

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 28 March 2013 at 4.00 pm

Present: Councillor Rose Stratford (Chairman)

Councillor Ken Atack
Councillor Fred Blackwell
Councillor Colin Clarke
Councillor Tim Emptage
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Gordon Ross
Councillor Leslie F Sibley
Councillor Trevor Stevens
Councillor Lawrie Stratford

Substitute Members: Councillor Barry Wood (In place of Councillor Alastair Milne Home)

Apologies for absence: Councillor Alastair Milne Home

Officers: Bob Duxbury, Development Control Team Leader
Simon Dean, Planning Case Officer
Ross Chambers, Solicitor
Aaron Hetherington, Democratic and Elections Officer

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Declarations of Interest

Members declared the following interests:

7. 19 Meadowsweet Way, Banbury.

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

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

12. 20 Horton View, Banbury.

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

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

193 **Requests to Address the Meeting**

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

194 **Urgent Business**

There was no urgent business.

195 **Minutes**

The Minutes of the meeting held on 28 February 2013 were agreed as a correct record and signed by the Chairman.

196 **Parcel Land East of OS 3500 and North of Field Barn, Hook Norton Road, Sibford Ferris**

The Committee considered application 12/01737/F for a proposed solar farm with combined use for renewable energy and agriculture.

In considering the application, some members commented that the proposal was a good use of land. In response to member comments regarding potential glare to on-coming traffic, the Development Control Team Leader confirmed that the new modern solar panels are designed to absorb the light and not reflect light.

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

Resolved

That application 12/01737/F be approved, subject to:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and

documents: Application forms, Design and Access Statement and drawings numbered: 1513134, P/S/12/001 Rev A, P/S/12/004, P/S/12/005, P/S/12/006, P/S/12/007 Rev D, P/S/12/008 Rev A and P/S/12/009.

3. The planning permission hereby granted consent is for a period from the date of this decision until the date occurring 25 years after the date of commencement of the development hereby permitted. Written notification of the date of commencement shall be given to the Local Planning Authority no later than 14 days after the event.
4. No later than 12 months prior to the end of this permission, a site restoration scheme, to include a programme of works to remove the solar panels and related equipment, but which shall involve the retention of the landscaping scheme, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and within 12 months of the expiry of this permission, the restoration scheme shall be carried out in full in accordance with the approved details.
5. The solar panels and CCTV cameras hereby approved shall not exceed a height of 3m above the ground level on which they are to be installed.
6. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
7. 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 commencement of the development.
8. The existing boundary hedgerows and trees along the entire length of the northern and eastern boundaries of the site shall be retained and the hedges shall be allowed to grow to a height of not less than 3.5m

above ground level and shall not be reduced to a height lower than 3.5m for the entire duration of the planning permission.

9. 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 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.
10. Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of two years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.
11. Prior to the commencement 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, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details for the entire length of the planning permission.
12. Prior to the commencement of the development, full details of the inverter cabinet(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the inverter cabinet(s) shall be provided and retained on site in accordance with the approved details.
13. Prior to the commencement of the development hereby approved, full details of the security fencing, which shall include number and location of badger gates shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the security fencing shall be erected on the site in accordance with the approved details.
14. Prior to the commencement of the development, a Construction Phase Traffic Management Plan, which shall include appropriate warning signage and routeing of vehicles together with a time-bound programme of implementation and wheel washing facilities, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Construction Phase Traffic Management Plan shall be implemented in accordance with the approved details.
15. Prior to the commencement of the development hereby approved, a scheme for the temporary surface treatment of the access road from the highway to the site, for use by heavy goods vehicles, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the

temporary road surface shall be laid in accordance with the approved details.

16. Within one month of the completion of the development hereby approved, the temporary road surface referred to in condition 15 shall be removed from the access road and the access returned, in its entirety, to its former condition.
17. Prior to the commencement of the development hereby approved, full details of an temporary area for the parking and turning of all construction vehicles clear of all public rights of way, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the parking and turning area shall be provided on site in accordance with the approved details.
18. Prior to the commencement of the development hereby approved, full details of a site compound which shall be sited within the site and clear of all public rights of way shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the commencement of the development, the site compound shall be provided in accordance with the approved details.
19. Within one month of the completion of the development hereby approved, the temporary parking and manoeuvring area and the site compound shall be removed from the site and the site shall be laid out in accordance with the approved plans.
20. Prior to the commencement of the development hereby approved, full details of a scheme of signage along the access route, warning pedestrians of construction vehicles, and drivers of pedestrians shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the signage shall be put in place in accordance with the approved details and retained for the duration of the construction phase
21. No materials, plant or temporary structures of any kind whatsoever shall be deposited on or adjacent to any of the public rights of way within the vicinity of the site during the construction phase of the development.
22. No external lighting whatsoever shall be erected on the land.
23. The development hereby approved shall be carried out in accordance with the recommendations set out in Section 5 of the Ecological Walkover Survey Report carried out by Conservation Constructions on 18 November 2012.
24. In the case where development does not commence on any phase before 01 May 2014, an updated ecological survey covering the entirety of the site, which addresses any change in badger activity on the site, together with any subsequent mitigation measures required as

a result of the findings and a timescale for the implementation of the mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be carried out in full in accordance with the approved details.

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19 Meadowsweet Way, Banbury

The Committee considered application 12/01752/F for a Single storey extension and internal alterations to extend existing kitchen – re-submission of 12/01336/F. Consideration of the application had been deferred from the previous meeting to allow for a formal site visit.

Councillor Ilott addressed the Committee as ward member.

Moira McCormick, neighbour, spoke in objection to the application.

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

Resolved

That application 12/01752/F be approved, subject to:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents: Drawing number 001, drawing number 002B, drawing number 003A, drawing number 004B, drawing number 005A and drawing number 006A received 12 December 2012.
3. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, no new window(s) or other openings, other than those shown on the approved plans, shall be inserted in the walls of the west elevation of the extension without the prior express planning consent of the Local Planning Authority.
4. That the height of the extension as constructed shall not exceed 2.5 metres when measured to the top of the parapet walls of extension and the heights to the top of the glazed lantern shall not exceed 3.1 metres (such heights to be measured from the level of the existing patio).
5. That details of the proposed glazing of the glazed lantern shall be submitted to and approved by the Local Planning Authority prior to its installation. The lantern shall thereafter be maintained with this type/colouration of glazing.

198 **The Mount, Green Lane, Swalcliffe**

The Committee considered application 12/01772/F for the construction of a tennis court.

Councillor Reynolds proposed that consideration of application 12/01772/F be deferred for a formal site visit. Councillor Blackwell seconded the proposal.

Resolved

That consideration of application 12/01772/F be deferred for a formal site.

199 **Land south west of Apollo Business Park, Drift Lane, Wroxton**

The Committee considered application 13/00015/F for a solar PV development consisting of mounted solar panel modules, power inverter systems, transformer stations, sub-stations, underground power lines, security fencing and associated access way.

Henry Venners, the applicant's agent, spoke in support to the application.

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

Resolved

That application 13/00015/F be approved, subject to:

1. That the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design & Access Statement, drawings 'WROXTON-01A', 'WROXTON-02A', 'WROXTON-03A', 'WROXTON-04A', 'WROXTON-05A', 'Road Section', 'Typical Fence Elevation' all received with the application on 18 January 2013, and the 'Landscaping Plan' and 'Hedge Planting Schedule' received on 27 February 2013.
3. Prior to development, a Construction Phase Traffic Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved plan shall be implemented and operated in accordance with the approved details.
4. No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.
5. That the solar arrays shall be removed from the site as soon as reasonably practicable when no longer required for electricity generation.

6. 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.
7. No removal of hedgerows, trees or shrubs shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
8. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation statement for badgers, which shall include details of a recent survey (no older than one year), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes if necessary or other measures to ensure badgers are not adversely affected, 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.
9. All species used in the planting proposals associated with the development shall be native species of UK provenance.

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Manor House, South Green, Kirtlington

The Committee considered application 13/00019/F for the refurbishment of and extension to the existing Manor House and Coach House including internal alterations, general window repairs, loft conversion, dormer windows, new staircase, insertion of flue pipe, insertion of new roof lights and windows, conversion of attached barn to habitable accommodation and ancillary development, including new entrance gates; the installation of a garage and studio building; the installation of a swimming pool, pool house/changing room, greenhouse and garden store/shed in garden and the erection of new dry stone walling. The application was a resubmission of application 12/01363/F

Councillor Simon Holland addressed the committee as ward member.

David Pratt, Kirtlington Parish Council Chariman, spoke in objection to the application.

Rob Linnell, the applicant's agent, spoke in support of the application.

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

Resolved

That application 13/00019/F be approved, subject to:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: application forms, design and access statement, heritage statement, drawing numbers 12-16-15, 12-16-16, 12-16-17, 12-16-18, 12-16-19, 12-16-20, 12-16-21, 12-16-22, 12-16-23, 12-16-24C, 12-16-25B, amended drawing numbers 12/16//40, 12-16-26B, 12-16-27E, 12-16-28C, 12-16-29E, 12-16-30F, 12-16-31D, 12-16-32E, 12-16-33D, 12-16-34E, 12-16-35B, 12-16-36E, 12-16-38F and 12-16-39M received in the department on the 12/03/2013 with agent's email of the same date, structural side pinning proposals received in the department on the 12/03/2013 and drawing number 12-16-37F and dwarf wall identification sketch received in the department on the 22 March 2013.
3. Prior to the commencement of any part of the development where new stone work is required, including any new walls within the curtilage of the property, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural limestone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
4. Any remedial stonework necessary for the repair or making good of the building shall be carried out in natural stone 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.
5. The roof of the house, barn and coach house shall be covered with natural stone slates which shall be laid in courses diminishing in width from the eaves to the ridge of the roof in accordance with the traditional practice in the locality.
6. Prior to the commencement of the garden buildings and garage hereby approved, samples of the artificial stone tile and blue slate to be used in the construction of the roof of the buildings 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.

7. Prior to the commencement of the development, full details of the roof lights, doors and windows for the dwelling 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 roof lights, doors and windows shall be installed within the building in accordance with the approved details.
8. Prior to the commencement of the development to construct the garden store building, samples of the timber cladding to be used in the construction of the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
9. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.
10. 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.
11. Prior to any demolition on the site and the commencement of the development and following the approval of the Written Scheme of Investigation referred to in condition 10, 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.
12. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.
13. 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 d) 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/contractors 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
14. Prior to the commencement of the planting of any new trees/vegetation hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
15. 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.
16. Given the presence of bat roosts in the existing buildings and where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

17. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation strategy set out in Bat and Barn Owl Survey Report by Ridgeway Ecology dated 20th August 2012 (amended 3rd January 2013). The identified new bat roosts shall remain as such in perpetuity.
18. Prior to the commencement of any refurbishment/conversion works a scheme for the protection of swifts shall be submitted to the Local Planning Authority and approved in writing. This is to include mitigation and compensation measures to ensure no swift or swallow nesting sites are disturbed or lost. All works shall proceed in accordance with the agreed scheme.

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Manor House, South Green, Kirtlington

The Committee considered application 13/00020/LB for the refurbishment of and extension to existing Manor House and Coach House including internal alterations, general window repairs, loft conversion, dormer windows, new staircase, insertion of flue pipe, insertion of new roof lights and windows, conversion of attached barn to habitable accommodation and ancillary development, including new entrance gates, the erection of new dry stone walling and installation of pool house/changing room. The application was a resubmission of application 12/01364/LB.

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

Resolved

That application 13/00020/LB be approved, subject to:

19. 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.
20. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: application forms, design and access statement, heritage statement, drawing numbers 12-16-15, 12-16-16, 12-16-17, 12-16-18, 12-16-19, 12-16-20, 12-16-21, 12-16-22, 12-16-23, 12-16-24C, 12-16-25B, amended drawing numbers 12/16//40, 12-16-26B, 12-16-27E, 12-16-28C, 12-16-29E, 12-16-30F, 12-16,31D, 12-16-32E, 12-16-33D, 12-16-34E, 12-16-35B, 12-16-36E, 12-16-38F and 12-16-39M received in the department on the 12/03/2013 with agent's email of the same date, structural side pinning proposals received in the department on the 12/03/2013 and drawing number 12-16-37F and dwarf wall identification sketch received in the department on the 22 March 2013.
21. Prior to the commencement of any part of the development where new stone work is required, including any new walls within the curtilage of the property, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural limestone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the

external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

22. Any remedial stonework necessary for the repair or making good of the building shall be carried out in natural stone 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.
23. The roof of the house, barn and coach house shall be covered with natural stone slates which shall be laid in courses diminishing in width from the eaves to the ridge of the roof in accordance with the traditional practice in the locality.
24. Prior to the commencement of the development, full details of the roof lights, doors and windows for the dwelling hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the roof lights, doors and windows shall be installed within the building in accordance with the approved details.
25. Prior to the commencement of the development, full details of the work to the barn floor shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the work to the barn floor shall be carried out in accordance with the approved details.
26. All works of making good shall be carried out in materials and detailed to match the adjoining existing fabric except where shown otherwise on the approved drawings.

202 **20 Horton View, Banbury**

The Committee considered application 13/00024/F for the change of use to retail (funeral directors) and erection of a car port.

Councillor Clarke proposed that consideration of application 13/00024/F be deferred for a formal site visit. Councillor Ross seconded the proposal.

Resolved

That consideration of application 13/00024/F be deferred for a formal site.

203 **Foresters Lodge, Springhill Road, Begbroke**

The Committee considered application 13/00054/F for the demolition of existing dwelling and outbuildings and erection of new dwelling.

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

Resolved

That application 13/00054/F be approved, subject to:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, design and access statement, appendices to design and access statement, planning statement and drawings numbered P2000, P2001, P2002, 00360/10/S10, 00360/10/S11, 00360/10/S12, 00360/10/S13, P2010, P2011, P2012, P2020, P2021, P2022 and 767-LAN-PLN-01. For the avoidance of doubt the Woodland Management Observations document Ref 767-001 prepared by Charles Funke Associates contained within the Appendices to the D&A Statement dated November 2012 is not approved by this permission.
3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development including samples of each material hereby approved 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 schedule.
4. Prior to the commencement of the development hereby approved, a stone sample panel including the detailing of the construction technique (minimum 1m² in size) shall be constructed on site, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
5. Prior to the commencement of the development full design details of the green roofs, solar panels and glazing 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.
6. Prior to the commencement of the development hereby approved, a plan showing a car parking provision for five spaces to be accommodated within the site to include layout, surface details, and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.
7. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter

the development shall be carried out in accordance with the approved finished floor levels plan.

8. 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.
9. 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.
10. Prior to the first occupation of the development hereby approved, the buildings and structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site.
11. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.
12. No removal of hedgerows, trees or shrubs or works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
13. All species used in the planting proposals associated with the development shall be native species of local provenance.
14. Prior to the commencement of any works on site, including any site clearance, a report from a suitably qualified ecologist outlining in detail all habitat and species surveys carried out on site, the methodology, results and any resulting mitigation or working methodologies required, along with the details of all biodiversity enhancements to be included

on site, which shall include a management plan for all retained and enhanced biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

204 **Rosemary, Main Street, Fringford**

The Committee considered application 13/00097/F for retrospective permission for a variation of condition 2 of the previously approved application 11/01160/F.

Councillor Rose Stratford proposed that consideration of application 13/00024/F be deferred for a formal site visit. Councillor Clarke seconded the proposal.

Resolved

That consideration of application 13/00097/F be deferred for a formal site.

205 **LR Ebbs Neuk, Hogg End, Bloxham**

The Committee considered application 13/00148/F for two new dwellings and ancillary works.

Raymond John Atkinson, neighbour, spoke in objection to the application.

Philip Smith, the applicant's agent, spoke in support to the application.

In considering the application, some members commented on the impact of overdevelopment of the site and potential highway issues that could affect neighbouring properties.

Councillor Heath proposed that application 13/00148/F be refused. Councillor Reynolds seconded the proposal.

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

Resolved

That application 13/00148/F be refused, for the following reasons:

The proposal would result in an incongruous form of overdevelopment in a backland position which would be out of keeping and not integrated with the established streetscene, and would be contrary to the character and amenity of the surrounding area, and which would give rise to increased noise and disturbance and loss of privacy for the neighbouring residents, in particular those at Ebbs Neuk and The Beeches. The development would therefore be contrary to Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

206 **Land at Stoneton and Wormleighton, Warwickshire**

The Committee considered application 13/00165/ADJ relating to the erection of 9 wind turbines up to a maximum tip height of 125 metres, and other ancillary development including a new vehicular access from the A423 south of Fenny Compton Wharf, access tracks, vehicular access from the C35 east of Wormleighton, crane hardstandings, bridge crossing of the Oxford canal, control building, cabling, construction compound and permanent meteorological mast (Stratford DC ref. 12/01500/FUL).

Cherwell District Council was a consultee on the application which would be determined by Stratford on Avon District Council.

In considering the application, some members commented on the aviation impact, in particular the radar implications for the nearest airport.

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

Resolved

1. That Stratford on Avon District Council be advised that Cherwell District Council has concerns over the potential landscape and visual impacts of the proposal given the local topography.
2. That Stratford on Avon District Council be requested to inform Cherwell District Council of the outcome of the application.

207 **Decisions Subject to Various Requirements**

The Committee considered a report which updated Members on decisions which were subject to various requirements.

Resolved

- (1) That the position statement be accepted

208 **Appeals Progress Report**

The Committee considered a report which updated Members on application which had been determined by the Council, where new appeals had been lodged. Public Included/ hearings scheduled or appeal results achieved.

Resolved

- (1) That the position statement be accepted.

209 **Exclusion of Public and Press**

Resolved

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

210 **Land South of Milton Road, Bloxham**

The Head of Public Protection and Development Management submitted an exempt report relating to application 12/01139/OUT.

Resolved

1. That the recommendation not pursue the layout objection to application 12/01139/OUT – residential development comprising up to 85 dwellings with access and associated infrastructure – and omit the layout objection from the first reason for refusal be agreed.

The meeting ended at 7.25 pm

Chairman:

Date: