

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 May 2017 at 2.00 pm

Present: Councillor David Hughes (Chairman)

Councillor Andrew Beere  
Councillor Colin Clarke  
Councillor Surinder Dhesi  
Councillor Chris Heath  
Councillor Mike Kerford-Byrnes  
Councillor Alan MacKenzie-Wintle  
Councillor Richard Mould  
Councillor D M Pickford  
Councillor G A Reynolds  
Councillor Barry Richards  
Councillor Nigel Simpson  
Councillor Les Sibley

Substitute Members: Councillor Jolanta Lis (In place of Councillor Lynn Pratt)

Apologies for absence: Councillor James Macnamara  
Councillor Ian Corkin  
Councillor Simon Holland  
Councillor Alastair Milne-Home  
Councillor Lynn Pratt

Officers: Bob Duxbury, Team Leader (Majors)  
Caroline Ford, Principal Planning Officer  
Matt Parry, Principal Planning Officer  
Nat Stock, Team Leader (Others)  
Gemma Magnuson, Senior Planning Officer  
Bob Neville, Senior Planning Officer  
Lewis Bankes-Hughes, Planning Officer - Obligations Monitoring  
James Kirkham, Senior Planning Officer  
Emily Shaw, Principal Planning Officer  
Nigel Bell, Team Leader - Planning / Deputy Monitoring Officer  
Aaron Hetherington, Democratic and Elections Officer

## **3 Declarations of Interest**

### **7. Part Land On The North East Side Of Gavray Drive Bicester.**

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

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

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

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

**8. Inside Out Interiors Ltd, 85 - 87 Churchill Road, Bicester, OX26 4PZ.**

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

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

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

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

**9. Cherwell District Council, Former Offices, Old Place Yard, Bicester.**

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

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

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

Councillor Richard Mould, Declaration, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the executive and would therefore leave the chamber for the duration of the item.

**12. Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury.**

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, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration of the Executive and would leave the meeting for duration of the item.

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

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

Councillor Richard Mould, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Surinder Dhesi, Declaration, as an employee of Marks and Spencers who is located next to the application site.

**13. 18 Bridge Street, Banbury.**

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.

**14. NB Acres, Aynho Road, Adderbury, OX17 3NU.**

Councillor David Hughes, Declaration, that the applicants neighbour was known to him and would therefore leave the chamber for the duration of the item.

**15. Eco Business Centre, Charlotte Avenue, Bicester.**

Councillor Colin Clarke, Declaration, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor D M Pickford, Declaration, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

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

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

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

Councillor Richard Mould, Declaration, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

**19. 33 Waller Drive, Banbury, OX16 9NS.**

Councillor Andrew Beere, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as the applicant was known to him and would therefore leave the chamber for the duration of the item.

Councillor Barry Richards, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as the applicant was known to him and would therefore leave the chamber for the duration of the item.

Councillor Colin Clarke, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as a member of the executive and would therefore leave the chamber for the duration of the item.

Councillor Surinder Dhesi, Disclosable Pecuniary Interest, as the applicant and would therefore leave the chamber for the duration of the item.

#### 4 **Requests to Address the Meeting**

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

#### 5 **Urgent Business**

The Chairman reported that he had agreed to add one item of urgent business to the agenda.

#### 6 **Minutes**

The Minutes of the meeting held on 13 April 2017 were agreed as a correct record and signed by the Chairman.

#### 7 **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.

#### 8 **Inside Out Interiors Ltd, 85 - 87 Churchill Road, Bicester, OX26 4PZ**

The committee considered application 16/02461/OUT for the conversion of existing building to provide 5No two bed house, 1No two bed flat and 1No one bed flat, all with Parking, amenity space and shared cycle storage. New build to provide 1 No commercial unit with outside space, parking and cycle storage + 3No two bed flats with parking, gardens and cycle storage at Inside Out Interiors Ltd, 85 - 87 Churchill Road, Bicester, OX26 4PZ for Inside Out Developments Ltd.

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

## **Resolved**

That application 16/02461/OUT be approved, subject to the following conditions:

1. No development shall commence until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) of the approved development have been submitted to and approved in writing by the Local Planning Authority.
2. In the case of the reserved matters, no application for approval shall be made later than the expiration of three years beginning with the date of this permission.
3. The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
4. 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: Location Plan 1:1250 and Design and Access Statement.
5. The new commercial unit hereby approved shall be occupied solely by the business currently known as "Inside Out Group" and shall be used as showrooms for the display and retail of goods and services relating to that business only and shall not be used for any other purpose whatsoever, including any other use falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).
6. 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.
7. If a potential risk from contamination is identified as a result of the work carried out under condition 6, 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.

8. If contamination is found by undertaking the work carried out under condition 7, 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.
9. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 8. 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.
10. Prior to the commencement of the development hereby approved, full details of a scheme for acoustically insulating all habitable rooms within the dwellings such that internal noise levels do not exceed the 'good' criteria specified in the British Standard BS 8233:2014 'Sound Insulation and Noise Reduction for Buildings', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwellings affected by this condition, the said dwellings shall be insulated and maintained in accordance with the approved details.

## 9 **Cherwell District Council, Former Offices, Old Place Yard, Bicester**

The Committee considered application 17/00023/DISC for the discharge of Conditions 11 (brick sample), 12 (roof tile sample) and 14 (door and windows details) of 16/00043/F at Cherwell District Council, Former Offices, Old Place Yard, Bicester for Cherwell District Council.

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

### **Resolved**

That authority be delegated to officers to approve the application once amended plans showing the revised window cill details in respect of condition 14 have been received.

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**Rookery Barn, 66 Lower End, Piddington, Bicester, OX25 1QD**

The Committee considered application 17/00133/F for the erection of a building to provide an indoor manege at Rookery Barn, 66 Lower End, Piddington, Bicester, OX25 1QD for Dr & Mrs N Brener.

Mrs Deborah Swift, a neighbour to the application, addressed the committee in objection to the application.

Dr Neil Brener, the applicant, addressed the committee in support of the application.

Councillor Reynolds proposed that application 17/00133/F be refused as it was contrary to Policies ESD 13 and ESD 15 of the Cherwell Local Plan 2011-2031, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. Councillor Mould seconded the proposal.

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

**Resolved**

That application 17/00133/F be refused for the following reasons:

1. The proposed building, by virtue of its size and position beyond the built-up limits of the village of Piddington, would represent an overly prominent feature within the open countryside that would result in significant harm to the visual amenities of the area, and would appear overbearing when viewed from the rear facing openings of 64 Lower End Piddington, causing significant and demonstrable harm to their living conditions. The proposed development is therefore contrary to Policies ESD 13 and ESD 15 of the Cherwell Local Plan 2011-2031, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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**OS Parcel 9635 North East Of HM Bullingdon Prison, Widnell Lane, Piddington**

The Committee considered application 17/00145/F for a change of use of land to use as a residential caravan site for 16 gypsy/ traveller families, each with two caravans, including improvement of access and laying of hardstanding at OS Parcel 9635 North East of HM Bullingdon Prison, Widnell Lane, Piddington for Mr H.L Foster.

Francesca Darby, Piddington Parish Council Chairman, 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 17/00145/F be refused for the following reasons:

1. The proposed development, by reason of its size (comprising 16 pitches), siting in relation to existing services, relationship to existing noise generating uses and potential harm to the natural environment, is not considered to be a suitable or sustainable development when assessed against Policy BSC6 of the Cherwell Local Plan. The harm resulting from the proposed development is significant and is not considered to be outweighed by the identified unmet need for gypsy and traveller pitches within Cherwell. The proposed development is therefore considered to be contrary to Government guidance contained within the NPPF, Policy H of Government guidance in Planning Policy for Travellers Sites (PPTS) and Policies PSD1, BSC6, ESD1, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1.
2. The planning application has been supported by inadequate information to demonstrate the impact of the proposed development on protected species has been properly understood and the requirement for mitigation to secure a net gain in biodiversity can be met. The proposed development is therefore considered to be contrary to Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the NPPF.
3. The planning application has been supported by inadequate information to demonstrate the impact of existing noise generating uses operating in the immediate area on the future residents of the site has been properly understood and is, or can be made, acceptable. The proposed development is therefore considered to be contrary to paragraph 17, 120 and 123 of the NPPF, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy ENV1 of the Cherwell Local Plan 1996.

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**Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury**

The Committee considered application 17/00284/REM for a reserved matters application to 16/02366/OUT across the whole development site is sought. Application for approval of reserved matters for scale, layout, appearance and landscaping.

Andrea Arnall, the applicants agent, addressed the committee in support of the application.

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

**Resolved**

That application 17/00284/REM be approved, subject to:



- (i) The first issue of the associated outline planning permission following the completion of the legal agreement with OCC,
- (ii) The following conditions with delegated authority granted to the Development Control Team Leader, in consultation with the Chairman of Planning Committee, to allow further adjustments and additions to the conditions proposed in the report if considered necessary:
  - 1. Except where otherwise stipulated by condition on this reserved matters approval or the original outline planning permission, the development shall be carried out strictly in accordance with the following plans and documents so far as they relate to the reserved matters for which this approval was sought ( to be completed )
  - 2. Prior to the commencement of each main part of the development hereby approved (i.e. the hotel, cinema/restaurant block, and the foodstore), a schedule of materials and finishes for the external walls and roof(s) of that part 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 approved schedule.
  - 3. Prior to the commencement of each main part of the development of the development hereby approved, full details of all proposed external lighting, and its hours of usage, 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 each main part of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on 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 the approved finished floor levels plan.
  - 5. Prior to the commencement of each main part of the development hereby approved, full details of the refuse bin storage for that part of 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 buildings, the refuse bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse bins.
  - 6. Notwithstanding the details shown on submitted plans and in the Design and Access Statement, 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, , crossing points and steps, public seating and waste bins etc.

(d) details of the wire-based climbing plant systems

(e) 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

7. Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas, other than for privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.
8. Prior to the first use of the foodstore details shall be submitted to and approved by the Local Planning Authority of the arrangements to be put in place and maintained for the safety of users of the car park during the manoeuvring of service vehicles within the car park and those agreed arrangements shall thereafter be retained.
9. Prior to the first use of the car parks associated with this development a car parking payment strategy shall be submitted to and approved by the Local Planning Authority and thereafter brought into use and maintained unless first agreed by the LPA
10. Prior to the first use of the car parks hereby approved a flood evacuation policy for the car parks shall be submitted to and approved by the Local Planning Authority
11. No servicing of the foodstore premises shall be undertaken between the hours of 9.00pm and 6.00am
12. Prior to the first use of the foodstore details of the proposed parking arrangements for shopping trolleys and any click and collect facility shall be submitted to and approved by the Local Planning Authority and thereafter maintained and notwithstanding the provisions of Classes B and C of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 and its subsequent amendments, the arrangements shall

not be altered without the prior express planning consent of the Local Planning Authority.

13. The construction of the development hereby approved shall be undertaken in accordance with the details and general approach set out in the Construction Environmental Plan accompanying the outline planning permission submission and summarised in the document submitted with this application. Additional details concerning dust and mud control measures, and about construction compound location(s) shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
14. Notwithstanding the details shown on the submitted drawings further details of a revised treatment of the north-west and south east elevations of the hotel shall be submitted to and approved by the Local Planning Authority prior to the commencement of the construction of that building element, and shall thereafter be built in accordance with those approved plans.

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### **18 Bridge Street, Banbury**

The Committee considered application 17/00288/F for the four storey extension to existing building to create 10 self-contained apartments for Brickmort Developments at 18 Bridge Street, Banbury.

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

#### **Resolved**

That application 17/00288/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 conditions attached to this permission, the development shall be carried out strictly in accordance with Drawing Numbers 12659-LP100, 12659-E001-G, 12659-E002-C and 12659-E003-C.
- 3 Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, a revised schedule of the materials and finishes, including samples where applicable, for the external walls and roofs 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 approved materials.
- 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 dwellings, 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, full details of the doors and windows proposed, 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.
- 6 Prior to the first occupation of the development hereby approved, 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.
- 7 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.
- 8 Prior to the commencement of the development hereby approved, a car park management plan which demonstrates how car park spaces will be allocated to residents, and how parking restrictions shall be enforced within the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the car park spaces shall be allocated to residents and parking restrictions shall be implemented in strict accordance with the approved car park management plan.
- 9 Notwithstanding the details submitted and prior to the commencement of the development hereby approved, full details of the pedestrian access to the site from Bridge Street (adjacent to 15 - 17 Bridge Street), including specification details of the proposed pedestrian gate (which is considered to provide an element of public art within the site) and access arrangements, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the pedestrian access gate shall be installed, and the pedestrian access permanently retained and maintained in accordance with the approved details.

- 10 Prior to the commencement of the development hereby approved, full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.
- 11 Notwithstanding the submitted details and 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.Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.
- 12 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.
- 13 Prior to the commencement of the development hereby approved, full details of a scheme for acoustically insulating all habitable rooms within the apartments such that internal noise levels do not exceed the criteria specified in Table 4 of the British Standard BS 8233:2014, 'Guidance on sound insulation and noise reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of development, the apartments shall be insulated and maintained in accordance with the approved details.
- 14 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 together with details of the consultation and communication to be carried out with local residents 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.

- 15 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.
- 16 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.
- 17 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.
- 18 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.
- 19 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.

- 20 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods, details of construction vehicle parking/waiting areas, compound details as well as an agreed route for HGV traffic to the development site. The approved Plan shall be implemented in full throughout the entirety of the construction phase of the development.

14 **NB Acres, Aynho Road, Adderbury, OX17 3NU**

The Committee considered application 17/00448/F for the change of use of sections of agricultural land to land to be used to site touring caravans, motorhomes and tents for no more than 21 consecutive days between certain dates (1 March - 31 October). Plus associated and ancillary works as detailed in site plan 1 at NB Acres, Aynho Road, Adderbury, OX17 3NU for Mrs Sara Wherry.

Sara Wherry, the applicant and David Loader, neighbour to the applicant addressed the committee in support of the application.

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

**Resolved**

That application 17/00448/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, supporting statement dated February 2017, Plan 1 (site layout), Plan 3 (Location of portable toilets and washing up area), Plan 4 (site location plan), Item 1 (details of portable toilets), Item 2 (details of washing up area).
3. The site shall accommodate not more than 10 caravans/motorhomes and 20 tents at any one time.
4. No caravans, motor caravans or tents shall be stationed anywhere on the land for more than 28 consecutive nights and a register of occupiers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.
5. No caravan, motor caravan or tent shall occupy the site during the period before 1 March or after 31 October in any calendar year.

6. Notwithstanding the details shown on Plan 1, there shall be 15 metre buffer along the western boundary within which no tent, caravan or motorhome is permitted to be pitched or parked.

15

### **Eco Business Centre, Charlotte Avenue, Bicester**

The Committee considered application 17/00573/CDC for the development of an Eco-Business Centre (Use Class B1) within new local centre (ref. 15/00760/F) with associated access, servicing, landscaping and parking, with a total GEA of 1385sqm at Eco Business Centre, Charlotte Avenue, Bicester for Cherwell District Council.

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

### **Resolved**

That application 17/00573/CDC be approved, subject to:

- a) Confirmation from OCC Highway Authority that they are satisfied with the tracking information provided;
- b) The following conditions with delegation to the Head of Development Management to make minor changes/ delete conditions as necessary in response to updated plans and information received in relation to (a) (including an updated list of plans for approval).
  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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
    - Application forms
    - Planning Statement dated March 2017
    - Design and Access Statement dated March 2017
    - Economic Strategy dated March 2017
    - Energy Statement dated 6<sup>th</sup> March 2017
    - Drainage and SUDs Strategy Report dated 10/03/2017
    - Transport Statement dated February 2017
    - Eco Business Centre Ecology Baseline and Biodiversity Strategy Report dated March 2017
    - Luminaires Schedule
    - Site Plan External lighting layout – drawing number BC XX E 8010 Rev P5
    - Below Ground Drainage Ground Floor Plan – drawing number 25408-600 version 3
    - Site Location Plan – drawing number 08930 AT-XX-XX-DR-A PL010



- Site Block Plan – drawing number 08930 AT-XX-XX-DR-A PL011
  - Proposed site plan – drawing number 08930 AT-XX-XX-DR-A PL050
  - Ground Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL100
  - First Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL101
  - Second Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL102
  - Roof Plan – drawing number 08930 AT-XX-XX-DR-A PL103
  - Refuse Store – drawing number 08930 AT-XX-XX-DR-A PL110
  - North Elevations – drawing number 08930 AT-XX-XX-DR-A PL610 Rev B
  - South Elevations – drawing number 08930 AT-XX-XX-DR-A PL620 Rev B
  - East Elevations – drawing number 08930 AT-XX-XX-DR-A PL630 Rev B
  - West Elevations – drawing number 08930 AT-XX-XX-DR-A PL640 Rev C
  - Sections – drawing number 08930 AT-XX-XX-DR-A PL800 Rev B
  - Construction Traffic Management Plan
  - Site Establishment Plan (ECO/01 Rev 0) and Site Access Route (ECO/02 rev 0)
  - Carbon Management Plan
  - Landscape Plan – drawing number 456/100 Rev B
  - Planting Plan – drawing number 456/500 Rev B
3. Prior to the commencement of the development hereby approved, a finalised schedule of materials and finishes for the external walls and roof(s) of the development hereby approved including samples 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 plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed Eco Business 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 approved finished floor levels plan.
5. Prior to the commencement of the development, 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.
6. Prior to the occupation of the development, full details of the offsite

measures that will be utilised to enable the scheme to achieve zero carbon, including the timescale, how the shortfall is to be met and where the shortfall shall be met 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.

7. Prior to the commencement of the development, a report outlining how carbon emissions from the construction process and embodied carbon (based upon the finalised materials schedule) 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.
8. Prior to the occupation of the development, the Eco Business Centre shall be provided with solar PV to meet the required provision of solar PV as established through the Energy Strategy.
9. 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.
10. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing material and colour finish 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.
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 Eco Business Centre. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
12. Prior to the commencement of the development, a Training and Employment Management Plan, including details of the number of construction apprenticeships to be provided shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
13. Prior to the commencement of the development hereby approved, further details in relation to the landscaping scheme, in particular the size of the proposed shrubs and hedgerow material and pot sizes of the proposed herbaceous material shall be submitted to and approved in writing by the Local Planning Authority.

14. 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.
15. Prior to the commencement of construction, a Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, and which sets targets for residual waste, recycling and diversion from landfill shall be submitted to and approved in writing by the Local Planning Authority.
16. The premises shall be used only for purposes falling within Class B1a specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) whatsoever.
17. The 6m column car park luminaires shall be turned off between the hours of 22:00hrs and 07:00hrs unless otherwise agreed in writing by the Local Planning Authority.
18. The Eco Business Centre shall be constructed to BREEAM EXCELLENT.
19. Prior to the occupation of the Eco Business Centre, the building shall be provided with a 'real time information' system and Superfast Broadband.
20. 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.

### **Land West Of Horn Hill Road, Adderbury**

The Committee considered application 17/00588/F for Residential development of a single dwelling with associated landscaping and additional community land associated with the Friends Meeting House at Land West Of Horn Hill Road, Adderbury for Mr M Gough.

Nigel Wood, a local resident, addressed the committee in objection to the application.

Jonathan Porter, the agent to 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 17/00588/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application form, Design and Access Statement (March 2017), Planning Statement (March 2017), Heritage Setting Assessment (March 2017), Ecological Appraisal (March 2017), Findings of Arboricultural Baseline Assessment (March 2017), Landscape and Visual Appraisal (March 2017) and drawings numbered: PL-01c\_Location Plan, HT-01B\_Plans, HT-02\_Elevations, HT-03a\_Sections, PL-03e\_Planning Layout, PS-01\_Perspective 1 and PS-01\_Perspective 2.
3. Prior to the commencement of the dwelling hereby approved, a sample of the slate 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 dwelling hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural stone, with lime mortar and no cement gauging, 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.
5. Notwithstanding the details submitted, prior to the commencement of the dwelling, 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 and their surrounds shall be installed within the building in accordance with the approved details.
6. All rainwater goods shall be traditional cast iron or metal painted black and permanently so retained thereafter.
7. Prior to the construction of the dwelling hereby approved, the proposed means of access between the land and the highway shall be

constructed as per the geometry as shown on approved plan PL-03e\_Planning Layout, and shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's current specification and guidance.

8. Prior to the commencement of the dwelling hereby approved, full specification details of the access drive, parking and manoeuvring areas, including construction, surfacing, layout and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwelling, the access drive, 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. Notwithstanding the information submitted, prior to the commencement of the development hereby approved, a landscaping scheme for the entire site 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 and steps;
  - (d) details of all boundary treatments.

Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

10. 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 dwelling 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.
11. No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or 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.

12. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a detailed method statement and timings 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 and timings.
13. 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, (to include those measures outlined in section 6.4 of the Ecological Appraisal submitted with the application which was prepared by EDP dated March 2017), 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.
14. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
15. Following the approval of the Written Scheme of Investigation referred to in condition 14, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority as soon as practicable following completion.
16. The land proposed for community use (as shown on approved plan PL-03e\_Planning Layout) in association with the Friends Meeting House, hereby approved, shall not be used for the purpose of burials, without the express planning permission of the Local Planning Authority.

17 **Stratton Fields Livery Stables, Launton Road, Stratton Audley, Bicester, OX27 9AS**

The Committee considered application 17/00591/F to demolish livery stables including a one bedroom flat and erect a three bedroom dwelling (the application was a re-submission of 16/02389/F) at Stratton Fields Livery Stables, Launton Road, Stratton Audley, Bicester, OX27 9AS for Mr M Chick.

Mr Ben Pearce, agent for the applicant and Martin Chick, the applicant, addressed the committee in support of the application.

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

**Resolved**

That application 17/00591/F be refused for the following reasons:

1. The proposed development would result in the creation of a new independent dwelling in an isolated location away from services and facilities. Whilst it would replace an existing dwelling on site, due to its small size and intimate physical and functional relationship with the stables building, this existing dwelling would only be likely to be occupied by a person associated with the existing livery business. However no essential need for a rural worker to live permanently at the site has been demonstrated and the proposal would therefore lead to the erection of a new dwelling in an unsustainable location and would be contrary to Policy ESD1 of the Cherwell Local Plan Part 1 (2015), Saved Policy H18 of the Cherwell Local Plan 1996 and advice in the NPPF.
2. The proposed dwelling, by virtue of its scale, locally incongruous design and convoluted form, and associated residential curtilage, would result in a noticeably more conspicuous and harmful form of development which would be detrimental to the rural character and appearance of the area and open countryside setting of the site. It would also fail to reinforce local distinctiveness. The proposal would therefore be contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan Part 1 (2015), Saved Policies H17 and C28 of the Cherwell Local Plan 1996 and advice in the NPPF.

18 **Playing Field East Of Geminus Road, Chesterton**

The Committee considered application 17/00632/F for Erection of perimeter security fence around playing fields (retrospective) and application for the erection of an additional 20 metres of fencing at the Playing Field East Of Geminus Road, Chesterton for Chesterton Parish Council.

Darren Layard, neighbour to the application, addressed the committee in objection to the application.

Philip Clarke, Chairman of Chesterton Parish Council, addressed the committee in support to the application.

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

**Resolved**

That application 17/00632/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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement, drawing number 1020 B, 1020 K and pictures of fencing.

19

### **33 Waller Drive, Banbury, OX16 9NS**

The committee considered application 17/00774/F for a Single storey front and side extensions and part single storey part two storey rear extension (revised scheme of 16/02499/F) at 33 Waller Drive, Banbury, OX16 9NS for Mr & Mrs B Dhesi.

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

#### **Resolved**

That application 17/00774/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, drawings No "P/16/155/001" and "P/16/155/003"
- 3 The materials and architectural detailing to be used in the construction of the external surfaces of the development hereby permitted shall match, in material and colour, those used in the existing building, and shall be retained as such in perpetuity.

20

### **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.



21 **Exclusion of Press and Public**

**Resolved**

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 5 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

22 **Appeal against Non-Determination of Planning Application  
15/01326/OUT by Gladman Developments Ltd**

The Committee considered an exempt report relating to an appeal against Non-Determination of Planning Application 15/01326/OUT by Gladman Developments Ltd

**Resolved**

As set out in the exempt minutes.

The meeting ended at 6.52 pm

Chairman:

Date: