

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 6 March 2014 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 Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Gordon Ross
Councillor Trevor Stevens
Councillor Lawrie Stratford

Officers: Bob Duxbury, Development Control Team Leader
Tracey Morrissey, Principal Planning Officer
Gemma Magnuson, Senior Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Team Leader Democratic and Elections

223

Declarations of Interest

Members declared interests in the following agenda items:

7. 81-89 Cassington Road, Yarnton.

Councillor Trevor Stevens, Disclosable Pecuniary Interest, as he resided and ran his business from the address. Also declared a personal interest on the application as his mother owns a property adjacent.

8. Land Between The Leys and North Bar Place, 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 Andrew Beere, Conflict of Interest, as the proprietor of the garage was known to him and he used the garage and would abstain from voting 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.

9. Land North of Greenhills And Adderbury Bowls Club, Oxford Road, Adderbury.

Councillor Mike Kerford-Byrnes, Conflict of Interest, as he has a relative in a nearby care home and has discussed the application and would leave the meeting for the duration of the item and not vote.

10. Coach House Mews, London Road, Bicester.

Councillor D M Pickford, Conflict of Interest, as a member of Executive and would leave the room for the duration of the meeting.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the room for the duration of the meeting.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the room for the duration of the meeting.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the room for the duration of the meeting.

Councillor Rose Stratford, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

11. Land NE of Crouch Hill Farm adjoining Broughton 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.

18. Banbury Rugby Union Football Club, Oxford Road, Bodicote.

Councillor Alastair Milne Home, 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 would leave the meeting for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

19. 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 would leave for the duration of the item.

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

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

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

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

20. 165 Bloxham 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.

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

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

22. Former garage block adjacent and southeast of 2 Fenny Compton Road, Claydon.

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

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

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

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

23. Land adjacent to 131 Causeway, 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 would leave the meeting for the duration of the item.

Councillor G A Reynolds, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

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

Councillor Ken Atack, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Conflict of Interest, as a member of Executive and would leave the meeting for the duration of the item.

224 **Requests to Address the Meeting**

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

225 **Urgent Business**

There was no urgent business.

226 **Minutes**

The Minutes of the meeting held on 6 February 2014 were agreed as a correct record and signed by the Chairman.

227 **Chairman's Announcements**

The Chairman made the following announcements:

1. The officer recommendation for agenda item 15, application 13/01805/F, Land at Network Railway Embankment between Piddington and Blackthorn, Marsh Gibbon Road, Piddington had changed from approval to deferral for two committee cycles to allow for a flood risk assessment.

Councillor Rose Stratford Proposed that application 13/01805/F be deferred for two cycles to allow for a flood risk assessment. Councillor Alistair Milne Home seconded the proposal.

2. The officer recommendation for agenda item 17, application 13/01873/OUT, Land adjacent and north of St. Swithens Church, Merton, had changed from refusal to deferral at the applicants request to enable the undertaking of a Heritage impact assessment and a Landscape Visual Assessment.

Councillor Rose Stratford Proposed that application 13/01873/OUT be deferred . Councillor Alistair Milne Home seconded the proposal.

3. The officer recommendation for agenda item 19, application 13/01948/F, Banbury Gateway, Acorn Way, Banbury, OX16 3JU be changed from approval to deferral to allow for receipt of further advice from counsel on the validity of the s73 approach.

Councillor Rose Stratford Proposed that application 13/01948/F be deferred to allow further advice from counsel on the validity of the s73 approach. Councillor Alistair Milne Home seconded the proposal.

Resolved

- (1) That consideration of application 13/01805/F be deferred for two committee cycles to allow sufficient time for the applicant to undertake a flood risk assessment.

- (2) That consideration of application 13/01873/OUT be deferred at the applicants request to enable the undertaking of a Heritage impact assessment and a Landscape Visual Assessment.
- (3) That consideration of application 13/01948/F be deferred to allow for the receipt of further advice from counsel on the validity of the s73 approach.

228

81-89 Cassington Road, Yarnton

The Committee considered application 13/00330/OUT, an outline application for the erection of 16 houses (6 affordable) and new access road.

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

Resolved

That application 13/00330/OUT be approved, subject to:

- a) The applicants entering into an appropriate legal agreement to the satisfaction of your officers to secure the affordable housing, financial and other contributions as outlined in paragraph 5.31 of the officers' report.
- b) The following conditions:
 - 1 That no development shall be commenced until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
 - 2 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.
 - 3 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.
 - 4 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the Transport Statement produced by TPP Consulting and dated February 2013, the Flood Risk Assessment produced by Dr Paul Garrad and dated December 2012, the Phase 1 Geoenvironmental Desk Study produced by Geotechnical Engineering Ltd and dated 19 December 2011 and approved plan 1550 001 P1.

- 5 That all the means of access between the land and the highway shall be formed, laid out, constructed and drained in such position(s) and with such vision splays as shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
- 6 That the dwellings shall not exceed a height of 8 metres unless otherwise agreed in writing by the Local Planning Authority.
- 7 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".
- 8 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance a further ecological assessment should be carried out by a suitably qualified person to assess specifically whether waterholes, ditches or watercourses are likely to be affected by the proposed works and in addition assess any impacts on any nearby Local Wildlife Sites or Proposed Local Wildlife sites. The findings, including any mitigation strategy required, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works of mitigation shall be carried out in accordance with the approved details.
- 9 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.
- 10 All species used in the planting proposals associated with the development shall be native species of UK provenance. Schemes should not currently include Ash (*Fraxinus excelsior*).
- 11 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 the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

- 12 A potential risk from contamination has been identified by information submitted with this application. 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.
- 13 If contamination is found by undertaking the work carried out under condition 12, 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.
- 14 If remedial works have been identified in condition 13, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 13. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 15 If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
- 16 That a five metre buffer to the east of the watercourse running down the western boundary of the site, as illustrated on the illustrative layout plan 1550 200 P3, shall remain free of any development.

229

Land Between The Leys and North Bar Place, Banbury

The Committee considered application 13/01643/F for Demolition of an existing single storey commercial building and the redevelopment of the site to provide a 73 bedroom care home together with associated landscaping and parking provision with access from North Bar Place.

Dave Madden, on behalf of Care UK, addressed the Committee in support of 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 13/01643/F be approved, subject to:

- a) The completion of a Section 106 prior to 31 March 2014 or such extended period as agreed between the Council and the applicant to the satisfaction of the Head of Development Management.
- b) The following conditions:
 1. 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 listed below: Flood Risk Assessment SLR Ref: 402.02498.00011 (018) dated January 2014 received 29/01/14, supporting information dated 24/01/14 received 29/01/14 and addendum dated 07/02/14, Specification for Soft Landscape Works SLR Ref: 402-02498-00011-0018 dated January 2014 received 29/01/14 with amended Planting Plan 402.02498.00011.0018.PP.001 Rev. A dated January 2014 received 07/02/14, Sustainable Construction Statement dated 29/07/13, Ecological Appraisal including Confidential Annex - Badger SLR Ref: 402-02498-00011-0018 October 2013, Transport Statement SLR Ref: 402-02498-00011-0018 dated August 2013, Framework Travel Plan SLR Ref: 402-02498-00011-0018 dated August 2013, Arboricultural Method Statement Ref: CBA10164V2 dated July 2013 and Tree Protection Plan 1227 Banbury 130701 Revision A dated July 2013, Drg No. 1227/PP/002 Rev. A dated October 2012, Dwg No's. PL01 Rev. D dated 17/01/14 received 07/02/14, PL02 Rev. B dated 17/01/14 received 07/02/14, PL03 Rev. B dated 17/01/14 received 07/02/14, PL04 Rev. A dated 17/01/14 received 07/02/14, PL05 Rev. A dated 17/01/14 received 07/02/14, PL06 Rev. A dated 17/01/14 received 07/02/14, PL07 Rev. A dated 17/01/14 received 07/02/14, PL08 Rev. A dated 17/01/14 received 07/02/14, PL09 Rev. E dated 17/01/14 received 07/02/14, PL10 Rev. A dated 17/01/14 received 07/02/14, SPA/1 received 07/02/14, SPA/2 received 07/02/14, SPA/3 received 07/02/14
 2. The development hereby approved shall be used only for the purpose of a care home and for no other purpose whatsoever, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005.
 3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved, including samples, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.

4. Prior to the commencement of the development hereby approved, 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 shall be erected in accordance with the approved details, prior to the first occupation of the care home.
5. Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
6. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any protective fencing around setts/commuting routes, 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.
7. Prior to the commencement of the development hereby approved, details for the provision of eight swift nest boxes and four bat tubes/bat boxes have been submitted to and approved by the Council. Details shall include the type of bat boxes/nest boxes to be used and the proposed locations on the building/retained trees. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.
8. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837 to provide details of the footpath within the Root Protection Area of T7 the protected oak tree, 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.
9. 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.
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.
 11. Prior to the commencement of the development hereby approved, full details of a scheme for acoustically insulating all habitable rooms within the care home such that internal noise levels do not exceed the 'good' criteria specified in the British Standard BS 8233:1999 'Sound Insulation and Noise Reduction for Buildings', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the rooms affected by this condition, the rooms, the rooms shall be shall be insulated and maintained in accordance with the approved details.
 12. Prior to the commencement of the development hereby approved a specialist acoustic consultant's report that demonstrates that the World Health Organisations guideline noise value for outdoor areas of 55 dB LAeq (16 hr) or less can be achieved during the time period 07:00 to 23:00 hrs for domestic gardens and recreation areas used in common shall be submitted to and approved in writing by the Local Planning Authority. Where acoustic barriers, planting or other features are required to achieve this standard full details of these elements shall be submitted with the report for approval. Thereafter and prior to the first occupation of the affected dwellings and the first use of the common areas, the acoustic barriers shall be installed and retained in accordance with the approved details.
 13. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.
 14. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in Condition 13, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

15. Prior to the commencement of the development hereby approved, details of the measures to be incorporated into the development to demonstrate how 'Secured by Design' accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.
16. 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.
17. If contamination is found by undertaking the work carried out under Condition 16, 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.
18. If remedial works have been identified in Condition 17, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under Condition 17. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
19. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
20. Prior to the commencement of the development hereby approved, full specification details of the access road, including construction, surfacing, layout, drainage, lighting, signage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the care home

the development shall be constructed in accordance with the approved details.

21. Prior to the commencement of the development hereby approved, and notwithstanding the plans hereby approved, a plan showing car parking provision for vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the turning area and car parking spaces shall be laid out in accordance with the approved details and shall be retained in accordance with this condition for the parking and manoeuvring of vehicles at all times.
22. All works of site clearance and vegetation removal are to take place under the supervision of a suitably qualified ecologist in order to ensure that no nesting birds are disturbed or active nests destroyed, and that any hedgehogs found are removed to an appropriate alternative location.
23.
 - 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 permission.

24. The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and the Tree Protection Plan prepared by CBA Trees in July 2013.
25. The building hereby approved shall be constructed to at least a BREEAM 'Very Good' standard.

(Councillor Pickford and Councillor Reynolds requested that their vote against the motion be recorded in the minutes)

Land North of Greenhills And Adderbury Bowls Club, Oxford Road, Adderbury

The Committee considered application 13/01672/HYBRID for Full Planning - Site A - Phase 1 - Construction of a 60 bedroom elderly nursing home (Use

Class C2) with associated access, new public footpath, parking, landscaping, tree planting, ecological enhancement measures and site infrastructure.
Outline - Site B - Phase 2 - Construction of extra care facility of up to 3,450 sq m (GIA) (Use Class C2) with associated circulation, new public footpath, parking, landscaping, tree planting, ecological enhancement measures and site infrastructure.

Councillor Nigel Randall, addressed the committee as Ward Member.

Libby Barrett and Dominic Lawson, on behalf of Gracewell Care addressed the committee in support of the application.

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

Resolved

That application 13/01672/HYBRID be approved subject to:

- a) The completion of a Section 106 prior to 31 March 2014 or such extended period as agreed between the Council and the applicant to the satisfaction of the Head of Development Management.
- b) The following conditions:
 1. That in the case of Site A (the nursing home) and the landscape buffer on the western boundary of Site B, development shall be begun not later than the expiration of three years beginning with the date of this permission
 2. That in the case of Site B (the extra care facility) no development shall commence, with the exception of the landscape buffer along the western boundary that shall form part of the nursing home development at Site A, until full details of the layout, scale, appearance, access and landscaping of the site (hereafter referred to as the reserved matters) have been submitted to and approved in writing by the Local Planning Authority.
 3. That in the case of the reserved matters for Site B, an application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
 4. That in the case of Site B, development shall be begun not later than the expiration of two years from the final approval of the reserved matters.
 5. That with the exception of Site B (excluding the landscape buffer on the western boundary that shall form a part of the nursing home development at Site A), and 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 listed below: *To be confirmed.*

6. That the developments hereby approved shall be used only for the purpose of a nursing home (Site A) and extra care facility (Site B) and for no other purpose whatsoever, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005.
7. Prior to the commencement of the development of Site A hereby approved, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved, including samples, 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.
8. Prior to the commencement of the development of Site A hereby approved, full details of the enclosures along all boundaries and within the site, to include the western boundary of Site B, 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 nursing home.
9. Prior to the commencement of the development of Site A details for the provision of six incorporated swift nest boxes shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the type of nest boxes to be used and the proposed locations on the nursing home building. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Council.
10. No development of Site A shall commence until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design (SBD)' accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Local Planning Authority has acknowledged in writing that it has received written confirmation of SBD accreditation.
11. Prior to the commencement of the development of Site A hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out 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 shall be 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 that it is satisfied that no potential risk from contamination has been identified.
12. If a potential risk from contamination is identified as a result of the work carried out under Condition 11, 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.

13. If contamination is found by undertaking the work carried out under Condition 12, 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.
14. If remedial works have been identified in Condition 13, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under Condition 13. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
15. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
16. Prior to the commencement of the development of Site A and the landscape buffer on the western boundary of Site B 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.
17. Prior to the commencement of the development of Site A hereby approved and the landscape buffer along the western boundary of Site B, a landscaping scheme to include Site A and the landscape buffer along the western boundary of Site B 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.
18. 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. Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for Site A and the landscape buffer along the western boundary of Site B for a minimum period of five years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.
20. No development shall commence on site for the development of Site A until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods and an agreed route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.
21. No vehicle access may be taken along or across a Public Right of Way to residential or commercial sites without prior permission and appropriate safety and surfacing measures to be approved in writing by the Local Planning Authority prior to the commencement of development. Any damage to the surface of the Public Right of Way caused by such use will be the responsibility of the applicants, their contractors, or the occupier to put right / make good to a standard required by the Oxfordshire County Council Countryside Access Team.

22. Public Rights of Way through the site shall be integrated with the development and improved to meet the pressures caused by the development whilst retaining their character, where appropriate, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
23. Prior to the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
24. Following the approval of the Written Scheme of Investigation referred to in Condition 23, and prior to the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
25. Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
26. That prior to the first occupation of the development the proposed means of access onto the A4260 (Banbury Road) is to be formed, laid out to the approval of the Local Planning Authority and constructed strictly in accordance with Oxfordshire County Council's specification and guidance, and that all ancillary works specified shall be undertaken.
27. Prior to the first occupation of the proposed development hereby approved, vision splays measuring 2.4m x 60m shall be provided to each side of the access. These vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level
28. No development shall commence for the development of Site A until a full surface water drainage design for the development has been submitted to and approved in writing by the Local Planning Authority.
29. Prior to the first occupation of the development at Site A hereby approved, the parking and manoeuvring areas shall be provided in accordance with approved plan 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.

30. Prior to the first occupation of the development of Site A 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" and its subsequent amendments, 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.
31. Prior to the first use of the development at Site A the gate to serve the private access road to shall be set back a minimum of 15m into the site (measured from the back-edge of the site boundary with the highway verge) to ensure there is no vehicle overhang/obstruction to users of the public highway.
32. Prior to the first occupation of the development at Site A hereby approved, covered cycle parking facilities shall be provided on the site in accordance with the approved details. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
33. All works of tree/scrub/vegetation removal are to take place under the supervision of a suitably qualified ecologist in order to ensure that no nesting birds are disturbed or active nests destroyed, and that any hedgehogs found are removed to an appropriate alternative location.
34.
 - 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 permission.
35. The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and the Tree Protection Plan prepared by Tim Moya Associates in October 2013.

36. No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the Public Right of Way whilst development takes place.
37. No changes to the Public Right of Way direction, width, surface, signing or structures shall be made without the prior written approval by the Local Planning Authority.
38. Any gates provided shall be set back from the Public Right of Way and shall not open outwards from the site across the Public Right of Way.

231

Coach House Mews, London Road, Bicester

The Committee considered application 13/01708/CDC for the development of the site to provide 42 apartments with associated parking, external amenity space, bin stores, cycle storage and vehicular access

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

Resolved

That application 13/01708/CDC be approved subject to:

- a) The applicants entering into an appropriate legal agreement to secure the units as affordable in perpetuity.
- b) 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents listed below:

Drawings: PL002 rev C, PL101 Rev A, PL201, PL102 Rev B, PL202 Rev B, PL203 Rev B, PL103 Rev B, PL204, PL104 Rev A, PL110 Rev A and PL010 Rev A
 3. Prior to the commencement of the development hereby approved, a schedule of materials and finishes (including samples) for the external walls and roof(s) of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.
 4. Prior to the commencement of the development hereby approved, a 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.

5. 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.
6. That all windows in the west elevation of Block 1 shall be glazed at all times with obscured glass that complies with that complies with the current British Standard, and retained as such thereafter.
7. Prior to the commencement of development full design details of privacy screens to be erected on the first and second floor units within block 1 closest to the eastern most block of the Coach House Mews 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 details.
8. Prior to the commencement of the development full details of the enclosures along all boundaries 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.
9. Prior to the commencement of the development hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
10. Prior to the first occupation of the development hereby approved, the proposed means of access shall be provided in accordance with drawing no. PL.002 Rev C and formed, laid out and constructed strictly

in accordance with Oxfordshire County Council's specification and guidance.

11. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
12. Prior to the commencement of development full details of signage/markings to be used to indicate allocated and unallocated parking spaces 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.
13. Prior to the first use or occupation of the development hereby permitted, cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
14. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system
15. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
16. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
18. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
19. The development shall be carried out in accordance with the details approved under application no. 12/00099/DISC relating to the layout of the allotments as indicated on drawing entitled REINSTATEMENT SCHEME PLAN (scale reduced from 1:200 @ AO) received 03.05.2012, unless otherwise agreed in writing by the Local Planning Authority.

232

Land NE of Crouch Hill Farm adjoining Broughton Road, Banbury

The Committee considered application 13/01758/OUT, an outline application for a residential development of up to 117 dwellings, with associated gardens, parking, landscaping, services and infrastructure and public open space, with access from Broughton Road.

Holly Roades, agent for the applicant, addressed the committee in support of 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 13/01758/OUT be refused for the following reasons:

1. The proposal represents unsustainable development beyond the built up limits of Banbury in an area of attractive, rolling countryside and is not allocated for development by either the saved policies of the adopted Cherwell Local Plan 1996 or those of the Non-Statutory Cherwell Local Plan 2011 nor is the application site proposed for development as a strategic housing allocation in the Submission Local Plan January 2014. The land is included within the Banbury Green Buffer in the Submission Local Plan, the purposes of which are to maintain Banbury's distinctive identity and setting and its neighbouring settlements, prevent coalescence, protect the identity of valued features of landscape and historic value and important views, in this case Crouch Hill, a non-designated heritage asset. Notwithstanding the Council's present inability to demonstrate that it has a 5 year supply of housing land required by Paragraph 47 of the NPPF, the development of this site cannot be justified on the basis the land supply shortfall alone. The proposal represents a sporadic, unplanned, urban extension, encroaching into the open countryside which fails to maintain its rural character and appearance and which fails to conserve and enhance the environment and would adversely affect the significance of Crouch Hill as an important landmark feature of valued amenity and injurious to its rural setting and value and enjoyment by the public, in accordance with Paragraph 135 of the NPPF. The application is, therefore, contrary to Policies H18, C7, C8, C9, C10 and C15 of the adopted Cherwell Local Plan, Policies H19, EN1, EN30, EN31, EN34, EN48 of the Non-Statutory Cherwell Local Plan 2011, Policies ESD13, ESD15, ESD16 of the Submission Cherwell Local Plan January 2014 and national policy contained in the National Planning Policy Framework.
2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure directly required to service or serve the proposed development will be provided. This would be contrary to the Policy R12 of the adopted Cherwell Local Plan, Policies OA1, TR4, R8 and R10A of the Non-Statutory Cherwell Local Plan 2011, Policy INF1 of the Submission Cherwell Local Plan January 2014 and

233

OS Parcel 8300 East of Deene Close, Aynho Road, Adderbury

The Committee considered application 13/01768/F for the demolition of existing agricultural building and development of 60 dwellings with new highways access from Aynho Road, public open space, landscaping and infrastructure.

Councillor Nigel Randall addressed the Committee as Ward Member.

Peter Burrows, local resident, addressed the committee in objection to the application.

David Joseph, the Applicant of Bloor Homes, addressed the committee in support to the application.

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

Resolved

That application 13/01768/F be approved, subject to:

- a) The applicants entering into a legal agreement to the satisfaction of the District Council to secure planning obligations (to be delegated to officers).
- b) The receipt of any additional comments received following re-consultation on the revised plans.
- c) Minor revisions to the layout to show more traditional house types in prominent locations, namely plots 44 and 39.
- d) The following conditions:
 1. The development to which this permission relates shall be begun not later than the expiration of one year 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: [insert]
 3. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, a revised schedule of the materials and finishes for the external walls and roof(s) 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 materials.
 4. Prior to the commencement of the development hereby approved, samples of the brick natural stone/tile/slate/pavior to be used in the construction of the walls/roof/hardstanding 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, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural non-weathered ironstone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the

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

6. 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 and 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.
7. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed 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 finished floor levels plan.
8. Prior to the commencement of the development hereby approved, the buildings and structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site.
9. 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.
10. Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
11. Prior to the construction of each access, road, parking court, private drive or footpath, full details of the final surface treatment for that element of the highway shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the access roads, parking courts, private drives or footpath shall be constructed in accordance with the approved details.
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. 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.
- 14.
 - 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 completion of the development.
- 15. 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.
- 16. Within the first available planting season following the occupation of the building, or on the completion of the development, whichever is the sooner, the existing hedgerow along the northern, eastern and southern 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 completion of the development 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.

17. Prior to the commencement of the development hereby approved full details of the provision, landscaping and treatment of open space/play space within the site together with a timeframe for its provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space/play space shall be landscaped, laid out and completed in accordance with the approved details and retained at all times as open space/play space.
18. 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)
19. 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.
20. 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 development 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 0.6m above carriageway level.

21. Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.
22. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, 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.
23. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
24. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
25. 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" and its subsequent amendments, 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.
26. Prior to the commencement of the development, full details of the proposed highway works shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be constructed in accordance with the details approved and in accordance with Oxfordshire County Council specifications prior to the first occupation of any dwelling on the site.

27. Prior to the commencement of the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction works shall be carried out in accordance with the details approved in the Construction Traffic Management Plan.
28. That prior to the commencement of development full details of a new footway to the east and 200m west of the site together with a new crossing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling.
29. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
30. 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/within the curtilage/forward of the principle elevation/on the site] without the prior express planning consent of the Local Planning Authority.
31. 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.
32. Prior to the commencement of the development hereby permitted, including any works of site clearance, an ecological enhancement scheme, including planting schemes incorporating a majority of native species, management regimes and who will be responsible for ensuring these are undertaken, shall be submitted to and approved in writing by the Local Planning Authority. Therefore, the ecological enhancement measures shall be carried out and retained in accordance with the approved details.
33. Prior to the commencement of the development, full details for the provision of a minimum of 8 swift next boxes shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type of next boxes to be used and their proposed locations on the new dwellings. The approved works shall be implemented in full prior to the first occupation of any dwelling, unless otherwise agreed in writing by the Local Planning Authority.

34. Prior to the commencement of development, a detailed fence plan showing how trees, hedgerows and any grassland to be retained will be protect during construction, in accordance with BS5837:2005 'trees in relation to construction'. The development shall be carried out in accordance with the details approved.
35. No development shall commence until details of the measures to be incorporated into the development to demonstrate how "Secured by Design" accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied until confirmation has been sent in writing to the Local Planning Authority that SDB accreditation has been received.
36. 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.
37. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.
38. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition 37, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.
39. The development shall be carried out in accordance with the noise mitigation measures as set out in the Noise Assessment dated 28.01.14 submitted as part of this application.

234

Land North of Oak View, Weston on the Green

The Committee considered application 13/01796/OUT, an outline application for a residential development of up to 20 dwellings.

Neil Mullane, local resident and Bob Hessian, Weston on the Green Parish Council, addressed the committee in objection to the application.

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

Resolved

That application 13/01796/OUT be approved, subject to:

- a) The applicants entering into a legal agreement to the satisfaction of the District Council to secure planning obligations (to be delegated to officers)
- b) The conditions as set out in the committee report:
 1. Details of the appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 2. In the case of the reserved matters, application for approval shall be made not later than the expiration of one year beginning with the date of this permission.
 3. The development to which this permission relates shall be begun not later than the expiration of one year 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.
 4. The development hereby permitted shall comprise of no more than 20 dwellings and shall be carried out in accordance with the submitted site location plan and those plans approved as part of the reserved matters applications.
 5. The details of the layout, appearance, access and landscaping referred to in Condition 1 shall broadly accord with the Planning, Design and Access Statement (dated November 2013, produced by Brian Barber Associates).
 6. No development shall commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until drainage works referred to in the strategy have been completed.
 7. No development shall take place until a scheme to limit the surface water runoff generated by the proposed development and to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.
 8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) measures to control the emission of dust and dirt during construction
 - ii) the arrangements for prior notification of the start of the development to the
 - iii) occupiers of potentially affected properties
 - iv) the responsible person (e.g. site manager/office) who could be contacted in the event of a complaint
 - v) wheel washing facilities
 - vi) a route for construction traffic
9. Demolition, construction works or deliveries shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1400 hours on Saturdays nor at any time on Sundays or Bank Holidays.
10. Prior to any demolition on the site, the commencement of the development hereby approved 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.
11. Prior to any demolition on the site and the commencement of the development hereby approved, and following the approval of the Written Scheme of Investigation referred to in condition 10, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation.
12. 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" and its subsequent amendments, 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.
13. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out 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 shall be 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 that it is satisfied that no potential risk from contamination has been identified.
14. If a potential risk from contamination is identified as a result of the work carried out under condition 13, 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.

15. If contamination is found by undertaking the work carried out under condition 14, 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. If remedial works have been identified in condition 15, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 15. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
17. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
18. 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 the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
19. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing the biodiversity value of the 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.
20. 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 dwellings 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 0.9m above carriageway level.

21. Prior to the commencement of development, a plan showing the proposed pedestrian footway improvements linking the site to the village must be submitted for consideration and approval. The approved works must be constructed to OCC specification prior to first occupation of the site.

235 **Herbley House, Ardley**

The Committee considered application 13/01797/F for the retention of part of a close boarded fence and close boarded pedestrian gate and removal of close boarding to remainder of fence leaving the timber posts to support stockproof wire fencing (resubmission of 12/00908/F).

Bob Sutton, agent for the applicant, addressed the committee in support to the application.

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

Resolved

That application 13/01797/F be refused for the following reason:

1. The fence, due to its design, siting and prominence is inappropriate in this rural context and uncharacteristic in appearance contrasting starkly with the simplicity of the stone wall, creating a discordance feature in the street scene and which fails to sustain and enhance the significance of the heritage assets (setting of the Grade II* listed St. Mary's Church and the Conservation Area), contrary to Policies C27 and C28 of the adopted Cherwell Local Plan and government guidance contained within the National Planning Policy Framework.

236 **Land at Network Railway Embankment between Piddington and Blackthorn, Marsh Gibbon Road, Piddington**

As per the resolution following the Chairman's announcement at the start of the meeting, consideration of application 13/01805/F had been deferred for two committee cycles to allow time for the applicant to obtain a Flood Risk Assessment

237 **Willowbrook Farm Hampton Gay**

The Committee considered application 13/01868/F for the change of use to allow camping and caravan buses on site.

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

Resolved

That application 13/01868/F be refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed development would result in detriment to the rural and landscape character and visual amenities of the area and constitutes inappropriate development in the Oxford Green Belt. The proposal is not sympathetic to the character of the landscape, introducing urban features into a remote and very rural area and will be harmful to the openness of the Oxford Green Belt. It is also considered to adversely affect the setting of the nearby Conservation Area. The development is therefore contrary to Policies GB1, GB2, C7 and C13 of the adopted Cherwell Local Plan, Policies ESD13 and ESD14 of the Submission Local Plan 2006-2031 and Government guidance contained within the National Planning Policy Framework.
2. The proposed development is considered to result in an intensification of the use of the existing substandard local road network to the detriment of the safety and convenience of the users of the highway and the development is in an unsustainable location which would necessitate the use of private vehicles to access the site. As such the proposal is contrary to the guidance contained within the National Planning Policy Framework.

238 **Land adjacent and north of St. Swithens Church, Merton**

As per the resolution following the Chairman's announcement at the start of the meeting, consideration of application 13/01873/OUT had been deferred at the applicants request to allow sufficient time to undertake a Heritage impact assessment and a landscape visual assessment.

239 **Banbury Rugby Union Football Club, Oxford Road, Bodicote**

The Committee considered application 13/01898/F for the demolition of the existing clubhouse and erection of a new clubhouse.

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

Resolved

That application 13/01898/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents listed below:

Drawings: 01A, 02A and 04A

3. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
4. The parking and manoeuvring areas shall be retained for parking and manoeuvring in association with the development hereby permitted and in accordance with Appendix D and E of the Transport Statement dated February 2014 by Hannah Reed.
5. The development hereby approved shall be used only for the purpose of a rugby clubhouse and activities ancillary to this use, in accordance with paragraphs 1.6.3 to 1.6.10 (inclusive) of the Transport Statement dated February 2014 by Hannah Reed and for no other purpose whatsoever, including any other purpose the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.

240 **Banbury Gateway, Acorn Way, Banbury, OX16 3JU**

As per the resolution following the Chairman's announcement at the start of the meeting, consideration of application 13/01948/F had been deferred to allow for further advice from counsel on the validity of the s73 approach.

241 **165 Bloxham Road, Banbury**

The Committee considered application 14/00009/F for a single storey rear/side extension, replace existing garage, conservatory and kitchen roofs, re-render existing property.

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

Resolved

That application 14/00009/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, Planning Statement and drawings numbered: 2, 6, 7A, 9 and 10.

242

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

The Committee considered application 14/00034/LB for a proposed conversion and alterations to existing Grade II listed building to provide 4 x 2 bed dwellings, replacement roof to south end of building 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 and presentation.

Resolved

That application 14/00034/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 rev B, PL102 rev A, 7138C/31 rev A, 300 rev C, 7138C/32 rev A, 503 rev A, PL07 and PL06 rev D received 13 January 2014.
3. 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.
4. Prior to the commencement of re-pointing work on 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.
5. Prior to the commencement of development full design details of replacement roof and floor timbers shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
6. Prior to the commencement of development full design details of the window and door furniture 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.

7. All replacement rainwater goods shall be traditional cast iron or metal painted black and permanently so retained thereafter.
8. All works of making good shall be carried out in materials and detailed to match the adjoining existing fabric except where shown otherwise on the approved drawings.

243 **Former garage block adjacent and southeast of 2 Fenny Compton Road, Claydon**

The Committee considered application 14/00099/CDC for the erection of a detached house and new vehicular and pedestrian access.

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

Resolved

That application 14/00099/CDC be approved, subject to the following condition:

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, drawing number 2.13A received 17 February 2014.
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 tile 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.
5. Prior to the construction of the dwelling hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
6. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and

drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

244 **Land adjacent to 131 Causeway, Banbury**

The Committee considered application 14/00139/CDC for one detached dwelling.

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

Resolved

That application 14/00139/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, drawing number CHER2013/TR/131A/TC received 17th February 2014.
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 tile 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.
5. Prior to the commencement of the development full details of the enclosures along all boundaries 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.
6. Prior to the construction of the dwelling hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.

7. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
8. Prior to the first occupation of the development hereby approved, the first floor window in the east elevation of the dwelling shall be fixed shut and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

245 **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

246 **Appeals Progress Report**

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

Resolved

- (1) That the position statement be accepted

The meeting ended at 7.41 pm

Chairman:

Date: