

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 12 April 2018 at 4.00 pm

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

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor Chris Heath
Councillor Simon Holland
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards

Substitute Members: Councillor Maurice Billington
Councillor Barry Wood

Apologies for absence: Councillor Alastair Milne-Home
Councillor Nigel Simpson
Councillor Les Sibley

Officers: Bob Duxbury, Joint Majors Manager
James Kirkham, Principal Planning Officer
Stuart Howden, Principal Planning Officer
Bob Neville, Senior Planning Officer
Nat Stock, Minors Team Leader
Amy Jones, Trainee Solicitor
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

7. Fringford Cottage, Main Street, Fringford, Bicester, OX27 8DP.

Councillor Alan MacKenzie-Wintle, Declaration, as his Business partner is a friend of the applicant.

9. Yarnton Nurseries, Sandy Lane, Yarnton, Kidlington, OX5 1PA.

Councillor Maurice Billington, Declaration, as the applicants had given him a prize for his charity dinner.

12. Park Farm Agricultural Barn, New Street, Deddington.

Councillor James Macnamara, Declaration, as he had received emails from the architect who has also carried out work on his property.

Councillor Mike Kerford-Byrnes, Declaration, as he had made an independent visit to the application site.

13. Park Farm Agricultural Barn, New Street, Deddington.

Councillor James Macnamara, Declaration, as he had received emails from the architect who has also carried out work on his property.

Councillor Mike Kerford-Byrnes, Declaration, as he had made an independent visit to the application site.

14. Unit 5, Chalker Way, Banbury, OX16 4XD.

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

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

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

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

15. Land to the rear of The Methodist Church, The Fairway, Banbury.

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

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

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

Councillor Colin Clarke, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as a member of Executive and would leave the chamber for the duration of the item

Councillor D M Pickford, Declaration, as a member of the Executive and therefore would leave the chamber for the duration of the item.

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

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

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

Councillor Richard Mould, Declaration, as a member of the Executive and therefore would leave the chamber for the duration of the item.

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

180 **Requests to Address the Meeting**

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

181 **Urgent Business**

There were no items of urgent business.

182 **Minutes**

The Minutes of the meeting held on 15 March 2018 were agreed as a correct record and signed by the Chairman.

183 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.
2. The Chairman advised that he had agreed to amend the running order of the meeting to enable an number of councillors to attend further council meetings that evening.

184 **Fringford Cottage, Main Street, Fringford, Bicester, OX27 8DP**

The Committee considered application 18/00249/OUT for a residential development of up to 10 dwellings at Fringford Cottage, Main Street, Fringford, Bicester, OX27 8DP for Mr Stuart Wright.

Ginny Hope, a neighbour to the application site and David McCullagh addressed the committee in objection to the application.

Sinead Turnball, agent for the applicant, addressed the committee in support of the application.

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

Resolved

That application 18/00249/OUT be refused for the following reasons:

1. The development proposed, by reason of its scale and relative sustainability of Fringford, and taking into account Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development that which would undermine the housing strategy in the Cherwell Local Plan Part 1 which seeks to distribute new housing to the most sustainable locations having regard to such matters as public services and facilities, transport and employment. Consequently the proposal is unacceptable in principle and contrary to Policies ESD1, Villages 1 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the adjacent listed buildings and the harm stemming from the proposals are not considered to be outweighed by any public benefits. 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.
3. The submitted Drainage Strategy is inadequate and does not provide sufficient information to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems has been explored for the site. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan and advice in the Written Ministerial Statement on Sustainable Drainage Systems (Dec 2014).
4. The development proposed, by virtue of the proposed access roads close proximity to Bakery Cottage and the likely level of vehicle movements, is considered to detrimentally impact on the amenity of Bakery Cottage in terms of noise and disturbance. The proposal would therefore be contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and advice in the National Planning Policy Framework.
5. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required 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, BSC10 and BSC11 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

185

The Nursery Furtherafield, Evenley Road, Mixbury, Brackley, NN13 5YR

The Committee considered application 17/02429/F for the erection of glasshouses at The Nursery Furtherafield, Evenley Road, Mixbury, Brackley, NN13 5YR for Absolute Taste Limited.

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

Resolved

That application 17/02429/F be approved, subject to:

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, drawing numbers V17-152-SLP02 A, V17-152-P01 Rev A, V17-152-P02, V17-152-P03 Rev A
3. Prior to the commencement of the development hereby approved, a detailed scheme for the surface water drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the first use of the building hereby permitted the approved surface water drainage scheme shall be carried out in accordance with the approved details.
4. Prior to the first use 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 details of new landscaping to the boundaries of the site and 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
 - c) A management and maintenance scheme for the establishing the landscaping. Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the first use 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.
6. Unless otherwise agreed in writing by the local planning authority, any lighting on the inside or outside of the glasshouses hereby permitted shall only operate between the hours of 0800 and 1800.

186 **Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00098/F for the conversion of an existing barn and associated out-building/stables to residential use, raise the roof of out-building/stables by 860mm and a new single storey extension to rear with living roof at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

Councillor Kerford-Brynes proposed that consideration of application 18/00098/F be deferred to allow a formal site visit. Councillor Billington seconded the proposal.

Resolved

That consideration of application 18/00098/F be deferred to allow a formal site visit.

187 **Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00099/LB for the conversion of an existing barn and associated out-building/stables to residential use, raise the roof of out-building/stables by 860mm and a new single storey extension to the rear with a living roof at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

Councillor Kerford-Byrnes proposed that consideration of application 18/00099/LB be deferred to allow a formal site visit. Councillor Billington seconded the proposal.

Resolved

That consideration of application 18/00099/LB be deferred to allow a formal site visit

Unit 5, Chalker Way, Banbury, OX16 4XD

The Committee considered application 18/00108/F for full planning permission for 30,007.5 sqm of logistics floor space, within Class B8 of the Town and Country Planning Use Classes Order 1987, including ancillary Class B1 (a) Offices (929 sqm), service yard and access to Chalker Way at Unit 5, Chalker Way, Banbury, OX16 4XD for DB Symmetry Ltd.

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

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

Resolved

That application 18/00108/F be approved, subject to:

- (i) authority delegated to the Interim Director Planning and Regeneration to issue the consent upon the provision of an appropriate legal undertaking.
- (ii) 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:
 - Site location plan(dwg. No. 6235-001)
 - Site layout plan (dwg no 6235-002)
 - Proposed elevations (dwg no 6235-004)
 - Site layout plan external finishes (dwg no 6235-003)
 - Proposed context elevation (dwg no 6235-006)
 - Design and access statement (Dec 2011) and addendum document (April 2012)
 - Architectural design statement (prepared AJA)
 - Landscape and Visual Assessment addendum (prepared by Aspect dated Dec2017, re 6421.LVIA Addendum 004)
 - Transport Assessment Technical Note (ref C07009C)
 - Flood Risk Assessment Technical Note (ref C07009C)
 3. The drainage strategy for the site shall be in general accordance with the FRA prepared by Peter Brett Associates dated Dec 2011 and the details approved by the Council under application ref.no. 16/00354/DISC on 6 October 2016 and all works shall be complete prior to the occupation of the building
 4. The flood storage area and associated landscaping, ground re-profiling, and ecological enhancement shall be undertaken in accordance with the details approved by the Council under application

16/00167/DISC on 27 June 2016 ,and planting plans dwg no 4995/ASPOO1-11Rev C/D referred to in Frampton's letter dated 17 January 2018 with respect to conditions 3 and 8 of the Outline Planning permission 14/00180/OUT, and all relevant works shall be complete prior to the occupation of the building

5. The strategy for the translocation of reptiles, including the identification of receptor sites, the management scheme, landscaping and the arrangements for implementation. shall be undertaken in accordance with the 'Revised Reptile Mitigation Method Statement (Phase 2 Development) (February 2016 - Ref EDP1419_07f)' approved under application 15/00512/DISC on 29 February 2016
6. The development shall be implemented in accordance with the land contamination strategy set out in the Land Contamination Report, in accordance with the 'Desk Study and Ground Investigation at Overthorpe Road, Banbury - Combined Report (Hydrock Ref: R/11237/003 - March 2013)' submitted in application reference no 15/00062/DISC approved on 23 January 2017
7. The development shall be undertaken in accordance with the Archaeological Written Scheme of Investigation, in accordance with the documents titled "Project specification for an archaeological excavation and recording action" - 8th January 2016 (revised 25/5/16) ORB16-150exc; and "Spital Farm, Overthorpe Road, Banbury, Oxfordshire - An Archaeological Evaluation for Kennet Properties" - SFB04-60 (October 2008) submitted in application reference no 15/00062/DISC and approved by the Council on 23 January 2017
8. Landscape management and tree planting shall be undertaken in accordance with the Landscape Management Plan Ref No 4995.LMP.005.VF(March 2016) submitted as part of application 16/00167/DISC approved by the Council on 27 June 2016
9. No development shall commence until an up to date (no more than one year old) badger, otter, bat roost and reptile survey has been submitted to and approved in writing by the Local Planning Authority. The survey reports shall include full details of the precautionary, mitigation, translocation, and compensation measures that are required to be implemented as a result of the findings.
10. Construction Traffic Management shall be undertaken in accordance with the Construction Traffic Management Plan (CTMP) for Phase 2 of the development, including full details of wheel washing facilities, a restriction on construction and delivery traffic during construction and a route to the development site. In accordance with the 'Central M40 (Units 5, 6, 7 and 8) Construction Traffic Management Plan (dated February 2016)' submitted under application ref no 15/00512/DISC and approved by the Council on 29 February 2016.
11. The development hereby approved shall be the subject of the Travel Plan for Phase 2 of the development, in accordance with the 'Travel Plan - Units 5, 6, 7 and 8 (March 2016)' document submitted under

application ref.no. 16/00131/DISC and approved by the Council on 29 April 2016.

12. The existing public footpath on the site shall be protected and fenced as set out in the covering letter from Frampton's dated 5th August 2014 and the Heras Fencing details submitted in respect of S/2011/1620/MAO and received 04 February 2014 as submitted under application ref no 14/00035/DISC and approved by the Council on 9 December 2014.
13. The building hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' rating based on the relevant BREEAM standard for that building type applicable at the time of the decision.
14. The new public footpath to be provided shall be built in accordance with e details submitted under ref no 14/00259/DISC and approved by the Council on 16 October 2014
15. The proposed means of access shall be provided prior to the first occupation of the building hereby approved in accordance with the details submitted under application ref no 15/00178/DISC and approved by the Council on 3 August 2015
16. The ecological enhancement measures relevant to this site proposed in submitted in application ref.no.16/00505/DISC and approved by the Council on 21 November 2016 shall be implemented prior to its first occupation
17. No external lighting shall be installed until details of all external lighting, security lighting and floodlighting including the design, position, orientation and any screening of the lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.
18. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with the approved drawings. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.
19. The existing areas shown for parking, turning and/or loading and unloading on the approved plan(s) shall be permanently set aside and reserved for that purpose unless otherwise agreed in writing by the Local Planning Authority.

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

The Committee considered application 18/00081/DISC for the discharge of condition 5 (landscaping) of the previously approved application

16/00313/CDC at Land to the rear of The Methodist Church, The Fairway, Banbury for Cherwell District Council.

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 5 of planning permission 16/00313/CDC are acceptable, and as such that the said conditions be discharged.

190

British Waterways Site, Langford Lane, Kidlington

The Committee considered application 17/01556/F for the redevelopment of a site comprising the erection of 10 residential dwellings (Use Class C3); formation of new boaters car park; conversion of existing outbuildings to form ancillary accommodation to residential properties, new ELSAN facilities for boaters and storage for boaters and the demolition of outbuildings and structures associated with the CEMEX operations as identified on the plans; together with two new vehicular accesses and associated landscaping and parking at British Waterways Site, Langford Lane, Kidlington for H2O Urban & Canal & River Trust.

Adrian Cudmore and Alexander Gullis addressed the committee in objection to the application.

Philip Smith, the agent for the applicant, addressed the committee in support to the application.

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

Resolved

That application 17/01556/F be approved, subject to:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - Application form submitted with the application;
 - Planning Statement submitted with the application;
 - Heritage Appraisal by Canal & Rivers Trust dated July 2017 submitted with the application;
 - Heritage Impact Assessment and Justification Statement submitted with the application;
 - Transport Report by H2O Urban submitted with the application;

- Drawing Number 22074-STL-P_001 submitted with the application;
 - Drawing Numbers: 22074-STL-P_005 Revision B; 22074-STL-P_006 Revision A; 22074-STL-P_010 Revision A; 22074-STL-P_011 Revision A; 22074-STL-P_020 Revision A; 22074-STL-P_021 Revision A; 22074-STL-P_022 Revision A; 22074-STL-P_023 Revision A; 22074-STL-P_030 Revision A; 22074-STL-P_035 Revision A; 22074-STL-P_040 Revision A; 22074-STL-P_041 Revision A; 22074-STL-XX-XX-DR-L-ZZZZ-09001 Revision PL04; 22074-STL-XX-XX-DR-L-ZZZZ-09401 Revision PL04; 22074-STL-XX-XX-DR-L-ZZZZ-09402 Revision PL04; 22074-STL-XX-XX-DR-L-ZZZZ-09403 Revision PL04; and 22074-stl-XX-XX-SP-L-4080-SP002 Revision PL04 received from the applicant's agent by e-mail on 7th November 2017; and
 - Design and Access Statement by Stride Treglown dated July 2017 received from the applicant's agent by e-mail on 7th November 2017.
3. Prior to the commencement of the development hereby approved above slab level, samples of the materials to be used in the construction of the external walls, roofs and outbuildings (including brick sample panels for the dwellings, to demonstrate brick type, colour, texture, face bond and pointing), shall be submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 4. Prior to the commencement of the development hereby approved above slab level, full details of the doors, windows and rooflights 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. Thereafter the doors, windows and rooflights shall be installed within the building in accordance with the approved details.
 5. Prior to the demolition of the British Waterways Building adjoining the south east boundary wall of the site, a method statement for the demolition of the British Waterways building shall be submitted to and approved in writing by the local planning authority. The method statement shall include details of how the boundary wall is to be retained. The development shall be carried out in accordance with the approved details.
 6. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway and the parking and manoeuvring areas (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.
 7. A surface water drainage scheme for the site will need to be submitted with a planning application. This will be based on sustainable drainage principles and an assessment of the hydrological and hydro-

geological context of the development. The scheme shall subsequently be implemented in accordance with the approved details prior to the first occupation of the development, or such other timetable as has been submitted to and agreed in writing by the Local Planning Authority.

8. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
9. Notwithstanding the pedestrian access shown in plan 22074-STL-XX-XX-DR-L-ZZZZ-09001 Revision PL04 received from the applicant's agent on , full details of the path to Langford Lane shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved plan.
10. Prior to the first occupation of the development hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter and upon occupation the first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.
11. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and 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.
12. Prior to the commencement of the development hereby approved, and notwithstanding the soft landscaping details within Drawing Numbers: 22074-STL-XX-XX-SP-L-4080-SP001-Outline Soft Landscape Specification Revision PL04 dated 26th October 2017 and 2074-STL-XX-XX-DR-L-ZZZZ-09140 Revision PL04 received from the applicant's agent by e-mail on 7th November 2017, a soft 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,

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

13. 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.
14. Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas, other than for privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.
15. Prior to the commencement of the development hereby approved, a plan showing full details of the existing and proposed site levels, including a cross section of the swale 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.
16. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.
17. Prior to the commencement of development hereby approved above slab level, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting scheme shall be carried out in accordance with the approved details.
18. If the demolition of the buildings hereby approved does not commence by June 31st 2018. A revised bat survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on bats. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

19. Prior to the commencement of the development hereby approved, full details of a scheme for the location of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any building, the bat and bird boxes shall be installed on the site in accordance with the approved details.
20. 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.
21. If contamination is found by undertaking the work carried out under condition 20, 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.
22. If remedial works have been identified in condition 21, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 21. 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.
23. Piling or any other foundation designs using penetrative methods 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. The development shall be carried out in accordance with the approved details.
24. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

25. 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 on the site without the prior express planning consent of the Local Planning Authority.

191

Yarnton Nurseries, Sandy Lane, Yarnton, Kidlington, OX5 1PA

The Committee considered application 17/02207/F for the replacement of existing staff buildings and polytunnel on the south western corner of the main garden centre building by a new single storey building to provide staff facilities (toilets/canteen/meeting rooms), new concession space/cafe/customer toilets/outdoor space; replacement of existing polytunnel at north of main garden centre building by a new single storey building; replacement of existing toilet block on south eastern corner of main garden centre building by a new single storey building to provide additional retail space; single storey extension of existing customer toilet block in the external central area of the main garden centre building at Yarnton Nurseries, Sandy Lane, Yarnton, Kidlington, OX5 1PA for Yarnton Nurseries LLP.

Robert Marley, the applicant, addressed the committee in support of the application.

Councillor Pickford proposed that application 17/02207/F be approved, subject to conditions to be delegated to officers. Councillor MacKenzie-Wintle seconded the proposal.

Resolved

That application 17/02207/F be approved, subject to:

1. 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:
 - o Application form submitted with the application;
 - o Design and Access Statement
 - o Drawing numbers 303/100 Rev 0, 303/101 Rev 2, 303/102 Rev 3, 303/103 Rev 0, 303/105 Rev 11, 303/106 Rev 12, 303/107 Rev 1, 303/109 Rev 1, 303/110 Rev 5, 303/111, Rev 6, 303/113 Rev 2, 303/114 Rev 1, 303/131 Rev 3, 303/132 Rev 2, 303/133 Rev 0, 303/134 Rev 0, 303/135 Rev 1, 303/137 Rev 0, 303/138 Rev 0 and 303/146 Rev 2.
2. Prior to the first use of the buildings hereby permitted the biodiversity enhancements as outlined in section 6 (page 18) of Ecologybydesign November 2017 (Project Code) shall be undertaken in full.

3. The materials to be used for the external walls and roof of the extensions hereby approved shall match in terms of colour, type and texture of those used on the existing adjoining building.

192

The Cabin, Willowbrook Farm, Hampton Gay, Kidlington, OX5 2QQ

The Committee considered application 17/02430/F, a retrospective application for the continued siting of a temporary agricultural dwelling as a permanent agricultural dwelling for the principal farm worker at The Cabin, Willowbrook Farm, Hampton Gay, Kidlington, OX5 2QQ for Mr & Mrs Lutfi & Ruby Radwan.

Peter Treloar and Graham Dunn, addressed the committee in objection to the application.

Lutfi Radwan, 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 17/02430/F be approved, subject to the following conditions:

1. 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: Site Plan, Supporting Statement dated December 2017,
2. The dwelling hereby approved shall be,
 - (a) occupied only by a person solely or mainly employed, or last solely or mainly employed, in connection with agriculture (as defined in Section 336(1) of the Town and Country Planning Act 1990) at Willowbrook Farm, Hampton Gay, Kidlington including any dependants of such a person residing with him or her or a widow or widower of such a person; and
 - (b) used solely as ancillary accommodation to the existing dwellinghouse, currently known as Willowbrook Farm, Hampton Gay, Kidlington, and as such shall not be sold, leased, let, sub-let or used as an independent dwelling unit.
3. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the grant of further specific planning permission from the Local Planning Authority.

4. Within three months of the date of this permission, full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, and such means of enclosure shall be erected fully in accordance with the approved details and no later than three months following the date of that approval in writing.

193

Appeals Progress Report

The Interim Director of Planning and Regeneration 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 7.16 pm

Chairman:

Date: