

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 21 May 2009 at 4.00 pm

Present: Councillor Fred Blackwell (Chairman)

Councillor Rose Stratford (Vice-Chairman)
Councillor Ken Attack
Councillor Colin Clarke
Councillor Mrs Catherine Fulljames
Councillor Michael Gibbard
Councillor Eric Heath
Councillor James Macnamara
Councillor Alastair Milne Home
Councillor G A Reynolds
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor John Wyse

Substitute Members: Councillor Andrew Fulljames (In place of Councillor D M Pickford)

Apologies for absence were received from Councillors Maurice Billington, David Hughes, D M Pickford and Leslie Sibley

Officers: Jameson Bridgwater, Head of Development Control & Major Developments
Bob Duxbury, Development Control Team Leader
Graham Wyatt, Senior Planning Officer
Paul Manning, Solicitor
Gemma Dixon, Assistant Planning Officer
Rebekah Morgan, Trainee Planning Officer
Simon Dean, Trainee Planning Officer
Alexa Coates, Senior Democratic and Scrutiny Officer
Michael Sands, Trainee Democratic and Scrutiny Officer
Tony Ecclestone, Communications Officer

3 **Declarations of Interest**

Councillors declared interest with regard to the following agenda items:

9. 58 Bridge Street, Banbury, Oxfordshire, OX16 5QB.

Councillor Alastair Milne Home, Personal, as a member of Banbury Town Council Planning Committee who may have previously considered the application.

Councillor Colin Clarke, Personal, as a member of Banbury Town Council who may have previously considered the application.

Councillor G A Reynolds, Prejudicial, as a member of the Executive.

Councillor James Macnamara, Prejudicial, as a member of the Executive.

Councillor Ken Atack, Personal, as a newly appointed member of the Executive.

Councillor Michael Gibbard, Personal, as a member of the Executive.

10. Buildings 583, 576, 886 and Adjacent Recreational Land , Heyford Park, Upper Heyford, Bicester.

Councillor James Macnamara, Personal, as a member of Lower Heyford Parish Council who had previously considered the application.

12. Ardley Fields Farm, Middleton Stoney Road, Ardley, Bicester, Oxon, OX27 7PH.

Councillor Andrew Fulljames, Personal, As a member of Middleton Stoney Parish Council who may have previously considered the application.

Councillor G A Reynolds, Prejudicial, as a member of Oxfordshire County Council Planning Committee.

Councillor Lawrie Stratford, Prejudicial, as a member of Oxfordshire County Council Planning Committee.

Councillor Mrs Catherine Fulljames, Prejudicial, as a member of Oxfordshire County Council Planning Committee.

13. Bodicote Flyover Farm Shop, White Post Road, Bodicote, Banbury, OX15 4BN.

Councillor Colin Clarke, Prejudicial, as an acquaintance and distant relative of the applicant Councillor Nigel Morris.

Councillor Fred Blackwell, Personal, as an acquaintance of the applicant Councillor Nigel Morris.

Councillor G A Reynolds, Prejudicial, as an acquaintance of the applicant Councillor Nigel Morris who is a fellow member of the Executive and a user of the farm shop.

Councillor James Macnamara, Personal, as an acquaintance of the applicant Councillor Nigel Morris who is a fellow member of the Executive.

Councillor Ken Atack, Personal, as an acquaintance of the applicant Councillor Nigel Morris who is a fellow member of the Executive.

Councillor Lawrie Stratford, Personal, as an acquaintance of the applicant
Councillor Nigel Morris.

Councillor Michael Gibbard, Personal, as an acquaintance of the applicant
Councillor Nigel Morris who is a fellow member of the Executive.

4 **Petitions and Requests to Address the Meeting**

The Chairman advised the committee that requests to speak would be dealt with at each item.

5 **Urgent Business**

There was no urgent business

6 **Minutes**

The minutes of the meeting held on 23 April 2009 were agreed as a correct record and signed by the Chairman.

7 **OS Parcel 3963 Adjoining 84027 East of Greenhill Farm, Station Road, Bletchingdon, Oxfordshire**

The Committee considered a report of the Head of Development Control and Major Developments for an agricultural workers dwelling house.

Mr Lane, the applicant, Mr Glanvill and Mr Tongue, the applicant's representatives spoke in support of the application.

The Committee considered the proximity of the livestock to the farmers and the effect this would have on the welfare and security of the animals.

In reaching their decision the committee considered the Officer's report and presentation and the presentation of the supporters.

Resolved

That application 09/00115/F is 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) That samples of the material 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 prior to the commencement of development. The development shall be carried out in accordance with the samples so approved.

- 3) That samples of the material to be used in the covering of the roof of the development 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 samples so approved.
- 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 full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and such means of enclosure shall be erected prior to the first occupation of the dwelling.
- 7) That the dwelling shall be occupied only by a person solely or mainly employed, or last solely or mainly employed, in the locality in agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry, including any dependants of such a person residing with him or her or a widow or widower of such a person.
- 8) That, notwithstanding the provisions of Classes A to E (inc.) of Part 1, of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and its subsequent amendments, the approved dwelling(s) shall not be extended (nor shall any structures be erected within the curtilage of the said dwelling(s) without the prior express planning consent of the Local Planning Authority.

- 9) That, notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and its subsequent amendments, 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.
- 10) 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.
- 11) That prior to the occupation of the dwelling, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with the specification of the means of access attached hereto, and that all ancillary works therein specified shall be undertaken in accordance with the said specification.

8 **OS Parcel 8844, Rose Lodge, Middleton Road, Bucknell OX25 4TA**

This application was withdrawn at the request of the applicant.

9 **Wesleyan Chapel, High Street, Barford St Michael**

The Committee considered a report of the Head of Development Control and Major Developments for a conversion of the chapel to a residential dwelling with associated garden and parking.

Mr David Baxter spoke in objection to the application.

The Committee considered the visual impact of the engineering programme required for the development, the impact on the street scene in a conservation area and the future preservation of the building.

In reaching their decision the committee considered the Officer's report and presentation and the presentation of the objector.

Resolved

That application 09/00237/F is approved subject to the following conditions:

- 1) SC 1.4 – Duration Limit 3 Years (RC2)
- 2) SC 5.7A - Making Good in Materials to Match (RC5)
- 3) That the brickwork for the windows to be blocked up shall be set at a relief of 50mm (RC4)

- 4) Design details of all new windows shall be submitted to and approved by the Local Planning Authority prior to the commencement of works. The development shall be carried out in accordance with the approved details. (Scale 1:20). (RC5)
- 5) SC 3.7B - Submit Boundary Enclosure Details (RC12)
- 6) SSC 4.14AA 'two' Plan of Car Parking Provision (RC13B) which shall include full engineering details of the works to the embankment and forecourt and the provision of retaining walls
- 7) SC 4.3A - Access Details for Approval (RC13B)
- 8) SC 6.2A - No Extensions
- 9) SC 6.3A - No New Windows
- 10) SC 8.13 - Contamination (RC80)

10 **58 Bridge Street, Banbury, Oxfordshire, OX16 5QB**

The Committee considered a report of the Head of Development Control and Major Developments for a change of used from office (B1) to medical and health services (D1).

The Committee welcomed the report and were satisfied with the Officer's presentation.

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

Resolved

That application 09/00292/F is approved subject to the following conditions:

- 1) 1.4A (RC2) – 3 years
- 2) SC 6.14 Specified use only ClassD1(a) only – medical and health services

11 **Buildings 583, 576, 886 and Adjacent Recreational Land , Heyford Park, Upper Heyford, Bicester**

The Committee considered a report of the Head of Development Control and Major Developments for a change of use of buildings 583, 576, 886 and adjacent recreational land at Heyford Park to recreational sports training facilities for use by certain Olympic governing body sports and other sports. This application was for a renewal of a previous permission.

The Committee considered the temporary nature of the permission.

In reaching their decision the committee considered the Officer's report and presentation.

Resolved

That application 09/00339/F is approved subject to the following:

- a the comments of English Heritage
- b the following conditions:
 - 1) SC 6.17 "1 year"
 - 2) SC 6.13 "National Sports Training Centre"
 - 3) Vehicular access to the site shall be taken solely from Camp Road at the gate position shown west of Building 576, with vision splays retained unobstructed and only pedestrian access shall be provided to Building 886
 - 4) SC 7.13

12 **The Mount, Green Lane, Swalcliffe, Banbury**

The Committee considered a report of the Head of Development Control and Major Developments for horse stables.

Mrs Ransom, who had registered to speak on behalf of the applicant, chose not to add to the Officer's presentation.

The Committee considered the amended plan which had recently been submitted, the access to the stables, and the affect on the amenity of the neighbours.

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

Resolved

That application 09/00341/F is approved subject to the following conditions:

- 1) SC 1.4A Full Permission : Duration Limit (3 years) (RC2)
- 2) SC 2.2A Sample of walling materials (RC4) 'timber boarding' and 'stables'
- 3) SC 2,2B Sample of roofing materials (RC4) 'felt tiles'
- 4) SC 3.0 submit landscaping scheme (RC10)
- 5) SC 3.1 carry out landscaping scheme and replacements (RC10)

- 6) SC 5.5A submit new design details ' post and rail fencing, retaining walls and surface treatment of yard area (RC27A - delete 'historic building' insert 'conservation area')
- 7) The stables shall only be used for the applicants' private use only and shall not be used for any commercial liveries (RC40)
- 8) SC 8.8A Details of disposal of manure (RC55C) 'stables'
- 9) No lights/floodlights shall be erected on the land (RC50)
- 10) prohibit the use of the field gate onto the B road to access the stables

13 **Ardley Fields Farm, Middleton Stoney Road, Ardley, Bicester, Oxon, OX27 7PH**

The Committee considered a report of the Head of Development Control and Major Developments for the construction and operation of an Energy from Waste facility with associated office, visitor centre, bottom ash recycling facilities, new access road and weighbridge facilities; the continuation of non-hazardous landfill operations and landfill gas utilisation with consequent amendments to the phasing and final restoration landform of the landfill; surface water attenuation features and improvements to the existing household waste recycling facility.

The Committee considered the implications of the siting of other waste disposal facilities and traffic implications of the development.

In reaching their decision the committee considered the Officer's report and presentation.

Resolved

That Oxfordshire County Council is advised that this Council retains its objections/comments previously set out in Cherwell District Council's letter dated 30 January 2009.

14 **Bodicote Flyover Farm Shop, White Post Road, Bodicote, Banbury, OX15 4BN**

The Committee considered a report of the Head of Development Control and Major Developments for the use of the site as a farm shop. This was a retrospective application.

The Committee discussed the goods on sale at the shop and the condition relating to product displays.

Resolved

That application 09/00457/F is approved subject to the following condition:

- 1) That the buildings on site shall be utilised only in accordance with the legend provided on Plan No. DAJ/2345A(ii) as submitted on 15 April 2009 and that the volume of products sold shall not be increased, the type of product sold shall not differ, nor shall the product displays be extended, re-arranged or altered.

15 **Tree Preservation Order (No. 4) 2009: Water Moor House, Station Road, Launton**

The Committee considered a report of the Head of Development Control and Major Developments which sought confirmation for an unopposed Tree Preservation Order relating to Water Moor House, Station Road, Launton.

Resolved

That Tree Preservation Order (No.4) 2009 is confirmed without modification.

16 **Decisions Subject to Various Requirements - Progress Report**

The Committee considered a report of the Head of Development Control and Major Developments which updated members on decisions which were subject to various requirements.

Resolved

That the position statement is accepted.

17 **Appeals Progress Report**

The Committee considered a report of the Head of Development Control and Major Developments which updated Members on applications where new appeals had been lodged, public inquiries/hearings scheduled or appeal results received.

Resolved

That the position statement is accepted.

The meeting ended at 6.35 pm

Chairman:

Date: