

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 19 September 2019 at 4.00 pm

Present: Councillor James Macnamara (Chairman)

Councillor Andrew Beere
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Colin Clarke
Councillor Chris Heath
Councillor Simon Holland
Councillor David Hughes
Councillor Mike Kerford-Byrnes
Councillor Cassi Perry
Councillor Lynn Pratt
Councillor George Reynolds
Councillor Barry Richards
Councillor Les Sibley
Councillor Katherine Tyson

Substitute Members: Councillor Barry Wood (In place of Councillor Ian Corkin)

Also Present: Joy White, Senior Transport Planner, Oxfordshire County Council for 19/00617/F
Anthony Kirkwood, Principal Road Safety Engineer, Oxfordshire County Council for 19/00617/F

Apologies for absence: Councillor Maurice Billington
Councillor Ian Corkin

Officers: David Peckford, Assistant Director: Planning and Development
Sarah Stevens, Interim Senior Manager – Development Management
Nat Stock, Minors Team Leader
Linda Griffiths, Principal Planning Officer
Rebekah Morgan, Principal Planning Officer
Jennifer Crouch, Solicitor
Lesley Farrell, Democratic and Elections Officer

Declarations of Interest

8. Land To The East of The Warriner School, Bloxham Grove Road, Bloxham, Oxfordshire.

Councillor Chris Heath, Declaration, that she had been involved in negotiations on behalf of the Parish with this application and would speak as ward member but would leave the chamber for the remainder of the application and would not take part in the vote.

Councillor George Reynolds, Non Statutory Interest, as a member of Oxfordshire County Council which had been consulted on the application.

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

10. S Grundon Services Ltd, Merton Street, Banbury, OX16 4RN.

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

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

11. Land at Skimmingdish Lane and Land and Roundabout at Bicester Road, Launton.

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

13. 36 - 37 Castle Quay, Banbury, OX16 5UN.

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

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

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

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

Councillor George Reynolds, 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.

14. 36 - 37 Castle Quay, Banbury, OX16 5UN.

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

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

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

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

Councillor George Reynolds, 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

66 **Requests to Address the Meeting**

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

67 **Minutes**

The Minutes of the meeting held on 15 August 2019 were agreed as a correct record and signed by the Chairman.

68 **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.

69 **Urgent Business**

There were no items of urgent business.

70 **Proposed Pre-Committee Site Visits (if any)**

No pre-Committee site visits were proposed.

71 **Land To The East of The Warriner School, Bloxham Grove Road, Bloxham, Oxfordshire**

The Committee considered application 19/00617/F for a Part 2-storey, part 1-storey Special Education Needs school with new access from Bloxham Grove

Road, associated outdoor play areas, multi-use games area, staff parking, pupil drop-off and landscaping at Land to the East of The Warriner School, Bloxham Grove Road, Bloxham, Oxfordshire for the Department for Education.

Councillor Chris Heath addressed the committee as Ward Member.

Steve Craggs addressed the committee on behalf of Bloxham Parish Council in objection to the application.

Chris Maltby, agent for the applicant, Jayne Howarth from Oxfordshire County Council and Daniel Townsend from Stantec addressed the committee in support of the application.

Councillor Clarke, seconded by Councillor Perry requested that officers arrange a meeting, before the Special Education Needs school opens, between Oxfordshire County Council Highways, Cherwell District Council Planners and Bloxham Parish Council to discuss safety in the vicinity of the Warriner School, Bloxham.

In reaching its decision the committee considered the officer's report and presentation, the written update and the addresses of the public speakers.

Councillor George Reynolds voted against the motion and asked for his vote to be recorded.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/00617/F subject to the conditions set out below (and any amendments to those conditions as deemed necessary):

CONDITIONS

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.

Compliance with 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: TBC

Accesses: Full Details

3. Prior to the first occupation of the development hereby approved, the means of access between the land and the highway on Bloxham Grove Road, including position, layout and vision splays shall be constructed and laid out in accordance with drawing number 45479/5501/03 Rev A and 45479/5501/005 unless otherwise agreed in writing by the Local Planning Authority. Thereafter the mains of access and visibility splays shall be retained in accordance with the approved details.

Tree Protection

4. Prior to the commencement of any development an Arboricultural Impact Assessment, Tree Protection plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Construction Traffic Management Plan

5. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not proceed other than in strict accordance with the details contained in the approved CTMP.

Archaeology

6. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
7. Following the approval of the Written Scheme of Investigation referred to in condition 6, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

SuDS

8. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in strict accordance with the approved details and shall be fully implemented prior to the use of the building commencing.

Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans

9. Except where amended by the details approved pursuant to Condition 8 of this planning permission, no building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the details submitted with this application. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Landscape and Ecological Management Plan

10. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate a net gain in biodiversity and shall include the provision of integrated swift nest bricks and a range of bat and bird boxes. It shall also include details of protection of retained features and ecology during construction. Thereafter, the development shall not be carried out other than in accordance with the approved LEMP including the provision of the enhancements prior to the first occupation of any dwelling.

Landscaping

11. Prior to the first use of the building hereby approved the landscaping for the site shall be carried in full and in strict accordance with landscaping scheme shown on drawing numbers ADP-00-ZZ-DR-L-1920 Rev S3 P07, ADP-00-ZZ-DR-L-1900 Rev S3 P07, ADP-00-ZZ-DR-L-1901 Rev S3 P07, ADP-00-ZZ-DR-L-1940 Rev S2 P01, ADP-00-ZZ-DR-L-1941 Rev S2 P02 unless otherwise agreed in writing by the Local Planning Authority. The hard landscape elements of the scheme 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.

Architectural detailing

12. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development hereby approved including details of the parapet, window details (including colour and recesses), junction between timber and stone, and details of any coping or other detailing shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details and shall be retained as such thereafter.

Stone Sample Panel

13. No development shall commence above slab level until a stone sample panel (minimum 1 metre squared in size) has been constructed on site and has been inspected and approved in writing by the Local Planning Authority. The sample panels shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract. The stone elements of the external walls of the building, as shown in the drawings referred to in Condition 2 of this permission, shall not be constructed other than in strict accordance with the approved stone sample panel, including in

type, colour, texture, coursing and pointing, and shall be retained as such thereafter.

Timber boarding

14. No development shall commence above slab level until a sample panel of timber boarding has been constructed on site and has been inspected and approved in writing by the Local Planning Authority. The sample panel shall show the type, finish and arrangement in which the timber boarding will be placed on the building. Details shall also be submitted in relation to the durability and weathering of the timber boarding. The sample panel shall be constructed on site to be inspected and approved in writing by the Local Planning Authority. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract. The timber elements of the external walls of the building, as shown in the drawings referred to in Condition 2 of this permission, shall not be constructed other than in strict accordance with the approved sample panel, and shall be retained as such thereafter.

Renewable Energy

15. Prior to any works above slab level, full details of the siting, design and amount of renewable energy to be provided on the site shall be submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the building and shall be retained as such thereafter.

Protection of Pedestrian Footway

16. Prior to the first use of the building, the measures to physically protect the section of walkway running between the car parking spaces to the front of the site shall be carried out in accordance with drawing number ADP-00-ZZ-DR-L-1900 Rev S3 P07. Thereafter, the footpath(s) shall remain protected and available for use throughout the development in accordance with the approved details.

External Lighting and Management Plan

17. Notwithstanding the details on the submitted plan and prior to the installation of any external lighting, full details of the external lighting and a management plan to control the lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be installed and managed in accordance with the approved details and shall be retained as such thereafter.

Parking and Manoeuvring

18. Prior to the first occupation of the development the parking and manoeuvring areas shall be constructed, laid out, surfaced, and completed in accordance with the plans hereby approved, and shall thereafter be retained unobstructed at all times except for the parking and manoeuvring of vehicles in connection with the development.

Wastewater network

19. The development hereby permitted shall not be occupied until details and confirmation of one of the following has been submitted and approved in writing by the local planning authority:
- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
 - an infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

BREEAM

20. The building hereby granted planning permission shall be constructed to achieve BREEAM 'Very Good' standard based on the BREEAM criteria applicable at the time of this decision for a proposed building use of this type.

Travel Plan

21. Within 3 months of the first use of the development hereby permitted a revised travel plan shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

- (2) That the 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 as deemed necessary) be completed:

- a) Contribution of £5,400 (index linked) towards administrative costs of Traffic Regulation Orders to move 30mph
- b) £1,240 towards monitoring and review of Travel Plan
- c) An obligation to enter into a Section 278 Agreement to secure highway works:

- The provision of a bell-mouth access with minimum radii of 5m within the highway boundary on Bloxham Grove Road to enable access to the development and to tie into the existing carriageway and footway on this road.
- Improvement of highway works to upgrade Bloxham Grove Road as illustrated by PBA's proposed Bloxham Grove Road access Option 2 (under Drawing No. 45479/5501/004 Rev A), appended to the TA. These must include:
 - Widening Bloxham Grove Road to 4.8m from Warriner School entrance to the proposed site access to allow a 2-way movement along this section.
 - Provide a 1.5m wide footway along the southern front of the carriageway up into the site with suitable tactile paving at crossing points
 - To formalise the existing parking layby along Bloxham Grove Road which is currently echelon into parallel parking marked out bays.
 - Relocation of the 30/60mph speed limit markers further east of the site access, subject to a TRO consultation process.

- Highway improvements on the A361 Banbury Road/ Bloxham Grove Road/ Ell's Lane junction to include:
- Widening of the A361 to accommodate right turning lanes into both Bloxham Grove Road and Ell's Lane as illustrated by Drawing No. 45479/5501/010 Rev B. This shall include relocation of the 30mph speed limit sign about 40metres north of the current location.
- Provision of a pedestrian refuge to the south of the junction.

- (3) That a meeting be arranged, before the Special Education Needs school opens, between Oxfordshire County Council Highways, Cherwell District Council Planners and Bloxham Parish Council to discuss safety in the vicinity of the Warriner School, Bloxham.

72 **Glebe Farm, Boddington Road, Claydon, Banbury**

The Chairman referred the Committee, to the written updates and advised the Committee that application 18/00904/F had been withdrawn from the planning process by the applicant.

73 **S Grundon Services Ltd, Merton Street, Banbury, OX16 4RN**

The Chairman referred to the written updates and highlighted that the officer recommendation for application 16/00472/OUT had changed to deferral to enable the consideration of additional information and consultation responses.

Councillor Macnamara proposed that application 16/00472/OUT be deferred, Councillor Clarke seconded the proposal. On being put to the vote, Members voted in favour of deferring consideration of the application.

Resolved

- (1) That consideration of application 16/00472/OUT be deferred to enable the consideration of additional information and consultation responses.

74 **Land at Skimmingdish Lane and Land and Roundabout at Bicester Road, Launton**

The Committee considered application 19/00607/F for the use of land as a construction compound incorporating storage area, site offices and car parking at land at Skimmingdish Lane and land and roundabout at Bicester Road, Launton for Network Rail Infrastructure Limited.

Thomas Bode, agent for the applicant, addressed the committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speaker.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/00607/F subject to the conditions set out below (and any amendments to those conditions or additional conditions as deemed necessary):

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development and use hereby approved shall cease and be discontinued at the expiration of 5 years from the date of this permission, or upon the completion of the works relating to this section of the EWR2 Project, whichever is the sooner, and the land restored to its former use and condition on or before that date.

Compliance with Plans

3. 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: Location Plan 133735-2A-EWR-OXD-XX-DR-L-019009 Rev A01; Arboricultural Impact Assessment and drawing number 133735-2A-EWR-OXD-XX-DR-L-019001 Rev A01; A1 Site Design 133735-2A-EWR-OXD-XX-DR-L-019011 Rev A01; Modular Office elevations and floor plans; Environmental Appraisal Report; Transport Statement and drawing numbers 133735-RW-EWR-XX-XX-DR-LE-010803 Rev P01, 010690 Rev P01, 010691 Rev P01, 010692 Rev P01, 010693 Rev P01, 010694 Rev P01, 010696 Rev P01, 010697 Rev P01, 010698 Rev P01, 010699 Rev P01, 010700 Rev P01 and 0107001 rev P01; Flood Risk Assessment and drawing numbers 133735-2A-EWR-OXD-XX-DR-L-019010 Rev A01 and 019011 Rev A01; Additional Drainage Strategy Information dated July 2019 and received 4 September 2019; Ecological Impact Assessment; Planning Statement; Construction Travel Plans; and drawing numbers: 133735-2A-EWR-OXD-CC-A1-DR-CH-002003 Rev B02, 002004 Rev B02; 002007 Rev B02, 002008 Rev B02, 002010 Rev B02, 012001 Rev P01 and additional visibility zone plans relating to the emergency access received 22 August 2019.

External Lighting Details

4. Prior to the installation of any external lighting on the site, full details of the design, height, location, and finished appearance of the external lighting, including the timings for its use shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed and operated in accordance with the approved details.

Boundary Treatments

5. Prior to the first use of the development hereby permitted, means of enclosure along all boundaries of the site shall be erected and maintained for the lifetime of the development in accordance with the approved plans.

Reinstatement Scheme

6. Upon the cessation of the use of the compound hereby approved, all material, buildings, hardstanding, fencing or any other structures shall be removed from the site and the site re-instated in accordance with a detailed scheme which shall also include timescales for the restoration works, which shall have been previously agreed in writing by the Local Planning Authority. The re-instatement works shall be completed in accordance with the approved scheme.

AMS Required

7. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions, which shall also include an exclusion zone around the existing trees within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be carried out in accordance with the approved AMS.

AMS Scheme of Supervision

8. Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the Arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details:

- a) Written confirmation of the contact details of the project arboriculturalist employed to undertake the supervisory role of relevant Arboricultural issues
- b) The relevant persons/contactors to be briefed by the project arboriculturalist on all on-site tree related matters
- c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturalist
- d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and Arboricultural incidents
- e) Details of appropriate supervision for the installation of load-bearing 'structural cell' planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (eg: reduced dig systems, arboresin, tree grills)

Restriction of Use

9. The site shall be used only for the purpose of a construction compound in conjunction with EWR2 and for no other purpose whatsoever.

Protected Species Check

10. Prior to, and within two months of the commencement of the development, the site shall be 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.

Bird Nesting Season

11. No removal of hedgerows, trees or shrubs, nor works to, or demolition of buildings or structures that may be used for breeding birds, shall take place between 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 in the site.

Traffic and Highways

12. Notwithstanding the submission and prior to the commencement of the development hereby approved, a revised Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority which shall include the following:
 - A firm commitment to always using the construction traffic routes set out in the Environmental Statement for the EWR2 Scheme;
 - Precluding any access to the site by HGV or LGV via Launton Village; and
 - A commitment to carrying out a pre-condition survey of the route and making good any damage.

Thereafter the development shall be carried out in accordance with the approved CTMP.

13. Prior to the commencement of the development hereby approved, full details of the means of access between the strategic compound and the highway, including position, layout, construction, drainage, pedestrian access, gates, signage, lighting and vision splays shall be submitted to and approved in writing by the Local Planning Authority, together with details of and a timetable for its reinstatement at the end of the East West Rail Phase 2 Project. Thereafter, the means of access shall be constructed prior to the opening of the strategic compound, retained in accordance with the approved details during the operation of the compound, and reinstated in accordance with the approved details and timetable.
14. The approved vision splays shall be kept clear of any object, structure, planting or other material of a height that would obstruct vision of any road user exiting the site.

Archaeology

15. Prior to any demolition and commencement of the development, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of

Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

16. Following the approval of the Written Scheme of Investigation referred to in condition 15, and prior to any demolition on the site and the commencement of the development (other than in accordance with the Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Drainage

17. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local planning Authority, as per the proposed strategy; 133735-2A-EWR-OXD-CC-A1-RP-DH-000001 (ProjectWise no.) 133735-EWR-REP-EDR-000022 (eB no.) Rev B01. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the development commencing.
18. No building hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the details approved under condition 17. The sustainable drainage scheme shall be managed thereafter in accordance with the agreed management and maintenance plan.

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Brickhouse Farm, Bloxham Road, Milton

The Committee considered application 19/00314/F for the change of use of existing agricultural buildings to commercial for (B1) light Industrial, (B2) General Industrial and (B8) general purpose storage uses at Brickhouse Farm, Bloxham Road, Milton for Mr Smith.

Sunita Burke, James Brown and Tim Humphrey addressed the committee on behalf of the applicant in support of the application.

In reaching its decision the committee considered the officer's report and presentation, the written update and the address of the public speakers.

Resolved

- (1) That application 19/00314/F be refused for the following reasons:
 1. The proposed development represents an unjustified and unsustainable form of development in a rural location, and it has not been demonstrated that exceptional circumstances exist for such development in this unsustainable location. It has not been demonstrated how

services, facilities and public transport can be accessed from its location or that there is a realistic choice of travel means for future users of the development. Further, it has not been demonstrated that the proposals would be of sustainable construction or embrace the principles of sustainable development including the use of renewable forms of energy, contrary to the provisions and aims of Policies SLE1, SLE4, ESD1, ESD2, ESD3 and ESD5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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36 - 37 Castle Quay, Banbury, OX16 5UN

The Committee considered application 19/01478/CDC for the change of use from A1 with ancillary A3, to a sui generis/mixed use (at the ground floor only); comprising use classes A1, A3, A4, A5, D1 and D2. New toilet provision for staff at 36 - 37 Castle Quay, Banbury, OX16 5UN for Cherwell District Council.

In reaching its decision the committee considered the officer's report and presentation.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to Grant Permission for application 19/01478/CDC subject to the conditions set out below (and any amendments to those conditions as deemed necessary):

CONDITIONS

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.

Compliance with Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and other details:
 - Application form
 - Site Location Plan – TB_19_1684 P-EX001 Rev. 01
 - Existing Ground Floor Plan – TB_19_1683 P-EX010 Rev. 01
 - Existing External Elevations – TB_19_1683 P-EX020 Rev. 01
 - Existing Roof Plan – TB_19_1683 P-EX013 Rev. 01
 - Proposed General Arrangement Plan – TB_19_1683 P101 Rev. 01
 - Proposed General Arrangement Plan – TB_19_1683 A101B Rev. 01
 - Supplementary Information Statement received by email on the 5th September 2019

- Supplementary Management Statement received by email on the 5th September 2019
- Proposed uses and proportion of uses schedule dated the 26.07.2019.
- Pedestrian Access Routes – 407-OP-19 Rev. P6

unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Waste Bins

3. Prior to the first use of the development hereby approved, suitably located waste bins shall be provided outside the premises and retained for public use in accordance with details to be firstly submitted to an approved in writing by the Local Planning Authority.

External Lighting

4. Prior to the installation of any external lighting on any part of the development hereby approved, full details of the proposed external lighting including its hours of usage, shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the external lighting shall be carried out and retained in accordance with the approved details.

Mix of Uses

5. The mix and proportion of uses comprising the sui generis mixed use hereby approved shall be as detailed in the “Proposed uses and proportion of uses schedule” dated the 26.07.2019 and the premises shall be used for no other purpose, mix or proportion of uses whatsoever unless otherwise submitted to and approved in writing by the Local Planning Authority.

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36 - 37 Castle Quay, Banbury, OX16 5UN

The Committee considered application 19/01658CDC for new plant, ventilation louvres, downpipes and drainage at 36 - 37 Castle Quay, Banbury, OX16 5UN for Cherwell District Council.

In reaching its decision the committee considered the officer’s report and presentation.

Resolved

- (1) That authority be delegated to the Assistant Director for Planning and Development to grant permission for application 19/01658CDC subject to the conditions set out below (and any amendments to those conditions as deemed necessary):

CONDITIONS

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.

Compliance with Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans:
 - Site Location Plan – drawing number TB_19_1683 P-EX001 01
 - Indicative Ventilation System – drawing number 11350-M-001 T1
 - Indicative M&E Roof Services – drawing number 11350-ME-001 T1
 - Existing Roof Plan – drawing number TB_19_1683 PEX013 01
 - Proposed External Elevations – drawing number TB_19_1683 P121 01
 - Existing External Elevations – drawing number TB_19_1683 PEX021 01
 - Proposed General Arrangement Plan (Above ground drainage) – drawing number TB_19_1683 P101 01
 - Existing Ground Floor Plan – drawing number TB_19_1683 PEX010 01

unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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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.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 6.10 pm

Chairman:

Date: