

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 November 2018 at 4.00 pm

Present: Councillor David Hughes (Chairman)  
Councillor James Macnamara (Vice-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 Alan MacKenzie-Wintle  
Councillor Richard Mould  
Councillor Cassi Perry  
Councillor D M Pickford  
Councillor Lynn Pratt  
Councillor G A Reynolds  
Councillor Les Sibley

Substitute Members: Councillor Barry Wood

Apologies for absence: Councillor Maurice Billington

Officers: Jim Newton, Assistant Director: Planning Policy and Development  
Paul Seckington, Senior Manager Development Management  
Bob Duxbury, Joint Majors Manager  
James Kirkham, Principal Planning Officer  
Nigel Bell, Team Leader Planning and Litigation  
Aaron Hetherington, Democratic and Elections Officer

### **Declarations of Interest**

#### **13. Premier Inn, Kelso Road, Bicester, OX26 1AN.**

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

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

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

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

**14. Former The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU.**

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 of Banbury Town Council which had been consulted on the application and a separate 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 Lynn Pratt, 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 The Oxford Canal, Spiceball Park Road, Banbury.**

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 of Banbury Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the 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 G A Reynolds, 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 Lynn Pratt, 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.

**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 Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the chamber for the duration of the item.

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

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

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

100 **Requests to Address the Meeting**

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

101 **Urgent Business**

There were no items of urgent business.

102 **Minutes**

The Minutes of the meeting held on 25 October 2018 were agreed as a correct record and signed by the Chairman.

103 **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.

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

The Committee considered application 18/01332/F for the change of use of land to use as a residential caravan site for 3 gypsy families, each with two caravans and an amenity building; improvement of existing access, construction of driveway, laying of hardstanding, installation of package sewage treatment plant and acoustic bund at Land West Of M40 Adj To A4095 , Kirtlington Road, Chesterton for Clifford Smith And Robert Butcher.

Andrew Glossop, a local resident, addressed the committee in objection to the application.

Dr Angus Murdoch, 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 speakers.

**Resolved**

That application 18/01332/F be refused, for the following reason:

1. The proposed development, by virtue of its poor access to services and facilities, reliance on the private car to access services and facilities, detrimental impact on the rural character and appearance of the area and poor living environment for future residents in relation to noise, is considered to represent an unsustainable form of development. The harm is not considered to be outweighed by the benefits of the scheme. The proposal is therefore considered to be contrary to Policies ESD1, BSC6, ESD13 and ESD15 of the Cherwell Local Plan Part 1 (2015), Saved Policy C8 Cherwell Local Plan 1996 and advice in the National Planning Policy Framework and Planning Policy for Travellers Sites (2015).

105 **The Pheasant Pluckers Inn, Burdrop, Banbury, OX15 5RQ**

The Committee considered application 18/01501/F for the change of use from Class A4 (ACV Listed) to Class C3 dwelling house at The Pheasant Pluckers Inn, Burdrop, Banbury, OX15 5RQ for Mr Geoffrey Richard Noquet.

In introducing the application, the Chairman read out a statement from the Assistant Director, Planning Policy and Development, and advised that the officer recommendation had been changed from refusal to deferral to allow consideration of the application to a future meeting of the committee as the applicant had submitted an appeal against non-determination of the application on the day of the committee meeting and confirmation was awaited from the Planning Inspectorate as to whether the appeal had been accepted as valid.

Councillor Hughes proposed that consideration of the application be deferred in line with the revised officer recommendation. Councillor Macnamara seconded the proposal.

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

### **Resolved**

That consideration of application 18/01501/F be deferred to a future meeting of the committee as the applicant had submitted an appeal against non-determination of the application on the day of the committee meeting and confirmation was awaited from the Planning Inspectorate as to whether the appeal had been accepted as valid.

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### **Summer Place, Blackthorn Road, Launton**

The Committee considered application 18/01259/F for use of land for the stationing of caravans for residential purposes at Summer Place, Blackthorn Road, Launton for Mr Jerry Connors.

Ian Layton, the applicant's agent, addressed the committee in support of the application.

Councillor Holland proposed that consideration of application 18/01259/F be deferred to allow the applicant time to address issues related to vision splays at access and foul drainage and compliance with previous conditions imposed on the site. Councillor Reynolds seconded the proposal.

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

### **Resolved**

That application 18/01259/F be deferred to allow the applicant time to address issues related to vision splays at access and foul drainage and compliance with previous conditions imposed on the site

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### **Kings Two Wheel Centre, 139 Oxford Road, Kidlington, OX5 2NP**

The Committee considered application 18/01388/F for the demolition of an existing vacant workshop and show room buildings, the erection of two and three storey building to provide 10no dwellings (8 x 2-bed and 2 x 1-bed). Provision of off-street car parking, secure cycle storage and covered refuse/recycling store – revised scheme of 18/00130/F at Kings Two Wheel Centre, 139 Oxford Road, Kidlington, OX5 2NP for Keble Homes Limited.

Nick Donoghue, a local resident, addressed the committee in objection to the application.

Councillor Mackenzie-Wintle proposed that application 18/01388/F be approved with authority delegated to officers to negotiate conditions and a legal agreement. Councillor Heath seconded the proposal.

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

### **Resolved**

That application 18/01388/F be approved and that authority be delegated to the Assistant Director: Planning Policy and Development to negotiate conditions and a legal agreement.

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### **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.

Deborah Exley, a neighbour, addressed the committee in objection to the application.

Phillip Smith, the 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 speakers.

### **Resolved**

That application 17/01556/F be approved and that authority be delegated to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

- a) The completed planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991;

- b) Conditions relating to the matters detailed below (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).

### **Time**

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.

### **Approved Plans**

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.

### **Material Samples**

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 and shall be retained as such thereafter.

### **Window 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 and shall be retained as such thereafter.

### **Method of demolition**

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.

### **Access 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.

### **Surface Water Drainage Scheme**

7. No development shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. 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.

### **Construction Traffic Management Plan**

8. No development shall take place until a Construction Traffic Management Plan has been 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.

### **Arboricultural Method Statement**

9. No development shall take place until an Arboricultural Method Statement (AMS) has been undertaken in accordance with BS:5837:2012 (and all subsequent amendments) and has been 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.

### **Landscaping Scheme**



10. 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, no development shall take place until a soft landscaping scheme has been 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.

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.

### **Levels**

11. No development shall take place until a plan showing full details of the existing and proposed site levels, including a cross section of the swale 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 finished floor levels plan.

### **Construction Environmental Management Plan**

12. 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.

### **External Lighting**

13. 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 and shall be retained as such thereafter.

### **Bat and Bird Boxes**

14. 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 and shall be retained as such thereafter.

### **Pedestrian Access**

15. Prior to the commencement of development, and notwithstanding the pedestrian access shown in plan 22074-STL-XX-XXDR-L-ZZZZ-09001 Revision PL04 received from the applicant's agent by e-mail on 7<sup>th</sup> November 2018, 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 and shall be retained as such thereafter.

### **Travel Information Pack**

16. 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.

### **Landscape Management Plan**

17. 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 development shall be carried out in accordance with the approved details.

### **Contamination**

18. 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.

19. If contamination is found by undertaking the work carried out under condition 18, 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.
20. If remedial works have been identified in condition 19, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 19. 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.

#### **Bat Survey**

21. If the demolition of the buildings hereby approved does not commence by June 31 2019, 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 and shall be retained as such thereafter.

#### **Foundations**

22. 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.

#### **Removal of Permitted Development Rights**

23. 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.

24. 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 grant of further specific planning permission from the Local Planning Authority.

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**Willow Hill, Main Street, Wroxton, Banbury, OX15 6PT**

The Committee considered application 18/01291/F for a 1.5 storey side and rear extension, including general refurbishment and other internal and external alterations at Willow Hill, Main Street, Wroxton, Banbury, OX15 6PT for Mr and Mrs Anthony and Andrea Williams.

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

**Resolved**

That application 18/01291/F be approved and that authority be delegated to the Assistant Director: Planning Policy and Development to grant planning permission, subject to conditions relating to the matters detailed below (the exact conditions and the wording of those conditions to be delegated to the Assistant Director: Planning Policy and Development).

**Time Limit**

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.

**Approved Plans**

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: DCS042-02-101 Proposed Site Plan; DCS042-03-101 Proposed Ground and First Floor Plan; DC042-05-101 Proposed Elevations; DC042-05-102 Proposed Elevations.

**Matching Stone**

3. The natural ironstone stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

**Samples of Slate**

4. Prior to works to the roof of the extension hereby approved, samples of the slate to be used in the construction of the roof of the extension 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.

### **Window Details**

5. Prior to works to the approved openings, full details of the doors and windows hereby approved 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.

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### **Premier Inn, Kelso Road, Bicester, OX26 1AN**

The Committee considered application 18/01208/F for a two and three storey 56 bedroom hotel extension and alterations to the car park layout at Premier Inn, Kelso Road, Bicester, OX26 1AN for Premier Inn Hotels Ltd.

Euan Brown, 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 address of the public speaker.

### **Resolved**

That application 18/01208/F be approved and that authority be delegated to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

- a) 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, in accordance with the summary of the Heads of Terms set in para 8.22 and;
- b) Conditions relating to the matters detailed below (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).

### **Time Limit**

6. 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.

### **Approved Plans**

7. 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, Site Location Plan, Drawing numbers 4591/P19 Rev A, 4591/P20 Rev A, 4591/P16 Rev A, 4591/P17 Rev A, 4591/P18 Rev A and 803-SW-01 Rev B

### **Hedgerow and landscape protection**

8. No development shall take place until full details of the hedgerow and landscape protection for the existing retained landscaping on and adjacent to the site 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 scheme. Any landscaping removed or damaged during construction shall be replaced in accordance with a scheme to be submitted and approved in writing (including timing of planting) by the local planning authority within 6 months of the occupation of the building.

### **Surface water drainage**

9. 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 being occupied. The scheme shall also include:
  - Discharge Rates
  - Discharge Volumes
  - Maintenance and management of SUDS features
  - Sizing of features – attenuation volume
  - Infiltration in accordance with BRE365
  - Detailed drainage layout with pipe numbers
  - SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
  - Network drainage calculations
  - Phasing
  - No private drainage into the public highway drainage system.

### **Hard Landscaping Works**

10. Prior to any works to the hard landscaping of the development hereby approved, a hard 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 the hard surface areas, including pavements, parking and manoeuvring areas, crossing points and steps. The development shall therefore be carried out in accordance with the approved details prior to the first occupation of the development hereby permitted and shall be retained as such thereafter.

### **Parking**

11. Prior to the first occupation of the extension hereby permitted, the car parking and manoeuvring areas shall be laid out in accordance with the details as shown on the approved plans. They shall thereafter be retained and used for no other purposes.

## **Travel Plan**

12. Prior to the first occupation of the extension hereby permitted, a workplace travel plan must be submitted to and approved in writing by the Local Planning Authority. Thereafter, occupation shall only commence in accordance with the approved details.

## **Landscaping**

13. The landscaping scheme as shown on drawing number 803-SW-01 Rev B shall be carried out in the first planting and seeding seasons following the first use of the extension or on the completion of the development, whichever is the sooner. 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. 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.

## **Materials**

14. The materials to be used in the construction of the extension hereby permitted shall match those used on the existing building.

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## **Former The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU**

The Committee considered application for the development of 8 No houses and 6 No flats at Former The Admiral Holland, Woodgreen Avenue, Banbury, OX16 0AU for Cherwell District Council.

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

## **Resolved**

That application 18/01591/CDC be approved and that authority be delegated to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

- a) 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, in accordance with the summary of the Heads of Terms set out in paragraphs 8.36 and 8.37 of the report and;
- b) Conditions relating to the matters detailed below (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).

## **Time**

15. 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.

## **Approved Plans**

16. 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 and drawing numbers 001-(PL)-8146 Rev A, 003-(PL)-8146 Rev D, 311-(PL)-8146 Rev C, 004-(PL)-8146 Rev B, 003-(PL)-8146 Rev D, 201-(PL)-8146 Rev D, 203 (PL)-8146 Rev B, 202-(PL)-8146 Rev B, 102-(PL)-8146 Rev C, 101-(PL)-8146 Rev C

## **Tree Protection**

17. No development shall take place until an Arboricultural Impact Assessment and Method Statement, undertaken in accordance with latest British Standard has been submitted to and approved in writing by the Local Planning Authority. This shall include details of tree protection during construction. Thereafter, all works on site shall be carried out in accordance with the approved details.

## **Sustainable Construction**

18. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling occupied until it has been constructed in accordance with the approved energy performance measures.

## **Materials**

19. Notwithstanding the details submitted, a schedule of materials and finishes to be used in the external walls, windows and roof(s) of the building(s), along with further details of the architectural detailing of the exterior of the building(s), including the design, materials and colour/finish of the windows and doors, window and door recesses, the inset brick panels, the eaves and verge treatment of the buildings, and the screens to the balconies shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.
20. Prior to the commencement of any works above slab level to the development hereby approved, and notwithstanding the details submitted, 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 and shall be retained as such thereafter.

21. Prior to the commencement of any works above wall plate level of the development hereby approved, samples of the external roof 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 and shall be retained as such thereafter.

### **Access Details**

22. Prior to the laying out of the access of the development hereby approved, full details of the means of access between the land and the highway on The Fairway, including position, layout, and vision splays, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the development, the means of access shall be constructed and retained in accordance with the approved details.

### **Parking and Surfacing**

23. Prior to works commencing on the parking and turning areas of the development, full specification details of the access drives, car parking and turning areas to serve the development which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any part of the development, the access, car parking and turning areas for that part of the development shall be constructed in accordance with the approved details. All car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority.

### **Boundary Enclosures**

24. Prior to the commencement of any works above slab level to the development hereby approved, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the vehicle access and the means of control. Thereafter, the approved means of enclosure shall be carried out in accordance with the approved details prior to the first occupation of those dwellings, and shall be retained as such thereafter.

### **External Lighting**

25. Prior to the commencement of any works above slab level to the development hereby approved, full details of the external lighting 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 details prior to the first occupation of the development, and shall be retained as such thereafter in accordance with the approved details.

## **Landscaping**

26. Prior to the first occupation 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 amenity space within the rear courtyard.
- (d) details of the hard surface areas, including parking area, pavements, crossing points and steps.

The development shall be carried out in accordance with the details approved prior to the first occupation of the development and the hard landscape elements shall be retained as such thereafter.

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.

## **Drainage Strategy**

27. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (SEPT 2018 / Doc Ref: 3232-ADMI-ICS-XX-RP-C-001/Infrastruct CS Ltd) and the following mitigation measures detailed within the FRA:

- Use of permeable paving and geo-cellular soakaway SuDS to manage surface water runoff (Section 7.7 of the FRA) and as shown on the drawing : ' Proposed Drainage Layout' < SEPT 2018 / Drg Ref : ADMI - ICS – 01- XX - DR - C - 003 - P2 / Infrastruct CS Ltd)

- A SuDS Management and Maintenance Plan (based on the principles outlined in Appendix J of the FRA).
- Raising finished floor levels 150mm above the average ground level to mitigate against the risk of any surface water flooding (Section 7.8 of the FRA)

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.

### **Cycle Parking**

28. Prior to the first occupation of the development hereby permitted, the cycle parking facilities, as shown on the approved plans (garden shed, etc.) shall be provided on the site.

### **Electrical Vehicle Infrastructure**

29. Each dwelling shall be provided with ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling prior to its first occupation.

### **Water Efficiency**

30. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

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### **Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury**

The Committee considered application 17/00147/DISC for draft discharge of conditions 1 (reserved matters application), 5 (flood mitigation), 6 (flood management scheme), 7 (floodplain compensation), 9 (archaeological organisation), 10 (archaeological evaluation), 11 (investigation for archaeological mitigation), 12 (archaeological mitigation), 21 (Noise), 23 (surface water and foul drainage) 25 (phasing of works) and 31(SUDs drainage scheme) of 16/02366/OUT at Land Adjacent To The Oxford Canal Spiceball Park Road, Banbury for Scottish Widows PLC & Scottish Widows Unit.

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

### **Resolved**

That application 17/00147/DISC be approved and that authority be delegated to the Assistant Director of Planning Policy and Development to grant permission, subject to

1. That Conditions 5,6,7,9-11,21 and 25, be cleared in accordance with the submitted drawings
2. That delegated authority be given to the Assistant Director of Planning and Development to clear conditions 12, 23 and 31 upon the receipt of appropriate clearance from consultees

113 **Eco Business Centre, Charlotte Avenue, Bicester, OX27 8BL**

The Committee considered application 18/00133/NMAN for an on-material amendment to 17/00573/CDC - minor changes to the elevations at the roof perimeter where cladding has been omitted and the galvanised structure is now visible as elsewhere on the façade i.e. balcony area/horizontal brise soleil 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 18/00133/NMA be approved and that 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 PL610 Rev G (North Elevations), 08930 AT-XX-XX-DR-A PL620 Rev G (South Elevations), 08930 AT-XX-XX-DR-A PL630 Rev H (East Elevations) and 08930 AT-XX-XX-DR-A PL640 Rev G (West 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.

114 **Appeals Progress Report**

The Assistant Director for Planning Policy and Development 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.

Councillor Kerford-Byrnes requested that progress on Appeals item for 72 Houses at Launton be included at the next committees Appeals Progress Report for 13 December 2018.

**Resolved**

- (1) That the position statement be accepted.

The meeting ended at 6.35 pm

Planning Committee - 22 November 2018

Chairman:

Date: