

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House,  
Bodicote, Banbury, OX15 4AA, on 16 February 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 Alan MacKenzie-Wintle  
Councillor Richard Mould  
Councillor D M Pickford  
Councillor Lynn Pratt  
Councillor Barry Richards  
Councillor Nigel Simpson  
Councillor Les Sibley
- Substitute Members: Councillor Ken Atack (In place of Councillor G A Reynolds)  
Councillor Barry Wood (In place of Councillor Mike Kerford-Byrnes)
- Also Present: Councillor Carmen Griffiths as Ward member for Kidlington East for application 15/01872/F  
Councillor Bryn Williams as Ward Member for Deddington for application 16/02442/LB
- Apologies for absence: Councillor Mike Kerford-Byrnes  
Councillor G A Reynolds  
Councillor Nicholas Turner
- Officers: Bob Duxbury, Team Leader (Majors)  
Caroline Ford, Principal Planning Officer  
Stuart Howden, Senior Planning Officer  
Matthew Coyne, Planning Officer  
Nigel Bell, Team Leader - Planning / Deputy Monitoring Officer  
Aaron Hetherington, Democratic and Elections Officer

## **Declarations of Interest**

### **7. Co-op, 26 High St, Kidlington.**

Councillor Alan MacKenzie-Wintle, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application.

Councillor Nigel Simpson, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application.

### **8. 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 was consulted on the application.

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

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

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

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

### **12. Farima Properties, Mercia House, 51 South Bar Street, Banbury.**

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

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

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

### **14. 33 Waller Drive, Banbury, OX16 9NS.**

Councillor Andrew Beere, Declaration, as the applicant was known to him and would leave the meeting for the duration of the item.

Councillor Barry Richards, Declaration, as the applicant was known to him and would leave the meeting for the duration of the item.

Councillor Hannah Banfield, Declaration, as the applicant was known to her and would leave the meeting for the duration of the item.

Councillor Les Sibley, Declaration, as the applicant was known to him and would leave the meeting for the duration of the item.

### **15. Fairway Methodist Church, The Fairway, Banbury.**

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

Councillor Barry Richards, Non Statutory Interest, as a member on Banbury Town Council which was 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, Declaration, as a member on Banbury Town Council which was 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 Hannah Banfield, Non Statutory Interest, as a member on Banbury Town Council which was 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.

148      **Requests to Address the Meeting**

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

149      **Urgent Business**

There were no items of urgent business.

150      **Minutes**

The Minutes of the meeting held on 19 January 2017 were agreed as a correct record and signed by the Chairman.

151      **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.

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**Co-op, 26 High St, Kidlington**

The Committee considered application 15/01872/F for the erection of new buildings off Sterling Road Approach to contain 44 x 2 bedroom flats, the conversion of offices above existing retail store to form 8 x 2 bedroom flats, and alterations to existing retail store including the construction of new accesses, car parking, service and turning areas and landscaping at Co-op, 26 High Street, Kidlington for Midcounties Cooperative Society and Cantay Estates Ltd.

Councillor Carmen Griffiths addressed the committee as local Ward member.

David Betts, a Kidlington Parish Council Councillor, addressed the committee in objection to the application.

In reaching their decision, the committee considered the officers report, presentation, written update and the address of the local ward member and public speaker.

**Resolved**

That application 15/01872/F be refused, for the following reasons:

1. The proposed development is contrary to Policy Kidlington 2 of the adopted Cherwell Local Plan 2011-2031 and the aspirations of the recently adopted Kidlington Framework Masterplan supplementary planning document in that it does not allow for the meeting of the objectives and aspirations of the latter document for the strengthening of the village centre through use of mixed use redevelopment opportunities and through improving connectivity between areas of the village centre, and consequently does not contribute significantly to the regeneration of the village centre as required by Policy Kidlington 2
2. 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 the site, including the provision of appropriate affordable housing, will be provided. Therefore the proposal would be contrary to Policies INF1, BSC3, BSC10 and BSC11 of the adopted Cherwell Local Plan 2011-2031 and the advice contained in the National Planning Policy Framework

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

The Committee considered application 16/01210/F for the erection of 20 No. houses, associated highways access and parking at OS Parcels 4083 And 6882 Adjoining and North of Broken Furrow, Warwick Road, Banbury for Persimmon Homes Ltd.

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

**Resolved**

That application 16/01210/F be approved, subject to:

- (i) no new issues being raised in response to public consultation finishing on 9 March 2017
- (ii) an appropriate Section 106 agreement
- (iii) 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: "P.0918\_59 Rev H" (Site layout), "P.0918\_60 Rev C", "P.0918\_61 Rev B" (site location plan), "P.0918\_62 Rev C" (Enclosures), "P.0918\_64B" (Garages), "P.0918\_65A" (Enclosure details), "P.0918\_63D-1", "P.0918\_63D-2", "P.0918\_63D-3", "P.0918\_63D-4", "P.0918\_63D-5", "P.0918\_63D-6" and "P.0918\_63D-7".
  - 3. Notwithstanding the details submitted, the walls providing means of enclosure to new Plots 1, 9, 10 and 15 shall be laid in English Garden Wall bond.
  - 4. Notwithstanding the plans hereby approved, no development shall commence above slab level on the respective plots (namely new plots 15-18 inclusive) until a sample of the slate to be used in the construction of the roofs of the plots stated in approved drawing "P.0918\_60 Rev C" (Materials Plan) to have natural slate roofs has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out fully in accordance with the samples so approved.
  - 5. Notwithstanding the details submitted, no development shall commence above slab level until a revised schedule of external surfaces (including facing brick and roof tile) has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out fully in accordance with the samples so approved.
  - 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), no

development with Part Classes A - E (inclusive) shall take place on the dwellinghouses hereby permitted or within their curtilage.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), no additional windows, doors or any other openings shall be inserted at first floor level or above in the any of the dwellings of hereby approved.
8. Before the respective dwelling is first occupied the first floor side-facing openings to Plots 6, 8, 16 and 18 and the first floor rear-facing openings to Plots 1, 5, 9, 13, 14 and 15 shown to serve a 'landing' shall be glazed with obscure glass (at least Level 3) only and fixed with a ventilation stay restricting the opening of the window to no more than 30 degrees from the elevation in question, and must be permanently maintained as such at all times thereafter.
9. Notwithstanding the details submitted, no development shall commence above slab level on the plots named in this condition until amended plans for Plots 5 and 15 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out fully in accordance with the samples so approved.
10. No walls, gates, fences or planting shall be erected or allowed to grow on or adjacent to the highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway.
11. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, an amended 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.
12. 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.

13. No development shall commence on site until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented fully in accordance with the approved details.
14. New Estate Roads - Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footways (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.
15. Estate Accesses, Driveways and Turning Areas – Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing 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 dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
16. Turning Area for Service Vehicles – Prior to the commencement of the development hereby approved, vehicle tracking shall be submitted to and approved in writing by the Local Planning Authority that will show that a refuse vehicle of not less than 11.6m in length can enter and exit the development safely in forward gear. Thereafter, and prior to the first occupation of the development, construction of the turning areas shall commence in accordance with the approved details.
17. Drainage – 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 local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
  - Discharge Rates
  - Discharge Volumes

- Maintenance and management of SUDS features
  - Sizing of features – attenuation volume
  - Infiltration in accordance with BRE365
  - Detailed drainage layout with pipe numbers
  - SUDS – Permeable Paving, Rainwater Harvesting, Green Roof
  - Network drainage calculations
  - Phasing
  - The plans must show that there will be no private drainage into the public highway drainage system
18. Cycle Parking – 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.
19. Pedestrian Access: Full Details – Prior to the commencement of the development hereby approved, full details of the means of pedestrian access between the land and the highway, including, position, layout, construction, and drainage 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.
20. Construction Traffic Management Plan (CTMP) – Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to first occupation of the development, construction shall only commence in accordance with the approved details (see section on informatives below).
21. Travel Information Pack – Prior to the first occupation of the development hereby approved, a Travel Information Pack prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Information Pack shall be implemented and operated in accordance with the approved details.



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**Land West Of M40 Adj To A4095, Kirtlington Road, Chesterton**

The Committee considered application 16/01780/F for the change of use of land to use as a residential caravan site for 8 gypsy families, each with two caravans and an amenity building. Improvement of existing access, construction of driveway, laying of hard standing and installation of package sewage treatment plant at Land West Of M40 adj To A4095, Kirtlington Road, Chesterton for Clifford Smith and Robert Butcher.

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

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

**Resolved**

That application 16/01780/F be deferred, to await the submission of an Air Quality assessment and its consideration.

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**Land To The West Of Garners House, Main Street, Great Bourton**

The Committee considered application 16/01979/F for the erection of 43 No dwellings, a new community hall, associated infrastructure and two vehicular accesses from Main Street on land west of Garners House, Main Street, Great Bourton at Land to the West Of Garners House, Main Street, Great Bourton for Hayfield Homes Ltd and Mr and Mrs Townsend .

Tim Brooks and Steven Warr, neighbours to the application site, addressed the committee in objection to the application.

Peter Frampton, 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 address of the public speakers.

**Resolved**

That application 16/01979/F be approved, subject to

1. The development to which this permission relates shall be begun not later than the expiration of one year 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, [Documents and drawing numbers need to be added]

3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> 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 plots identified on drawing number 100 Rev A as being constructed from stone and the Community Hall shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
4. Prior to the commencement of the development hereby approved, a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m<sup>2</sup> in size) shall be constructed on site, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the plots identified as being constructed from brick on drawing number 100 Rev A shall be constructed in strict accordance with the approved brick sample panel.
5. Prior to the commencement of the development hereby approved, samples of the tile and slate to be used in the construction of the roofs of the development, the distribution of which is indicated on drawing number 100 Rev A 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. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including elevations, vertical and horizontal cross sections, cill, lintel and recess detail, materials and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
7. Prior to the commencement of the development, full details of the eaves and verge details of the dwellings and garages shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.
8. Prior to the commencement of the development, full details of the porches for the dwellings including the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.
9. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed 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 approved finished floor levels plan.
10. Notwithstanding the details submitted and prior to the commencement of the development hereby approved; full details of the enclosures

along all boundaries and within the site 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.

11. Prior to the construction of each road or footpath, full details of the final surface treatment for that element of the highway shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the road or footpath shall be constructed in accordance with the approved details.
12. Prior to the commencement of the development hereby approved, full details of both 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 and any 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.
13. Prior to the commencement of the development hereby approved, full specification details of the estate roads, vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
14. Prior to the commencement of the development 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 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.
15. 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.
16. No development shall commence on site until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to

include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods and an agreed route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

17. 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 do not adversely affect 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 CEMP.
18. Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.
19. Prior to the commencement of any part of the development hereby approved the public right of way shall be protected in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the public right of way shall remain protected and available for use throughout the construction phase. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.
20. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.
21. The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Impact Assessment and Method Statement (AMS) Revision A and the Tree Protection Plan (drawing number HAY20809-03A) prepared by ACD Environmental revised on the 13th January 2017 including where no dig construction is required. The identified Tree Protection measures shall be installed prior to the commencement of the development.
22. Except to allow for the means of access and vision splays the existing hedgerow/trees along the north, west and south boundaries of the site shall be retained and properly maintained and any hedgerow/tree which may die within five years from the completion of the development shall be replaced and shall thereafter be properly maintained in accordance with this condition.
23. Notwithstanding the submitted details and 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.
24. 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.
25. Prior to the commencement of the development, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features for hard and soft landscaped areas, 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. Tree pits shall be constructed concurrent with the construction of any hard surfaced areas into which they are to be installed.
26. Notwithstanding the submitted information and prior to the commencement of the development, full design details of the equipment and layout of the Local Area of Play (LAP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the LAP shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
27. Notwithstanding the submitted information and prior to the commencement of the development hereby approved, including any works of site clearance, a Landscape and Ecology Management Plan (LEMP) and method statement for protected species and biodiversity

enhancements, together with long-term maintenance, has been submitted to and approved in writing by the local planning authority. The LEMP and method statement shall be carried out and retained in accordance with the approved details.

28. No removal of hedgerows, trees or shrubs shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
29. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a report regarding badgers, which shall include details of a recent survey (no older than six months), any mitigation, 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.
30. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site and for the provision of bat and bird boxes 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.
31. All species used in the planting proposals associated with the development shall be native species of UK provenance.
32. Drainage (potential need for a drainage condition – to be added if required)
33. The garage(s) 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.
34. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the dwelling(s) and the highway without the prior express planning consent of the Local Planning Authority.
35. All services serving the proposed development shall be provided underground unless details of any necessary above ground service infrastructure, whether or not permitted by the Town and Country Planning (General Permitted Development Order) 1995 (as amended),

have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development that they serve, the above ground services shall be provided on site in accordance with the approved details.

36. 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.
37. Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced 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 fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
38. The development shall be constructed so as to achieve a demand for potable water that does not exceed 110 l/p/d and details of measures to be used to achieve this demand shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase. The development shall be carried out in accordance with the details so approved.
39. The dwelling(s) hereby approved shall not be occupied until domestic bins for the purposes of refuse, food waste, recycling and green waste have been provided for each of the approved dwellings, in accordance with the Council's current bin specifications and requirements.

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### **Land South West Of Woodbank, Mill Lane, Kirtlington**

The Committee considered application 16/02295/OUT, an outline application for the erection of 10 No dwellings at land South West of Woodbank, Mill for Mr E & G King.

Helen Macbeth, Deputy Chair of Kirtlington Parish Council, addressed the committee in objection to the application.

Paul Brailsford, agent for the applicant and Keith Neill Smith, the architect for the applicant, addressed the committee in support of the application.

Councillor Macnamara proposed that application be refused as it would be contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C8 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. Councillor Wood seconded the proposal.

In reaching their decision, the Committee considered the officers report and presentation and the addresses of the public speakers.

**Resolved**

That application 16/02295/OUT be refused for the following reasons:

1. The development proposed, by reason of its poorly integrated relationship with existing built development and its extension beyond the built limits of the village, would cause significant and unacceptable harm to the historic linear form of the village and the rural landscape setting of the village as experienced by local residents, visitors and users of Mill Lane and the existing Public Right of Way which runs through and within close proximity to the site. The development would detract from the area's established character and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C8 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
2. In the absence of adequate detail of how the footpath link from the site to Hatch Way would be provided it has not been demonstrated that the development would not have an unacceptable impact upon the three Beech trees protected by TPO, and so the proposed development would potentially have a detrimental impact upon the health and amenity value of these trees and the rural character and visual amenities of the area. The development therefore fails to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
3. 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 supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, SLE4, ESD1, BSC11 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 a

**Farima Properties, Mercia House, 51 South Bar Street, Banbury**

The Committee considered application 16/02363/F for the conversion of an existing office building to form 10 No residential apartments with new aluminium windows to rear building, painting existing East façade off white, some alterations to existing windows on South and West Elevations and bin storage and cycle storage areas at Farima Properties, Mercia House, 51 South Bar Street, Banbury for Farima Properties. The application was a resubmission of 16/00120/F.

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



## **Resolved**

That application 16/02363/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 details provided by the following plans and documents:
  - Application Form submitted with the application;
  - Design and Access Statement (Ref: WG299-DaS Rev A – October 2016) by Walker Graham Architects submitted with the application; and
  - Drawing Numbers: WG299-001; WG299-003 Revision J; WG299-004 Revision H; WG299-005 Revision D; WG299-010; WG299-011; and WG299-016 submitted with the application.
3. Prior to the installation of the wall mounted lights hereby approved, full details of the design, appearance, luminance and siting of the proposed wall mounted lights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.
4. Notwithstanding the details shown on the approved plans, prior to the commencement of the development of the bin storage area hereby approved, full details of the design, appearance, materials and siting of the bin storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.
5. Notwithstanding the details shown on the approved plans, prior to the commencement of the development of the cycle storage hereby approved, full details of the design, materials, appearance and siting of the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.
6. Prior to the commencement of the development, full details of the new and altered doors, windows and roof lights hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The doors, windows and rooflights shall be installed within the building in accordance with the approved details and retained as such thereafter.

**Duke Of Cumberlands Head, Main Street, Clifton, Banbury, OX15 0PE**

The Committee considered application 16/02442/LB for the opening the rear wall of the fireplace to link two rooms Duke of Cumberlands Head, Main Street, Clifton, Banbury, OX15 0PE for Mr Tim Catling.

Councillor Bryn Williams addressed the committee as Ward member.

Mrs Rebecca Catling, the applicant and David Rogers, Chairman of Deddington Parish Council, addressed the committee in support of the application.

Councillor Heath proposed that application 16/02442/LB be approved, subject to conditions to be delegated to officers. Councillor Richards seconded the proposal.

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

**Resolved**

That application 16/02442/LB be approved, subject to the following conditions:

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 forms, Heritage Statement ('Statement of Historic Significance') and with drawings numbered: JEWS-00545883; 1250/2 Rev C; and 'Photo 1.0 (as labelled by the LPA).
3. Prior to the commencement of the development hereby approved, full details of the lintel, including the type of wood and its finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
4. All work of demolition of any part of the building shall be carried out by hand methods only and without the use of machinery.
5. Any remedial stonework necessary for the repair or making good of the walls shall be carried out in natural stone 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.

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**33 Waller Drive, Banbury, OX16 9NS**

The Committee considered application 16/02499/F for a single storey front and side extension and two storey rear extensions 33 Waller Drive, Banbury, OX16 9NS for Mr and Mrs B Dhesi.

Robert Gough, neighbour, addressed the committee in objection to the application.

Councillor Clarke proposed that application 16/02499/F be refused as the proposal would result in overdevelopment of this site which would be detrimental to the character and appearance of this residential area and harmful to the residential amenities of adjacent properties. Councillor Heath seconded the proposal.

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

**Resolved**

That application 16/02499/F be refused for the following reasons:

1. The proposal would result in an overly large extension that by reason of its siting and design would represent an overdevelopment of this site which would be detrimental to the character and appearance of this residential area and harmful to the residential amenities of adjacent properties. As such the proposal would be contrary to Policy ESD 15 of the adopted Cherwell Local Plan 2011- 2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996.

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**Fairway Methodist Church, The Fairway, Banbury**

The Committee considered application 17/00010/NMA for an amendment to the previously application 13/01153/CDC - Area hatched on drawing 007/06 rev E to be 600x600x50mm grey concrete paving slabs with 10mm gap filled with pea shingle for drainage of surface water and there would also be a planted border against the church elevation at Fairway Methodist Church, The Fairway, Banbury for Trustees For Methodist Church Purposes

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

**Resolved**

That Cherwell District Council, as Local Planning Authority, hereby approves application 17/00010/NMA for the non-material amendments described in the application in accordance with drawing numbers: 007/06 E.

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**Cherwell District Council, Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA**

The Committee considered application 17/00030/DISC for the discharge of condition 4 (waterproof membrane) of 16/00936/LB at Bodicote Housem White Post Road, Bodicote, Banbury for Baily Garner.

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

**Resolved**

That in accordance with details contained within document titled: 'Specification of Works' 27527 Rev B (18/01/2017). The development shall then be carried out fully in accordance with the approved details.

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**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 7.59 pm

Chairman:

Date: