

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 March 2015 at 4.00 pm

Present: Councillor Colin Clarke (Vice-Chairman, in the Chair)

Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
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 Rose Stratford)
Councillor Barry Wood (In place of Councillor Trevor Stevens)

Apologies for absence: Councillor Rose Stratford
Councillor Matt Johnstone
Councillor Trevor Stevens

Officers: Jonathan Westerman, Development Services Manager
Bob Duxbury, Development Control Team Leader
Stuart Howden, Assistant Planning Officer
Bob Neville, Planning Officer
Ross Chambers, Solicitor
Aaron Hetherington, Team Leader Democratic and Elections

195 **Declarations of Interest**

Declarations were declared in the following agenda items:

7. Bicester Eco Town, Banbury Road, B4100.

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

9. Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington.

Jonathan Westerman, Declaration, as he was previously employed by Rural Solutions Limited who acted on behalf of the agents for the application.

10. Swalcliffe Park Equestrian, Grange Lane, Swalcliffe.

Councillor G A Reynolds, Declaration, as the applicants Father was known to him and would leave the room for the duration of the item.

13. Easington Sports and Social Club, Addison 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.

15. Kelberg Trailers and Trucks Ltd., Northampton Road, Weston-on-the-Green.

Councillor David Hughes, Declaration, declared a non prejudicial interest as he was late arriving to the meeting.

16. 55 Churchill Road, Bicester.

Councillor Russell Hurle, Declaration, as the applicant was known to him.

18. Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington.

Jonathan Westerman, Declaration, as he was previously employed by Rural Solutions Limited who acted on behalf of the agents for the application.

19. Former Ambulance Station, Cope 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 Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Nigel Randall, Declaration, as a member on the Board of the Bill project and Cherwell Community Land Trust.

20. Hanwell Fields Community Centre, Rotary Way, 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 Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

21. Bicester and Ploughley Sports Centre, Queens Avenue, Bicester, OX26 2NR.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

22. 43 Churchill Road, Bicester, OX26 4UW.

Councillor Barry Wood, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of executive and would leave the meeting for the duration of the item.

Councillor Michael Gibbard, Declaration, as a member of executive and would leave the meeting for the duration of the item.

196 **Requests to Address the Meeting**

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

197 **Urgent Business**

There were no items of urgent business.

198 **Minutes**

The Minutes of the meeting held on 19 February 2015 were agreed as a correct record and signed by the Chairman.

199 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

200 **Bicester Eco Town, Banbury Road, B4100**

The committee considered agenda item 14/01384/OUT for the development comprising redevelopment to provide up to 2600 residential dwellings (Class C3), commercial floorspace (Class A1 – A5, B1 and B2), social and community facilities (Class D1), land to accommodate one energy centre, land to accommodate one new primary school (up to 2FE) (Class D1) and land to accommodate the extension of the primary school permitted pursuant to application [ref 10/01780/HYBRID]. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations.

Ian Painting, the applicant's agent, spoke 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 14/01384/OUT be approved subject to:

1. delegation of the negotiation of the S106 agreement to officers in accordance with the summary of the Heads of Terms (annex to the Minutes as set out in the Minute Book) and subsequent completion of S106 agreements

2. delegation of final changes to conditions to officers of the conditions (annex to the Minutes as set out in the Minute Book).

201 **Manor End House, Manor Road, Adderbury**

The Committee considered application 14/01454/F for the change of use of land from agricultural to a mixed use of agriculture and equine, erection of stabling and installation of manege for personal use.

Pinder Hugjan, the applicant, spoke in support to the application.

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

Resolved

That application 14/01454/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, Flood Risk Assessment Report (dated December 2014), 14-006-02 Rev E, 14-006-03 Rev A.
3. 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 surfaced areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps
4. 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.

5. 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.
6. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.
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 use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be firstly submitted to and approved in writing by the Local Planning Authority.
9. 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.
10. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.
11. No construction/demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right/make good to a standard required by the Countryside Access Team.

12. Prior to commencement of development, a Construction Traffic Management Plan must be submitted for consideration and approval.
13. Prior to the commencement of the development hereby approved, full details of the location, method of storage and disposal of all manure and waste from the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
14. The stables and land hereby permitted shall be used for private use only relating to the occupants of Manor End House and no commercial use including riding lessons, tuition, livery or competitions shall take place at any time.
15. No external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

202

Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington

The Committee considered application 14/01531/OUT an outline application for the demolition of existing bungalow and agricultural buildings and residential development of up to 95 dwellings including highway works, landscaping and public open space. The application was subject to an appeal against non-determination.

Councillor Simon Holland addressed the committee as Ward member.

David Pratt, Kirtlington Parish Council Chairman addressed the committee in objection

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

Resolved

That consideration of application 14/01531/OUT be refused,

1. Notwithstanding the Council's present inability to demonstrate that it has a five year housing land supply as required by paragraph 47 of the NPPF, the development of this site as proposed cannot be justified on the basis of the land supply shortfall alone. The proposal constitutes development which by virtue of its scale, size and form fails to respect the traditional settlement pattern of Kirtlington, extending beyond its built up limits into the open countryside, resulting in an incongruous, unsustainable and inappropriate form of development which pays little regard to the traditional settlement pattern and which would relate poorly to the remainder of the village, and cause demonstrable harm to the character of the village and visual amenities of the immediate locality, contrary to Policies H18, C8, C27, C28 and C30 of the adopted Cherwell Local Plan and Policies ESD13 and ESD16 of the Submission

Cherwell Local Plan and Central government advice within the National Planning Policy Framework.

2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the adopted Cherwell Local Plan and Policy INF1 of the Submission Local Plan and Central government guidance within the national Planning policy Framework.

203

Land West of Oxford Close and North of Corner Farm, Station Road, Kirtlington

The Committee considered application 14/02139/OUT for an outline application for the demolition of existing bungalow and agricultural buildings and residential development of up to 75 dwellings including highway works, landscaping and public open space.

Councillor Simon Holland addressed the committee as Ward member.

Councillor Helen Macbeth, Vice Chairman of Kirtlington Parish Council spoke in objection to the application.

James Podesta, the applicant, addressed the committee in support of the application.

Councillor Macnamara proposed that application 14/02139/OUT be refused. Councillor Kerford-Byrnes seconded the proposal.

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

Resolved

That application 14/02139/OUT be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a five year housing land supply as required by paragraph 47 of the National Planning Policy Framework, the development of this site as proposed cannot be justified on the basis of the land supply shortfall alone. The proposal constitutes development which by virtue of its scale, size and form fails to respect the traditional settlement pattern of Kirtlington, extending beyond its built up limits into the open countryside, resulting in an incongruous, unsustainable and inappropriate form of development which pays little regard to the traditional settlement pattern and which would relate poorly to the remainder of the Village, and cause demonstrable harm to the character of the Village and visual amenities of the immediate locality, contrary to Policies H18, C8, C27, C28 and C30 of the Adopted Cherwell Local Plan Policies ESD13 and ESD15 of the Submission

Cherwell Local Plan and Central Government advice within the National Planning Policy Framework.

2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the Adopted Cherwell Local Plan and Policy INF1 of the Submission Local Plan and Central Government advice within the National Planning Policy Framework.

204

Swalcliffe Park Equestrian, Grange Lane, Swalcliffe

The Committee considered application 14/01762/F for the use of land at Grange Farm for mixed use comprising part agricultural, part equestrian training and competitions (Use Class D2); retention of 1no. access and relocation of 1no. access on to the road leading from the B4035 to Sibford Ferris; retention of, and extension to, existing parking area and retention of equestrian jumps and obstacles; as detailed in the agent's letter dated 22 December 2014.

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

Resolved

That application 14/01762/F be approved subject to the receipt of an approved Noise Management Plan and 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 (dated October 2014), DTPC Transport Statement (dated October 2014), Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment (dated November 2014), Course Jump Details contained in agent's letter dated 22 December 2014 and drawings numbered: 13_002_01 Rev. C, 13_002_02 and J251.
3. Events with greater than 50 competing horses shall be limited to take place on no more than 28 days (including days required for the setting up and taking down of any associated equipment and structures) in any one calendar year.
4. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with details within the Event Management Plan (EMP) dated October 2014, ref. J251/EMP rev A.
No operational changes shall be made in relation to the details of the EMP without prior written approval by the Local Planning Authority through the

submission of a further 'approval of details reserved by condition' application.

5. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with, the Noise Management Plan (NMP) dated [DATE], ref. [REFERENCE], detailing the methods to be employed to achieve compliance with a noise limit of at 45 dB LA eq (15mins), when measured free field at noise sensitive locations adjacent the residential properties of Partway House, Elm Farm, Swalcliffe House and Wykham, shown on the attached plan ref. CDC-01.
No operational changes shall be made in relation to noise management without prior written approval by the Local Planning Authority in which case a revised NMP shall be submitted approved through the submission of a further 'approval of details reserved by condition' application.
6. Equestrian events of greater than 50 competing horses taking place on site shall be in accordance with the 'Swalcliffe Park Equestrian - Calendar of Events (of more than 50 horses) 2015' document; received 05/03/2015. Thereafter, prior to 31 of December of each year a calendar of events for the following year shall be submitted to and approved in writing by the Local Planning Authority.
7. Swalcliffe Park Equestrian shall keep a log of all equestrian users visiting the site in connection with day-to-day equestrian activities taking place at the site; excluding events of greater than 50 competing horses. As a minimum the log shall include:
 - i. The date;
 - ii. Arrival and departure times;
 - iii. The number of attendees;
 - iv. The number horses;The log shall be maintained and made available for inspection by the Local Authority upon request.
8. Notwithstanding the details submitted, within 3 months of the date of the permission 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:-
 - i. Details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
 - ii. Details of any existing trees and hedgerows to be retained as well as any to be felled.
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 approval of the landscaping scheme. 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. 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 hereby approved.

11. The existing hedgerows along the boundaries of the site along Grange Lane and the street leading to Sibford Ferris from the B4035 shall be retained, and if any hedgerow plant dies within five years from the date of this decision it shall be replaced and shall thereafter be properly maintained in accordance with this condition.
12. No removal of hedgerows, trees or shrubs shall take place between the 1 March and 31 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.
13. Notwithstanding the details submitted, within 3 months of the date of the permission hereby granted, 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. Within 6 months from the date of the approval of the specification, 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.
14. No equipment or structures associated with the equestrian use other than equipment and structures associated with a current course configuration shall remain on site outside of the storage area shown on approved drawing 13_002_01 Rev. C.
15. The use of the site for equestrian training and schooling shall be restricted to the hours of operation between 08:00 and 20:00.
16. No external lights/floodlights shall be erected on the land without the prior express planning consent of the Local Planning Authority.

205

OS Parcel 6680 North of Hook Norton Primary School and South of Redland Farm, Sibford Road, Hook Norton

The Committee considered application 14/01825/OUT for an outline application for the erection of 54 dwellings, Landscape, Public Open Space and Associated Works.

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

Resolved

That application 14/01825/OUT be refused for the following reasons:

1. Notwithstanding the Council's present inability to demonstrate that it has a 5 year housing land supply as required by paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of the land supply shortfall alone. The applicant has failed to adequately demonstrate that the proposed development would not be adversely affected by odour and insects associated with the Intensive Dairy Unit at Redlands Farm immediately to the north, resulting in an unacceptable living environment for the occupiers of the new dwellings. As such the development is considered to be unsustainable and the proposed would be contrary to the thrust of Policy ENV1 of the adopted Cherwell Local Plan and Government advice within the National Planning Policy Framework which seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
2. In the absence of a satisfactory planning obligation, the Local Planning Authority is not convinced that the infrastructure and affordable housing directly required as a result of this scheme will be delivered. This would be contrary to Policy H5 of the adopted Cherwell Local Plan, Policy INF1 of the Submission Local Plan and government guidance within the National Planning Policy Framework.

206

Land Formerly Part Of Old Ironstone At Apollo Office Park, Ironstone Lane, Wroxton

The Committee considered application 14/01898/F for the provision of 10 no. employment units (Classes B1, B2 & B8), car parking and associated landscaping (revised scheme following approval of 11/00473/F).

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

Resolved

That application 14/01898/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 condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, Reptile Mitigation Strategy by Philip Irving dated August 2014, Badger Survey and Method Statement by Philip Irving dated August 2014, and drawings numbered: 2975/13 dated 3/14, 2975/13 dated 02/15, 2975/11 G dated 3/14, 2318-04 Rev. B, 2318-05 Rev. A, 10016/01, 2442/01
3. The premises shall be used only for purposes falling within Classes B1, B2 and B8 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.
4. 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, including samples where appropriate, 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.
5. Prior to the commencement of development a construction phase traffic management plan shall be submitted to and approved by the Local Planning Authority. The approved plan shall be implemented and operated in accordance with the approved details.
6. Prior to the commencement of development a scheme of drainage shall be submitted to and approved by the Local Planning Authority. The approved plan shall be implemented and operated in accordance with the approved details.
7. Prior to the first occupation of the development, the proposed widening of Ironstone Lane and associated access works shall be completed in accordance with the details provided within the Revised Transport Assessment number 2352/03 dated March 2011 and Drawing No. 2442/01A approved as part of Application: 11/00473/F unless otherwise agreed with the Local Planning Authority.
8. Prior to the first occupation of the development the access road, parking and manoeuvring areas shall be provided in accordance with the plans hereby approved and shall be constructed, laid out, surfaced, drained (SUDS) and completed, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.
9. An amended Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

10. If, during development, contamination 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.
11. The development hereby approved shall be carried out strictly in accordance with the details set out in the Summary and Recommendations page 6 of the Badger Survey and Method Statement submitted with the application, which was prepared by Philip Irving dated August 2014.
12. The development hereby approved shall be carried out strictly in accordance with the details set out in the first six bullet points within Summary and Mitigation Strategy on pages 4 and 5 of the Reptiles Mitigation Strategy submitted with the application, which was prepared by Philip Irving dated August 2014.
13. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement to include plans, locations and on-going management for enhancing the site for reptiles, in accordance with the details contained within Summary and Mitigation Strategy on page 5 of the Reptiles Mitigation Strategy submitted with the application, which was prepared by Philip Irving dated August 2014, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the enhancement measures shall be carried out and retained in accordance with the approved details.
14. 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.
15. 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.

16. 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 first occupation of the development.

17. Prior to the commencement of the development 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.
18. That full details of any lighting to be fixed on the buildings and on the ground 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 and retained as such thereafter.
19. Prior to the commencement of the development, full details of the commemorative display, including details of the mining truck and length of track to be removed from the former locomotive shed for use in the display, shall be submitted to and approved in writing by the Local Planning Authority. The approved display shall be erected within six months of the date of the first occupation of the development and retained in accordance with the approved details at all times thereafter.
20. Notwithstanding the provisions of Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 1995 and its subsequent amendments,

the approved building shall not be extended or altered without the prior express planning consent of the Local Planning Authority.

21. That no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

207 **Easington Sports and Social Club, Addison Road, Banbury**

The Committee considered application 14/01911/F for the Installation of 6 floodlight columns and 16 1500mw lights.

Councillor Blackwell proposed that consideration of the application be deferred to allow further correspondence with the residents of Addison Road to make them fully aware of the proposed changes. Councillor Clarke seconded the proposal.

Resolved

That consideration of application 14/01911/F be deferred to allow further correspondence with the residents of Addison Road to make them fully aware of the proposed changes.

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

The Committee considered application 14/01953/F for the erection of a permanent Warden's dwelling. The application was a re-submission of application 14/00698/F.

Ann Herring, the applicant, addressed the committee in support of the application.

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

Resolved

That application 14/01953/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 ESD13 and ESD16 of the Submission Cherwell Local Plan.

209

Kelberg Trailers and Trucks Ltd., Northampton Road, Weston-on-the-Green

The Committee considered application 14/02019/F for the extension to existing Workshop Including Enclosure of Vehicle Wash Bay.

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

Resolved

That application 14/02019/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 and drawings numbered: Design and Access Statement, Site Location Plan, 14/11/01 and 14/11/02.
3. The materials to be used for the external surfaces of the development hereby approved shall match in terms of colour, type and texture those used on the existing building.
4. The operational use of the workshop hereby approved shall be restricted to the following times:-

Monday-Friday – 8.00am to 6.00pm
Saturday – 8.00am to 1.00pm
and no time on Sundays or Public Holidays
5. Assembly operations inside the building hereby approved shall be carried out with the workshop main doors and pedestrian access doors closed except when vehicles or personnel are moving in and out of the building.
6. The workshop shall be provided with sufficient silenced mechanical extract ventilation so as to permit working within the extended workshop during hot weather with all external doors closed.
7. 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.

55 Churchill Road, Bicester

The Committee considered application 14/02104/F for a side extension to create a new dwelling.

Simon Roe, the applicant, addressed the committee in support of the application.

Councillor Lawrie Stratford proposed that application 14/02104/F be refused. Councillor Reynolds seconded the proposed. The motion was voted on and duly lost.

Councillor Pickford proposed that application 14/02104/F be approved. Councillor Randall seconded the proposal.

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

Resolved

That application 14/02104/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 development shall be carried out strictly in accordance with the following plans and documents: Application form, Design and Access Statement and drawings numbered: 100, 104A, 105A, 106A
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 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 first occupation of the dwelling hereby approved, the existing means of access between the land and the highway shall be widened to geometry as submitted and formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
5. Prior to the commencement of the development hereby approved, a plan showing a car parking provision for three spaces to be accommodated within the site to include layout, surface details, and drainage, 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 spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.
6. Notwithstanding 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 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.

211 **Land adj to Cotswold Country Club and South of Properties on Bunkers Hill, Kidlington**

The Committee considered application 15/02132/OUT for an outline application for the development of eight houses and access improvements.

Councillor Simon Holland addressed the committee as Ward member.

Mike Gilbert, agent and John Linforth, local resident, addressed the committee in support of the application.

Councillor Pickford proposed that application 15/02132/OUT be deferred to allow officers to consider how possible plans could be delivered. Councillor Hurle seconded the proposal.

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

Resolved

That application 15/02132/OUT be deferred to allow officers to consider how possible plans could be delivered.

212 **43 Churchill Road, Bicester, OX26 4UW**

The Committee considered application 15/00155/F for a single storey extension.

Councillor Lawrie Stratford proposed that application 15/00155/F be refused, the proposal was not seconded.

Councillor Pickford proposed that application 15/00155/F be approved. Councillor Randall seconded the proposal.

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

Resolved

That application 15/00155/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 and Drawing No's: P100, P103 and P105 submitted with the application and E-mail from the applicant's agent received on 3 March 2015.

213

Former Ambulance Station, Cope Road, Banbury

The Committee considered application 14/02149/CDC for the redevelopment of a former Banbury ambulance station site to provide 6 dwellings of shared accommodation including 2 self-contained units for staff and all associated parking and amenity space.

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

Resolved

That application 14/02149/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, Phase 1 Geo-environmental Desk Study dated 05/09/2014, Extended Phase 1 Habitat Survey dated 21st July 2014 and drawings numbered: C23-PL-01B, C23-PL-02B, C23-PL-03A, C23-PL-04B, C23-PL-05A and C23-PL-06B
3. Prior to the commencement of the development hereby approved, samples of the brick to be used in the construction of the external 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 hereby approved, details of the external render, including type, texture and colour finish shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the render shall be finished and maintained in accordance with the approved scheme.

6. 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.
7. Prior to the construction of the dwellings hereby approved, the proposed means of access between the land and the highway shall be improved to geometry as plans submitted, formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
8. 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.
9.
 - 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 decision.
10. 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.
11. Prior to the commencement of the development hereby approved, a mitigation strategy for swifts, which shall include details of the location and design of alternative nest sites to be provided, shall be submitted

to and approved in writing by the Local Planning Authority. Thereafter and prior to the commencement of the development, the alternative nesting sites shall be provided in accordance with the approved document.

12. When the proposed imported clean cover material is identified and prior to occupation, an assessment of the risk from arsenic and scheme of remediation 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.
13. The development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 12 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.
14. 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.

214

Hanwell Fields Community Centre, Rotary Way, Banbury

The Committee considered application 15/00015/CLUE for the Certificate of Lawful Use Existing for a photovoltaic array installation on south west facing roof.

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

Resolved

That application 15/00015/CLUE be approved, subject to the following conditions:

FIRST SCHEDULE

Installation of a photovoltaic array on the south west facing roof slope

SECOND SCHEDULE

Hanwell Fields Community Centre, Rotary Way, Banbury. OX16 1ER

THIRD SCHEDULE

Having regard to the information submitted by the applicant, the planning application records and information held by the Local Planning Authority, the

Local Planning Authority is satisfied that the works described in the first schedule benefit from a deemed grant of planning permission pursuant to Part 43, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

215 **Bicester and Ploughley Sports Centre, Queens Avenue, Bicester, OX26 2NR**

The Committee considered application 15/00021/CDC for the Material Amendment to 13/01598/CDC – Extension of the chimney flue by 600mm.

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

Resolved

That application 15/00021/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, Site Plan and Drawing No's: Bicester 003, Bicester 008, Bicester 013 and Bicester 014 submitted with the application.

216 **Franklins Yard, St Johns Street, Bicester**

The Committee considered application 15/00180/F for the variation of Conditions 2, 3, 15 and 18 of 14/00403/F

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

Resolved

That application 15/00180/F be approved subject to the following conditions:

1. That the development to which this permission relates shall be begun not later than 31 December 2017 being the date of the expiration of 14/00403/F.
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: Drawing nos. P-001 and P-303A (proposed materials) received with the application and nos. 003C, 100B, 101B, 102B, 103B, 104B, 105B, 200B, 201B, 300B, 301B, 302B and 304C received on 12th November 2014 and the amended

Mayer Brown drawings LSHBICESTER.1/05 Rev B &
TCRBICESTER2.2/04 Rev M.

3. Prior to the first occupation of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.
4. Prior to the commencement of the development hereby approved, full details of the refuse bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
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 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 commencement of the development hereby approved, including any demolition, and any works of site clearance, a plan 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.
8. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme 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.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

9. No occupation of each phase of 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.
10. 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.
11. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

12. 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.
13. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan (CTMP) 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 CTMP.
14. 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.
15. Prior to the first use of the development hereby approved, full design and operational details of the method of the air conditioning, extract ventilation and refrigeration systems shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the building, the systems shall be installed, brought into use and retained and maintained in accordance with the approved details.
16. That prior to the commencement of the development, the provision of a suitable scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed prior to the occupation of the development and thereafter retained in accordance with the approved details.
17. No external lights shall be erected on the land without the prior express consent of the Local Planning Authority.
18. Prior to the first occupation of the development hereby approved, details of the measures to be incorporated into the development to demonstrate how "Secured by Design" (SBD) accreditation will be achieved will be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. 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 the SBD accreditation has been received, unless otherwise agreed in writing.

217 **Decisions Subject to Various Requirements**

The Head of Development Management submitted a report which informed Members upon applications which they had authorised decisions upon subject to various requirements which must be complied with prior to the issue of decisions.

Resolved

- (1) That the position statement be accepted.

218 **Appeals Progress Report**

The Head of Development Management submitted a report which informed Members on applications which had been determined by the Council, where new appeals have been lodged, public Inquiries/hearings scheduled or appeal results achieved.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 9.45 pm

Chairman:

Date: