

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 14 December 2017 at 4.00 pm

Present:

Councillor James Macnamara (Vice-Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor Alastair Milne-Home
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Nigel Simpson
Councillor Les Sibley

**Substitute
Members:**

Councillor Maurice Billington (In place of Councillor Alan
MacKenzie-Wintle)
Councillor Hugo Brown (In place of Councillor Mike Kerford-
Byrnes)
Councillor Jolanta Lis (In place of Councillor David Hughes)

**Apologies
for
absence:**

Councillor David Hughes
Councillor Chris Heath
Councillor Simon Holland
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle

Officers:

Paul Seckington, Senior Manager Development Management
Bob Duxbury, Joint Majors Manager
Matthew Coyne, Planning Officer
Paul Ihringer, Householder Team Leader
Bob Neville, Senior Planning Officer
Nigel Bell, Interim Legal Services Manager / Deputy Monitoring
Officer
Aaron Hetherington, Democratic and Elections Officer

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Declarations of Interest

9. Land West Of The Junction, With The Boulevard, Oxford Airport, Langford Lane, Kidlington.

Councillor Maurice Billington, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application.

Councillor Nigel Simpson, Non Statutory Interest, as a member of Kidlington Parish Council which had been consulted on the application.

12. OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury.

Councillor Alastair Milne-Home, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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

Councillor Surinder Dhesi, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

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Requests to Address the Meeting

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

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Urgent Business

There were no items of urgent business.

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Minutes

The Minutes of the meeting held on 23 November 2017 were agreed as a correct record and signed by the Chairman subject to the following amendment:

Minute 127 – OS Parcel 1424 Adjoining And Rear Of Jersey Cottage, Heyford Road, Kirtlington.

George King, a local resident and an owner of land in the village, addressed the committee in objection to the application.

141 **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.

142 **The Paddock, Wykham Lane, Broughton, Banbury, OX15 5DT**

The Committee considered application 17/01998/F for the demolition of an existing single storey workshop and extension and conversion of existing detached garage to create a separate dwelling at The Paddock, Wykham Lane, Broughton, Banbury, OX15 5DT for Mr Herbert Ward.

Peter Preston, agent for the applicant, addressed the committee in support of the application.

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

Resolved

That application 17/01998/F be approved, subject to the following:

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 and drawings numbered: 17122(PL)021 Rev. B, 17122(PL)022 Rev. A, 17122(PL)023 Rev. B, 17122(PL)024 Rev. B, 17122(PL)025 Rev. B, 17122(PL)026 Rev. C, 17122(PL)027 Rev. B, 17122(PL)028 Rev. A, 17122(PL)029 Rev. B and 17122(PL)030 Rev. A.
3. Prior to the commencement of the dwelling hereby approved above slab level, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural stone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the southern and eastern elevations of development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel and retained as such thereafter.
4. The materials to be used for the roof of the development hereby approved shall match in terms of colour, type and texture those used on the existing garage building.
5. The bricks to be used for the construction of the external wall on the northern elevation of the development hereby approved shall match in

terms of colour, type and texture those used on the existing garage building.

6. Notwithstanding the details submitted, full details of all new and replacement doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail, materials and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation in the development. Thereafter the doors and windows and their surrounds shall be installed within the development in accordance with the approved details and retained as such thereafter.
7. Prior to the first occupation of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
8. Prior to the first occupation of the development hereby approved, full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first occupation of the dwelling and shall be retained as such thereafter.
9. Prior to the first occupation of the development hereby approved, the first floor windows in the southern and eastern elevation of the dwelling shall be fully glazed with obscured glass (at least Level 3) only that complies with the current British Standard, and shall be retained as such thereafter.
10. 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.
11. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the grant of further specific planning permission from the Local Planning Authority.
12. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent

amendments, no new windows, rooflights or other openings, other than those shown on the approved plans, shall be inserted in the walls or roof of the dwelling without the grant of further specific planning permission from the Local Planning Authority.

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Shopmobility, Unit A4, Pioneer Square, Bure Place, Bicester, OX26 6FA

The Committee considered application 17/02157/F for the change of use of Unit A4a Pioneer Square from A1 (retail) use to a D1 healthcare facility, with minor internal and external alterations at Shopmobility, Unit A4A, Pioneer Square, Bure Place, Bicester, OX26 6FA for InHealth.

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

Resolved

That application 17/02157/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 forms following plans and documents: "16005/IR/MLa/14863631v2", "IL16005/01-002revA", "17/169/SK2" , "17/169/SK4" & "17/169/SK6"
3. Unit A4A shall be used only for the purpose of a health clinic and for no other purpose whatsoever, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 1987 (as amended).

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Land West Of The Junction, With The Boulevard, Oxford Airport, Langford Lane, Kidlington

The Committee considered application 17/02190/F for a proposed pilot training school comprising a 4 storey accommodation block, 2 storey teaching and training block, parking for cars, cycles and motorcycles, access road and landscaping at Land West of the junction with The Boulevard, Oxford Airport, Langford Lane, Kidlington for London Oxford Airport.

In introducing the report, the Development Control Team Leader referred Members to the written update and that the officer recommendation had changed from Approval to Deferral to allow formal comments from Oxfordshire County Council.

Resolved

That application 17/02190/F be deferred to allow for the receipt of formal comments from Oxfordshire County Council.

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Miramar Cottage, 5 The Colony, Colony Road, Sibford Gower, Banbury, OX15 5RY

The Committee considered application 17/02192/F for alterations to an existing building to form single dwelling house; demolition of unlisted buildings in the Conservation Area at Miramar Cottage, 5 The Colony, Colony Road, Sibford Gower, Banbury, OX15 5RY for Miss C Tucker.

Carrie Tucker, the applicant, 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 17/02192/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: Design Statement (28/09/2017); Location Plan PJF/fm/PF/9695.01; 27111/1; 27111/2; 27111/3; 5347.01; 5347.02; and 5347.03.
- 3 Notwithstanding the approved plans (and in accordance with the Agent's email dated 12/12/2017), the walls of the development, hereby approved, shall be clad in natural ironstone.
- 4 Prior to the commencement of the development hereby approved (and in accordance with Condition 3 of this permission), 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 shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.
- 5 The roof of the development hereby approved shall be covered with natural Welsh slates.
- 6 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.

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

- 7 Prior to the commencement of the development full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure shall be erected, in accordance with the approved details, prior to the first occupation of the dwelling.
- 8 Prior to the first occupation of the dwelling hereby approved the existing means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.
- 9 Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of turning area and two 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 parking and manoeuvring of vehicles at all times thereafter.
- 10 The development hereby approved shall be carried out in accordance with the recommendations set out in Section 6 of the Bat Assessment Initial Bat Survey & Roost Characterisation Surveys of Stable block at 5 The Colony Sibford Gower carried out by Ecolocation on 17 August 2017 .
- 11 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.

- 12 If a potential risk from contamination is identified as a result of the work carried out under condition 11, 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.
- 13 If contamination is found by undertaking the work carried out under condition 12, 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.
- 14 If remedial works have been identified in condition 13, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 13. 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.
- 15 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.
- 16 The curtilage of the development hereby approved shall be restricted to area contained only within the red line shown on approved plan numbered '5347.01'.
- 17 Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

- 18 Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no new window(s) or other openings (including rooflights), other than those shown on the approved plans, shall be inserted in the walls or roof of the building without the prior express planning consent of the Local Planning Authority.

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

The Committee considered application 17/00554/DISC for the discharge of Conditions 10 (surface drainage information), 21 (cycle parking details), 22 (bird and invertebrate boxes), 23 (refuse and recycling information) 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 officer's report and presentation.

Resolved

That authority be delegated to officers to approve the application in relation to the discharge of Conditions 10, 21 and 23, subject to responses from Oxfordshire County Council regarding surface water drainage and cycle parking and from the Council's Waste Resource Team regarding refuse/recycling.

147 **OS Parcels 4083 And 6882 Adjoining And North Of Broken Furrow, Warwick Road, Banbury**

The Committee considered application 17/00559/DISC for the discharge of Condition 9 (landscaping scheme) of 16/01485/CDC at OS Parcels 4083 And 6882 Adjoining and North of Broken Furrow, Warwick Road, Banbury for Cherwell District Council.

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

Resolved

That authority be delegated to officers to determine the application in consultation with the Chairman of the Planning Committee.

148 **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 5.02 pm

Chairman:

Date: