

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House,  
Bodicote, Banbury, OX15 4AA, on 21 June 2018 at 4.00 pm

Present: Councillor David Hughes (Chairman)

Councillor Andrew Beere  
Councillor Phil Chapman  
Councillor Colin Clarke  
Councillor Ian Corkin  
Councillor Surinder Dhesi  
Councillor Chris Heath  
Councillor Simon Holland  
Councillor Mike Kerford-Byrnes  
Councillor Richard Mould  
Councillor Cassi Perry  
Councillor D M Pickford  
Councillor Les Sibley

Substitute Members: Councillor Douglas Webb (In place of Councillor G A Reynolds)  
Councillor Barry Wood (In place of Councillor Lynn Pratt)

Apologies for absence: Councillor James Macnamara  
Councillor Maurice Billington  
Councillor Alan MacKenzie-Wintle  
Councillor Lynn Pratt  
Councillor G A Reynolds

Officers: Paul Seckington, Senior Manager Development Management  
Jim Newton, Assistant Director: Planning Policy and Development  
Nigel Bell, Interim Legal Services Manager / Deputy Monitoring Officer  
Aaron Hetherington, Democratic and Elections Officer

### **Declarations of Interest**

#### **7. Part OS Parcels 4200 And 1300 Land Between New Banbury Daventry Road And M40, Street From Banbury To Williamscot, Banbury.**

Councillor Andrew Beere, 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.

**11. OS Parcel 3900 Adjoining Foxhill And West Of Southam Road, Banbury.**

Councillor Andrew Beere, 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.

**14. The Hill, Dover Avenue, Banbury, OX16 0JE.**

Councillor Andrew Beere, 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 would leave the chamber for the duration of the item.

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

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

Councillor Ian Corkin, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Richard Mould, Declaration, as a member of the Executive and 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.

**15. Land Adjacent To 1 Creampot Crescent, Cropredy.**

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

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

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

Councillor Ian Corkin, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

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

**16. Eco Business Centre, Charlotte Avenue, Bicester, OX27 8BL.**

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

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

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

Councillor Ian Corkin, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

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

19      **Requests to Address the Meeting**

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

20      **Urgent Business**

There were no items of urgent business.

21      **Minutes**

The Minutes of the meeting held on 24 May 2018 were agreed as a correct record and signed by the Chairman.

22      **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.

23      **Part OS Parcels 4200 And 1300 Land Between New Banbury Daventry Road And M40, Street From Banbury To Williamscot, Banbury**

The Committee considered application 17/01044/F for the development of land to the north east of Junction 11 of the M40 Banbury, to provide a 22,150sqm industrial building (Class B8); two office buildings of 3716sqm

each (Class B1); Motorway Services Area with amenity building, Petrol Filling Station (with canopy, fuel pump islands, ancillary convenience store and food to go outlet) and HGV Parking; creation of a new vehicular accesses off the A361 together with associated alterations to the highway; parking and circulation; landscaping, drainage and associated works at Part OS Parcels 4200 And 1300 Land Between New Banbury Daventry Road And M40 Street From Banbury To Williamscot, Banbury for Monte Blackburn.

Launa Fyfe, a local resident, addressed the committee in objection to the application.

Tom Jeremiah, the applicant's agent, addressed the committee in support of the application.

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

### **Resolved**

That application 17/01044/F be refused for the following reasons:

1. In the absence of a compelling and overriding demonstrable need for a motorway services area on the site, the proposed development would result in the loss of a substantial part of a strategically allocated employment site to an unnecessary alternative and less efficient employment generating use that would jeopardise the long term ability to deliver a sufficient amount and variety of Class B1/B2/B8 development on the site and therefore the jobs needed to support the local economy and support planned housing growth. The proposals are therefore contrary to the requirements of Policies SLE1 and Banbury 15 of the Cherwell Local Plan 2011-2031 Part 1 as well as Policy TR8 of the Cherwell Local Plan 1996 together with Government guidance set out in the National Planning Policy Framework.
2. Having regard to the cramped nature of the motorway services facility, the disjointed layout of development throughout the site, the poor integration between the motorway services area and the main employment development, the large architecturally bland buildings, the inappropriate and incoherent siting of buildings and general layout to the development, lack of adequate integration of existing trees and hedgerows together with new soft landscaping as well as the poorly defined and unsightly appearance of development as experienced at the entrances to the site as well as from the A361, the proposals result in a congested, poorly designed and illegible form of development that fails to demonstrate a suitably high quality and holistic approach to creating a new commercial district at the rural edge of Banbury as required by Policies Banbury 15 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy C28 of the Cherwell Local Plan 1996 as well as Government guidance set out in the National Planning Policy Framework.
3. As a result of the poorly designed internal road and parking layout as well as cramped structure to the proposed motorway services area

having regard in particular to the inappropriate siting of and access to the petrol filling station, awkward positioning and unsuitable arrangements of the lorry, coach and caravan parking as well as the absence of clearly defined and safe walking routes for pedestrians to and from the service building, the motorway services area would constitute a congested and potentially unsafe facility that would be illegible to its various users creating numerous conflicts between them. As a result the proposed motorway services area would not function effectively and the quality of the environment within the site is likely to be very poor which in turn is likely to lead to congestion entering the motorway services area and consequently traffic backing up onto the A361 and the M40 J11 roundabout at peak times to the detriment of users of the highway network. In this respect the proposals are therefore contrary to the requirements of Policies ESD15 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance set out in the National Planning Policy Framework.

4. The planning application has not been supported by robust assumptions and modelling within the Transport Assessment leading to what is likely to be an under-projection of traffic generation and therefore under estimate of impacts on congestion, queuing and safety on existing roads and junctions. Notwithstanding these significant concerns and taking the Transport Assessment at face value, it is considered that even with the mitigation measures proposed the development would cumulatively give rise to severe congestion at junctions on the M40 J11 roundabout causing significant additional disruption to traffic flows on the highway network as well as consequent safety hazards where queuing cannot be adequately accommodate within the highway. To compound matters, there is significant concern about the potential to deliver a number of the highway mitigation schemes that are proposed by the applicant which involve significant off-site works that both the local highway authority and Highways England have not specifically agreed to and which if not implemented would lead to even greater congestion and safety risks on the road network. The development would therefore have unacceptable impacts on traffic congestion, highway safety, the amenity of road users as well as the local and wider economy particularly given that this would affect the principal vehicular entry into Banbury. In this respect the proposals are contrary to the requirements of Policy TR8 of the Cherwell Local Plan 1996 as well as Policies Banbury 15 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained in the National Planning Policy Framework.
5. Both the proposed primary roundabout access and secondary priority junction have not been demonstrated to be safe and suitable for all road users due to the inadequate visibility splays for the road speeds as well as the lack of adequate assessment of their capacity given their expected use by a significant number of Heavy Goods Vehicles. The proposed development could therefore adversely affect the safety of users of the highway as well as contribute towards additional congestion on the highway network due to the potential inadequate capacity of the accesses proposed. In this respect the proposals are considered to be contrary to the requirements of Policies SLE4 and

Banbury 15 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.

6. Having regard to the scale and siting of the proposed warehouse building, the prominent siting of the proposed petrol station and motorway services building, the loss of a significant amount of existing boundary vegetation as part of highway works and the 24 hour nature and high intensity of use of a motorway services area, the development would be highly visible from within the surrounding landscape including from numerous public vantage points and would have a substantial adverse effect on local landscape character both in the daytime and night time which does not represent a well-designed approach to the urban edge that sensitively transitions to the countryside contrary to the requirements of Policies Banbury 15, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance set out in the National Planning Policy Framework and the Planning Practice Guidance.
7. The proposals are considered to result in a net loss of ecological habitat due to the quantity and value of habitat lost both on the application site as well as through associated off-site highway works that are not shown to be adequately mitigated or outweighed by creation of new habitat as part of the development. The proposed development would therefore fail to preserve and enhance biodiversity contrary to the requirements of Policies Banbury 15 and ESD10 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance set out in the National Planning Policy Framework.
8. The planning application has not been accompanied by an Energy Statement to demonstrate whether the buildings proposed within the development are of an energy efficient design and construction in order to minimise carbon emissions and meet BREEAM 'very good' standard and neither is there any proposal (or a robust justification otherwise) for a failure to include provision for significant on-site renewable energy generation or the utilisation of District Heating or Combined Heat and Power. In the absence of these details it must be concluded that the proposals fail to take the opportunities available to deliver sustainable new development contrary to the requirements of Policies Banbury 15, ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1.
9. The proposed development would result in increases over and above an existing exceedance of national mean air quality objectives for nitrogen dioxide for residential receptors in Hennef Way within Cherwell District Council's Air Quality Management Area No.1. In the absence of adequate measures to ensure that this increase is satisfactorily mitigated through additional, specific, enforceable and deliverable measures that could be secured as part of the development then it must be concluded that the proposed development would be at odds with both local and national air quality objectives contrary to the requirements of Policy BSC8 of the Cherwell Local Plan 2011-2031 Part 1 and Policy ENV1 of the Cherwell Local Plan 1996 as well as

Government guidance contained in the National Planning Policy Framework.

10. In the absence of the completion of a satisfactory planning obligation, the development cannot adequately secure enhanced bus service provision, off-site pedestrian improvements to promote sustainable access nor mitigate any of its identified severe adverse impacts on the local highway network such that the development would give rise to further severe cumulative congestion beyond that already expected on surrounding roads as well as increased risks to highway safety contrary to the requirements of Policies SLE4 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.

24 **Motor Fuel Ltd, Bloxham Service Station, South Newington Road, Bloxham, Banbury, OX15 4QF**

The Committee considered application 18/00814/ADV for 1 x PID internally illuminated, 2 x Banners and 5 x free standing display – Part Retrospective at Motor Fuel Ltd, Bloxham Service Station, South Newington Road, Bloxham, Banbury, OX15 4QF for Motor Fuel Group.

Amanda Baxter, neighbour to the application site, addressed the committee in objection to the application.

Councillor Heath proposed that application 18/00814/ADV be refused as it was contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework and that the totem advertisement, by reason of its height, prominent siting and illumination would result in harm being caused to the amenities of the occupiers. Councillor Clarke seconded the proposal.

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

**Resolved**

That application 18/00814/ADV be refused for the following reasons:

1. The totem advertisement, by reason of its height, prominent siting and illumination, and the freestanding signs by reason of their prominent location and size would have a negative impact on the visual amenity of the area and the street scene and would cause less than substantial harm to the setting of the nearby Grade II listed building, 'Killowen House', and the Bloxham Conservation Area. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

2. The totem advertisement, by reason of its height, prominent siting and illumination would result in harm being caused to the amenities of the occupiers of Killowen House and 1 Hartshill Close. It is therefore contrary to Policy ENV1 of the Cherwell Local Plan 1996, Policy BL9 of the Bloxham Neighbourhood Plan 2015 - 2031 and Government guidance contained within the National Planning Policy Framework.
3. The proposed free-standing signs to the front of the site, by reason of their height and siting in close proximity to the highway, would affect the visibility splays when egressing the site, which would present a risk to highway users. The development would therefore be contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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### **Chequer Tree Farm, Ells Lane, Bloxham, OX15 5EE**

The Committee considered application 18/00594/F for the conversion of an Office/Mess Room and Store (Former Stable) into Essential Agricultural Worker's Dwelling at Chequer Tree Farm, Ells Lane, Bloxham, OX15 5EE for Clement Wyatt Gardens Limited.

Duncan Chadwick, the applicant's agent, John Wyatt, the applicant and Geoff Mollard, a local resident, addressed the committee in support of the application.

Councillor Heath proposed that application 18/00594/F be refused in accordance with the officer recommendation. Councillor Clarke seconded the proposal. The motion was duly voted on and subsequently fell.

Councillor Webb proposed that application 18/00594/F be approved, subject to conditions with the exact wording delegated to officers. Councillor Pickford seconded the proposal.

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

### **Resolved**

That application 18/00594/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 application form and the following plans and documents: Planning Design and Access Statement (dated April 2018), Essential Needs Assessment (dated April 2018) and drawings numbered: CWG001-003, CWG001-004, 02A Proposals and 03 Site Plan.



- 3 Prior to the first occupation of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- 4 The dwelling shall be occupied only by a person solely or mainly employed at the horticultural nursery, operating on the land edged in red and blue shown on approved plan CWG001-003, including any dependants of such a person residing with him or her.

26 **Taylor Livock Cowan, Suite F, Kidlington Centre, High Street, Kidlington, OX5 2DL**

The Committee considered application 18/00587/F for the erection of ten residential flats with associated under croft car parking, cycle storage and bin storage Taylor Livock Cowan, Suite F, Kidlington Centre, High Street, Kidlington, OX5 2DL for Eames London Estates Ltd C/o Taylor Livock Cowan.

Councillor Alaric Rose, addressed the committee as Ward member.

Jennifer Byrne, agent for the applicant, addressed the committee in support to the application.

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

**Resolved**

That authority be delegated to the Assistant Director of Planning Policy and Development to grant permission for application 18/00587/F, subject to:

- (a) the conditions set out at the end of this report (and any amendments to those conditions as deemed necessary) and;
- (b) the completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following;
  - Outdoor Sports facilities - 10 dwellings - £20,170.03
  - Off-site contribution towards the expansion and/or enhancement of existing indoor sports facilities within the vicinity of Kidlington - £8,349.47
  - Community Hall Facilities – off site contribution of £1,376.79
  - Public Art Provision – whilst no financial contribution is sought it

is recommended that features that contribute to the public realm such as signage, door furniture, security grills infilling the openings to the car park etc are introduced into the scheme.

- Contributions towards off-site informal LAP and open space
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: Design and Access Statement, Planning Statement, Transport Report and Drawing Nos. 1716 101 P3, 102 P2, 103 P2, 104 P1, 105 P1, 106 P3, 117 P2, 118 P1, 119 P2, 120 P1, 121 P2, 130, 131, 132 and 133.
  3. No development shall take place 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 (including details of who will be responsible for maintaining the SUDS & landowner details)
    - Sizing of features – attenuation volume
    - Infiltration tests to be undertaken in accordance with BRE365
    - Detailed drainage layout with pipe numbers (to include direction of flow)
    - SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
    - Network drainage calculations (to prove that the proposals will work)
    - Phasing plans
    - Flood Risk Assessment
  4. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.
  5. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved CTMP. The CTMP should include:
    - a. The CTMP must be appropriately titled, include the site and

- planning permission number.
  - b. Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
  - c. Details of and approval of any road closures needed during construction.
  - d. Details of and approval of any traffic management needed during construction.
  - e. Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
  - f. Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
  - g. The erection and maintenance of security hoarding / scaffolding if required.
  - h. A regime to inspect and maintain all signing, barriers etc.
  - i. Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
  - j. The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
  - k. No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
  - l. Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
  - m. A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
  - n. Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
  - o. Any temporary access arrangements to be agreed with and approved by Highways Depot.
  - p. Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
6. No development shall take place until full details of the refuse bin storage for the site, including compound enclosure details, has been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and thereafter be retained as such for the storage of refuse bins.
7. No development shall take place until a plan showing a car parking allocation for 8 spaces to be accommodated within the site to include layout, surface details, and drainage, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, and

prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

8. Prior to the commencement of the development above slab level, a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m<sup>2</sup> in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.
9. Prior to the commencement of the development above slab level, samples of the material to be used in the construction 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.
10. Prior to the commencement of the development above slab level, full details of the doors and windows 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 and windows shall be installed within the building 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.

## 27 **OS Parcel 3900 Adjoining Foxhill And West Of Southam Road, Banbury**

The Committee considered application 18/00273/OUT, an outline application for the development of up to 90 residential units (Use Class C3), Class A Uses, Class D1 Use and associated access, landscaping / open space, parking and related works at OS Parcel 3900 Adjoining Foxhill And West Of Southam Road, Banbury for Pandora Trading Limited And Sanctuary Affordable Housing Ltd.

Simon Hawley, the applicant's agent, addressed the committee in support of the application.

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

### **Resolved**

That authority be delegated to the Assistant Director of Planning Policy and Development to grant permission for application 18/00273/OUT, subject to:

- a) the completion of a satisfactory planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments to those as deemed necessary):

CDC Contributions

- LEAP on site, £108, 761.69 commuted sum; equipped LAP on site, £27, 501.52 commuted sum; 5, 154.3sqm public open space on site, £9.32/sqm commuted sum.
- On-site Green Infrastructure Maintenance Provision based on figures within the Developer Contributions SPD.
- Affordable Housing on site - 30% affordable housing provision, equating to 27 units.
- Off-site outdoor and indoor sports provision, and community hall facilities based on figures within the Developer Contributions SPD.
- On-site Water Feature Maintenance Provision based on figures within the Developer Contributions SPD.
- Waste Collections contributions (£106 per dwelling).

OCC Contributions

- On and off site transport improvements, including provision of highway infrastructure works and public transport links.
- Contributions towards a new primary school, which is due to open in 2020, based upon the amount under the previous application.
- Oxfordshire Clinical Commissioning Group
- £77,760 to support improvement of local primary care infrastructure.

- b) The following conditions (and any amendments to those conditions as deemed necessary);

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. That no development shall be commenced until full details of the access, layout, scale, appearance and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
2. That in the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
3. That the development to which this permission relates shall be begun not later than the expiration of 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.
4. Except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed with the Local Planning Authority, the development shall be carried out strictly in accordance with the following documents and drawings:

- Drawing Number 0101 (Site Location Plan) submitted with the application;
  - Drawing Number 19294-01-2 Revision A submitted with the application; and
  - Drawing Number 19294 -1 Revision A submitted with the application
5. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for proposed Development West of Southam Road, Banbury, reference 10264, dated December 2017 Revision Final and the following mitigation measure detailed within the FRA: 'Finished floor levels are set at least 300mm above the 1 in 100 year flood level'. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
6. The site shall be developed with a mix of housing types/sizes to meet the local housing needs in accordance with the requirements of Policy Banbury 2 and BSC4 of the Cherwell Local Plan (2011-2031) Part 1, details of the mix shall be submitted to and approved in writing to the local planning authority, prior to the commencement of the development.
7. No more than 90 dwellings shall be accommodated on the site.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE RESERVED MATTERS SUBMISSION**

8. Prior to or as part of the first reserved matters submission, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The Energy Statement should:
- be structured according to the energy hierarchy in Policy ESD2 of the Cherwell Local Plan (2011-2031) Part 1, with information provided on each element of the hierarchy;
  - inform and be reflected in the reserved matters;
  - include a description of the development, number and type of residential units;
  - Demonstrate sustainable construction methods as per Policy ESD 3 of the Cherwell Local Plan (2011-2031) Part 1;
  - Consider the use of renewable energy to supply the development.

Thereafter, the development shall be carried out in strict accordance with the recommendations and measures contained in the approved Energy Statement.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

9. No development shall take place until a plan showing the existing and proposed levels of the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved levels.
10. No development shall take place until a survey identifying trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved survey.
  - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
  - (b) If any tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
11. No development shall take place until a scheme for the protection of the retained trees has been agreed in writing with the Local Planning Authority. This scheme shall include:
  - (a) A tree protection plan comprising of a drawing at a scale of not less than 1:500 showing, with a solid line, all trees and other landscape features that are to be retained and, with a dashed or dotted line, those that are to be removed. This drawing shall also show the position of protection zones, fencing and ground protection measures to be established to protect retained trees.
  - (b) a British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the plan
  - (c) the specification for protective fencing and a timetable to show when fencing will be erected and dismantled in relation to the different phases of the development;
  - (d) details of mitigation proposals to reduce negative impacts on trees including specifications and method statements for any special engineering solutions required and the provisions to be made for isolating such precautionary areas from general construction activities;
  - (e) details of any levels changes within or adjacent to protection zones;
  - (f) details of the surface treatment to be applied within protection zones, including a full specification and method statement;

- (g) the routing of overhead and underground services and provisions for reducing their impact on retained trees; and
  - (h) a specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme.
12. No development shall take place until 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 has been 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.
13. If a potential risk from contamination is identified as a result of the work carried out under condition 12, 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.
14. If contamination is found by undertaking the work carried out under condition 13, 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.
15. No development shall take place until full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, have been submitted to and approved in writing by the Local Planning Authority.



16. No development shall take place until an Archaeological Written Scheme of Investigation, relating to the application site area, has been submitted to and approved in writing by the Local Planning Authority.
17. No development shall take place until a staged programme of archaeological evaluation and mitigation following the approval of the Written Scheme of Investigation referred to in condition 16, has been carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation.
18. No development shall take place, including works of site clearance or preparation, until a full assessment of the impacts on biodiversity and protected/notable species in the light of the proposed final landscape and layout plans has been submitted to and approved in writing by the Local Planning Authority. The details must include plans for mitigation, timings, details of ecological supervision and working methods and the results of all updated surveys.
19. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.
20. No development shall take place until a scheme for the provision and management of a minimum 10 metre wide ecological buffer zone alongside the Hanwell Brook has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The ecological buffer zone scheme shall be free from built development including lighting, pathways, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.
21. No development shall take place, including works of site clearance or preparation, until the site has been thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.
22. No development shall take place until full details of a drainage strategy for the entire site, based on sustainable drainage principles and an assessment of the hydrological and hydrological context of the development detailing all on and off site drainage works required in relation to the development, has been submitted to and approved in writing by the Local Planning Authority.

23. No development shall take place until, a Travel Plan prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
24. No development shall commence on site for the development until a Construction Management Travel Plan providing full details of the phasing of the development and addressing each construction activity within each phase has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods and an agreed route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.
25. No development shall take place, including any works of site clearance, until a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect biodiversity as well as 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.
26. Prior to the commencement of the development, details of the proposed street lighting scheme to be installed, which shall include column height, luminaire type, positions, aiming angles and cowl and deflectors to direct light sources, to demonstrate that there is no light spillage from the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details. Once installed the lighting scheme shall be inspected by a qualified lighting engineer and certified as being correctly installed prior to its first use.
27. Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure in order to make resident parking places EV ready for future demand, shall be submitted to and approved in writing by the Local Planning Authority. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. The development shall be carried out in accordance with the details so approved.

## CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

28. 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.
29. The construction of the development hereby approved shall be carried out during daylight hours only; ceasing one hour before sunset and not commencing until one hour after sunrise.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

30. If remedial works have been identified in condition 14, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 14. 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.
31. Prior to the first occupation of the development, the approved means of access as detailed on drawing nos. 19294-01 Revision A and 19294-01-2 Revision A shall be constructed and retained thereafter in accordance with the approved details and all ancillary works specified shall be undertaken and the land and vegetation within the vision splays shall not be obstructed by any object, structure, planting or other material.
32. That prior to the first occupation of any part of the development hereby permitted fire hydrants shall be provided or enhanced on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
33. Unless otherwise agreed in writing by the Local Planning Authority, all existing topsoil that is disturbed by construction works shall not be removed from the site but shall be carefully removed and stored within the curtilage of the site and, following the completed planting of the landscaping scheme, shall be distributed throughout the completed planting areas.
34. Except to allow for the means of access and vision splays the existing hedgerow/trees along the Southam Road boundaries of the site shall be retained and properly maintained at a mature height for trees and not less than 3 metres for hedgerows, and that any hedgerow/tree which may die within five years from the completion of the development shall be replaced and shall thereafter be properly maintained in accordance with this condition.

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

The committee considered application 18/00971/F for the conversion of an existing barn and associated out-building/stables to residential use and to 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 And Mrs Bryn Williams.

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

### **Resolved**

That delegated authority be given to the Assistant Director for Planning Policy and Development to grant permission for application 18/00971/F subject to:

- (a) no new material planning considerations being raised during the remainder of the consultation period, and
- (b) subject to the following conditions (and any amendments to those conditions as deemed necessary):
  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: 981-2A; 981-3F; 981-4E; 981-5E and 981-6E.
  3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural ironstone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
  4. Prior to the commencement of the development hereby approved, samples of the weatherboarding to be used in the construction of 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.
  5. Prior to the commencement of the development, full details of the doors and windows 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 and windows shall be installed within the building in accordance with the approved details.
  6. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and

drainage) of the turning area and four parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. 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.

7. 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.
8. If a potential risk from contamination is identified as a result of the work carried out under condition 8, 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.
9. If contamination is found by undertaking the work carried out under condition 9, 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.
10. If remedial works have been identified in condition 10, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 10. 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.

11. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
12. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
13. 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.

29

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

The Committee considered application 18/00972/LB, listed building consent, for the conversion of an existing barn and associated out-building/stables to residential use and raise the roof of out-building/stables by 860mm and a new single storey extension to rear with living roof Park Farm Agricultural Barn, New Street, Deddington for Mr And Mrs Bryn Williams.

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

### **Resolved**

That delegated authority be given to the Assistant Director for Planning Policy and Development to grant permission for application 18/00972/LB subject to:

- (a) no new material planning considerations being raised during the remainder of the consultation period, and
- (b) subject to the following conditions (and any amendments to those conditions as deemed necessary):
  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: 981-2A; 981-3F; 981-4E; 981-5E and 981-6E.

3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural ironstone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
4. Prior to the commencement of the development hereby approved, samples of the weatherboarding to be used in the construction of 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.
5. Prior to the commencement of the development, full details of the doors and windows 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 and windows shall be installed within the building in accordance with the approved details.

30

### **The Hill, Dover Avenue, Banbury, OX16 0JE**

The Committee considered application 18/00952/CDC for the variation of Condition 2 (plans) of 17/00197/CDC - Minor amendments to design of scheme The Hill Dover Avenue, Banbury, OX16 0JE for Cherwell District Council (Build! Department).

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

### **Resolved**

That delegated authority be given to the Assistant Director for Planning Policy and Development to grant permission for application 18/00952/CDC, subject to:

- (a) no new material planning considerations being raised during the remainder of the consultation period, and
- (b) the following conditions (and any amendments to those conditions as deemed necessary):
  1. The development to which this permission relates shall be begun not later than 22 March 2020.
  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: WG673 – 001; WG673 – 003

Rev B; WG673 – 004 Rev B; WG673 – 005 Rev B and WG673 – 006 Rev A.

3. Prior to the commencement of the development hereby approved, samples of the brick, render and composite 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.

31

### **Land Adjacent To 1 Creampot Crescent, Cropredy**

The committee considered application 18/00613/F for the variation of Condition 2 (plans) of previously approved application 14/01908/F to make a minor material amendment to the floor plans, elevations and position of the building on the site at Land Adjacent to 1 Creampot Crescent, Cropredy for Cherwell District Council.

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

### **Resolved**

That application 18/00613/F be approved, subject to the following conditions:

1. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the application form and the following plans and documents: Cambridge Swift Nesting System detail and drawings numbered: 17108-01A, 17108-02 and 17108-03.
2. Retained Tree
  - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
  - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the completion of the development.

3. The means of access shall be constructed and retained in accordance with the details approved under application 15/00160/DISC.
4. Prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the details approved under application 15/00160/DISC and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
5. The means of boundary enclosure shall be erected prior to the first occupation of the dwelling, in full accordance with the details approved under application 15/00160/DISC.

## 32 **Eco Business Centre, Charlotte Avenue, Bicester, OX27 8BL**

The committee considered application 18/00070/NMA for the Non-Material Amendment to 17/00573/CDC - Changes to bin store door arrangement, additional ventilation louvre added to east elevation, structural cross bracing added to south elevation and finish of sinusoidal cladding both anodised (GF) and PPC to match (FF) at Eco Business Centre, Charlotte Avenue, Bicester, OX27 8BL for Cherwell District Council.

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

### **Resolved**

That application 18/00070/NMA be approved, subject to the following:

- (1) Cherwell District Council, as Local Planning Authority, hereby approves the non-material amendment described to 17/00573/CDC in accordance with the application form and drawing numbers 08930 AT-XX-XX-DR-A PL100 Rev A (Ground Floor Plan), 08930 AT-XX-XX-DR-A PL101 Rev A (First Floor Plan), 08930 AT-XX-XX-DR-A PL102 Rev A (Second Floor Plan), 08930 PL110 Rev A (Refuse Store), 08930 AT-XX-XX-DR-A PL610 Rev F (North Elevations), 08930 AT-XX-XX-DR-A PL620 Rev F (South Elevations) and 08930 AT-XX-XX-DR-A PL630 Rev G (East Elevations). The non-material amendment application, hereby approved, does not nullify the conditions imposed in respect of planning permission 17/00573/CDC. These conditions must be adhered to so as to ensure that the development is lawful.

## 33 **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.

34 **Performance in Determining Planning Applications**

The Assistant Director of Planning Policy and Development submitted a report which detailed the Council's performance in determining planning applications for the Government's targets on Speed and Quality, as well as general performance figures.

**Resolved**

- (1) That the report be noted.

35 **Exclusion of Public and Press**

**Resolved**

That, in accordance with Section 100A (4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 5 of Schedule 12A of that Act

36 **OS Parcel 4846 South East of Launton Road and North East of Sewage Works, Blackthorn Road, Launton - Variation of Resolution**

The Assistant Director for Planning Policy and Development submitted an exempt report relating to the outline planning application ref. 17/01173/OUT.

**Resolved**

- (1) As set out in the exempt minutes.

The meeting ended at 6.38 pm

Chairman:

Date: