

Cherwell District Council

Planning Committee

28 November 2013

Decisions Subject to Various Requirements - Progress Report

Report of Head of Development Management

This report is public

Purpose of report

This report aims to keep members informed upon applications which they have authorised decisions upon to various requirements which must be complied with prior to the issue of decisions.

An update on any changes since the preparation of the report will be given at the meeting.

1.0 Recommendations

The meeting is recommended:

- 1.1 To accept the position statement.

2.0 Report Details

The following applications remain outstanding for the reasons stated:

Subject to Legal Agreement with Cherwell District Council

01/00662/OUT	Begbroke Business and Science Park, Sandy Lane, Yarnton
(24.3.11 and 24.5.12))	Subject to legal agreement re: off-site highway works, green travel plan, and control over occupancy now under discussion. Revised access arrangements refused October 2008. Appeal dismissed. Decision to grant planning permission re-affirmed April 2011. New access road approved April 2011

and now complete and open for use.

Discussions being held between OCC and applicants on requirements

10/00640/F (re-affirmed 24.5.12)	Former USAF housing South of Camp Rd, Upper Heyford Subject to legal agreement concerning on and off site infrastructure and affordable housing. May be withdrawn following completion of negotiations on 10/01642/OUT
11/01494/OUT (13.6.13)	Site C Ploughley Road, Upper Arccott & Site D & E Ambrosden Road, MOD Bicester Subject to legal agreement and departure procedures
12/01020/F and 13/00211/F (18.4.13)	10-11 Horsefair, Banbury Subject to legal agreement to secure off-site infrastructure
12/01193/F (3.1.13)	Land SW Bicester Village Sec Of State decided not to call-in application. Legal agreement re off-site infrastructure
12/01209/F (3.1.13)	Site of Tesco, Pingle Drive, Bicester Sec Of State decided not to call-in application. Legal agreement re off-site infrastructure
12/01710/F and 12/01711/F and 13/00740/OUT (28.2.13) and (8.8.13)	Buildings 74 and 593 Heyford Park Subject to revised legal agreement
12/01789/OUT (13.6.13)	Land off Warwick Road, North of Hanwell Fields, Banbury Not called in. Subject to legal agreement
13/00004/OUT (18.4.13) and (3.10.13)	Land N of Station Rd. Bletchingdon Subject to legal agreement re affordable housing, and on-site and off-site infrastructure.
13/00158/OUT and 13/00159/OUT (13.6.13)	Land adjoining Foxhill and West of Southam Road, Banbury and Hardwick Farm, East of Southam Road, Banbury

	Subject to legal agreement re affordable housing, and on-site and off-site infrastructure
13/00227/F	Banbury Gateway, Acorn Way, Banbury
(16.5.13) and (3.10.13)	Subject to reference to the National Planning Casework Unit and to need to amend existing legal agreement
13/00265/OUT	Banbury AAT Academy (formerly Banbury School) Ruskin Road. Banbury
(13.6.13)	Subject to legal agreement re affordable housing, and on-site and off-site infrastructure
13/00343/F	Building 583 Heyford Park, Upper Heyford
(16.5.13)	Subject to withdrawal of objections by OCC and Sport England and to the amendment of existing legal agreement
13/00344/Hybrid	Springfield Farm, Ambrosden
(16.5.13)	Subject to legal agreement re affordable housing, and on-site and off-site infrastructure
13/00424/F	Building 3135 Heyford Park, Upper Heyford
(16.5.13)	Subject to amendment of existing legal agreement
13/00433/OUT	Land at Whitelands Farm, Middleton Stoney Rd. Bicester
(11.7.13)	Subject to legal agreement concerning on-site and off-site infrastructure
13/00444/OUT	Land West of Edinburgh Way, Banbury
(11.7.13)	Subject to legal agreement concerning on-site and off-site infrastructure
13/00502/CDC	Crown House, Christchurch Court, Banbury
(8.8.13)	Subject to completion of legal agreement with OCC re contributions to off-site infrastructure
13/01186/F	Paradise Farm, Wiggington Rd, South Newington
(31.10.13)	Subject to legal agreement to prevent construction of previously approved dwelling

3.0 Consultation

None

4.0 Alternative Options and Reasons for Rejection

- 4.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To accept the position statement.

Option 2: Not to accept the position statement. This is not recommended as the report is submitted for Members' information only.

5.0 Implications

Financial and Resource Implications

- 5.1 The cost of defending appeals can normally be met from within existing budgets. Where this is not possible a separate report is made to the Executive to consider the need for a supplementary estimate.

Comments checked by:

Kate Drinkwater, Service Accountant, 01327 322188,
kate.drinkwater@cherwelladnsouthnorthants.gov.uk

Legal Implications

- 5.2 There are no additional legal implications arising for the Council from accepting this recommendation as this is a monitoring report.

Comments checked by:

Nigel Bell, Team Leader – Planning and Litigation, 01295 221687,
nigel.bell@cherwell-dc.gov.uk

Risk Management

- 5.3 This is a monitoring report where no additional action is proposed. As such there are no risks arising from accepting the recommendation.

Comments checked by:

Nigel Bell, Team Leader – Planning and Litigation, 01295 221687,
nigel.bell@cherwell-dc.gov.uk

6.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

A district of opportunity

Lead Councillor

None

Document Information

Appendix No	Title
None	
Background Papers	
All papers attached to the planning applications files referred to in this report	
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