

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 26 November 2015 at 4.00 pm

Present: Councillor Colin Clarke (Chairman)
Councillor Fred Blackwell (Vice-Chairman)

Councillor Andrew Beere
Councillor Michael Gibbard
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Matt Johnstone
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Alastair Milne Home
Councillor Richard Mould
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Rose Stratford

Substitute
Members:

Also Present: Councillor Ian Corkin

Apologies for absence: Councillor Sean Woodcock

Officers: Jon Westerman, Development Services Manager
Bob Duxbury, Development Control Team Leader
Caroline Ford, Principal Planning Officer
Nat Stock, Team Leader (Others)
Paul Ihringer, Team Leader (Enforcement)
Stuart Howden, Senior Planning Officer
Victoria Barrett, Assistant Planning Officer
James Kirkham, Senior Planning Officer
Aaron Hetherington, Democratic and Elections Officer

9. North And South Arcade At Bicester Eco Town Exemplar Site, Charlotte Avenue, Bicester.

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

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

10. Land at Kraft Foods, Southam 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.

11. The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL.

Councillor Chris Heath, Declaration, as the applicant was known to her and would leave the chamber for the duration of the item.

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

14. Land South Of Little Shotover and East of Cherry Cottage, Horn Lane Road, Adderbury.

Councillor Nigel Randall, Declaration, as the applicant was his immediate neighbour therefore would leave the chamber for the duration of the item.

15. 13 Hampden Close, Bicester, OX26 4UG.

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

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

17. Proposed Sports Pavilion and Sport Field, Whitelands Way, Bicester.

Councillor G A Reynolds, Declaration, as a member of Executive, Lead member for Recreation and a member of the project board and would leave the Chamber for the duration of the item.

Councillor Lawrie Stratford, Declaration, as a member of Executive and a member of the County Council and would leave the Chamber for the duration of the item.

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

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and would leave the Chamber for the duration of the item.

Councillor Rose Stratford, Declaration, as a member of Executive and the Bicester Sports Board would leave the Chamber for the duration of the item.

18. Bicester Furniture Studio, 24 Church Street, Bicester, OX26 6AZ.

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

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

120 **Requests to Address the Meeting**

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

At the discretion of the Chairman, the Development Services Manager advised the Committee that due to an administrative error, notification to parties who had submitted representations during the consultation period in relation to applications on the agenda for consideration at this meeting had not been sent until earlier that week instead of when the agenda had been published.

121 **Urgent Business**

There were no items of urgent business.

122 **Minutes**

The Minutes of the meeting held on 29 October 2015 were agreed as a correct record and signed by the Chairman.

123 **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.

124 **Land East Evenlode Crescent and South Langford Lane, Kidlington**

The committee considered application 14/02067/OUT, an outline application, for a Technology Park – 40,362 sqm office, R&D, laboratories, storage and ancillary space.

Councillor Clarke proposed that application 14/02067/OUT be deferred to allow notification to be sent to all interested parties prior to the application being considered by the Planning Committee. Councillor Blackwell seconded the proposal.

Resolved

That application 14/02067/OUT be deferred to allow notification to be sent to all interested parties prior to the application being considered by the Planning Committee.

125

Land Adjacent to Esso Station Baynards Green, OX27 7SG

The Committee considered application 15/00758/F for a freestanding single storey restaurant with associated drive-thru, car parking and landscaping and installation of customer order display and canopy.

Councillor Ian Corkin addressed the committee as the local Ward member.

Nick Hemstock, agent for the applicant, addressed the committee in support of the application.

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

Resolved

That application 15/00758/F be refused for the following reasons:

1. The applicants have failed to demonstrate a clear need for further roadside catering facilities on the A43, resulting in unnecessary harm to the character and appearance of the countryside. The proposal is therefore contrary to Policy ESD13 of the Adopted Cherwell Local Plan 2031 Part 1, Policies C8 and TR8 of the Adopted Local Plan 1996 and central Government guidance contained within the National Planning Policy Framework.
2. Insufficient robust assessment of alternative locations along the A43 have been undertaken to establish that should a further roadside catering facility be required, that the application site represents the most appropriate location in terms of serving this need, maximising locational sustainability benefits and minimising visual impact upon the open countryside. The proposal is therefore contrary to Policy ESD13 of the Adopted Cherwell Local Plan 2031 Part 1, Policy C8 of the Adopted Local Plan 1996 and central Government guidance contained within the National Planning Policy Framework

126

North And South Arcade At Bicester Eco Town Exemplar Site, Charlotte Avenue, Bicester

The Committee considered application 15/00760/F for the development of a new Local Centre comprising a Convenience Store (use class A1), Retail Units (flexible use class A1/A3/A5), Pub (use class A4), Community Hall (use class D1), Nursery (use class D1), Commercial Units (flexible use class A2/B1/D1) with associated Access, Servicing, Landscaping and Parking with a total GEA of 3,617 sqm

Alex Wilson, agent for the applicant, addressed the committee in support of the applicant.

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

Resolved

That application 15/00760/F be approved subject to:

- a) The applicants entering into a linking agreement to link this application proposal to the legal agreement pursuant to 10/01780/HYBRID to ensure the proposal remains bound by the clauses of that S106;
- b) The receipt of comments from consultees in relation to the most recent consultation and;
- c) the following conditions, with delegation to the Development Services Manager to make any minor changes to the conditions to suit final amended plans:
 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, design and access statement, transport assessment, energy statement and the following plans:
 - BIMP6 700B - Location map,
 - BIMP6 701A - Masterplan,
 - 14058 (P) 100 Rev G - Site plan,
 - 14058 (P) 110 Rev A - Proposed floor plan uses,
 - 14058 (P) 113 - North arcade first floor plan,
 - 14058 (P) 115 - North arcade second floor plan,
 - 14058 (P) 122 - North arcade north elevation K & south arcade south elevation M,
 - 14058 (P) 123 - North arcade section EE & south arcade section FF,
 - 14058 (P) 125 - North and south arcade section JJ & section NN,
 - 14058 (P) 101 Rev Q - Ground floor plan,
 - 14058 (P) 111 Rev A - North Arcade Ground floor plan,

- 14058 (P) 112 Rev A - South Arcade Ground floor plan,
 - 14058 (P) 114 Rev C - South arcade first floor plan,
 - 14058 (P) 116 Rev A - South arcade second floor plan,
 - 14058 (P) 117 Rev A - North and south arcade roof plan,
 - 14058 (P) 120 Rev A - North arcade south elevation A & south arcade north elevation B,
 - 14058 (P) 121 Rev A - North and south arcade east elevation C & west elevation D,
 - 14058 (P) 124 Rev A - North and south arcade section GG & section HH,
 - 14058 (P) 130 Rev A - Proposed site elevations,
 - 14058 (P) 131 Rev A - Details of proposed elevations,
 - 14058 (P) 200 Rev B - Community hall layout,
 - 7705-UA001881-UP33D-02-Commercial Centre Vehicle Accessibility
3. Prior to the construction of the foundations of the buildings hereby approved, a stone sample panel (minimum 1m² in size) of the proposed beakstone shall be constructed on site, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
 4. Prior to the construction of the foundations of the buildings hereby approved, a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m² in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.
 5. Prior to the construction of the foundations of the buildings hereby approved, samples of the slate roofing material to be used for the community centre 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.
 6. Prior to the construction of the foundations of the development hereby approved, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.
 7. Prior to the commencement of the development full details of the required retaining structures to the west of the nursery and its garden and the pub and its garden adjacent to the river corridor shall be submitted to and approved in writing by the Local Planning Authority. The retaining structures shall thereafter be installed in accordance with the approved details.

8. Notwithstanding the details submitted and prior to the commencement of the development hereby approved, full specification details of the spine road through the development including construction, surfacing, layout, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the buildings in the local centre the road/footways etc. shall be constructed in accordance with the approved details.
9. 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.
10. Prior to the first use or occupation of the development hereby permitted, covered cycle parking and Sheffield stands shall be provided within the application site in accordance with the details submitted. The covered and uncovered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
11. Prior to the first occupation of any unit 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 for the local centre as a whole. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
12. Prior to the first occupation of a unit, the occupier where required by the OCC guidance and the Framework Travel Plan, will prepare a Travel Plan for that unit, 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, which shall be submitted to and approved in writing. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
13. Prior to the commencement of the development a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full

during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

14. Prior to the occupation of the development, a Parking Management Plan for the Local Centre shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include how parking will be managed, monitored, the allocation of car sharing spaces and how it will be enforced. The Parking arrangements shall thereafter be operated in accordance with the approved plan.
15. Prior to the provision of the bus stop, details of the facilities to be provided at the bus stop including Real Time Information and a programme of delivery, shall be submitted to and approved in writing by the Local Planning Authority. The bus stops and facilities shall be provided in accordance with the approved details.
16. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.
17. Notwithstanding the submitted details and prior to the commencement of the development, full details of a drainage strategy for the site including how it connects into the wider Exemplar scheme, 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.
18. 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, steps and street furniture including benches.

19. 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.
20. Prior to the construction of the foundations of the local centre hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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. The tree pits shall be constructed concurrent with the construction of the hard surfaced areas into which they are to be installed.
21. 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 indicating the protection to be provided to the tree, hedgerow and the 3m landscape buffer 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.
22. Prior to the installation of any green roofs, details of the construction and planting of these roofs along with details of the maintenance programme that will ensure the maintenance and long term maintenance of the roofs shall be submitted to and approved in writing by the Local Planning Authority. The green roofs shall be constructed and maintained in accordance with the approved details.
23. Prior to the commencement of the development hereby approved, a plan showing full details of existing and proposed site levels for the proposed local centre buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.
24. Prior to the commencement of the development hereby approved, full details of the location of bat boxes/ bricks and swift boxes to be installed on the elevations of the local centre shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and

prior to the occupation of the local centre, the bat and bird boxes shall be installed on the site in accordance with the approved details.

25. 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.
26. The use of each unit within the local centre shall be within the range of use classes annotated on drawing numbers 14058 (P) 111 Rev A - North Arcade Ground floor plan, 14058 (P) 112 Rev A - South Arcade Ground floor plan, 14058 (P) 114 Rev C - South arcade first floor plan, 14058 (P) 116 Rev A - South arcade second floor plan, 14058 (P) 113 - North arcade first floor plan, 14058 (P) 115 - North arcade second floor plan and as specified in the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and for no other purpose(s) whatsoever. No unit shall be amalgamated.
27. All shop fronts and advertisements shall follow the guidance set out within the NW Bicester Exemplar Local Centre Design and Access Statement dated 24 April 2015.
28. Prior to the first occupation of any unit to be within an A3 or A5 use hereby approved, full details of the method of mechanical ventilation/ extraction (should be it required) including and assessment of noise and odours and any external features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of each unit within such use, any required mechanical ventilation/ extraction shall be installed, brought into use and retained in accordance with the approved details.
29. There shall be no deliveries to any of the units within the local centre outside of the following times:

Monday-Saturday - [7.00am to 8.00pm]
Sunday and Public Holidays - [9.00am to 5.00pm]
30. Prior to the installation of any external lighting, full details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall thereafter be installed in accordance with the approved details.
31. Prior to the occupation of the development, the local centre and parking area shall be provided with solar PV to meet the required provision of solar PV as established through the Energy Strategy and additional information received.
32. Prior to the occupation of the development, full details of the measures that will be utilised to enable the scheme to achieve zero carbon, which should include details of offsite measures if necessary including

the timescale for their provision shall be submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be implemented in accordance with the approved details.

33. All non-residential buildings shall be constructed to BREEAM EXCELLENT.
34. All buildings shall be constructed with rainwater harvesting or incorporating such other agreed measures to significantly reduce water use, in accordance with an agreed scheme to be submitted and approved in writing by the local planning authority prior to commencement of construction of the relevant building. The development shall be carried out in accordance with the approved details
35. Prior to the commencement of the development, a report outlining how carbon emissions from the construction process and embodied carbon have been minimised shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved plan.
36. The relevant services to deliver the District Heating System shall be provided to each unit of the local centre prior to the occupation of that unit.
37. Prior to the construction of the local centre buildings, details of the provision of superfast broadband for the proposed uses within the local centre shall be submitted to and approved in writing by the Local Planning Authority. Each unit shall be provided with superfast broadband prior to its occupation.
38. Prior to the occupation of each non-residential unit or commercial building, the building shall be provided with a 'real time information' system.

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Land at Kraft Foods, Southam Road, Banbury

The Committee considered application 15/00831/F for the proposed development of a new Waitrose food store with car parking and access arrangement onto Southam Road and the demolition of an existing building.

Peter Monk, on behalf of the Civic Society addressed the committee in objection to the application.

Peter Frampton, agent for the applicant and Martin Gorman, on behalf of Waitrose, addressed the committee in support to the application.

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

Resolved

That application 15/00831/F be approved, subject to:

- i. The applicant first entering a legal agreement with OCC re transportation infrastructure;
- ii. 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 Design and Access Statement and other documents and drawings listed in the agents letter dated 8 May 2015 and supplemented by plans received accompanying agents e-mail dated 13 November
 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 commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural ironstone which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the appropriate external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
 5. Prior to their first use the external lighting shall be carried out and retained in accordance with the details shown on drawing 14-0275/E/001 11 submitted with the application.
 6. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed building and car park shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.
 7. Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, shall be erected prior to the first use of the building.

8. 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 use of the building, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
9. All planting, seeding or turfing comprised in the details of landscaping shown on drawings 5419/ASP4 -1 and 2 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, 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, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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.
12. Prior to the commencement of the development hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
13. 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.

14. Prior to the commencement of the development hereby approved, full specification details (including construction, surfacing and drainage) of the 220 parking spaces within the curtilage of the site, 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.
15. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
16. 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.
17. Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority and in general accord with the PBA drawings 26004-2001-002C and 004C submitted with the application . Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".
18. 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.
19. Prior to the commencement of the development hereby approved, including any demolition, and any

works of site clearance, a method statement for enhancing biodiversity on site, showing types and locations of provisions and planting with reference to sections 4.4.4, 4.4.8, 4.4.9 and appendix D of the submitted Ecological Appraisal which was prepared by Peter Brett Associates, dated April 2015, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

20. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity with reference to the recommendations within sections 4.4.2, 4.4.5, 4.4.6, 4.4.10, 4.4.11, 4.4.12, 4.4.13 and 4.4.15 of the submitted Ecological Appraisal which was prepared by Peter Brett Associates, dated April 2015, 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 CEMP

21. All buildings hereby approved shall be constructed to at least a BREEAM 'Very Good' standard.

128 **The Bungalow, Cumberford Hill, Bloxham, Banbury, OX15 4HL**

The Committee considered application 15/01090/F for the demolition of an existing dwelling, garage and car repair workshop and the erection of a terrace of 4 new dwellings with associated landscaping and parking to the rear.

Councillor Randall proposed that application 15/01090/F be deferred to allow for a formal site visit. Councillor Hughes seconded the proposal.

Resolved

That consideration of application 15/01090/F be deferred to allow for a formal site visit.

129 **Land adj to Vespasian Way, Chesterton**

The Committee considered application 15/01165/F for the erection of 6 no. Dwellings with associated means of access, car parking and landscaping.

Guy Siragher, representing 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 15/01165/F be approved, subject to:

- a) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to secure financial contributions as outlined in paragraph 5.39 and 5.40,
- b) the following conditions:
 1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
 2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Site Location Plan (063-1000), Existing Site Layout (063-1001), Proposed Site Layout (063-1010A), Plot 1 & Plot 4 (063-1101A), Plots 2 & 3 (063-1102), Plot 5 (063-1103), Plot 6 (063-1104), Planning Statement, Design and Access Statement, Tree Protection Plan (HILL/19532/03a), Landscape Proposals (HILL/19532/11a), Arboricultural Impact Assessment (HILL19532aiaA), Preliminary Ecological Assessment (Nov 2014), Flood Risk Assessment (June 2015),
 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 commencement of the development, a plan showing the details of the finished floor levels of the proposed dwellings in relation to existing ground levels on the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 5. Prior to the commencement of the development hereby permitted, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be carried out prior to commencement of any building works on the site and the approved foul sewage drainage scheme shall be implemented prior to the first occupation of any building to which this scheme relates. All drainage works shall be laid out and constructed in accordance with the Water Authorities Associations current edition 'sewers for adoption'
 6. All planting, seeding or turfing comprised in the approved Landscaping Proposals and Specification 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. Notwithstanding the details submitted in the approved Landscaping Plan, prior to the commencement of the development hereby approved, a landscaping scheme for the proposed buffer to Plot 1 (as indicated in plan 063-1010A) 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.
8. The development hereby approved shall be carried out strictly in accordance with recommendations R3, R4, R5, R6 and R7 set out in Section 6 of the Preliminary Ecological Assessment submitted with the application, which was prepared by Middlemarch Environmental dated November 2014.
9. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.
10. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing the biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
11. All species used in the planting proposals associated with the development shall be native species of UK provenance.
12. Prior to the commencement of the development hereby approved, a lighting scheme will be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

13. Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwellings the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.
14. Other than the approved access(s) no other means of access whatsoever shall be formed or used between the land and the highway.
15. The delivery bay adjacent to the LPG tanks shall be kept free of obstructions at all times and used only for the specified purpose.
16. Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.
17. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
18. That the garage accommodation shall be retained as such and shall not be adapted for living purposes unless planning permission has first been granted by the Local Planning Authority on a formal application.
19. A final drainage design plan and full drainage calculation need to be submitted and approved by Oxfordshire County Council prior to the development commencing on site.
20. The proposed buffer planting within the curtilages of Plots 1, 5 and 6 shall be fenced from the remainder of the garden areas by post and rail fencing, and such fencing shall be retained thereafter.

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Plot 1 Land North West of Golf Club, Mill Lane, Kirtlington

The Committee considered application 15/01301/F for the extension of the ground mounted PV array to include an additional 50kWp (200 module) array.

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

Resolved

That application 15/01301/F be approved, subject to:

- a) Expiry of the 21 day consultation deadline (27th November 2015);
- b) 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 condition, the application shall be carried out strictly in accordance with the following plans and documents:
 - Application form submitted with the application;
 - Design and Access Statement submitted with the application;
 - Risen Solar Technology (SYP240S ~ SYP260P) document received from the applicant's agent by e-mail on 24th September 2015;
 - 2 E-mails received from the applicant's agent on 24th September 2015;
 - Drawing Numbers: EN5279-D-02, EN5279-A-07 and EN5279-B-07 received from the applicant's agent by e-mail on 14th October 2015; and
 - E-mail received from the applicant's agent on 14th October 2015;
 - E-mail received from the applicant's agent on 11th November 2015.
 3. No works or development shall take place until a scheme for the protection of the retained trees on the eastern boundary of the site has been agreed in writing with the Local Planning Authority. This scheme shall include the details and position of Tree Protection Barriers (Section 6.2 of BS5837) at the installation phase. The Tree Protection Barriers shall be erected prior to the installation of the solar panels and remain in place, and undamaged for the duration of the installation of the solar panels.
 4. The existing hedgerow along the north and east 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.
 5. 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.
 6. No external lighting shall be installed within the site area unless agreed in writing with the Local Planning Authority.

The Committee considered application 15/01384/OUT an outline application for the erection of 5 residential dwellings.

Huw Mellor, agent for 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 15/01384/OUT be refused subject to:

1. The proposed development would be outside the built up limits of Adderbury and within the open countryside. Taking into account the amount of new housing development already planned to take place at Adderbury, the Council's ability to demonstrate that it has a current 5 year housing land supply, and the very low density of the proposed development, the development is considered to be unnecessary, undesirable and unsustainable new housing development that would harm the rural character and setting of the village. Therefore the proposal is considered unacceptable in principle and conflicts with Policy Villages 1 of the Cherwell Local Plan Part 1, and Saved Policies H18 of the Cherwell Local Plan (1996), the NPPF in particular paragraphs 7, 8, 9, 10, 14 and 17 and section 7 'Requiring good design', and the PPG.
2. The proposed development by virtue of its intrusion into the open countryside, loss of open land, backland position, and proposed layout and access would have a detrimental impact on the character and appearance of the Conservation Area, the setting of the village and nearby listed buildings and the enjoyment of the nearby rights of way. There are no public benefits which would outweigh this harm. The proposed development would therefore be contrary to Policy ESD13 and ESD15 of the Cherwell Local Plan Part 1, Saved Policy C28, C30 and C33 of the Cherwell Local Plan (1996) and advice in the NPPF in particularly paragraphs 7, 17, 75, chapter 7 and chapter 12.

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13 Hampden Close, Bicester, OX26 4UG

The Committee considered application 15/01565/F for the erection of a two storey side extension and a Change of Use from Class C3 residential to HMO (Sui Generis).

Graham Fullager, a local resident, addressed the committee in objection to the application.

Andy Bedwell, 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 speakers.

Resolved

That application 15/01565/F be refused for the following reason:

1. The proposal, by reason of the number of bedrooms proposed and the consequent parking provision requirement would result in severe harm to local highway and pedestrian safety, and in a poor standard of design that would be unsafe, with poor access, and would fail to safeguard the amenity of future occupiers. The proposed development would therefore fail to accord with paragraphs 14, 32, 58 and 64 of the Framework and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

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Garage Block Rear Of 52 To 58 Bucknell Road Bicester

The Committee considered application 15/01599/F for the demolition of existing garages and the development of 6 one bed apartments and the provision of a store area for adjacent shop unit with associated external areas to include parking, bin and cycle stores.

Ian Mills, agent for 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 15/01599/F be approved subject:

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, Design and Access Statement and drawings numbered: 1416-02C, 03C, 04A, 05A, 06A and secure bike rack.
3. 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.
4. Prior to the commencement of the development hereby approved, a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m² in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.

5. Prior to the commencement of the development hereby approved, a colour scheme for the colouring of the external walls shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the walls shall be finished and thereafter maintained in accordance with the approved colour scheme.
6. That the rooflights in the west elevation shall have a minimum cill height of 1.7m above finished floor level.
7. Prior to the first occupation of the development hereby approved, the first floor window in the north elevation of the unit 2 shall be fixed shut, other than the top hung opening element, and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.
8. 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.
9. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing and proposed site levels for the proposed building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.
10. Prior to the commencement 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.
11. All vehicular traffic accessing the development shall enter and leave the site through the north access and exit through the south access.
12. The cycle parking facilities shown on plan No. 1416/2C and Economy Two Tier Rack Assembly 1/7 received on 21/10/15 shall be provided prior to the first occupation of the development and be permanently retained and maintained for the parking of cycles in connection with the development.
13. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning

authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

14. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
15. If a potential risk from contamination is identified as a result of the work carried out under condition 15 prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
16. If contamination is found by undertaking the work carried out under condition 16 prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
17. If remedial works have been identified in condition 17 the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 17 A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
18. 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.

19. Prior to the first occupation of the development hereby approved, the appropriate number of refuse bins required in relation to the dwellings shall be provided.
20. Prior to the first occupation of the development hereby approved, the first floor Kitchen window serving unit 4 in the west elevation of the shall be fixed shut, other than any top hung opening element, and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

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Proposed Sports Pavilion and Sport Field, Whitelands Way, Bicester

The Committee considered application 15/01615/F for the development of the South West Bicester Sports Village in two phases comprising Phase 2: Construction of a two storey sports and functions pavilion including vehicular access and parking: Phase 3A: Construction of a 3G synthetic grass rugby pitch, tennis courts and associated fencing and floodlights and the erection of a cricket hut.

Duncan Lilwall, on behalf of the Kingsmere Residents Association, addressed the committee in objection to 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 15/01615/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: applications forms (to be added)
3. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include
4. C2 – Carry out the landscaping
5. C9 Submit an Arboricultural Method Statement
6. C21 – details of tree pits for soft landscaped areas
7. 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.

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. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
10. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, an Event Management Plan shall be submitted and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed EMP and run in accordance with the agreed details thereafter.
11. The operational use of the premises shall be restricted to the following times:-
Monday-Friday 8.30am to 10pm
Saturday- 8.30am to midnight
Sunday and public holidays 9am-6pm
12. The sports pavilion and cricket hit shall be used only for the purposes specified within the application and for no other purpose whatsoever.
13. The floodlights hereby approved 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.
14. Prior to the commencement of the development hereby approved, full details of a scheme for the provision and location of bat and bird boxes or bricks within the structure of the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the building the boxes/bricks shall be installed and thereafter maintained in accordance with the approved details.
15. The building hereby approved shall be constructed to at least a BREEAM 'Very Good' standard.

The Committee considered application 15/01724/F for the change of use from a Shop (Use Class A1) to a Hot Food Takeaway (Use Class A5) with internal and external alterations.

John Roberts, a local resident and Bob Hessian, the Chairman of Bicester Local History Society, addressed the committee in objection to the application.

Owen Pike, agent for 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 speakers.

Resolved

That application 15/01724/F be refused for the following reason:

The site is located within a tortuous section of public highway where the road narrows and footway provision is limited. The activity generated as a result of deliveries from the site and vehicles and individuals visiting the site would represent an increased hazard in the vicinity of the site resulting in significant detriment to the safety and convenience of other road users, contrary to Government guidance contained within the Framework in terms of sustainable transport.

136 **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.

137 **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.

Chairman:

Date: