

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 February 2009 at 4.00 pm

Present: Councillor Fred Blackwell (Chairman)

Councillor Mrs Catherine Fulljames (Vice-Chairman)  
Councillor Ken Atack  
Councillor Colin Clarke  
Councillor Diana Edwards  
Councillor Michael Gibbard  
Councillor Eric Heath  
Councillor Alastair Milne Home  
Councillor James Macnamara  
Councillor Christopher Pack  
Councillor D M Pickford  
Councillor G A Reynolds  
Councillor Leslie F Sibley  
Councillor Chris Smithson  
Councillor Lawrie Stratford  
Councillor Rose Stratford

Substitute  
Members: Councillor Barry Wood (In place of Councillor Maurice Billington)

Apologies for absence were received from Councillor David Hughes

Officers: Jameson Bridgwater, Head of Development Control & Major Developments  
Nigel Bell, Solicitor  
Bob Duxbury, Development Control Team Leader  
Jenny Barker, Major Developments Team Leader  
Paul Almond, Street Scene & Landscape Manager  
Simon Dean, Trainee Planning Officer  
Alexa Coates, Senior Democratic and Scrutiny Officer  
Natasha Clark, Trainee Democratic and Scrutiny Officer

#### 140 **Declarations of Interest**

Councillors declared interest with regard to the following agenda items:

7. Yarnton House, Rutten Lane, Yarnton.

Councillor Leslie F Sibley, Personal, as a Cherwell District Council appointed Board Member of Charter Housing, which is part of the Sanctuary Group.

Councillor Michael Gibbard, Personal, as a Cherwell District Council appointed Board Member of Charter Housing, which is part of the Sanctuary Group.

Councillor Rose Stratford, Personal, as a Cherwell District Council appointed Board Member of Charter Housing, which is part of the Sanctuary Group.

9. Unit C2/16, Site C, Bicester Garrison, Upper Arncott, Oxfordshire.  
Councillor Barry Wood, Prejudicial, as an employee of the MOD.

Councillor Colin Clarke, Prejudicial, his son is employed by the MOD in a civilian capacity.

Councillor Leslie F Sibley, Prejudicial, as an employee of the MOD.

141 **Communications**

There were no communications.

142 **Urgent Business**

There was no urgent business.

143 **Minutes**

The minutes of the meeting held on 29 January 2009 were agreed as a correct record and signed by the Chairman.

144 **Holly Barn Stables, Sibford Gower Road, North of Firs Garage, Hook Norton, Banbury**

The Committee were advised that this item had been withdrawn.

145 **Yarnton House, Rutten Lane, Yarnton**

The Committee considered a report of the Head of Development Control and Major Developments for the demolition of an existing building and construction of a two storey nursing home together with associated communal space, landscaping, amenity space and parking.

The Planning Officer updated the Committee on the Council's Arboricultural Officers comments which had been received after the report had been produced. As a result it was suggested that S.C. 3.3a [Tree Protection] be added as an extra condition.

The Committee raised concerns relating to the potential flood risk on the site and discussed the condition relating to the provision of public art. Officers assured the Committee that the Environment Agency had considered a full Flood Risk Assessment prepared for the site. Surface water drainage consideration included an allowance for climate change. The provision of public art within the site would enhance the property.

In making their decision the Committee considered the Officers' report, written update and presentation.

**Resolved**

That application 08/02473/F be approved subject to the following:

The Agent entering in to a S106 Agreement to

- 1) Secure £2000 towards library book stocks
- 2) The provision of the appropriate numbers of waste and recycling bins.
- 3) Administration and monitoring fees payable to both the District and County Councils

And the following conditions:

- 1) S.C. 1.4A (RC2) [Full Permission: Duration Limit (3 years)]
- 2) S.C. 2.0 (RC4)[Details of materials and External Finishes] 'building'  
That the colour for any render on the building here by approved shall be submitted to and agreed in writing by the Local Planning Authority, the building shall be rendered in accordance with the approved details (RC4)
- 3) S.C. 2.10 (RC7) [Finished Floor Levels] 'building'
- 4) S.C. 2.13a (RC8) [Demolition of Buildings - (before commencement of development)]
- 5) S.C. 3.1 (RC10) [Carry Out Landscaping Scheme and Replacements]  
Notwithstanding the submitted details, the junction of the access road with Rutten Lane shall be served by minimum visibility splays of 2.4m x 70m, with any vegetation or obstruction exceeding 0.6m in height above the adjacent carriageway removed to the satisfaction of the Local Planning Authority.

That revised access and access road details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These details should include provision for a dropped kerb access point onto Rutten Lane and traffic calmed shared surface access road which shall be constructed in all respects in accordance with the approved details and maintained as such in perpetuity.

That full design details of the approved cycle parking shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The cycle parking shall be laid out and constructed in accordance with the approved details (RC66).

- 6) S.C. 3.3a [Tree Protection]
- 7) S.C. 4.21a (RC19a) [Surface/Foul Water Disposal]
- 8) S.C. 6.14a (RC40a) [Specified Use Only] 'building', 'nursing home', 'C2'
- 9) S.C. 9.6 (RC87) [Fire Hydrants]  
That petrol/oil interceptors be fitted in all car parking/washing/repair facilities (RC68a)
- 10) The development permitted by this planning permission shall

only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated February 2009, produced by HCD Group dated February 2009 ref E2080092 and the following mitigation measures detailed with the FRA:

- Providing an overall run-off rate of 10 l/s.
  - The proposed scheme shall include surface water drainage systems set out in the Flood Risk Assessment and detailed on drawing C100 Rev C.
  - A maintenance plan shall be produced to ensure the lifetime management of the SUDS and the proposed trash screen.
- 11) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment for the hydrological and hydroecological context of the development, has been submitted to and approved in writing by Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is complete.
- 12) Prior to work commencing, details of a piece of artwork to enhance the site shall be submitted to and approved in writing by the Local Planning Authority. The approved artwork shall thereafter be installed prior to first occupation of the building.

Councillor Sibley requested that his abstention be recorded.

146 **Land West of Barn Field and Adjoining Akeman Street, Chesterton**

The Head of Development Control and Major Developments advised the Committee of a revised recommendation to defer the application in order to allow the offer of community land to be investigated and to give the applicants further time to attempt to resolve the surface water drainage issue.

Members of the Committee also requested a site visit.

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

**Resolved**

That application 08/02482/F be deferred for further investigations and a site visit.

147 **Unit C2/16, Site C, Bicester Garrison, Upper Arcott, Oxfordshire**

The Committee considered a report of the Head of Development Control and Major Developments for the demolition of an existing warehouse and link building and the erection of a new two story office space and link building .

The Committee discussed the proposed design of the building and raised concerns about the effect of increased traffic in the area. Officers assured the Committee that there would only be increased traffic during the construction period as there would be no increased employment on the site.

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

**Resolved**

That application 08/02558/F be approved subject to the following conditions:

- 1) That the development to which this permission relates shall be begun not later than the expiration of three years from the date of this permission.
- 2) That the external walls and roofs of the buildings shall be constructed in accordance with a schedule of materials and finishes which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved.
- 3) That the use of the building shall be by The Ministry of Defence in connection with the use of Site C Bicester Garrison and shall not be used by another occupier without the prior express consent of the Local Planning Authority.

148 **Tree Preservation Order (No 6) 2008 Trees at Bloxham Recreational Ground, Bloxham**

The Committee considered a report of the Head of Development Control and Major Developments advising Members of an objection received to a Tree Preservation Order and seeking a decision confirming the Order.

**Resolved**

That the Order be confirmed without modification.

149 **Decision Subject to Various Requirements - Progress Report**

The Committee considered a report of the Head of Development Control and Major Developments updating Members upon the applications which they had authorised and decisions upon subject to various requirements which must be complied with prior to the issue of decisions.

The Development Control Leader highlighted application 08/00709/F which had been included in the written update and remained outstanding subject to Legal Agreement with Oxfordshire County Council.

**Resolved**

- 1) That the position statement be noted.
- 2) That with regards to application 08/00709/F with regards to the Section 106 agreement negotiations between Oxfordshire County Council and the applicant, to agree Oxfordshire County Council's requirement that the contribution should be index-linked and should only be subject to repayment after 10 years.

150 **Appeals Progress Report**

The Committee considered a report of the Head of Development Control and Major Developments updating Members upon the applications which they had been determined by the Council, where new appeals had been lodged, public inquiries/hearings, schedules or appeal results received.

The Committee discussed the two appeals that had been allowed by the Inspectors appointed by the Secretary of State.

**Resolved**

That the position statement be noted.

151 **Introduction of Public Speaking at Planning Committee**

The Committee considered a report of the Head of Development Control and Major Developments on the introduction of public speaking at Planning Committee Meetings.

The Solicitor advised the Committee of the legal implications of public speaking at Planning Committee and notably that each side (supporters and objectors) would need to be offered the same amount of time to present their statement.

The Committee noted that public speaking at meetings was part of the Planning Improvement Plan which had been approved by Council. Members agreed that there would need to be strict protocols and controls in place in order for the process to be managed effectively.

**Resolved**

1. That the Committee choose the following revised version of option 3:  
Two groups, objectors and supporters, each speaker to have 3 minutes with a total time limit of 9 minutes on each group. Parish and Town Council Representatives to be allocated the first time slot in their respective group.
2. That public speaking at Planning Committee be subject to a review after 12 months.

The meeting ended at 6.03 pm

Chairman:

Date: