

# Cherwell District Council

## Planning Committee

19 June 2014

### Decisions Subject to Various Requirements - Progress Report

#### Report of Head of Development Management

This report is public

#### Purpose of report

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

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

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To accept the position statement.

#### 2.0 Report Details

**The following applications remain outstanding for the reasons stated:**

##### Subject to Legal Agreement with Cherwell District Council

|                                        |                                                                                                                                                                                                                                 |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/00640/F<br>(re-affirmed<br>24.5.12) | Former USAF housing South of Camp Road, Upper Heyford<br><br>Subject to legal agreement concerning on and off site infrastructure and affordable housing. May be withdrawn following completion of negotiations on 10/01642/OUT |
| 11/01494/OUT<br><br>(13.6.13)          | Site C Ploughley Road, Upper Arcott & Site D & E Ambrosden Road, MOD Bicester<br><br>Subject to legal agreement and departure procedures                                                                                        |

|              |                                                                                                               |
|--------------|---------------------------------------------------------------------------------------------------------------|
| 12/01209/F   | Site of Tesco, Pingle Drive, Bicester                                                                         |
| (3.1.13)     | Sec of State decided not to call-in application. Legal agreement re off-site infrastructure                   |
| 13/00740/OUT | Buildings 74 and 593 Heyford Park                                                                             |
| (8.8.13)     | Subject to revised legal agreement                                                                            |
| 12/01789/OUT | Land off Warwick Road, North of Hanwell Fields, Banbury                                                       |
| (13.6.13)    | Not called in. Subject to legal agreement                                                                     |
| 13/00330/OUT | 81-89 Cassington Road Yarnton                                                                                 |
| (6.3.14)     | Subject to legal agreement                                                                                    |
| 13/00343/F   | Building 583 Heyford Park, Upper Heyford                                                                      |
| (16.5.13)    | Subject to withdrawal of objections by OCC and Sport England and to the amendment of existing legal agreement |
| 13/00433/OUT | Land at Whitelands Farm, Middleton Stoney Road, Bicester                                                      |
| (11.7.13)    | Subject to legal agreement concerning on-site and off-site infrastructure                                     |
| 13/00444/OUT | Land west of Edinburgh Way, Banbury                                                                           |
| (11.7.13)    | Subject to legal agreement concerning on-site and off-site infrastructure                                     |
| 13/00502/CDC | Crown House, Christchurch Court, Banbury                                                                      |
| (8.8.13)     | Subject to completion of legal agreement with OCC re contributions to off-site infrastructure                 |
| 13/01576/OUT | Tally Ho Inn, Ploughley Road, Arccott                                                                         |
| (6.1.14)     | Subject to legal agreement re off-site provision of affordable housing and infrastructure                     |
| 13/01643/F   | Land between The Leys and North Bar Place, Banbury                                                            |

|                      |                                                                                                                                                                                                  |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (6.3.14)             | Subject to legal agreement                                                                                                                                                                       |
| 13/01372/CDC         | Land rear of Methodist Church, The Fairway, Banbury                                                                                                                                              |
| (6.2.14 and 24.4.14) | Subject to legal agreement re affordable housing                                                                                                                                                 |
| 13/01528/OUT         | Lane NE of Crouch Hill, Banbury                                                                                                                                                                  |
| (6.2.14)             | Subject to legal agreement re off-site infrastructure and affordable housing                                                                                                                     |
| 13/01601/OUT         | Land adj. Spiceball Park Road, Banbury                                                                                                                                                           |
| (6.2.14)             | Subject to reference to Sec. of State and legal agreement re off-site infrastructure contributions<br>Revised proposal received late May 2014 – reconsultation and return to Committee necessary |
| 13/01652/F           | 18B Wildmere Road, Banbury                                                                                                                                                                       |
| (6.2.14)             | Subject to legal agreement re off-site infrastructure contributions                                                                                                                              |
| 13/01682/F           | Land rear of 33-59 Oxford Road, Bodicote                                                                                                                                                         |
| (6.2.14)             | Subject to amendment to existing legal agreement                                                                                                                                                 |
| 13/01880/CDC         | Lincoln House, Lincoln Close, Banbury                                                                                                                                                            |
| (6.2.14 and 24.4.14) | Subject to legal agreement re affordable housing                                                                                                                                                 |
| 13/01672/HYBRID      | Land North of Green Hills, Adderbury                                                                                                                                                             |
| (6.3.14)             | Subject to legal agreement                                                                                                                                                                       |
| 13/01708/CDC         | Coach House Mews, London Road, Bicester                                                                                                                                                          |
| (6.3.14 and 24.4.14) | Subject to legal agreement                                                                                                                                                                       |
| 13/01796/OUT         | Land N of Oak View, Weston on the Green                                                                                                                                                          |
| (6.3.14)             | Subject to legal agreement                                                                                                                                                                       |

|                                    |                                                                                                                                   |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 13/01811/OUT                       | Land at Dow Street, Heyford Park, Upper Heyford<br>Subject to legal agreement with CDC/OCC                                        |
| 13/01947/F<br>(3.4.14 and 24.4.14) | Land at 4 The Rookery<br>Subject to legal agreement with CDC/OCC re affordable housing and off site contributions                 |
| 13/01948/F<br>(27.3.14)            | Banbury Gateway, Acorn Road, Banbury<br>Will not be called in by Sec of State<br>Subject to variation of previous legal agreement |
| 14/00034/LB<br>(6.3.14)            | Juniper Court, St Johns Road, Banbury<br>Subject to reference to Sec of State                                                     |
| 14/00154/F                         | Former Winners site, Victoria Road, Bicester<br>Subject to legal agreement                                                        |
| 14/00250/F<br>(19.6.14)            | Land N of Milton Road, Adderbury<br>Subject to legal agreement                                                                    |
| 14/00403/F<br>(19.6.14)            | Franklins Yard, Bicester<br>Subject to legal agreement                                                                            |

### 3.0 Consultation

None

### 4.0 Alternative Options and Reasons for Rejection

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

Option 1: To accept the position statement.

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

## **5.0 Implications**

### **Financial and Resource Implications**

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

Comments checked by:

Kate Drinkwater, Service Accountant, 01327 322188,  
[kate.drinkwater@cherwelladnsouthnorthants.gov.uk](mailto:kate.drinkwater@cherwelladnsouthnorthants.gov.uk)

### **Legal Implications**

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

Comments checked by:

Nigel Bell, Team Leader – Planning and Litigation, 01295 221687,  
[nigel.bell@cherwell-dc.gov.uk](mailto:nigel.bell@cherwell-dc.gov.uk)

### **Risk Management**

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

Comments checked by:

Nigel Bell, Team Leader – Planning and Litigation, 01295 221687,  
[nigel.bell@cherwell-dc.gov.uk](mailto:nigel.bell@cherwell-dc.gov.uk)

## **6.0 Decision Information**

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

A district of opportunity

### **Lead Councillor**

None

## Document Information

| Appendix No                                                                       | Title                                                                                              |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| None                                                                              |                                                                                                    |
| <b>Background Papers</b>                                                          |                                                                                                    |
| All papers attached to the planning applications files referred to in this report |                                                                                                    |
| <b>Report Author</b>                                                              | Bob Duxbury, Development Control Team Leader                                                       |
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