

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 15 June 2017 at 4.00 pm

Present: Councillor David Hughes (Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor Chris Heath
Councillor Simon Holland
Councillor Mike Kerford-Byrnes
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Les Sibley

Substitute Members: Councillor Hugo Brown (In place of Councillor Alan MacKenzie-Wintle)
Councillor Barry Wood (In place of Councillor Alastair Milne-Home)

Apologies for absence: Councillor James Macnamara
Councillor Alastair Milne-Home
Councillor Alan MacKenzie-Wintle
Councillor Barry Richards
Councillor Nigel Simpson

Officers: Lewis Bankes-Hughes, Planning Officer - Obligations Monitoring
Matt Chadwick, Planning Officer
Caroline Ford, Principal Planning Officer
Linda Griffiths, Principal Planning Officer
Alex Keen, Team Leader (Minors)
Matt Parry, Principal Planning Officer
Ben Arrowsmith, Solicitor
Lesley Farrell, Democratic and Elections Officer

Declarations of Interest

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

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

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

Councillor Lynn Pratt, Declaration, 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.

8. OS Parcel 4200 Adjoining And North East Of A4095 And Adjoining And South West Of Howes Lane Bicester.

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

Councillor Les Sibley, Declaration, as a member of Bicester Town Council which had been consulted on the application and local resident.

Councillor Lynn Pratt, Declaration, 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.

13. 18 Bridge Street, Banbury.

Councillor Andrew Beere, Declaration, 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.

15. Land and Shops At Orchard Way, Banbury.

Councillor Andrew Beere, Declaration, as a member of Banbury Town Council which had been consulted on the application.

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

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

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

Councillor Lynn Pratt, Declaration, as a member of the Executive would leave the meeting for the duration of the item.

Councillor Mike Kerford-Byrnes, Declaration, as a member of the executive would leave the chamber for the duration of the item.

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

16. Cherwell District Council, Former Offices, Old Place Yard, Bicester.

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

Councillor Colin Clarke, Declaration, as a member of Executive 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 therefore leave the chamber for the duration of the item.

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

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

Councillor Lynn Pratt, 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.

Councillor Mike Kerford-Byrnes, Declaration, as a member of Executive would leave the meeting for the duration of the item.

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.

Requests to Address the Meeting

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

26 **Urgent Business**

There were no items of urgent business.

27 **Minutes**

The Minutes of the meeting held on 15 May 2017 were agreed as a correct record and signed by the Chairman. The Minutes of the meeting held on 18 May 2017 were agreed subject to the inclusion of the following additional minute, with all subsequent Minutes renumbered accordingly:

Minute 8 Part Land On The North East Side of Gavray Drive, Bicester

The Committee considered application 15-00837-OUT an outline application for Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting at Part Land On The North East Side Of Gavray Drive, Bicester for Gallagher Estates, Charles Brown And Simon Digby.

Councillor Richards proposed that application 15-00837-OUT be deferred to allow the applicant to submit an appropriate ecological management plan relating to Gavray Drive Meadows LWS. Councillor Dhesi seconded the proposal.

Resolved

That application 15-00837-OUT be deferred to allow the applicant to submit an appropriate ecological management plan relating to Gavray Drive Meadows LWS.

28 **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.

29 **Land North Of Station Road Launton**

The Committee considered application 17/00622/F for the creation of six ponds, earthworks and hibernaculum, along with the planting of new habitat and soil inversion on land north of Station Road, Launton for Network Rail.

Nathan Conway the applicants' agent addressed the Committee in support of the application. His address also covered applications 17/00623/F and 17/00654/F which were linked to this application.

In reaching their decision the Committee considered the officer's report and presentation and the address of the public speaker.

Resolved

That authority be delegated to the Head of Development Management to grant permission, subject to the following conditions and any amendment to those conditions as deemed necessary:

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: Planning, Design and Access Statement dated March 2017; Construction Environmental management Plan – Advanced Environmental Mitigation Site, document number 133735-EWR-REP-EEN-000032 dated March 2017; Ecological Impact Assessment dated March 2017; Heritage Appraisal dated March 2017; Ecological Management Plan dated March 2017; Flood Risk Assessment dated March 2017 and drawing numbers: 133735-2A-EWR-OXD-XX-DR-L-010002 Rev P01.01; 010006 Rev P01.01; 010009 Rev P01.01; 0100010 Rev P01.01; 0100011 Rev P01.01 and 010014 RevP01.01 and e-mail from James Oliver dated 4th May 2017.
3. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved construction Traffic management Plan shall be implemented and operated in accordance with the approved details
4. Prior to 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.
5. Following the approval of the Written Scheme of Investigation referred to in condition 4, and prior to the commencement of any development (other than in accordance with the 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 usable archive and a full report for publication which shall be submitted by the Local Planning authority.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS4428;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 seasons following the construction of the ponds. Any trees, planting or hedgerow which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

7. Prior to the construction of the pond hereby approved, a landscape management plan, to include the timing of the implementation of the plan, establishment of the planting, management responsibilities, maintenance schedules and procedures for failed planting 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 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.
9. K19 Landscape and Ecological Management Plan
10. K21 Construction Environmental Management Plan

30

Land North Of Bicester Road, Launton

The Committee considered application 17/00623/F for the creation of two ponds, earthworks and hibernaculum, and the planting of new habitat at the land north of Bicester Road, Launton for Network Rail.

In reaching their decision the Committee considered the officer's report and presentation and the address of the public speaker.

Resolved

That authority be delegated to the Head of Development Management to grant permission, subject to the following conditions and any amendment to those conditions as deemed necessary:

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: Planning, Design and Access Statement dated March 2017; Construction Environmental Management Plan – Advanced Environmental Mitigation Site, document number 133735-EWR-REP-EEN-000031 dated March 2017;

Ecological Impact assessment dated March 2017; Ecological Management Plan dated March 2017; Heritage Appraisal dated March 2017; Flood Risk assessment dated March 2017 and drawing numbers: 133735-2A-EWR-OXD-XX-DR-L-010001 Rev P01.01; 010005 Rev P01.01; 010009 Rev P01.01; 010010 Rev P01.01; 010011 Rev P01.01 and 010012 Rev P01.01.

3. K19 Landscape and Ecological Management Plan
4. K21 Construction Environmental Management Plan
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting seasons following the construction of the ponds. Any trees, planting or hedgerow which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
6. Prior to the construction of the pond hereby approved, a landscape management plan, to include the timing of the implementation of the plan, establishment of the planting, management responsibilities, maintenance schedules and procedures for failed planting 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.
7. 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.

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved construction Traffic management Plan shall be implemented and operated in accordance with the:

8. approved details
9. Prior to 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.
10. Following the approval of the Written Scheme of Investigation referred to in condition 4, and prior to the commencement of any development (other than in accordance with the 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 usable archive and a full report for publication which shall be submitted by the Local Planning authority.

31 **Agricultural Land Approximately 1.3 KM NW Marsh Gibbon, Bicester Road, Launton**

The Committee considered application 17/00654/F for the creation of five ponds, earthworks and hibernaculum, along with the planting of new habitat and soil inversion on Agricultural Land, Approximately 1.3 KM NW, Marsh Gibbon, Bicester Road, Launton for Network Rail.

In reaching their decision the Committee considered the officer's report and presentation and the address of the public speaker.

Resolved

That authority be delegated to the Head of Development Management to grant permission, subject to the following conditions and any amendment to those conditions as deemed necessary:

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: Planning, Design and Access Statement dated March 2017; construction Environmental Management Plan dated March 2017; Ecological Impact Assessment dated March 2017; Ecological Management Plan dated March 2017; heritage Appraisal dated March 2017; Flood Risk Assessment dated March 2017 and drawing numbers: 133735-2A-EWR-OXD-XX-DR-L-010003 Rev P01.01; 010007 Rev P01.01; 010009 Rev P01.01; 010010 Rev P01.01; 010011 Rev P01.01 and 010015 Rev P01.01.
3. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved construction Traffic management Plan shall be implemented and operated in accordance with the approved details
4. Prior to 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.

5. Following the approval of the Written Scheme of Investigation referred to in condition 4, and prior to the commencement of any development (other than in accordance with the 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 usable archive and a full report for publication which shall be submitted by the Local Planning authority.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting seasons following the construction of the ponds. Any trees, planting or hedgerow which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
7. Prior to the construction of the pond hereby approved, a landscape management plan, to include the timing of the implementation of the plan, establishment of the planting, management responsibilities, maintenance schedules and procedures for failed planting 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 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.
9. K19 Landscape and Ecological Management Plan
10. K21 Construction Environmental Management Plan

Part Land On The North East Side Of Gavray Drive Bicester

The committee considered application 15/00837/OUT an outline application for a Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting at part of the land on the North East side of Gavray Drive, Bicester for Gallagher Estates.

Councillor Dan Sames, local ward member addressed the committee.

Mr Dominic Woodfield, Ecologist and Mr John Broad, local resident addressed the committee in objection to the application.

Mr Darren Bell agent for the applicant, addressed the Committee in support of the application.

Councillor Sibley proposed that application 15/00837/OUT be refused on the grounds that it was contrary to Policy Bicester 13. Councillor Wood seconded the proposal.

On the advice of Officers, it was agreed that the precise reasons for refusal were to be agreed with the Chairman, Councillor Sibley and Councillor Wood.

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

Resolved

That application 15/00837/OUT be refused for the following reasons:

1. The proposed development represents an inappropriate attempt at piecemeal development of the strategically allocated Bicester 13 site in the Cherwell Local Plan 2011-2031 Part 1 which, in the absence of a single comprehensive application covering the whole of the allocated site, leaves the Council unable to satisfactorily determine whether the proposals would enable development across the whole of the site to properly meet the overall objectives and requirements of Policy Bicester 13. In doing so the proposals fail to demonstrate that the allocated housing total can be appropriately provided across the allocated site in a manner that adequately protects and enhances locally significant ecological interests on the land to the east of Langford Brook which is in direct conflict with the inherent and sustainable balance contained within Policy Bicester 13 between housing delivery and biodiversity enhancement. As a result the proposals are considered to be contrary to the overall provisions of the Development Plan and the specific requirements of Policies Bicester 13, ESD10 and ESD11 of the Cherwell Local Plan 2011-2031 Part 1.
2. In the absence of a satisfactory completed legal agreement, the proposals would not commit to the necessary provision of on-site and off-site infrastructure to mitigate the impact of the development or contribute towards providing affordable housing in order to create a mixed and balanced community. As a consequence the proposals would not deliver suitable and sustainable residential development and would have a significant detrimental impact on wider public infrastructure. The proposals are therefore found to be contrary to the requirements of Policies Bicester 13, BSC3, BSC4, BSC9, BSC10, BSC11, BSC12, SLE4, ESD15 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance set out in the National Planning Policy Framework.

33 **OS Parcel 4200 Adjoining And North East Of A4095 And Adjoining And South West Of Howes Lane Bicester**

The Committee considered application 17/00455/HYBRID, a hybrid (part full and part outline) application for: (1) Full – construction of a temporary vehicular and pedestrian access (including footway along Howes Lane), permanent highway works (part of the proposed realigned Howes Lane) and pedestrian link to Howes Lane; (2) Outline – residential development, including landscaping, public open space, vehicular and pedestrian access at OS Parcel 4200 adjoining and North east of A4095 and adjoining and south west of Howes Lane, Bicester for Albion Land Two Limited.

Prior to the Planning Officer presenting the report, Councillor Sibley proposed that application 17/00455/HYBRID be deferred to be considered alongside application 17/01090/OUT. Councillor Pratt seconded the proposal.

Resolved

That application 17/00455/HYBRID be deferred to be considered alongside application 17/01090/OUT.

34 **Land Adjoining And Rear Of Jersey Cottages Heyford Road Kirtlington**

The Chairman advised the Committee that application 17/00539/OUT had been withdrawn by the applicant.

35 **18 Bridge Street, Banbury**

The Committee considered application 17/00658/F for the change of use of an existing building to create a coffee shop (Class A3) and 1 no. 1 bedroom unit at ground floor level and 3 no. residential units (2 no. studio units and 1 no. 2 bed unit) at first floor level at 18 Bridge Street, Banbury for Brickmort Investments.

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

Resolved

That application 17/00658/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 Application Form and Drawing Number 12659-C100-F.
- 3 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.

- 4 Prior to the first occupation of the development hereby approved, covered cycle parking facilities shall be provided 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.
- 5 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.
- 6 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.
- 7 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.

- 8 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.
- 9 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.
- 10 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.

36

Land North Of Milton Road, Adderbury

The Committee considered application 17/00813/F for the erection of five private market sale dwellings on land previously allocated for possible community use at land north of Milton Road, Adderbury for Nicholas King Homes.

David Griffith, Adderbury Parish Councillor addressed the Committee in support of the application.

In reaching its decision the Committee considered the Officer's report and presentation, written update and address of the public speaker.

Resolved

That application 17/00813/F be approved subject to:

- (i) The receipt of comments from the Council's Property and Facilities Manager,
- (ii) The completion of a satisfactory Deed of Variation of the existing Section 106 agreement which will update the relevant clauses of that agreement and will include the payment of an appropriate financial contribution which will compensate the Parish Council for the land and compensate this Council for the affordable housing that would be foregone. It will require the Parish Council to spend that receipt on community and sports facilities. The Deed of Variation will also need to

- provide an appropriate pro-rata increase in payments due for the additional 5 houses in relation to covenants with the County Council.
- (iii) The following conditions, with conditions 2 and 13 amended as necessary to refer to the correct 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
MDL-1271-PL01;02;PL03;PL04;PL05;PL06;PL07;PL08;PL09;and porch and other details PL20, PL21 and PL22; and landscaping details NKH21116-11 and in general accord with the Planning, Design and Access statement submitted with the application
 3. Prior to the commencement of the development hereby approved, samples of the brick, natural stone, tile and slate to be used in the construction of the walls, roof, hardstanding 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. The houses on Plots A, B and E shall be constructed in stone. 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 external walls of the development where indicated shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel.
 5. 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 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 finished floor levels plan.
 6. That before any of the dwellings are first occupied the whole of the estate roads and footpaths of this phase, shall be laid out, constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council's Specifications.
 7. 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.

8. Prior to the commencement of the development hereby approved, details of a drainage strategy for this part of the site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.
9. That the garages associated with each house 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.
10. 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 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.
11. The hedgerow on the Milton Road frontage shall be retained at a height not less than 3 metres.
12. A fencing plan showing how trees, hedgerows and any grassland to be retained will be protected during construction, in accordance with BS5837:2005 'trees in relation to construction'.
13. That the landscaping scheme shall be carried out strictly in accordance with ACD drawings no. NKH21116-11 unless otherwise agreed 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. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed between the dwelling(s) and the highway, within the curtilage or forward of the principle elevation/on the

site without the prior express planning consent of the Local Planning Authority.

37 **Land And Shops At Orchard Way, Banbury**

The Committee considered application 17/00924/CDC for improvements to the area in front of the Orchard Way shops at land and shops Orchard Way, Banbury for Cherwell District Council.

In reaching its decision the Committee considered the Officers' report and presentation.

Resolved

That application 17/00924/CDC be approved subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - Application Form submitted with the application;
 - Design & Access Statement (Job No: 27724) by Baily Garner submitted with the application;
 - Drawing Numbers: (OW) 01; (OW) 201 Revision C; and (OW) 203 submitted with the application;
 - Drawing Numbers: 3623/E Revision 0 received from the applicant's agent by e-mail on 30th May 2017;
 - 'Specification for the External Lighting for Orchard Way Shopping Centre' by PJC Consultants received from the applicant's agent by e-mail on 30th May 2017;
 - Specification details for the 'Starflood' lighting, 'Starbeam' lighting and 'Realta' lighting by Thorlux Lighting received from the applicant's agent by e-mail on 30th May 2017; and
 - E-mails received from the applicant's agent on 30th May 2017.

38 **Cherwell District Council, Former Offices, Old Place Yard, Bicester**

The Committee considered application 17/00202/DISC for the discharge of conditions 9 (site B floor levels), 13 (render sample) 18 (external lighting) and 19 (parking and manoeuvring areas) of 16/00043/F at Cherwell District Council, Former Offices, Old Place Yard, Bicester for Cherwell District Council.

In reaching its decision the Committee considered the Officer's report and presentation.

Resolved

That authority be delegated to officers to approve application 17/00202/DISC subject to the Local Highways Authority confirming no objections in respect of condition 19.

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Appeals Progress Report

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

Resolved

- (1) That the position statement be accepted.

The meeting ended at 6.55 pm

Chairman:

Date: