2318-301 and 2318-302.
3. The development hereby approved shall be carried out strictly in accordance with the sections titled 'Reptile Mitigation Plan' and 'Biodiversity Enhancement Scheme' within the Ecological Survey and Biodiversity Enhancement Scheme for Phase 3, Apollo Business Park, Wroxton, submitted with the application, which was prepared by Philip Irving dated September 2016.
4. If, during development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and

obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

5. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented for the duration of the construction phase of development and shall be operated in accordance with the approved details.
6. Prior to the commencement of development a scheme for the surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall be implemented prior to the first occupation of the development and operated in accordance with the approved details.
7. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted, an amended Energy Statement shall be submitted detailing the measures to be employed during the construction and operational phases of development to reduce energy use and waste, and to make efficient use of resources. Thereafter the development shall be carried out in accordance with the approved Energy Statement.
8. Prior to the first occupation of the development the access road, parking and manoeuvring areas shall be constructed, laid out, surfaced, drained (SUDS) and completed in accordance with the plans hereby approved, and shall thereafter be retained unobstructed at all times except for the parking and manoeuvring of vehicles in connection with the development.
9. Prior to the first use or occupation of the development hereby approved, and notwithstanding the details submitted, an amended Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Framework Travel Plan shall thereafter be implemented and operated in accordance with the approved details.
10. 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.
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 first occupation of the development.

12. The units hereby permitted shall be used only for purposes falling within Classes B1, B2 or B8 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) whatsoever.
13. Notwithstanding the provisions of Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved building shall not be extended or altered without the prior express planning consent of the Local Planning Authority.
14. 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.
15. No external lights/floodlights shall be fixed on buildings or erected on the land without the prior express consent of the Local Planning Authority.

144

Land Ad to Oxford Canal, Spiceball Park Road Banbury

The Committee considered application 16/02366/OUT for the Removal/Variation of conditions 4 (list of approved drawings) and 9 (enhancement of River Cherwell) to the previously approved application 13/01601/OUT - Condition 4 to be varied to reflect alterations in the access and servicing strategy for Block C, with variations to maximum deviations in block and Condition 9 to be removed as no longer justified at land adjacent to Oxford Canal Spiceball Park Road Banbury for Scottish Widows plc and Scottish Widows Unit Funds Ltd.

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

Resolved

That application 16/02366/OUT be approved subject to:

- a) The final comments of Oxfordshire County Council as highway authority and Environment Agency

- b) The applicants entering into a Deed of Variation to enable the provisions of the existing Section 106 legal agreement and Section 278 agreement with OCC to apply to this new consent
- c) the following conditions:
 - 1. It is recommended that previous condition 4 be amended to allow the substitution of alternative parameter plans to provide for the revised access arrangements
 - 2. That all previous conditions attached to permission 13/01601/OUT, except for condition 9 , shall be applied to this new consent

145

Unit 2, Franklins House, Wesley Lane, Bicester

The Committee considered application 16/02434/F for the change of use from Class A to Class B1(a) office "Incubation space for start-up business" at Unit 2, Franklins House, Wesley Lane, Bicester for Ms Karen Curtin, Cherwell District Council.

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

Resolved

That application 16/02434/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, Supporting Planning Statement dated November 2016, Drawing Number 035/01, 035/02
- 3. The premises shall be used only for purposes falling within Class B1(a) as specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
- 4. At the expiration of five years from the date hereof the use specified in your application shall be discontinued and the unit shall revert back to Class A1, Class A3, Class A4 or Class A5 use as specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 approved as part of 15/02230/F.

Appeals Progress Report

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

Resolved

- (1) That the position statement be accepted.

The meeting ended at 4.59 pm

Chairman:

Date: