

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 23 August 2018 at 4.00 pm

Present: Councillor David Hughes (Chairman)

Councillor Andrew Beere
Councillor Phil Chapman
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor Chris Heath
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor Richard Mould
Councillor Cassi Perry
Councillor D M Pickford
Councillor G A Reynolds
Councillor Les Sibley

Substitute Members: Councillor Barry Wood (In place of Councillor Lynn Pratt)

Also Present: Councillor Dan Sames, Ward Member for Bicester South and Ambrosden (for agenda item 7)

Apologies for absence: Councillor James Macnamara
Councillor Maurice Billington
Councillor Simon Holland
Councillor Lynn Pratt

Officers: Paul Seckington, Senior Manager Development Management
Gavin Forrest, Planning Officer
Matt Chadwick, Senior Planning Officer
Caroline Ford, Principal Planning Officer
Lewis Knox, Planning Officer
Nat Stock, Minors Team Leader
George Smith, Planning Officer
Amy Jones, Trainee Solicitor
Aaron Hetherington, Democratic and Elections Officer

Declarations of Interest

7. Land North Of Bicester Avenue Garden Centre, Oxford Road, Bicester.

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.

10. Kelberg Limited, Northampton Road, Weston On The Green, Bicester, OX25 3TH.

Councillor David Hughes, Declaration, as Kelberg Limited were previously a customer of his.

14. The Hill, Dover Avenue, Banbury, OX16 0JE.

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

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

Councillor Colin Clarke, Non Statutory Interest, 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 D M Pickford, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

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

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

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

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

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

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

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

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

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

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

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

16. Land Adjacent To The South Multi-storey Car Park, Castle Quay South Multi Storey Car Park, Castle Street, Banbury.

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

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

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

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

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

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

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

Councillor Surinder Dhesi, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as she works at Marks and Spencer in Castle Quay, Banbury.

51 Requests to Address the Meeting

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

52 Urgent Business

There were no items of urgent business.

53 Minutes

The Minutes of the meeting held on 19 July 2018 were agreed as a correct record and signed by the Chairman.

54 **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.

55 **Land North Of Bicester Avenue Garden Centre, Oxford Road, Bicester**

The Committee considered application 17/02534/OUT an outline application for the construction of a business park of up to 60,000 sq.m (GEA) of flexible Class B1(a) office / Class B1(b) research & development floorspace; associated vehicle parking, landscaping, highways, infrastructure and earthworks at Land North Of Bicester Avenue Garden Centre, Oxford Road, Bicester for Scenic Land Developments Ltd.

Councillor Sames addressed the committee as local Ward member.

Chris Goddard, planning consultant and John Holmes, agent for the applicant addressed the committee in support of the application.

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

Resolved

That application 17/02534/OUT be approved, subject to the following:

- a) Satisfactory resolution of OCC's concerns regarding the impact on local junctions subject to input from the independent transport consultant;
- b) Satisfactory resolution of officers' concerns with regards net biodiversity impact and the impacts on protected/priority species;
- c) Determination as to whether the strategic highway contributions and bus service contributions sought by OCC are justified and, where considered to be necessary, that such contributions are sought to the extent that the development would not prove unviable;
- d) Satisfactorily completion of a legal agreement with Cherwell District Council and Oxfordshire County Council to secure those items listed in paragraph 8.44 of the officer's report

All of the above to be determined as satisfactory by the Assistant Director of Planning Policy and Development in consultation with the Chairman of Planning Committee. Where such above matters are not considered to be satisfactory, the application is to be referred back to Planning Committee.

- e) Imposition of the following conditions as summarised below subject to such amendments as deemed appropriate by the Assistant Director of Planning Policy and Development:
1. Submission and approval of Reserved Matters
 2. Submission and approved of Phasing Plan
 3. Time limit for submission of Reserved Matters
 4. Time limit for implementation
 5. Development in accordance with approved plans/drawings/documents
 6. Submission and approval of existing and proposed ground levels/floor levels per phase
 7. Submission and approval of fire hydrants within each phase
 8. Removal of permitted development rights for above ground utility infrastructure
 9. Development to achieve BREEAM 'very good' standard
 10. Submission and approval of details of renewable energy technology within each phase
 11. Submission and approval of surface water drainage strategy for the whole development
 12. Submission and approval of SuDS scheme for each phase
 13. Development to take place in accordance with the submitted Flood Risk Assessment
 14. Submission and approval of foul drainage scheme for each phase
 15. Undertaken desk study of contamination
 16. Undertake Phase 2 contamination assessment if necessary
 17. Submission and approval of remediation scheme where contamination found
 18. Undertake approved remediation scheme and require verification prior to occupation
 19. Requirement to cease work and submit remediation strategy in the event of finding unexpected contamination
 20. Provision of electric vehicle charging points in each phase
 21. Submission and approval of construction management plan for each phase
 22. Submission of odour report with each Reserved Matters application
 23. Restriction of use to Class B1(a) and Class B1(b) with only up to 15,000sqm GEA able to be used for Class B1(b) purposes
 24. Submission and approval of a car park management plan for each phase
 25. Submission and approval of pedestrian connections to the A41 and Bicester Avenue Garden Centre
 26. Submission and approval of further details of the vehicular access to the development from Lakeview Drive
 27. Submission and approval of a revised Framework Travel Plan for the development
 28. Submission and approval of a travel plan per phase
 29. Submission and approval of a written scheme of investigation
 30. Undertaken archaeological evaluation in accordance with the approved written scheme of investigation
 31. No removal of hedgerows or site clearance during breeding birds season unless checked by qualified ecologist first
 32. Requirement for a protected species check by a qualified ecologist

- prior to development commencing
33. Biodiversity statement to be submitted as part of each Reserved Matters application relating to a phase
 34. Submission and approval of a scheme of landscaping and ecological enhancement together with associated management plan for blue edged land shown on site location plan
 35. Submission and approval of a scheme of public art prior to occupation
 36. Requirement to undertake impact studies on mains water supply to determine any capacity improvements necessary

56 **Begbroke Science Park, Begbroke Hill, Begbroke, Kidlington, OX5 1PF**

The Committee considered application 18/00803/OUT, an outline application for planning permission, with all matters except for access reserved for subsequent approval, for up to 12,500m² of B1a / b / c and ancillary D1 floor space, retention of and improvements to the existing vehicular, public transport, pedestrian and cycle access including internal circulation routes; associated car parking including re-disposition of existing car parking; associated hard and soft landscape works; any necessary demolition (unknown at this stage); and associated drainage, infrastructure and ground re-modelling works Begbroke Science Park, Begbroke Hill, Begbroke, Kidlington, OX5 1PF for Chancellor, Masters And Scholars Of The University Of Oxford.

Alastair Cory and Duncan Chadwick, the applicant's agents, addressed the committee in support of the committee.

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

Resolved

That application 18/00803/OUT be approved, subject to

- (i) a legal agreement concerning off-site transport infrastructure;
- (ii) Conditions relating to the points detailed below with the exact conditions and the wording of those conditions are requested to be delegated to the Assistant Director for Planning Policy and Development.
 1. Time Limit for the submission of reserved matters
 2. Time limit for the commencement of development
 3. Submission of full details of design, layout and external appearance of all buildings
 4. Submission of a Landscape Impact Assessment
 5. Submission of all details relating to hard and soft landscaping and boundary treatment.
 6. Restriction on Height of buildings
 7. Restriction on the uses of the buildings
 8. Restriction on floor area(external measurement)
 9. Submission on the retention of existing trees

10. Submission of details relating to surface water and foul sewage
11. Submission of updated Framework Travel Plan
12. Submission of a Construction Traffic Management Plan
13. Submission of details relating to required bus stops
14. Submission of details relating to cycle links.
15. Submission of parking layout and turning Area
16. Submission of details relating to Cycle Parking Provision
17. Submission in relation to the required Public Art
18. Submission relating to lighting strategy
19. Carry out in accordance with the submitted Ecological Report
20. Submission of landscape and ecological Management Plan

57

Land North Of Milton Road, Adderbury, Oxfordshire

The Committee considered application 18/00220/F for the change of use of agricultural land to sport/recreation and community use at Land North of Milton Road, Adderbury, Oxfordshire for Adderbury Parish Council.

David Griffiths and Dianne Bratt, Chairman of Adderbury Parish Council, 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 speakers.

Resolved

That application 18/00220/F be approved, subject to conditions with the exact wording delegated to the Assistant Director for Planning Policy and Development, the conditions will cover:

1. Time limit – to commence within 3 years
2. Compliance with the approved plans
3. Notwithstanding the submitted layout plan, a plan to be sought with the final layout proposed including a reconsideration of the position of the MUGA and the demonstration of links to the local green space off Horn Hill Road
4. Details of Landscaping, a biodiversity calculation to demonstrate a net gain and a management plan for it
5. Retention of the approved landscape scheme
6. Details of any proposed boundary treatments
7. Details of any proposed change in levels
8. A scheme for surface water drainage to be submitted
9. Full details of the means of access
10. The restriction of the provision of any other means of access and closure of the existing field entrance
11. The protection of vision splays at the entrance
12. Details of the turning area and car parking
13. The provision of the new footpath linking the site to the village prior to the first public use of the site
14. Details of covered cycle parking facilities
15. The requirement for an archaeological written scheme of investigation
16. A staged programme of archaeological evaluation and mitigation

17. Hedgerow works outside of the bird nesting season
18. No public use of the site for the use approved until the site is laid out.
19. A management plan for the site including hours of use
20. A condition to restrict any flood lighting on the site
21. A condition to restrict the provision of a building on the site

58 **Kelberg Limited, Northampton Road, Weston On The Green, Bicester, OX25 3TH**

The Committee considered application 18/01157/F for the erection of a detached steel portal framed workshop at Kelberg Ltd, Northampton Road, Weston on the Green, Bicester, OX25 3TH for Kelberg Trailers And Trucks Ltd.

Ronnie Verner, the applicant, addressed the committee in support of the application.

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

Resolved

That application 18/01157/F be approved, subject to the following conditions:

1. Time Limit
2. Compliance with the approved plans
3. Materials to match the existing adjacent building
4. Restriction on hours of operation
5. Requirement to close doors of workshop during operations

59 **Land North West Of Fabis House, Rattlecombe Road, Shenington**

The Committee considered application 18/01098/F for the variation of Conditions 2 (rooflight), 6 (surface water drainage), 7 (existing building fabric), 15 (doors, windows and rooflights) of 17/01201/F at Land North West Of Fabis House, Rattlecombe Road, Shenington for The Magpie Partnership Ltd.

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

Resolved

That application 18/01098/F be approved subject to conditions with the exact wording of those conditions delegated to the Assistant Director for Planning Policy and Development, the conditions cover:

1. Compliance with approved plans
2. Development in accordance with approved bat mitigation measures
3. Development in accordance with approved bird mitigation measures
4. Development in accordance with measures to enhance swift nesting
5. Development in accordance with drainage details

6. Development in accordance with submitted plan showing retained fabric
7. Development in accordance with approved landscaping details
8. Development in accordance with British Standard for landscaping
9. Development in accordance with approved parking details
10. Development in accordance with approved stone sample panel (dwelling)
11. Development in accordance with approved stone sample panel (boundary wall)
12. Development in accordance with approved timber sample
13. Development in accordance with approved slate sample

60 **Land North West Of Fabis House, Rattlecombe Road, Shenington**

The Committee considered application 18/01114/F for the conversion of a barn to form a new dwelling at Land North West of Fabis House, Rattlecombe Road, Shenington for The Magpie Partnership Ltd.

In introducing the application, the Senior Manager, Development Management referred Members to the written update and that the officer recommendation had changed from approval to deferral to allow further consultation on the submission of amended plans.

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

Resolved

That consideration of application 18/01114/F be deferred to allow further consultation on the submission of amended plans.

61 **Land North West Of Fabis House, Rattlecombe Road, Shenington**

The Committee considered application 18/01115/LB for the conversion of a barn to form a new dwelling at Land North West of Fabis House, Rattlecombe Road, Shenington for The Magpie Partnership Ltd.

In introducing the application, the Senior Manager, Development Management referred Members to the written update and that the officer recommendation had changed from approval to deferral to allow for further consultation on the submission of amended plans.

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

Resolved

That consideration of application 18/01115/LB be deferred to allow further consultation on submission of amended plans.

62

The Hill, Dover Avenue, Banbury, OX16 0JE

The Committee considered application 18/00277/DISC for the discharge of conditions 3 (material samples) 4 (landscaping scheme) 5 (construction, layout and drainage of car parking area) and 6 (cycle parking) of 18/00952/CDC at The Hill, Dover Avenue, Banbury, OX16 0JE for Cherwell District Council (Build Department).

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

Resolved

That the conditions applied for be discharged for application 18/00277/DISC in accordance with the following plans and documents:

Condition 3

The samples detailed in the Schedule of Materials reference WG673.

Condition 4

The details shown on drawing titled SSLS/BHCS/001/FEASIBILITY.

Condition 5

Drawing numbers WG673-006 Rev B, 100T3 and 101T1.

Condition 6

Drawing number WG673-006 Rev B and the document titled Broxap Apollo Cycle Shelter.

63

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

The committee considered application 18/00995/F for the change of use from A1 to D1 (Non-Residential) Class for use as a dental practice at Shopmobility Unit A4, Pioneer Square, Bure Place, Bicester, OX26 6FA for Portman Healthcare Limited.

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

Resolved

That application 18/00995/F be approved subject to conditions with the exact wording of those conditions for application 18/00995/F delegated to the Assistant Director for Planning Policy and Development, the conditions will cover:

1. Time Limit
2. Compliance with the Approved plans
3. Restriction on use of site as a Dental Practice only

64 **Land Adjacent To The South Multi-storey Car Park, Castle Quay South Multi Storey Car Park, Castle Street, Banbury**

The Committee considered application 18/01101/F for the erection of 2no brick substation buildings adjacent to the south multi-storey car park at Castle Quay Shopping Centre at Land Adjacent to the South Multi-storey Car Park, Castle Quay South Multi Storey Car Park, Castle Street, Banbury for Cherwell District Council.

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

Resolved

That application 18/01101/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
 - Cover letter dated 19 June 2018
 - 3706-CQ2-LJA-F0-00-DR-A-00301-P1 – Block Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00300-P1 – Site Location Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00500-P1 – Proposed Sections
 - 3706-CQ2-LJA-F0-00-DR-A-00401-P1 – Proposed south east and south west Elevations
 - 3706-CQ2-LJA-F0-00-DR-A-00400-P1 – Proposed north east and south east Elevations
 - 3706-CQ2-LJA-F0-00-DR-A-00306-P1 – 2 Roof Level Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00305-P1 – 2 Level 00 Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00303-P1 – 1 Roof Level Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00302-P1 – 1 Level 00 Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00201-P1 – 2 Existing Ground Floor Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00200-P1 – 1 Existing Ground Floor Plan
 - 3706-CQ2-LJA-F0-00-DR-A-00700-P1 – 3D View

65 **Appeals Progress Report**

The Interim Director of Planning and Regeneration 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 6.00 pm

Chairman:

Date: