

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 16 May 2013 at 4.00 pm

- Present: Councillor Rose Stratford (Chairman)
Councillor Alastair Milne Home (Vice-Chairman)
- Councillor Ken Atack
Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Colin Clarke
Councillor Tim Emptage
Councillor Michael Gibbard
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 Trevor Stevens
Councillor Lawrie Stratford
- Substitute Members: Councillor Nigel Randall (In place of Councillor Chris Heath)
- Apologies for absence: Councillor Chris Heath
- Officers: Bob Duxbury, Development Control Team Leader
Rebecca Horley, Senior Planning Officer
Tracey Morrissey, Senior Planning Officer
Andrew Lewis, Senior Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Democratic and Elections Officer

3 Declarations of Interest

Members declared interests in the following agenda items:

7. Land off Warwick Road, North of Hanwell Fields, Banbury.

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

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

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

8. Unit B, 144 Oxford Road, Kidlington.

Councillor Tim Emptage, Non Statutory Interest, as a member of Kidlington Parish Council.

9. Bicester Town Centre Development, Manorsfield Road, Bicester.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

11. Banbury Gateway. Acorn Way. Banbury. OX16 3JU.

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

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

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

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

12. Banbury AAT Academy, (formerly Banbury School) Ruskin Road Banbury.

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

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

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

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

16. 1 West Street, Banbury.

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

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

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

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

17. 1-5 Juniper Court, St. Johns Road, Banbury.

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

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

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

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

18. 1-5 Juniper Court, St. Johns Road, Banbury.

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

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

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

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

19. Area of Land South West of Coleridge Close, Bicester.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and left the room for the duration of the item.

4 Requests to Address the Meeting

There were no petitions or requests to address the Committee. / The Chairman advised that petitions and requests to address the meeting would be dealt with at each item.

5 Urgent Business

There was no urgent business.

6 Minutes

The Minutes of the meeting held on 11 April 2013, 18 April 2013 and 15 May 2013 were agreed as a correct record and signed by the Chairman.

7 Land at Howes Lane and Middleton Stoney Road, Bicester

The Chairman reported that the application had been withdrawn by the applicant.

8 Land off Warwick Road, North of Hanwell Fields, Banbury

The Committee considered application 12/01789/OUT for Outline application for up to 350 dwellings, together with new vehicular access from Warwick Road an associated open space.

Councillor Rose Stratford proposed that application 12/01789/OUT be deferred. Councillor Blackwell seconded the proposal.

Resolved

That application 12/01789/OUT be deferred to allow the current focussed consultation exercise to be completed in the light of the changed policy that is proposed for this site in that consultation.

9 Unit B, 144 Oxford Road, Kidlington

The Committee considered application 12/01791/F for the change of use from A1 to A3.

Brendan O'Dowda, a neighbour, spoke in objection to the application. Paul Blake, the agent, spoke in support to the application.

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

Resolved

That application 12/01791/F be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by 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: 187412:1, 187412:2 and 187412:3 and the following documents and plans approved under 12/00930/F: application forms, design and access statement and drawing numbers 179610:1, 179610:2, 179610:3B, 179610:4D, 179610:5B and 179610:6. For the avoidance of doubt, the commercial rubbish area shall not be installed at the front of the site.
3. The materials to be used to construct the new building at 144 Oxford Road shall be in accordance with those approved under 12/00198/DISC on the 09/04/2013, namely Northcot Multi red rustic brick, Redland plain concrete tile and Monocouche XF cream S40 render unless otherwise approved in writing by the Local Planning Authority.

4. Any windows in the north and south elevations of the new building at 144 Oxford Road shall be glazed at all times with obscured glass that complies with British Standard Category C and shall be fixed shut unless any opening element is at least 1.7m above the floor level in the room in which it serves except for the lounge window on the north elevation of the building and the ground floor windows serving the kitchen, utility room, porch and extension on the south elevation shown on drawing 179610:4D.
5. A plan showing the details of the finished floor levels of the proposed building in relation to existing ground levels on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
6. Before the development is first occupied, the parking and manoeuvring areas and cycle areas shall be provided in accordance with the plan hereby approved and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles and bicycles at all times thereafter.
7. Before the development is first occupied the access drive shall be constructed, surfaced, laid and marked out, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
8. The boundary enclosures shall be installed in accordance with those shown on drawing number 179610:4 E approved under 12/00198/DISC on the 09/04/2013, and such means of enclosure shall be erected prior to the first use of the building.
9. The commercial and residential waste storage areas shall be positioned to the rear of the site in accordance with the position and details of their appearance as shown on drawing number 179610:4 E approved under 12/00198/DISC on the 09/04/2013.
10. That full design details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting. The lighting shall be installed in accordance with the approved details.
11. That full design details of any proposed mechanical ventilation or extraction systems including any necessary flue to be installed into or onto the building shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The equipment shall be installed in accordance with the approved details.

12. Notwithstanding the approved plans, any changes required to the windows on the north elevation of the new building at 144 Oxford Road in order to comply with the Building Regulations shall be shown on a revised plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the amended plan.
13. No deliveries shall take place to or from the site before 08.00 hours or after 18.00 hours on any day.
Reason - To safeguard the residential amenities of existing and
14. The two retail premises to the north and south of the building shall be used only for purposes falling within Class A1 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
15. The retail unit identified as 'Unit B' on drawing number 187412:3 shall be used only for purposes falling within Class A1 or A3 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
16. The hours of opening of Unit B shall be restricted to the following times:-

Monday-Friday – [7.00am to 6.00pm]
Saturday – [7.00am to 6.00pm]
Sunday and Public Holidays – [7.00am to 6.00pm]

10

Bicester Town Centre Development, Manorsfield Road, Bicester

The committee considered application 13/00172/ADV to seek advertisement consent for an internally illuminated fascia sign for Vue Cinema and two internally illuminated poster cases.

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

Resolved

That application 13/00172/ADV be approved, subject to the following conditions:

1. That at the end of the period of 5 years from the date hereof this consent will lapse.
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: Drawing No. 4220 L(X) 10, 4220 L(X) 11, 4220:L(0)04 Rev C, A3 drawing "Transom Sign" and A3 Drawings "Curved Entrance Sign" including plan view submitted with the application

3. (a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (b) No advertisement shall be sited or displayed so as to:-
- (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

11 **Land north east of Chestnut Close, Launton**

The Committee considered application 13/00186/F for the erection of 11 dwellings.

Clive Deeley, a neighbour spoke in objection to the application.

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

Resolved

That application 13/00186/F be approved subject to the following conditions:

- a) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to secure financial contributions as outlined in the Section 106 section above,
- b) The following conditions:
 - 1. The development to which this permission relates shall be begun not later than the expiration of two 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:

- P001, 002, 003A, 004A, 005A, 006A, 007, 008, 009A, 010, P011, P012A, P013, P014 and 12-1180-06 Rev 02.
3. Prior to the commencement of the development hereby approved, samples of the brick and stone to be used in the construction of the headers and walls, respectively, of the dwellings and garages shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
 4. Prior to the commencement of the development hereby approved, samples of the tiles to be used in the construction of the roofs of the dwellings and garages shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
 5. The approved means of enclosure as set in drawing no.P012 rev A, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved plan, prior to the first occupation of those dwellings.
 6. Prior to the first occupation of the development hereby approved, details of refuse bins for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved bins shall be provided for each dwelling prior to its occupation.
 7. 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.
 8. 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.

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 [specify appropriate section if required] 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.
 - a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

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

10. 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/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

- 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)
- 11. Prior to the commencement of development, a lighting scheme showing location, type and approximate light spill of each light will be submitted to the Local Planning Authority for written approval. The scheme shall thereafter be implemented in accordance with the approved details.
- 12. No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 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. Prior to the commencement of the development hereby approved, full details of a scheme for the location of bat and bird boxes on site as outlined in the submitted Ecological report (AA Environmental LLP Dec 2012) and details of any other biodiversity enhancements proposed, 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.
- 14. No works including any clearance or vegetation removal shall proceed on site without strict adherence to the Method Statement submitted (Herpetofauna AA Environmental LLP December 2012), which outlines working practices and supervision by a qualified ecologist.
- 15. All species used in the planting proposals associated with the development shall be native species of UK provenance (not to include *Fraxinus excelsior*).
- 16. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Method Statement which shall include details of the measures to be taken to ensure that construction works do not adversely affect retained biodiversity on site, including hedgerows, boundary vegetation and trees 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 statement.
- 17. Prior to development; a construction phase travel plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the details so approved.

18. Prior to the first occupation of the dwellings hereby approved, the proposed means of access between the land and the highway, including footways, parking areas and turning areas shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
19. The garage(s) shown on the approved plans shall not be converted to provide additional living accommodation without the prior express planning consent of the Local Planning Authority.
20. That full details of the public art scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the details so approved.

12

Banbury Gateway. Acorn Way. Banbury. OX16 3JU

The Committee considered application 13/00227/F for the Variation of condition 34 of 11/01870/F – Amendments to units 1 and 2.

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

Resolved

That application 13/00227/F be approved, subject to the following conditions:

- i) referral to the Secretary of State (Department for Communities and Local Government) as a departure (out of town as defined with CLG Circular 02/2009);
- ii) completion of a satisfactory section 106 agreement relating to matters of public art CCTV, transport infrastructure and highways.
- iii) the following conditions:

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCEMENT OF THE DEVELOPMENT AND ANY DEMOLITION

1. Land Contamination (investigation)

Prior to the commencement of the development hereby permitted and any demolition on the site, comprehensive intrusive investigation in order to characterise the type, nature and extent of the potential risk from contamination present (identified in Campbell Reith Consulting Engineers Geoenvironmental and Geotechnical Desktop Study, dated December 2011 submitted with application 11/01870/F), 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.

2. Land Contamination (remediation scheme)

Prior to the commencement of the development hereby permitted and any demolition on the site, if contamination is found by undertaking the work carried out under condition 1, 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.

3. Archaeology (preparation of WSI)

Prior to the commencement of the development, any demolition on the site, and any archaeological investigation, 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.

4. Archaeology (evaluation and mitigation)

Prior to the commencement of the development and any demolition on the site, and following the approval of the Written Scheme of Investigation referred to in condition 3, 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 archaeological evaluation and mitigation 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 as soon as practically possible following the completion of the on site investigation. Providing that the timing of the archaeological evaluation and mitigation is carried out in accordance with the wording of this condition, the submission of the full report may follow the commencement of the development on site.

5. Ecological Protection

Prior to the commencement of the development and any demolition on the site, measures to protect the ecological value of the River Cherwell and the existing pond on the site from the development works shall be installed on site in accordance with full details to be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter the approved protection measures shall remain in place until the completion of the development hereby approved.

6. Tree Protection

Prior to the commencement of the development and any demolition on the site, the trees on the site identified as being retained on the approved plans, shall be protected in accordance with the measures set out in the submitted arboricultural statement prepared by Ecourban Ltd (Ref: 11234-AIA) submitted with application 11/01870/F. The tree protection measures shall remain in place on the site until the completion of the development hereby approved.

CONDITIONS TO BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

7. Materials (schedule/sample)

Prior to the commencement of the development, a schedule of materials and finishes which shall include the submission of samples of walling and roofing materials, 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.

8. Landscaping Details

Prior to the commencement of the development hereby approved, a scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme 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) Detail of tree planting including planting pit dimensions and surfacing treatment.
- c) Details of the existing trees and hedgerows to be retained together with 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 hedge of any excavation.
- d) Details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.

9. Refuse/Storage Details

Prior to the commencement of the development hereby approved, full details of all refuse and storage areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and storage areas shall be constructed in accordance with approved details prior to the first occupation of any of the units hereby approved.

10. Lighting Details

Prior to the commencement of the development hereby approved, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed and retained in accordance with the approved details.

11. Enclosure Details

Prior to the commencement of 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. Thereafter such means of enclosure shall be erected and retained on site in accordance with the approved details prior to the first occupation of the development hereby approved.

12. New Footpath Details

Prior to the commencement of the development hereby approved, full details of the on site pedestrian and cycle route improvements shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the improved routes, shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and all ancillary works specified therein shall be undertaken prior to the first occupation of the development hereby approved.

13. SUDS

Prior to the commencement of the development hereby approved, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

14. Surface Water/Foul Drainage

Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul drainage of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be carried out prior to the first occupation of any building works to which the scheme relates the approved foul sewerage drainage scheme shall be implemented prior to the first occupation of any building to which the scheme relates. All drainage works shall be laid out and constructed in accordance with the current British Standards and Building Regulations.

15. Temporary Cyclist/Pedestrian Route

Prior to the commencement of the development hereby approved, a temporary replacement route for the existing public footpath/cycleway which crosses the site shall be provided, constructed and surfaced in accordance with full details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the temporary replacement route shall remain open throughout the entire construction phase, until such time that the permanent public right of way diversion has been brought into force and its route constructed, surfaced and opened.

16. Air Quality Assessment

Prior to commencement of the development hereby permitted, an Air Quality Assessment shall be undertaken by a competent person and shall be submitted to and approved in writing by the Local Planning Authority.

17. Air Quality Mitigation

Prior to the commencement of the development hereby approved and where required as a result of the Air Quality Assessment approved under condition 16, a scheme for the protection of residents within the nearby Air Quality Management Area shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the measures of the protection scheme shall be implemented prior to the first occupation of the development hereby approved.

18. Construction Traffic Management

Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan providing full details of the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include wheel washing facilities, a restriction on construction and delivery traffic during the construction works and a route to the development site. The approved Plan shall be implemented in full in accordance with the approved details during the entire construction phase.

19. Advertising Strategy

Prior to the commencement of the development full details of a strategy for signage and advertising for the entire development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the signage for each unit shall be submitted for approval in accordance with the approved strategy.

20. Demolition

Prior to the commencement of the development, 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 unless they are to be recycled and used as part of the construction phase.

21. Land Contamination (carrying out remediation)

Prior to the first occupation of the development hereby approved and if remedial works have been identified in condition 2, the remedial works shall be carried out in accordance with the scheme approved under condition 2 and a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

22. Waste Bin Details

Prior to the first occupation of the development hereby approved, suitably located waste bins within the external pedestrian circulation areas for use by the public shall be installed and thereafter retained in accordance with full design details to be firstly submitted to and approved in writing by the Local Planning Authority.

23. Access Works

Prior to the first occupation of the development hereby approved the proposed access works between the land and the highway as indicated on drawings numbered 110071_SK_23 and 110071-A-01 submitted with application 11/01870/F shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and that all ancillary works specified therein shall be undertaken.

24. Off Site Highway Works

Prior to the first occupation of the development hereby approved the proposed off-site works between the land and the highway as indicated on drawing numbered 110071-A-03 submitted with application 11/01870/F shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and that all ancillary works specified therein shall be undertaken.

25. Vision Splays

Prior to the first occupation of the development hereby approved, full details of the vision splays within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the vision splays shall be formed, laid out and constructed in accordance with the approved details and the land and vegetation within each vision splay shall not be raised or allowed to grow above a maximum height of 0.9metres above carriageway level.

26. Parking Areas

Prior to the first occupation of the development hereby approved, the parking areas, which shall include 580 car parking spaces, shall be constructed, surfaced, laid and marked out, drained and completed in accordance with specification details to be firstly submitted to and approved in writing by the Local Planning Authority.

27. Cycle Parking

Prior to the first occupation of the development hereby approved, covered cycle parking facilities, which shall include 146 cycle parking spaces (73 Sheffield stands) shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities so provided shall be permanently retained and maintained for the parking of cycles in connection with the development.

28. Provision of routes for replacement public rights of way

Prior to the first occupation of the development hereby approved, the routes for replacement public rights of way shall be formed, laid out, constructed and made fully open for public use in accordance with full details (to include all ancillary works) to be firstly submitted to and approved in writing by the Local Planning Authority.

29. Car Parking Management Plan

Prior to the first occupation of the development hereby approved a car parking management plan which shall include details of overall management, hours of operation, security and management at peak trading times, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the car parking on the site shall be managed in accordance with the approved details.

30. Shuttle Bus Advertising

Prior to the first occupation of the development hereby approved a scheme advertising the shuttle bus service to Banbury Town Centre shall be installed on the site in accordance with full details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the advertising scheme shall be retained on site.

31. Bird/Bat Boxes

Prior to the first occupation of the development hereby approved, bird nesting boxes (including boxes suitable for swifts) and bat boxes shall be installed on the buildings/site in accordance with full details to be first submitted to and approved in writing by the Local Planning Authority.

32. Wildflower Grassland

Prior to the occupation of the development hereby approved, full details of the creation and management of the wildflower grassland shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the wildflower grassland areas shall be planted in accordance with the approved details during the first planting season following the first occupation of the buildings hereby approved.

COMPLIANCE ONLY CONDITONS

33. Time Limit

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.

34. Plans Condition

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 (rev B), flood risk assessment and addendum and drawings numbered 8842-L001-F, 8842-L009-D, 8842-P103-B, 8842-P104-E, 8842-P114-B; 8842,P115; 8842-P117-B; 8842-S101-

B; 8845-S104-A; 8842-E100-C, 8842-E102 Rev G, 8842-E103-E, 8842-E104-D, 8842-E105-C, 8842-P101-J, 8842-P102-D, 8842-P104-E, 8842-P105 Rev H, 8842-P106-D, 8842-P107-C, 8842-P108-C, 8842-P109, 8842-P110-C, 8842-P111-C, 8842-P112-C, 8842-P116 Rev F, 8842-S100-E, 8842-S102 Rev E and 8842-S103-B, 8842 Banbury Gateway Schedules of Floor Areas Rev E, 110071/AT/38 Rev A and 110071/A/39

35. Footpath Hedge Height

The new boundary planting to be provided along the diverted footpath/cycleway between the car park and the footpath shall be made up of plant species which grow no higher than 0.9m in height.

36. BREEAM

The development hereby approved shall be constructed to at least a BREEAM 'Very Good' standard under the appropriate BREEAM scheme as registered by the developer with the BRE.

37. Carrying out of Landscaping Planting

All planting, seeding and turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a periods of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

RESTRICTIVE CONDITIONS

38. Subdivision

The retail units hereby approved shall not be subdivided to provide any more than 15 A1 retail units on the site and no A1 retail unit shall be subdivided to less than 465 square meters in ground floor area.

39. Amalgamation

The A1 retail units hereby approved shall not be amalgamated with the A3 units indicated as Units 3, 4, and 5 on drawing numbered 8842-P-101E and the A1 retail units shall not be amalgamated to provide any more than two A1 retail units exceeding 1,800 sqm (GIA at ground floor level).

40. No Convenience Goods

Other than from unit 11 as indicated on drawing numbered 8842-P-101-E, no more than 5% of the GIA of each A1 retail unit shall be used for the sale of convenience goods.

41. Convenience Goods Restriction Unit 11

No more than 15% of the total floorspace of Unit 11 (including floorspace at mezzanine level) shall be used for the sale of convenience goods.

42. No COU

The A3 units hereby approved (Units 3, 4 and 5) shall be used only for the purposes falling within Class A3 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 together with the sale of ancillary A1 and A5 goods, and for no other purpose(s) whatsoever.

43. No Extensions

Notwithstanding the provisions of Classes A and B of Part 42, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 and its subsequent amendments, the approved buildings shall not be extended or altered and nor shall any trolley stores, other than those indicated on the approved plans, be erected or constructed within the curtilage of each unit.

44. No Outside Storage

Prior to the occupation of each building hereby approved all goods, materials or plant to be stored or displayed in the open shall be provided in association with each unit in accordance with full details to be submitted to and approved in writing by the Local Planning Authority and other than in accordance with the approved details no other goods, materials or plant shall be stored or displayed in the open

13

**Banbury AAT Academy, (formerly Banbury School) Ruskin Road
Banbury**

The Committee considered application 13/00265/OUT for residential development with access and associated infrastructure; the provision of a new all-weather astro turf pitch (ATP) with lighting; and the extension and alteration of the sports hall and changing facilities including the provision of an external climbing wall.

Councillor Blackwell proposed that application 13/00265/OUT be deferred. Councillor Reynolds seconded the proposal.

Resolved

That application 13/00265/OUT be deferred for officers to clarify the position of the proposed all-weather astro turf pitch with the applicants' agent.

14

**Land North of Gaveston Gardens and Rear of Manor Farm, Banbury
Road, Deddington**

The Committee considered application 13/00301/OUT for residential development comprising up to 85 dwellings with new access, public open space and associated infrastructure.

Alan Collins, Deddington Parish Council Chairman addressed the committee in objection to the application.

Paul Burrell, the agent to the application, spoke in support of the application.

Councillor Randall proposed that application 13/00301/OUT be moved for refusal as the application was contrary to Policies H12, H13 and H18 of the adopted Cherwell Local Plan and Policies H15 and H19 of the Non-Statutory Cherwell Local Plan. Councillor Lawrie Stratford seconded the proposal.

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

Resolved

That application 13/00301/OUT be refused, for the following reasons:

1. The proposal represents development beyond the strongly defined built up limits of Deddington within open countryside contrary to Policies H12, H13 and H18 of the adopted Cherwell Local Plan and Policies H15 and H19 of the Non-Statutory Cherwell Local Plan. It is considered that the development of this site will cause harm to the character and appearance of the countryside on the northern edge of Deddington contrary to Policy C7 and C13 of the adopted Cherwell Local Plan and Policy EN34 of the Non-Statutory Cherwell Local Plan and Policy ESD 13 of the Proposed Submission Local Plan Incorporating Proposed Changes (March 2013) and to the core principles of the NPPF. Notwithstanding the Council's present inability to demonstrate that it has a five year supply of housing land required by paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of the temporary land supply deficiency alone and that significant harm will result.
2. In the absence of a satisfactory planning obligation the Local Planning Authority cannot guarantee that the infrastructure directly required to service or serve the proposed development will be provided, thus adding to the pressures on local infrastructure and services resulting in an unsustainable form of development, contrary to Policies H5, TR1 and R12 of the adopted Cherwell Local Plan and Policies H7, TR4, R8, R9 and R10A of the Non-Statutory Cherwell Local Plan 2011.

583 Heyford Park, Camp Road, Upper Heyford

The Committee considered application 13/00343/F for the retention and change of use of building 583 and associated open space to Class D1/D2 including erection of entrance canopy, other external alterations including partial demolition works and associated infrastructure and landscaping works.

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

Resolved

That application 13/00343/F be approved, subject to the following:

- i) The applicants entering into an appropriate legal agreement to the satisfaction of the District and County Council relating to matters of education, transport and joint use and
- ii) Highway Authority receiving sufficient information to enable them to remove their objection
- iii) The plans being amended to overcome the objection from Sport England and
- iv) The following conditions:
 - 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 and drawings numbered:
 - o Site Location Plan D0291 150/1
 - o Site Plan 1 of 2 D960
 - o Site Plan 2 of 2 D961
 - o Ground Floor Plan-2015 D
 - o First Floor Plan-2016 D
 - o Elevations 2031 E
 - o Elevations 2031 E
 - 3 Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls of the development hereby approved together with samples of the cladding, bricks and render to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. 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 approved schedule and samples.

- 4 Use of the School facilities shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the indoor sports hall, playing fields and other outdoor sports facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.'
- 5 a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]:
 - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
 - (b) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England] [or other specified time frame - e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
- 6 That Building 583 and the associated open space shall be used only for the purpose of non residential educational use in association with use of Building 74 together with community use of the indoor and outdoor space and for no other purpose whatsoever, including any other purpose in Class D1 or D2 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
- 7 That no development shall be commenced until full details of the safe pedestrian routes and crossings between Building's 74 and 583, together with full details of access for pedestrians and cyclists into the site from the surrounding development have been submitted to and approved in writing by the Local Planning Authority. Plans and particulars of the matters referred to above shall be carried out as approved.

- 8 That a plan showing parking provision for minibuses, and coaches to be accommodated within the site, together with details of access and manoeuvring space, and a dropping off facility, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and that such parking facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before the first occupation of the premises. The parking spaces shall be retained for the parking of vehicles at all times thereafter.
- 9 A Green Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the planning process to secure travel plans", shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.
- 10 Prior to the first use or occupation of Building 583, screened and covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.
- 11 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.
- 12 Prior to the commencement of the development hereby approved, full details of the access vision splays to Camp Road, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of Building 583 the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1m above carriageway level.
- 13 That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which 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, pavements, pedestrian areas, crossing points and steps.
- 14 That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out 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; and that any trees 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.
- 15 That 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 prior to the occupation of the building, and such means of enclosure, shall be erected prior to the first use of the building.
- 16 Details of any proposed external lighting in and adjacent to the building, car parking areas and access way shall be submitted to and approved in writing by the Local Planning Authority and no lighting shall be installed without the consent of the Authority first being obtained.
- 17 All plant, machinery, mechanical ventilation equipment and ducting, other than that shown on the approved plans, shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building without the prior written permission of the Local Planning Authority unless otherwise agreed with the Local Planning Authority.
- 18 The rated level of noise emitted from externally mounted plant and equipment shall not exceed background when measured in accordance with British Standard BS 4142: Method for rating noise affecting mixed industrial and residential areas at dwellings fronting on to Eady Road, Upper Heyford. The applicants shall submit a specialist contractors report showing the results of an on site noise survey and the means they intend to employ achieve compliance for approval by the LPA. The approved scheme shall be installed and fully operational prior to the first use of the building and the plant and equipment specified shall be maintained such that the noise target is achieved throughout the life of the consent.

- 19 Full design details of the screened provision for refuse/recycling/bin storage area, including materials to be used, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Thereafter the facilities shall be retained solely for their intended purpose and refuse and recycling items shall be placed and stored only in this storage area. The approved area shall be available for use before the building is brought into use.
- 20 If remedial works have been identified in condition 20, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 20. A verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 21 Reports submitted with this application have identified a potential risk from contamination which may affect this development. 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.
- 22 If contamination is found by undertaking the work carried out under condition 21, 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.

16 **Springfield Farm, Ambrosden**

The Committee considered application 13/00344/HYBRID for Full planning permission for demolition of the existing buildings and development of 90 new homes, new vehicular accesses, public and private open space with car and cycle parking, landscaping and associated servicing. Outline planning permission for community building with all matters reserved with associated car and cycle parking and landscaping (all matters reserved except points of access).

Councillor Andrew Fulljames addressed the committee as ward member.

Mark Longworth, Ambrosden Parish Chairman and Jonathan Porter, the agent to the application, spoke in support to the application.

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

Resolved

That application 13/00344/HYBRID be approved, subject:

- a) the delegation of the completion of the S106 negotiations to officers in consultation with the Chairman;
- b) the completion of the S106 legal agreement;
- c) further comments from Oxfordshire County Council;
- d) acceptable amended layout;
- e) the following conditions:

The following conditions relate to the Full permission

1. The development to which this permission relates shall be begun not later than the expiration of two year beginning with the date of this permission.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site location plan, [rest To be confirmed]
3. Prior to the commencement of the development hereby approved, samples of the brick, stone and render to be used in the construction of the walls of the dwellings and garages of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
4. Prior to the commencement of the development hereby approved, samples of the tiles to be used in the construction of the roofs of the dwellings and garages of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
6. 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.

7. Prior to the commencement of any approved tree works, any operations that present a risk to retained trees, or any operations to facilitate specialised tree planting (eg: tree surgery, trenching operations close to the Root Protection Areas of retained trees or construction of load-bearing structured cell planting pits), the applicant shall give the Local Planning Authority seven days written notice that works are due to commence.
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/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
 - (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)
9. Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, 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.
10. All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and

Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.

11. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, 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 and specifications.
12. 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.
13. That prior to the commencement of the development hereby approved, full design details of the equipment and layout of the Local Areas of Play (LAPs) and the Local Equipped Area of Plan (LEAP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the LAPs and LEAP shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
14. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a full mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative roosts to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.
15. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between 1 March and 31 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.

16. No more than six months prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, an update survey for badgers should be carried out and a report, which should include whether a development licence is required, the location and timing of the provision of any protective fencing around setts/commuting routes and full mitigation strategy should this be required 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.
17. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
18. 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. Thereafter, the LEMP shall be carried out in accordance with the approved details.
19. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Statement which shall include details of the measures to be taken to ensure that construction works do not adversely affect retained 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 CEMS.
20. That details (including the siting) of the public art scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the details so approved.
21. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref WB02358, Rev D, Final, dated 05 March 2013 and the following mitigation measures detailed within the FRA:
 - Limiting the surface water run-off generated by the <state return event> critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

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.

22. Prior to the commencement of the development hereby approved, full details of the means of accesses between the land and the highway, including, position, layout, construction, drainage and vision splays (and including culverting of any ditches) 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.
23. Prior to the first use of the accesses hereby approved, the existing access onto Blackthorn Road shall be permanently stopped up in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the access shall not be used by any vehicular traffic whatsoever.
24. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, car parking, driveways and turning areas to serve the dwellings, 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 of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
25. Details of the secure cycle parking facilities for each property shall be submitted to and approved in writing by the Local Planning Authority.
26. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to 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.
27. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
28. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the dwelling(s) and the highway without the prior express planning consent of the Local Planning Authority.

29. The garage(s) shown on the approved plans shall not be converted to provide additional living accommodation without the prior express planning consent of the Local Planning Authority.
30. Prior to the commencement of 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. Thereafter, the approved means of enclosure, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved details, prior to the first occupation of those dwellings.
31. Prior to the first occupation of any dwelling on the site, a final Code Certificate, certifying that the dwelling in question achieves Level 4 of the Code for Sustainable Homes shall be issued, proof of which shall be submitted to and approved in writing by the Local Planning Authority.

The following conditions relate only to the Outline permission (site for community building on grey as shown on Planning Layout dwg No. PL-03 Rev E)

32. That no development shall be commenced until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
33. That in the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
34. That the development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
35. That the development shall be used as a community facility only and for no other purpose whatsoever.
36. That any building shall be no higher than two storey (8m).

(Condition regarding the phasing of the community facility and the housing to be agreed with the applicant.)

bin store, new pedestrian access to Brunswick Place, off-street parking and new railings to front boundary.

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

Resolved

That application 13/00354/CDC be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by 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: PL100 and PL102 received 11 March 2013.
3. Prior to the commencement of the development hereby approved, samples of the brick 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.
4. Prior to the commencement of the development hereby approved, samples of the render (including colour and texture) to be used in the construction of the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved, samples of the tiles 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.
6. Prior to the commencement of the development hereby approved, samples of the paving blocks to be used for the hard landscaping at the front 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.
7. Prior to the commencement of the development full details of the enclosures along the front boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first occupation of the dwelling.
8. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a

cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an 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.

9. Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
10. The rear pedestrian access gate shall remain locked at all times and only used by refuse collectors to access the bin store.
11. Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1m above carriageway level.
12. The development hereby approved shall be carried out strictly in accordance with the Method Statement pertaining to Bats and Swifts set out in part 6.2 of the Bat Activity Surveys submitted with the application, which was prepared by Swift Ecology dated 18th July 2012.

18

1-5 Juniper Court, St. Johns Road, Banbury

The Committee considered application 13/00355/CDC for the proposed conversion and alteration to existing Grade II listed building to provide 4 x 2 bed dwellings together with alterations to elevations including insertion of two windows to west elevation, provision of bin store, new pedestrian footpath to 6-9 Juniper Court and external landscaping.

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

Resolved

That application 13/00355/CDC be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

2. Except where otherwise stipulated by 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: PL100 and PL102 received 11 March 2013.
3. Prior to the commencement of the development hereby approved, full details (including colour and material samples) of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, in respect of those dwellings which they are intended to screen shall be erected, in accordance with the approved details, prior to the first occupation of those dwellings.
4. Prior to the commencement of the development hereby approved, samples of the paving blocks to be used for the hard landscaping at the front of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
5. Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwellings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
6. The development hereby approved shall be carried out strictly in accordance with the recommendations/Method Statement pertaining to Bats set out in Section 8 of the Bat Survey Report submitted with the application, which was prepared by Abricon dated 1st December 2011.
7. Prior to first occupation of the building, two swift boxes will be incorporated on the building exterior under advice from a qualified ecologist.
8. **Retained Tree**
 - c) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.
 - d) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837 (Section 7.4) 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. 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.

19

1-5 Juniper Court, St. Johns Road, Banbury

The committee considered application 13/00358/LB for the proposed conversion and alterations to existing Grade II listed building to provide 4 x 2 bed dwellings together with alterations to elevations including insertion of two windows to west elevation, provision of bin store, new pedestrian footpath to 6-9 Juniper Court and external landscaping.

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

Resolved

That application 13/00358/LB be approved, subject to the following conditions:

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.
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: PL100 and PL102 received 11 March 2013.
3. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an 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.

4. Prior to the commencement of the development, full details of the replacement timber floors and floor boards hereby approved, at a scale of 1:20 including a cross section, sample of materials and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the replacement timber floors and floorboards shall be installed within the building in accordance with the approved details.
5. All work of raking out of mortar on any part of the building shall be carried out by hand methods only and without the use of machinery.
6. Prior to the commencement of the development hereby approved, a sample section (minimum 1m² in size) of mortar re-pointing shall be constructed on site, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the re-pointing of the external walls of the development shall be carried out in accordance with the approved sample section.
7. Prior to the commencement of development full details of all insulation materials 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.

20

Area of Land South West of Coleridge Close, Bicester

The Committee considered application 13/00386/F for the change of use from recreational to domestic garden.

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

Resolved

That application 13/00386/F be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Within the first available planting season following the use of the site hereby approved, the existing hedgerow along the northwest boundary shall be reinforced by additional planting in accordance with a detailed scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. Thereafter, any plant/tree within the hedgerow which, within a period of five years from the first occupation of the site dies, is removed or becomes seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species 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). Thereafter the new planting shall be properly maintained in accordance with this condition.

21 **Building 3135 Heyford Park**

The Committee considered application 13/00424/F for the change of use of building 3135 for storage purposes (B8 use).

David English, the applicant, 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 13/00424/F be approved, subject to the following conditions:

- v) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council relating to the variation of the existing legal agreement requiring the provision of a Cold War Park but amending its boundary.
- vi) the following conditions:
 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. That no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.
 3. This permission shall enure for the benefit of the Applicant only and for no other persons whatsoever, and shall not enure for the benefit of the land. Upon the applicant ceasing to occupy the building, it shall revert to its former use.
 4. A Green Travel Plan and Access Strategy, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the planning process to secure travel plans", shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan and Access Strategy shall thereafter be implemented and operated in accordance with the approved details.
 5. That a plan showing parking provision for vehicles to be accommodated within the site, including cars, parking for people with disabilities, and heavy goods vehicles, together with details of access and manoeuvring space, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and that such parking facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before the first occupation of the premises. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.

6. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities within the building shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.
7. That the means of vehicular access to the buildings shall be via the former main gate onto Camp Road or Gate 7 only until such time as alternative access via the main gate is available.
8. All plant, machinery, mechanical ventilation equipment and ducting, other than that existing, shall be installed internally. No other plant, machinery, mechanical ventilation equipment, flues or ducting shall be placed on the outside of the building without the prior written permission of the Local Planning Authority unless otherwise agreed with the Local Planning Authority.
9. Details of any proposed external lighting in and adjacent to the building, car parking areas and access way shall be submitted to and approved in writing by the Local Planning Authority and no lighting shall be installed without the consent of the Authority first being obtained.
10. No signs or advertisements shall be erected on the buildings unless a signage strategy has previously been submitted to and agreed in writing with the Local Planning Authority. Any proposed signage shall comply with the terms of the signage strategy
11. Full design details of the refuse/bin storage area, including materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved area shall be available for use before the building is first occupied.
12. That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which 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
13. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building and that any trees 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

22 **Quarterly Enforcement Report**

The Committee considered a report which informed and updated Members of the progress of outstanding formal enforcement cases and of the overall level of activity in the Development Management service.

Resolved

- (1) That the position be accepted

23 **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

24 **Appeals Progress Report**

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

Resolved

- (1) That the position statement be accepted.

The meeting ended at 7.55 pm

Chairman:

Date: