

Public Document Pack

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 March 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 D M Pickford Councillor Lynn Pratt Councillor Barry Richards Councillor Nigel Simpson Councillor Les Sibley
Substitute Members:	Councillor Ken Attack (In place of Councillor G A Reynolds) Councillor Barry Wood (In place of Councillor Richard Mould)
Apologies for absence:	Councillor Richard Mould Councillor G A Reynolds Councillor Nicholas Turner
Officers:	Bob Duxbury, Team Leader (Majors) Jenny Barker, Bicester Development Manager Caroline Ford, Principal Planning Officer Nat Stock, Team Leader (Others) Matt Chadwick, Planning Officer Nigel Bell, Team Leader - Planning / Deputy Monitoring Officer Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

7. Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire.

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

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

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

9. 60-62 Broad Street, Banbury, OX16 5BL.

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

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Councillor Andrew Beere, 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.

10. The Hill, Dover Avenue, Banbury, OX16 0JE.

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 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 of 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 of 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.

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

11. Former garage Block adjacent and South East of 2 Fenny Compton Road, Claydon.

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 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.

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

12. Land to the rear of The Methodist Church, The Fairway, 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.

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

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

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 of the Executive and would leave the meeting for the duration of the item.

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

14. 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.

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164 **Requests to Address the Meeting**

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

165 **Urgent Business**

There were no items of urgent business.

166 **Minutes**

The Minutes of the meeting held on 16 February 2017 were agreed as a correct record and signed by the Chairman.

167 **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.

168 **Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire**

The Committee considered application 14/02121/OUT, an outline application for a development to provide up to 1,700 residential dwellings (Class C3), a retirement village (Class C2), flexible commercial floorspace (Classes A1, A2, A3, A4, A5, B1, C1 and D1), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2FE) (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure and other operations (including demolition of farm buildings on Middleton Stoney Road) for Portfolio Property Partners Ltd. At the proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire.

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

Resolved

That application 14/02121/OUT be approved subject to:

- i. Finalisation of a programme that has been received by the local authority, agreed and supported by Network Rail and the Local Highway Authority, that provides confirmation that the proposed road and tunnels under the railway at NW Bicester can be provided 2019/2020 prior to the issue of the planning permission.
- ii. The completion of a legal agreement in accordance with the attached Heads of Terms (annex to the Minutes as set out in the Minute Book), including delegation provided to Officers to negotiate the agreement, including the following requirement with regard to phasing;
- iii. The following set of conditions with delegation provided to the Head of Public Protection and Development Management to negotiate final amendments to the wording of conditions following a detailed review by Officers;

1. No more than 500 dwellings shall commence and be occupied until either;
 - a) The realigned Howes Lane and tunnel under the railway (as permitted under application 14/01968/F or such other application for the road and tunnel that has been approved) has been provided and is open to all traffic or;
 - b) The realigned Howes Lane and tunnel under the railway (as permitted under application 14/01968/F or such other application for the road and tunnel that has been approved) is subject to all necessary consents and approvals, such that there is certainty over the programme for its delivery and agreement is in place between the applicant and Cherwell District Council and the Local Highway Authority as to the phasing of the remaining 1200 dwellings and associated infrastructure the subject of application 14/02121/OUT
2. In the case of the reserved matters, application for approval shall be made for the first residential phase of development not later than the expiration of five years beginning with the date of this permission.
3. In the case of all other reserved matters, in respect of subsequent phases, application for approval shall be made not later than the expiration of seven years beginning with the date of this permission.
4. The development to which this permission relates shall be begun not later than the expiration of two years from the approval of the first residential phase reserved matter and for all other matters two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
5. Except where otherwise stipulated by condition, the development shall be carried out in broad accordance with the following plans and documents:
 - Site Boundary Parameter Plan 1 (drawing number 592-PL-101 Rev B);
 - Demolitions Parameter Plan 2 (drawing number 592-PL-102 Rev B);
 - Land Use Parameter Plan 4 (drawing number 592-PL-103 Rev E);
 - Building Heights Parameter Plan 5 (drawing number 592-PL-104 Rev D);
 - Density Parameter Plan 6 (drawing number 592-PL-105 Rev D);
 - Landscape Parameter Plan 3 (drawing number 592-PL-106 Rev C);
 - Movement and Access Parameter Plan (drawing number 1665/75/04);
 - SUDs Parameter Plan (drawing number 1665/75/05 Rev B);
 - Document titled 'Storage Attenuation Volumes of Primary Swales (1665/76) dated July 2015;

- Tree Survey Report – document reference EED14995-100-R-7-1-3-TA dated January 2015 and accompanying appendices;
 - Sustainability and Energy Statement – document reference PENL2003 dated 17 December 2014
 - Surface Water Drainage Strategy and Flood Risk Assessment dated December 2014 and all additional correspondence relating to Drainage and Flood Risk.
6. Prior to the submission of the first reserved matters application, a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the approved phasing plan and development shall proceed in accordance with the approved phasing.
7. No more than 1700 dwellings falling within Use Class C3 shall be erected within the site.
8. No more than 100 dwellings falling within Use Class C2 shall be erected within the site.
9. No more than a total of 8,000sqm floor space shall be provided for the mixed uses set out in Table 1 and each use shall not exceed the maximum Gross Internal Area for that specified use. These uses shall only be provided within the areas of the site annotated for 'Other Uses and 'Social/ Community' on 'Land Use Parameter Plan 4' drawing number 592-PL-103 Rev E.

Table 1

Land Use	Maximum GIA (sqm)
Hotel (Class C1)	2,600sqm
Veterinary surgery (Class D1)	2,000sqm
Pub/ Community (Classes A4/ D1)	400sqm
Retail (Classes A1, A2, A3, A4, A5)	700sqm
Office (Class B1)	1,000sqm
Health facility (Class D1)	1,500sqm
Nursery (Class D1)	100sqm
Energy Centre (Sui Generis)	375sqm
Water treatment plant (Sui Generis)	450sqm

The approved uses shall remain within the Use Classes set out above as specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.

10. No individual retail unit shall exceed 150 sq m in gross floor internal area with the exception of a single unit of a maximum of 300 sq m for a convenience store. Thereafter retail units shall not be amalgamated such that any individual unit exceeds 150 sq m or 300 sq m respectively.

Design

11. Prior to the submission of the first reserved matters application, an Urban Design Framework shall be submitted to and approved in writing by the Local Planning Authority. The Urban Design Framework shall set out the urban design approach for the site to include a regulating plan and supporting information to include;
- Details to provide continuity with adjacent development
 - Key approaches to deliver sustainable development that as a minimum meets the Eco Town PPS standards
 - Character areas for built form and green spaces and their key features
 - Indicative block size, structure and permeability
 - Movement network and streetscape including bus routes and stop locations
 - Public realm
 - Density and open space
 - Building heights
 - Key views, vista, landmarks, landscape character, trees and retained hedges
 - Legibility and diversity of built form and landscape
 - Adaptability
 - Play provision in accordance with Adopted Cherwell Local Plan Policy BSC 11

No reserved matters shall be submitted until the urban design framework has been approved in writing by the Local Planning Authority. All reserved matters applications and development shall thereafter be in accordance with the approved Urban Design Framework.

12. Prior to the submission of the first reserved matters application, a detailed masterplan for the area fronting the Middleton Stoney Road annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev E, shall be submitted to and approved in writing by the Local Planning Authority. Reserved Matter applications for the area covered by the Masterplan shall be in accordance with the approved Masterplan. The masterplan shall show the location of each of the land uses, access and parking locations, key frontage and public space conditions and landscape principles.
13. Prior to the submission of the first reserved matter in each of the character areas containing built form, identified in the approved Urban Design Framework, a design code shall be provided for the whole of that character area which shall include;
- Street types, materials and details
 - Block Principles
 - Landscape, materials and details
 - Boundary treatments
 - Building types and Uses
 - Building heights
 - SUDS, parks and open spaces
 - Building Materials and Details

- Highway design details
- Parking Strategy

No reserved matters shall be submitted for that character area until the design code has been approved in writing by the Local Planning Authority. The development in the character area shall thereafter be in accordance with the approved design code.

14. Each reserved matter submission for built development shall be accompanied by details showing how Building for Life 12 has been used to inform the design process and that the scheme achieves Built for Life™.
15. In accordance with the parameter plans hereby approved, the following shall be provided:
 - A 20m Green Infrastructure strip (which shall not include residential gardens) shall be provided to the west of the boundary with Lovelynch House;
 - A 20m 'no build' buffer shall be provided to the north of the boundary with Lovelynch House;
 - A 30m 'no build' buffer (narrowing to a 20m along the northern section of the eastern boundary) shall be provided to the east of the boundary with Lovelynch House. This buffer shall include a 10m hedgerow buffer.

Dwellings

16. Prior to the submission of a reserved matters application for residential development a schedule of the market housing to be provided to meet local housing needs in each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The market housing shall thereafter be provided in accordance with the approved schedule (and detailed reserved matter approval) unless otherwise agreed in writing by the Local Planning Authority.
17. All dwellings shall be provided with real time energy and travel information prior to occupation unless otherwise agreed in writing by the Local Planning Authority. Details for each phase shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of construction of dwellings.
18. Each reserved matters application shall be accompanied by a statement setting out how the design of buildings and the layout has taken account of future climate impacts, as identified in TSB research 'Future Climate Change Risks for NW Bicester', or any more recent assessment that has been published, and how the proposed development will be resilient to overheating, changing rainfall patterns and higher intensity storm events.
19. Prior to the commencement of each phase, those areas of the site that are subject to elevated levels of noise, principally from road traffic sources as set out in the Environmental Statement, shall be identified

and the dwellings that are constructed in these areas must be designed and constructed in such a manner that they contain elements of sound insulation that will ensure that the internal noise levels contained within BS 8233:2014 Table 4 can be achieved.

20. Noise levels from any mechanical plant and the energy centre shall not exceed the noise emission limits contained within table 10.15 of the Environmental Statement. Any reserved matters submission for the energy centre or for development that will include mechanical plant shall include details of how the noise emission limits for that development will be met.

Phase conditions

21. All phases of development shall be provided with high speed broad band (not less than 100mbs); such that on occupation of each building on the phase the occupiers can secure a high speed broad band connection.
22. No development shall commence on construction of any development approved by a reserved matter until a report has been submitted outlining how carbon emissions from the construction process and embodied carbon have been minimised. No work shall commence until the report has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the plan.

Transport

23. Each reserved matters application shall include full details of the means of vehicular accesses between the land and the highway, including, position, layout, construction, drainage and vision splays. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
24. Each reserved matters application shall include full details of the means of footway and cycleway links between the land and the local highway network, including, position, layout, construction, drainage and street lighting. Thereafter, the means of footway and cycleway links shall be constructed and retained in accordance with the approved details.
25. The pedestrian and cycle routes shall be signed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwellings. The signage shall then be provided for each route prior to its first use.
26. No development shall commence on a phase until a Construction Traffic Management Plan providing full details of the phasing of the construction of that phase has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic

periods and an agreed route for HGV traffic to the development site. The approved Plan shall be implemented in full during the entire construction period of the phase.

27. Each reserved matter application shall be accompanied by a Travel Plan setting out how the development will enable at least 50 per cent of trips originating within the development to be made by non-car means, with the potential for this to increase over time to at least 60 per cent, in accordance with the Eco Towns PPS ET 11.2 (a). The Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to any occupations and the actions of the travel plan shall thereafter be delivered in accordance with the Travel Plan.

Contamination

28. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out 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 shall be 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 that it is satisfied that no potential risk from contamination has been identified.
29. If a potential risk from contamination is identified as a result of the work carried out under condition [28], 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.
30. If contamination is found by undertaking the work carried out under condition [29], 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.

31. If remedial works have been identified in condition [30], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [30]. 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.
32. Piling or any other foundation designs using penetrative methods within any area identified as being subject to risk from contamination shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater quality. The development shall be carried out in accordance with the approved details.
33. If, during development, contamination not previously identified 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 a remediation strategy has been submitted to the local planning authority. The remediation strategy shall detail how this unsuspected contamination shall be dealt with and written approval from the local planning authority shall be obtained. The remediation strategy shall be implemented as approved.
34. The development hereby permitted shall not be commenced until such time as a pollution prevention scheme to dispose of contaminated surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Biodiversity

35. No development shall commence on a phase unless or until an up to date ecological survey has been undertaken to establish changes in the presence, abundance and impact on bio diversity within that phase. The survey results, together with any necessary changes to the mitigation plan or method statement 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.
36. The retained hedges shall have a buffer a minimum of 20m in width comprising of 10m either side of the retained hedge except where they form part of a dark corridor where the buffers shall extend to a minimum width of 40m comprising of 20m either side of the retained hedge, and the woodlands shall have a buffer around their perimeter a minimum of 10m in width when measured from the canopy edge, unless otherwise agreed in writing by the Local Planning Authority. The hedge and woodland buffers shall be maintained as public open space and managed to maintain and create bio diversity.
37. No development shall commence on a phase until details of any existing hedgerow, or part thereof, to be removed, and proposals for

creation of new compensatory hedgerow, have been submitted to and approved in writing by the Local Planning Authority. The compensatory hedgerow shall be provided in accordance with the approved details.

38. No development shall commence on a phase until a scheme for the provision of protective fencing, to prevent damage during construction, for the retained hedgerows, trees, woodlands, ponds and areas of green space, has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed in accordance with the approved plans prior to work commencing on site.
39. A protection area for Newts, a minimum of 50m in circumference, around the two ponds on the site and the land between them shall be provided in accordance with that shown on 'Landscape Parameter Plan 3' drawing number 592-PL-106 Rev C. No removal of suitable aquatic and terrestrial habitat within 250m of the breeding ponds shall be carried out unless otherwise agreed in writing by the Local Planning Authority.
40. Prior to the submission of the first reserved matters application, a Bio Diversity Strategy for the site shall be submitted and approved in writing by the local planning authority. Each reserved matter application shall be accompanied by a statement setting out how the proposed development will contribute to achieving the Bio Diversity Strategy and net biodiversity gain. The development shall be carried out in accordance with approved the biodiversity statement.
41. No development shall commence on a phase until a Landscape & Habitat Management Plan (LHMP) for that phase detailing both management and monitoring proposals for green space (excluding building curtilages) has been submitted to and approved in writing by the Local Planning Authority and thereafter the LHMP shall be implemented in accordance with the approved details.
42. No development shall commence on a phase until a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works in that phase do not adversely affect the existing biodiversity of the site and residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
43. No development shall commence on a phase until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse, within that phase, shall be submitted to and approved in writing by the local planning authority and thereafter the development shall be carried out in accordance with the approved plan.

44. No development shall commence on a phase until details of existing and proposed levels for that phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved levels.
45. Prior to the commencement of a phase, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions including details of tree protection shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS with all tree protection erected prior to development commencing on that phase.

Archaeology

46. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.
47. Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [46], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Outdoor Sport (The requirement for these conditions is being checked with Sport England)

48. No development shall commence until details for the phasing of the provision of the sports pitches has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The development hereby permitted shall not be carried out other than in accordance with the approved details.
49. No development shall commence on the provision of the sports pitches until details of the design and layout of the sports facilities serving that phase have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The sports facilities shall not be constructed other than substantially in accordance with the approved details.
50. The playing field/s and pitch/es shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with the agreed phasing unless agreed in writing by the Local Planning Authority.

Drainage

51. Prior to the commencement of development impact studies of the existing water supply infrastructure shall be submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
52. Prior to the commencement of the development, a foul drainage strategy for conveyance and treatment, detailing any on and/or off site drainage works, shall be submitted to and approved by the local planning authority. 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. No dwelling shall be occupied until the foul drainage has been provided in accordance with the approved strategy.
53. Prior to the submission of the first reserved matters application, a full surface water strategy for the application site, in accordance with the Flood Risk Assessment hereby approved, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Councils Drainage Team & Natural England). The development shall be carried out in accordance with the approved Drainage Strategy.
54. In addition to the site wide detailed surface water drainage strategy, each reserved matters application shall be accompanied by a detailed surface water drainage scheme, to meet the flood risk, water quality, green infrastructure and biodiversity requirements of the site. The detailed surface water drainage scheme shall be in compliance with the approved Flood Risk Assessment, Surface Water Drainage Strategy and the Masterplan Surface Water Drainage Strategy and the approved site wide detailed surface water drainage strategy. No development shall commence until the detailed reserved matter surface water drainage scheme has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
55. 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.
56. Prior to the commencement of the development, details of the strategy to work towards water neutrality, in accordance with the Eco Towns PPS shall be submitted to and approved in writing by the Local Planning Authority. Each reserved matters application shall demonstrate how it meets the approved strategy.

Employment

57. All non-residential buildings shall be constructed to BREEAM Excellent.
- Waste
58. Prior to the commencement of a phase, a Site Waste Management Plan, targeting zero waste to landfill, shall be submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Management Plan shall thereafter be implemented in accordance with the approved details.
59. No waste shall be brought to the site for the purpose of use within any future energy centre.
60. Notwithstanding the submitted drawing titled 'Building Heights – Parameter Plan 5' (drawing number 592-PL-104 Rev D), the maximum height at the north of the site (indicated in dark orange) shall not exceed 17m.

169 **Barn, Bramshill Park Farm, Horley**

The Chairman advised the Committee that application 16/02355/F had been withdrawn by the applicant.

170 **60-62 Broad Street, Banbury, OX16 5BL**

The Committee considered application 16/02529/F for alterations to building and change of use to form retail units at ground floor level and 12 No self-contained flats over (re-submission of application 16/00292/F) for Mentor Inns LLP at 60-62 Broad Street, Banbury, OX16 5BL.

Rob Kinchin-Smith, Friends of the Grand Theatre, addressed the committee in objection to the application.

Mitchell Barnes, agent to 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 16/02529/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 forms, Design and Access Statement, 1590 – LP – BP, 1590 – P – 10, 1590 – P – 11, 1590 – P – 12, 1590 – P – 13a, 1590 – P – 14 and 1590 – P – 15.
3. Prior to the commencement of the development hereby approved, a brick sample panel (minimum 1m² 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 development to be constructed of brick shall be constructed in strict accordance with the approved brick sample panel.
4. Prior to the commencement of the development hereby approved, samples of the slate to be used for the covering of the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved, samples of the render to be used for the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
6. Prior to the commencement of the development hereby approved, full details of the doors and windows, including a cross section and colour/finish, together with cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the door and windows shall be installed in accordance with the approved details.
7. Prior to the commencement of the development hereby approved, full design details of the shop fronts facing onto Broad Street, including details of materials and finished colour, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the shop fronts shall be finished in accordance with the approved details.
8. Prior to the commencement of the development hereby approved, full details of the rainwater goods servicing the development, including details of materials and finished colour, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the rainwater goods shall be installed in accordance with the approved details.
9. Prior to the commencement of the development hereby approved, a specialist acoustic consultant's report that demonstrates that internal noise levels do not exceed the levels specified (or gives details of mitigation measures required to achieve these levels) in the British Standard BS 8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings', shall be submitted to and approved in writing by the Local Planning Authority. If required thereafter, and prior to the

first occupation of the dwellings affected by this condition, the dwellings affected by this condition shall be insulated and maintained in accordance with the approved details.

10. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) for the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the plan shall be implemented and operated in accordance with the approved details.
11. 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.
12. A Travel Information Pack, the details of which are to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, shall be provided to every household.
13. 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
 - No private drainage into the public highway drainage system
14. No demolition (including the demolition of the auditorium) and no removal of internal features, shall be carried out until a binding contract for the whole of the consented development has been made and agreed in writing by the Council.
15. Notwithstanding the provisions of Schedule 2, Part 1, Class H of The Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no radio or TV aerials, satellite dishes or other antennae shall be affixed to the front façade of the building without the prior express planning consent of the Local Planning Authority.

The Hill, Dover Avenue, Banbury, OX16 0JE

The Committee considered application 17/00197/CDC which sought consent to demolish the existing community centre accessed off Dover Avenue and rebuild a new community centre, 'The Hill', in Bretch Hill, Banbury for Cherwell District Council (Build Department).

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

Resolved

That permission for application 17/00197/CDC be granted, 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 forms, Design and Access Statement, 2016045 – A – D – 01 – 040 Rev A, 2016045 – A – D – 01 – 060 Rev A, 2016045 – A – P – 01 – 100, 2016045 – A – P – 01 – 120, 2016045 – A – P – 01 – 121, 2016045 – A – P – 01 – 122 and 2016045 – A – P – 01 – 123.
3. Prior to the commencement of the development hereby approved, samples of the brick, render and timber effect cladding to be used for the external walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
4. 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.

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

5. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and car parking spaces to be provided within the curtilage of 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 turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.
6. 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.
7. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) for the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted CMP shall include the following:
 - Details of the routing of construction traffic and delivery vehicles and associated signage.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of the parking of site related vehicles (construction workers, traffic and delivery vehicles etc.) to be accommodated within the site.
 - Details of the arrangements for keeping local residents informed of site deliveries and other highway related impacts of the construction phase of development.

Thereafter, the CMP shall be implemented in accordance with the approved details and shall be adhered to throughout the construction phase of development.

8. Prior to the installation of any external lighting required in association with the approved development, full details of the siting, design and technical specification of the lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be installed and retained in accordance with the approved details.
9. Prior to the installation of any external extraction or air conditioning equipment or any other fixed plant associated with the approved development, full details of the siting, design and technical specification of the plant and equipment shall be submitted and approved by the Local Planning Authority. Thereafter, the plant and

equipment shall be installed and retained in accordance with the approved details.

10. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of lead 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.

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Former garage Block adjacent and South East of 2 Fenny Compton Road, Claydon

The Committee considered application 16/00560/DISC for the discharge of Conditions 6 (vehicle access consent) of 14/00099/CDC for Cherwell District Council – Mrs Fiona Brown at the Former garage Block adjacent and South East of 2 Fenny Compton Road, Claydon.

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

Resolved

That the Local Planning Authority considers that the details submitted pursuant to Condition 6 of planning permission 14/00099/CDC were acceptable, and as such it is recommended that the said conditions be discharged.

173 Land to the rear of The Methodist Church, The Fairway, Banbury

The Committee considered application 17/00017/DISC for the discharge of Conditions 12 (estate access construction details), 13 (parking and manoeuvring areas) and 15 (parking bay numbers) of 16/00313/CDC for Cherwell District Council at Land to the rear of The Methodist Church, The Fairway, Banbury.

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

Resolved

That the Local Planning Authority considered that the details submitted pursuant to Conditions 12, 13 and 15 of planning permission 16/00313/CDC were acceptable, and as such the said conditions be discharged.

174 Cherwell District Council, Former Offices, Old Place Yard, Bicester

The Committee considered application 17/00051/DISC for the Part discharge of condition 10 (Drainage Scheme) and discharge of condition 20 (Emergency and refuse vehicle turning on site) of 16/00043/F for Cherwell District Council at Cherwell District Council, Former Offices, Old Place Yard, Bicester.

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

Resolved

That authority be delegated to officers to determine application 17/00051/DISC once comments have been received from the Highway Authority.

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

The Committee considered application 17/00071/DISC for the discharge of condition 6 (Amended elevation design details) of 16/01484/CDC for Cherwell District Council at OS Parcels 4083 And 6882 Adjoining and North Of Broken Furrow, Warwick Road, Banbury.

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

Resolved

That authority be delegated to officers to determine the application 17/00071/DISC once satisfactory revised drawings have been received.

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

The Committee considered application 17/00076/DISC for discharge of Condition 6 (Amended Elevation Design Details) of 16/01485/CDC for Cherwell District Council at OS Parcels 4083 And 6882 Adjoining and North of Broken Furrow, Warwick Road, Banbury.

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

Resolved

That authority be delegated to officers to determine the application 17/00076/DISC once satisfactory revised drawings have been received.

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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 5.42 pm

Chairman:

Date:

Appendix B

SUMMARY HEADS of TERMS 14/02121/OUT

Committee 16 March 2017

Framework S106

1	Eco Town Quality Standards	
	That development will be to eco town standards or other higher standards, relevant at the time, and the "quality" of the development shall be supported through assessments of schemes by an independent expert panel which shall consider the schemes approach and compliance with: (a) the proposed Masterplan; (b) the design standards; (c) the sustainability standards; (d) the proposed governance arrangements; (e) the proposed maintenance arrangements; (f) the proposed "Panel" arrangement for resolving issues and dealing with changes in standard; (g) measures to ensure delivery of panel decisions	
2	Site Wide Infrastructure Provision and Connections	
	The following site wide infrastructure is required to serve more than one part of the site the masterplan area, which includes the site: (a) Primary Road Infrastructure; (b) Rail Tunnels; (c) Primary School sites; (d) Secondary School site; (e) Water Treatment (on site solution); (f) GP's surgery site; (g) Sports Fields & Changing Pavilion; (h) Community Halls (i) Heat network Those parts of the site wide infrastructure provision in control of the developer/landowner shall be provided to an agreed programme and agreed standard of construction. Once provided it shall be made available for the benefit of the whole NW site, subject to the payment of any reasonable connection charge that reflects the cost of providing such infrastructure. The Developer/Landowner will be required to sign up to the Framework Agreement which will secure the delivery of the site wide infrastructure. The Framework Agreement will set out a mechanism for determining the total cost of the site wide infrastructure and the apportionment of the costs to individual sites as they are brought forward for development. The costs and apportionment will be determined on a fair and equitable basis. Development will be restricted on an individual site unless and until the contribution towards the site wide infrastructure (apportioned for each individual site) has first been paid. Portfolio Property Partners Ltd will use reasonable endeavours to secure the co-	

	ordinated and effective delivery of the site wide infrastructure. Appropriate security provisions will be required in relation to the delivery of the site wide infrastructure. Development will be restricted as set out in the attached committee report until the rail tunnel has been constructed to an agreed standard, such restriction is in accordance with the advice of the Highway Authority, to ensure that the Howes Lane/Bucknell Road junction continues to function without severe impact.	
3	Comprehensive Development	
	As each site comes forward the Councils will seek agreement with each landowner/developer to enter into the framework agreement	

Application Phase S106

1	Affordable Housing	
	Provide 30% affordable housing in accordance with an agreed phasing and mix. Affordable housing to be provided by a Registered Provider. Affordable Housing scheme to be submitted and approved prior to submission of first residential reserved matter submission identifying the distribution of the affordable housing. Affordable housing to be delivered in clusters of no more than 15 affordable housing units unless agreed. Nomination agreement	
2	GP Surgery	
	Provide financial contribution to the provision of a new GP Surgery or such other interim measure as may be required.	
3	Thames Valley Police	
	Provide financial contribution to neighbourhood policing	
4	Community Hall & Sports Pavilion	
	Financial Contributions towards build cost of hall and sports pavilion south of the railway line along with other applicants south of the railway line or such other interim measure (in respect to the sports pavilion only) as may be required. Contribution towards visitor centre within community hall to the north of the railway line	
5	Community Development Worker	
	Financial contribution for the provision of a community development worker(s) to deliver the creation of the new community during the build out of the site.	
6	Community Development Fund	
	Financial contribution to deliver community development	
7	Employment and Training	
	Provide employment and training action plan to include measures to ensure opportunities for local labour and businesses through the development, measures to support home working and to work with the local job club to advertise jobs created through construction on the site. Delivery of specified number of construction (and related trades) apprenticeships in accordance with the number of opportunities identified through the CITB, through the	

	Bicester ATA or other agreed provider.	
8	Primary School	
	2.22ha of land at nil cost and provide school or financial contribution sufficient to provide a 1FE Primary School and funding to provide extra accommodation corresponding to the pupil generation (up to a 2 FE School). Timing to be agreed.	
9	Secondary School	
	Financial contribution towards the provision of secondary schools or such other interim measure as may be required.	
10	SEN	
	Provide contribution for the provision of SEN places	
11	Library	
	Contributions to the new Bicester library plus contribution towards core book stock.	
12	Permanent Sport Pitches	
	Provide land to accommodate the required sports pitches south of the railway line and make a proportionate contribution towards the capital and revenue costs of the pitches.	
13	Public Open Space	
	Layout or fund the laying out of the public open space and transfer it to CDC in accordance with an agreed plan and phasing. Provide a commuted sum for maintenance	
14	Other Amenity space	
	Maintenance sums towards woodland, hedges, swales, orchards and paths	
15	Allotments	
	Layout or fund the laying out of the allotments and transfer them to CDC in accordance with an agreed plan and phasing.	
16	Play Areas	
	Layout or fund the laying out of the NEAPs and LEAPS and transfer to CDC in accordance with an agreed plan and phasing. Provide commuted sum for maintenance. Provide local areas of play within the residential parcels so every dwelling is within 400m of play provision. Make provision for secure long term ownership and management.	
17	Indoor Sport	
	Provide funding for the expansion of the Bicester Sports Centre	
18	Green Space that could be used for a Burial Ground	
	Provide contribution to the provision of a burial ground	
19	Bio Diversity Off Sett	
	Provide funding for off site bio diversity mitigation, to be used for off setting grant scheme or land purchase for bio diversity.	
20	Cultural & Wellbeing Strategy	
	Provide a cultural and wellbeing strategy and action plan for delivery across the site	
21	Local Management Organisation	
	Work with CDC to establish the LMO Provide funding for the establishment of the LMO and its activities	
22	Waste Collection & Recycling	
	Provide an action plan to deliver waste reduction Provide funding for the provision of domestic bins for waste and recycling Provide funding for the provision of bring bank sites	
23	Strategic Waste Management	
	Provide a financial contribution towards strategic waste management	

24	Bus Provision	
	Provide funding for the provision of the bus service to serve the site in accordance with agreed phasing	
25	Bus Access Scheme	
	Provide or provide funding for the improvement of Bucknell Road and Field Street to facilitate bus access	
26	Off Site Cycle Way Improvements	
	Provide a contribution towards the following improvements; - Off-site cycleway along Middleton Stoney Road between Howes Lane and Oxford Road. - Off-site improvements to cycle route between Bucknell Road, George Street and Queens Avenue - Off site cycleway and traffic calming scheme on Shakespeare Drive	
27	Field Path Improvements	
	Fund improvements to Bridleway Bicester 9 and Bucknell 4	
28	Highway Works	
	Contribution to Banbury Road B4100 roundabout improvement Highway works to create vehicular access off Middleton Stoney Road Provision of footway/ cycle links to allow sustainable transport options in advance of surrounding development.	
29	Village Traffic Calming	
	Contribution to funding village traffic calming	
30	Travel Plan	
	Provide and agree a travel plan Provide funding for travel plan monitoring	
31	Monitoring	
	Provide scheme of monitoring eco town standards	
32	Bond/Guarantee	
	Provide bond or guarantee for the delivery of the infrastructure	
33	Monitoring fees	
	Provide a fee for monitoring of legal agreements	
34	Drainage	
	SUDs to be provided on site	
35	On site internal roads/ streets	
	Commuted sums for road adoption will be applicable Agreement to secure internal roads and vehicular, bus only and pedestrian/cycle linkages to adjacent Northwest Bicester sites.	
36	On-site sustainable transport initiatives	
	Travel Plan co-ordinator Electric Vehicle charging points Car club	
37	Zero Carbon	