

## Cherwell District Council

### Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 10 July 2014 at 4.00 pm

- Present: Councillor Rose Stratford (Chairman)  
Councillor Colin Clarke (Vice-Chairman)
- Councillor Andrew Beere  
Councillor Michael Gibbard  
Councillor Chris Heath  
Councillor David Hughes  
Councillor Matt Johnstone  
Councillor Mike Kerford-Byrnes  
Councillor Alastair Milne Home  
Councillor Nigel Randall  
Councillor G A Reynolds  
Councillor Barry Richards  
Councillor Lawrie Stratford  
Councillor Douglas Williamson
- Substitute Members: Councillor D M Pickford (In place of Councillor Russell Hurle)  
Councillor Nicholas Turner (In place of Councillor James Macnamara)  
Councillor Barry Wood (In place of Councillor Fred Blackwell)
- Apologies for absence: Councillor Fred Blackwell  
Councillor Russell Hurle  
Councillor James Macnamara  
Councillor Trevor Stevens
- Officers: Bob Duxbury, Development Control Team Leader  
Laura Bailey, Principal Planning Officer  
Paul Ihringer, Principal Planning Officer  
Ross Chambers, Solicitor  
Aaron Hetherington, Team Leader Democratic and Elections

### Declarations of Interest

Members declared interests in the following agenda items:

#### **7. Proposed Drayton Playgroup, North Oxfordshire Academy, Drayton 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 Barry Richards, 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.

**12. North Oxfordshire Academy, Drayton 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 Barry Richards, 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.

**18. University of Oxford, Old Road Campus, Roosevelt Drive, Oxford.**

Councillor Nicholas Turner, Non Statutory Interest, as the applicant is his landlord.

30 **Requests to Address the Meeting**

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

31 **Urgent Business**

There was no urgent business.

32 **Minutes**

The Minutes of the meeting held on 19 June 2014 were agreed as a correct record and signed by the Chairman.

33 **Chairman's Announcements**

There were no Chairmans announcements

34 **Proposed Drayton Playgroup, North Oxfordshire Academy, Drayton Road, Banbury**

The committee considered application 14/00080/F, for a single storey pre-school building.

Lesley Blake, a local resident, addressed the committee in objection to the application.

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

### **Resolved**

That application 14/00080/F be approved subject to:

- a) Sport England withdrawing their objections
- b) The approval of application 14/00695/F for a synthetic sports pitch and flood lighting
- c) Negotiation of a legal agreement or condition to link this application with application 14/00695/F to ensure the replacement sporting facility would be provided within a suitable timescale
- d) 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: 001, 002 rev A, 003 rev C, 004, 005 and 006 received with the submission of the application.
  3. The building shall be used only for the purpose of day nursery/play group and for no other purpose whatsoever, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
  4. The development hereby approved shall be constructed in accordance with the material specification details shown on drawing number 004 unless otherwise agreed in writing by the Local Planning Authority.
  5. 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.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
  7. 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.
  8. Prior to the first occupation of the development hereby approved, a Car Park Management Strategy for the whole school site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Car Park Management Strategy shall be implemented and operated in accordance with the approved details.
  9. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

35

### **North Oxfordshire Academy, Drayton Road, Banbury**

The committee considered application 14/00695/F for a synthetic sports pitch and flood lights to replace the existing grass sports pitch.

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

### **Resolved**

That application 14/00695/F be approved subject to:

a) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to link the proposed development with application 14/00080/F.

b) 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, justification statement, feasibility statement and drawings numbered: 010, NSNOA001 and E01.
3. Prior to the commencement of the development full details of the fencing to enclose the pitch shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details, prior to the first use of the pitch.
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. Prior to the commencement of development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the

development shall be carried out in accordance with the approved details.

7. The floodlights hereby permitted shall be used only in connection with the sporting activity taking place at the grounds and not at any other time for any other purpose and shall be turned off when that activity has ended and shall not be left on overnight.
8. That the areas 3G synthetic pitch shall not be used between the hours of 21.00hrs and 08.00hrs.
9. No development shall commence until a plan of the site has been submitted to and approved in writing by the local planning authority [after consultation with Sport England] to show the layout of sports pitches including safety margins, the position of the fencing, gates and the floodlight columns around the new artificial grass pitch and the route of the access path from the changing accommodation to the new pitch. The artificial grass pitch and the re-located cricket pitch shall not be constructed other than in accordance with the approved details.
10. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the artificial grass pitch and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved agreement.
11. Before the artificial grass pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme shall include measures to ensure replacement of the playing surface at the end of its useful life. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial grass pitch.

36

### **Manor Farm Buildings, Mollington Road, Claydon**

The Committee considered application 14/00107/F for an extension to residential curtilage.

Councillor Atack, addressed the committee as Ward Member.

Clive Mutch, Claydon Parish Councillor, addressed the committee in objection to the application.

Carl Middleditch, agent for the applicant, addressed the committee in support to the application.

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

### **Resolved**

That application 14/00107/F be approved, subject to the following decisions:

1. That notwithstanding the planting that has taken place (which may or may not be appropriate for this rural location) within 1 month of this decision, 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 recent tree/shrub planting and 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.
2. 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 date of this decision. 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.
3. Notwithstanding the existing timber shed on the site and the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the existing dwelling subject to 10/01095/CLUE shall not be extended, nor shall any structures be erected within the curtilage hereby approved without the prior express planning consent of the Local Planning Authority.
4. Except where otherwise stipulated by condition, the application shall strictly accordance with the amended site location plan 2286 received 28.05.14 and the permission does not benefit the land outlined in blue.

### **Greenup, Banbury Road, Bloxham**

The committee considered application 14/00184/F for the demolition of an existing bungalow and garage and construction of 3 No. new dwellings.

Councillor Kerford-Byrnes proposed that application 14/00184/F be refused as the siting and size of the dwellings proposed, would represent overdevelopment of the site and would have a detrimental impact upon the residential amenities of adjacent properties and consequently it would be contrary to Policies C28 and C30 of the adopted Cherwell Local Plan , Policy ESD 16 of the Submission Cherwell Local Plan and the guidance contained in the National Planning Policy Framework. Councillor Reynolds seconded the proposal.

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

### **Resolved**

That application 14/00184/F be refused for the following reason:

1. The proposal, by reason of the siting and size of the dwellings proposed, would represent overdevelopment of the site and would have a detrimental impact upon the residential amenities of adjacent properties and consequently it would be contrary to Policies C28 and C30 of the adopted Cherwell Local Plan , Policy ESD 16 of the Submission Cherwell Local Plan and the guidance contained in the National Planning Policy Framework

38

### **Land South of New Stone House, Main Street, Wendlebury**

The committee considered application 14/00565/F for a solar farm and associated works.

Julian Cordey, Chairman of Wendlebury Parish Council, spoke in objection to the application.

Alex Anderson, the agent for the applicant, spoke in support to the application.

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

### **Resolved**

That application 14/00565/F be approved subject to no late objections from Natural England or the Highways Agency and the following conditions:

- 1 That the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
- 2 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the planning application forms and the following plans and documents:



BRS.4671\_01-1d  
BRS8140124\_01 P2  
BRS8140124\_02 P2  
BRS8140124\_03 P1  
BRS8140124\_04 P1  
BRS8140124\_05 P1

Design and Access Statement produced by Pegasus  
Landscape and Visual Impact Assessment produced by Pegasus  
Ecological Assessment - Phase 1 Habitat Survey produced by Michael Woods Associates  
Confidential Badger Annexe produced by Michael Woods Associates  
Flood Risk Assessment and subsequent additional information produced by Clive Onions Ltd  
Sequential and Exceptions Assessment Report produced by Pegasus Group  
Heritage Assessment produced by Cotswold Archaeology Ltd  
Construction Transport Management Plan produced by Transport Planning Associates  
Statement of Community Engagement produced by Pegasus Group  
Waste Audit Statement produced by Pegasus Group  
Arboricultural Report produced by Pegasus Group  
Agricultural Assessment produced by Kernon Countryside Consultants Ltd  
Landscape and Ecological Management Plan produced by Michael Woods Associates

- 3 The permission shall expire no later than 25 years from the date when electricity is first exported from any part of the array to the electricity grid network ('First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.
- 4 Not later than 24 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted to and approved by the Local Planning Authority , such scheme to include the management and timing of any works and traffic management plan to address likely traffic impact issues during the decommissioning period. The approved scheme shall be fully implemented within 12 months of the expiry of this permission
- 5 Details of the perimeter fence, containers for electrical equipment and CCTV equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
- 6 The recommendations set out in the approved Landscape and Ecology Management Plan (LEMP) produced by Michael Woods Associates shall be carried out in full.
- 7 If works do not commence within one year of the date of decision an updated badger survey shall be undertaken and 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 recommendation contained with the report.

- 8 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.
- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
- 10 Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of 5 years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.
- 11
  - 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.

- 12 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.
- 13 Except to allow for the means of access and vision splays the existing hedgerow along the northern boundaries of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
- 14 The existing hedgerow along the western boundary of the site shall be retained and properly maintained at a height of not less than 3 metres, and if any hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
- 15 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 within the site 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.
- 16 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
- 17 An updated Construction Traffic Management Plan shall be submitted and approved in writing by the Local Planning Authority once contractors are appointed, and prior to commencement of development.

- 18 The routing plan used by constructions vehicles shall be in accordance with Figure 2.1 of the Construction Traffic Management Plan produced by Transport Planning Associates dated April 2014.
- 19 Prior to the commencement of the development hereby approved, full details of a scheme to prevent any surface water from the development discharging onto the adjoining highway shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage scheme shall be implemented and retained in accordance with the approved details.
- 20 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.
- 21 No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission in writing from the Local Planning Authority.
- 22 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Clive Onions Consulting, Ref: 13015/14, Version 2, 01/04/2014), swale design document (Clive Onions Consulting, Ref:13015/14, 28/05/2014) and email from Clive Onions, dated 29/05/2014, and the following mitigation measures detailed within these documents:
  - 1 Limiting the surface water run-off generated by the 1 in 100, with an appropriate allowance for climate change, critical storm event so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The existing Greenfield run-off for this event is calculated to be 241 l/s.
  - 2 The bottom of the fence used on the north eastern side of the site boundary will be placed 200mm above ground level, as outlined in Figure 4 of the FRA. The fence will also use a coarse mesh, approximately 150mm x 150mm.
  - 3 The Inverter/Transformer cabins will be located outside of the floodplain or raised above the flood level.
  - 4 Access tracks on site will be permeable.
  - 5 Swales will be utilised on site as outlined in the swale design document.
  - 6 The fence on the north eastern side of the site boundary will be located at least eight metres from the Wendlebury Brook.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- 23 No development shall take place until a scheme for the provision and management of a 08 metre wide buffer zone alongside the Wendlebuy

Brook shall be submitted to and agreed in writing by the local planning authority.

Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

1. plans showing the extent and layout of the buffer zone
  2. details of any proposed planting scheme (for example, native Species)
  3. details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- 24 Prior to 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.
- 25 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 [a], 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.
- 26 No external lighting shall be installed within the site area unless agreed in writing with the Local Planning Authority.

### 39 **The Bell Inn, High Street, Hook Norton**

The committee considered application 14/00463/F for the change of use of the former Bell Inn from mixed use within A2/C3 to wholly residential use.

Peter Millar, Parish Councillor for Hook Norton, spoke in objection to the application.

Neil Warner, agent for the application, spoke in support of the application.

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

**Resolved**

That application 14/00463/F be refused for the following reason:

1. The proposal would result in the loss of an Asset of Community Value, that is The Bell, Public House. The applicant has failed to demonstrate that the Public House is unviable in the long term. As such, the loss of the service would lead to an unacceptable impact on the character of the area and the local community and would therefore be contrary to Policy S29 of the adopted Cherwell Local Plan 1996, paragraphs C.205 and C.206 of the Submission Cherwell Local Plan 2014 and central Government guidance contained in the National Planning Policy Framework.

40

**Glebe Leisure Caravan Park, Glebe Court, Fringford**

The committee considered application 14/00698/F for the erection of a permanent Warden's dwelling

Jon Payne, speaking on behalf of the applicant addressed the committee in support of the application.

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

**Resolved**

That application 14/00698/F be refused for the following reasons:

1. The applicant has failed to establish that the dwelling is essential for the proper functioning of Glebe Leisure Caravan Park and that a warden needs to live permanently on site. The proposal therefore fails to meet the requirements of the National Planning Policy Framework and saved Policy H18 of the adopted Cherwell Local Plan 1996.
2. The proposal represents sporadic development in the open countryside that would be detrimental to the open rural character and appearance of the area and the environment within the designated Area of High Landscape Value, contrary to Government guidance contained within the National Planning Policy Framework, saved Policies C7, C8, C9, C13 and C28 of the adopted Cherwell Local Plan 1996 and Policies ESD 13 and ESD 16 of the Submission Cherwell Local Plan.

41

**Site BB, Langford Locks, Kidlington**

The committee considered application 14/00718/F for a two storey building accommodating twelve units for B1 purposes and associated works.

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

**Resolved**

That application 14/00718/F be approved, subject to the following conditions:

- 1 That the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
- 2 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with approved plans: 14092 200A; 14092 400D; 14092 401C; 14092 402E; and 14092 403C.
- 3 That the external walls and roof(s) of the building shall be constructed not in accordance with the submitted details but that revised details of materials and finishes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work.
- 4 That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps.
- 5 That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.
- 6 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.
- 7 That before the development is first occupied, the parking and manoeuvring areas shall be provided in accordance with the plan hereby approved and shall be constructed, laid out, surfaced, drained

and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

- 8 Prior to the first occupation of the development hereby approved, a Travel Plan Statement, prepared in accordance with OCC's 'Transport for New Developments: Transport Assessments and Travel Plans' (March 2014), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan Statement shall be implemented and operated in accordance with the approved details.
- 9 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.
- 10 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.

42

## **17 The Paddocks, Deddington**

The committee considered application 14/00735/F for a rear extension and minor alterations to an attached outbuilding.

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

### **Resolved**

That application 14/00735/F be approved subject to the following conditions:

1. That 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application Form, site plan and drawing no. 5709-02b
3. Prior to the commencement of the development hereby approved, a colour scheme for the colouring of the external timber cladding shall be submitted to and approved in writing by the Local Planning Authority.



Thereafter, and prior to the first occupation of the development, the cladding shall be finished and thereafter maintained in accordance with the approved colour scheme.

4. Notwithstanding the provisions of Classes A to C (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the flat roof of the extension shall not be used as a balcony without the prior express planning consent of the Local Planning Authority.
5. The rooflights in the east and west elevations of the extension shall have a cill height of not less than 1.7m above finished floor level.

43 **Former Rosemary, Main Street, Fringford**

The committee considered application 14/00817/F for the variation of Condition 2 of the previously approved application 13/00718/F – alteration to front of elevation of plot 1.

Jan Maciejewski, local resident, spoke in objection to the application.

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

**Resolved**

That application 14/00817/F be refused for the following reason:

1. The proposal by virtue of its contrived design does not respect the character and scale of the existing building as well as the surrounding built form and is therefore considered to introduce an incongruous feature into the street scene which is unsympathetic and harmful to the character and appearance of the area. The proposal is therefore contrary to the provisions of Policies C28 and C30 of the adopted Cherwell Local Plan, Policy ESD 16 of the Proposed Submission Local Plan and Government guidance contained within the National Planning Policy Framework.

44 **Land part of The Long Barn and adjoining The Claverings, Millers Lane, Hornton**

The committee considered application 14/00847/F, resubmission of the withdrawn application 14/00591/F, for the erection of a detached single storey dwelling, double garage, driveway and associated landscaping.

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

**Resolved**

That application 14/00847/F be refused for the following reasons:

1. Hornton is a Category 2 settlement as defined in the Adopted Cherwell Local Plan 1996. Within such settlements, new residential development is restricted to conversions, infilling and small-scale development which can be shown to secure significant environmental improvements. The proposed development does not accord with these provisions and therefore represents unsustainable development. The proposal is therefore contrary to Government guidance contained within the National Planning Policy Framework and saved Policy H14 of the Adopted Cherwell Local Plan 1996.
2. The proposed new dwelling fails to respect the historic settlement pattern presented within the immediate area, contrary to Saved Policies C27 and C28 Adopted Cherwell Local Plan 1996.

45 **University of Oxford, Old Road Campus, Roosevelt Drive, Oxford**

The committee considered application 14/01004/ADJ for the erection of medical research building (Big Data Institute) on level 3 plus basement and plant enclosure at roof level, together with landscaping and ancillary works. (Part reserved matters of outline planning permission 12/02072/OUT relating to plot B5, seeking approval of appearance, landscaping scale and layout).

Cherwell District Council was a consultee on the application, which would be determined by Oxford City Council.

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

**Resolved**

That Cherwell District Council advise Oxford City Council that Cherwell District Council raises no objections to the proposal.

46 **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 report be noted.

47 **Appeals Progress Report**

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

**Resolved**

- (1) That the report be noted.

The meeting ended at 7.51 pm

Chairman:

Date: