

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 April 2010 at 4.00 pm

Present: Councillor Fred Blackwell (Chairman)
Councillor Rose Stratford (Vice-Chairman)

Councillor Ken Atack
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor Eric Heath
Councillor Alastair Milne Home
Councillor James Macnamara
Councillor D M Pickford
Councillor G A Reynolds
Councillor Leslie F Sibley
Councillor Chris Smithson
Councillor Trevor Stevens

Substitute Members: Councillor Andrew Fulljames (In place of Councillor Mrs Catherine Fulljames)
Councillor Barry Wood (In place of Councillor Maurice Billington)

Apologies for absence: Councillor Maurice Billington
Councillor Mrs Catherine Fulljames
Councillor David Hughes
Councillor Lawrie Stratford
Councillor John Wyse

Officers: Bob Duxbury, Development Control Team Leader
Paul Manning, Solicitor
Tony Ecclestone, Communications Officer
Michael Sands, Trainee Democratic and Scrutiny Officer

Members declared interest with regard to the following agenda items:

6. Land at Brookhill Way, Off Wildmere Road, Banbury.

Councillor Alastair Milne Home, Personal, as a Member of Banbury Town Council.

Councillor Colin Clarke, Personal, as a Member of Banbury Town Council.

8. Bryan House, Chapel Street, Bicester, Oxfordshire.

Councillor Barry Wood, Prejudicial, as a Member of Executive.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor G A Reynolds, Prejudicial, as a Member of Executive.

Councillor James Macnamara, Prejudicial, as a Member of Executive.

Councillor Ken Atack, Prejudicial, as a Member of Executive.

Councillor Leslie F Sibley, Personal, as a Member of Bicester Town Council and Prejudicial as a Member of Charter Community Housing Board.

Councillor Michael Gibbard, Prejudicial, as a Member of Executive.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council and Prejudicial as a Member of Charter Community Housing Board.

9. Bryan House, Chapel Street, Bicester, Oxfordshire.

Councillor Barry Wood, Prejudicial, as a Member of Executive.

Councillor D M Pickford, Personal, as a Member of Bicester Town Council.

Councillor G A Reynolds, Prejudicial, as a Member of Executive.

Councillor James Macnamara, Prejudicial, as a Member of Executive.

Councillor Ken Atack, Prejudicial, as a Member of Executive.

Councillor Leslie F Sibley, Personal, as a Member of Bicester Town Council and Prejudicial as a Member of Charter Community Housing Board.

Councillor Michael Gibbard, Prejudicial, as a Member of Executive.

Councillor Rose Stratford, Personal, as a Member of Bicester Town Council and Prejudicial as a Member of Charter Community Housing Board.

11. Former Spiceball Park Sports Centre, Spiceball Park Road, Banbury, Oxfordshire, OX16 2PG.

Councillor Alastair Milne Home, Personal, as a Member of Banbury Town Council.

Councillor Barry Wood, Prejudicial, as a Member of Executive.

Councillor Colin Clarke, Personal, as a Member of Banbury Town Council.

Councillor D M Pickford, Prejudicial, as a Member of Executive.

Councillor G A Reynolds, Prejudicial, as a Member of Executive and Portfolio Holder for Recreation and Health.

Councillor James Macnamara, Prejudicial, as a Member of Executive.

Councillor Ken Atack, Prejudicial, as a Member of Executive.

Councillor Michael Gibbard, Prejudicial, as a Member of Executive.

187 Petitions and Requests to Address the Meeting

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

188 Urgent Business

There was no urgent business.

189 Minutes

The Minutes of the meeting held on 11 March 2010 were agreed as a correct record and signed by the Chairman.

190 Land at Brookhill Way , Off Wildmere Road, Banbury

The Committee considered a report of the Head of Development Control and Major Developments for the development of the site for one or a combination of B1 (office), B2 (general industrial), B8 (warehousing and distribution) and sui generis (car showroom).

The Committee were satisfied with the evidence presented.

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

Resolved

That application 09/01859/OUT be approved subject to:

- (I) The completion of a S106 agreement to secure an off site financial contribution towards the provision of public art
- (II) The following conditions:
 - 1) SC 1.0A (RC1) (Time for submission of reserved matters)
 - 2) SC 1.1 (RC1) (Expiry of reserved matters)
 - 3) SC 1.2 (RC1) (Duration limit)

- 4) SC 3.0 (RC10) (Submission of landscaping scheme)
- 5) SC 3.1 (RC10) (Implementation of landscaping)
- 6) SC 6.4AB (RC34AA) (Restriction on extensions)
- 7) SC 6.4BC (RC65AA) (Restriction on mezzanine floors)
- 8) That the development hereby permitted shall be used only for purposes falling within Classes B1, B2 and B8 specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for a car show room (sui generis), and for no other purpose whatsoever, including any trade counters. A maximum of 3438 square metres of B1(a) floorspace or as an alternative a maximum of 4645 square meters of B1 (b) , B1 (c) floorspace, B2 floorspace or B8 floorspace or a maximum of 2462 square meters of car show room floor space provided on the site as part of the development hereby permitted or such a mix of the above uses that can be satisfactorily accommodated on the site. .
- 9) Notwithstanding the provisions of Class B of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent amendments there shall be no transfer or change of use between B1, B2 and B8 which exceed these respective maximum floorspace figures without the prior grant of planning permission in that behalf.
- 10) Car parking and cycle parking shall be provided in accordance with the Council's car parking standards current at the time of the reserved matter submission.
- 11) The development hereby permitted shall be carried out in accordance with the recommendations set out in the Bird Survey and Outline Mitigation Proposals for the development of Land near Brookhill Way, Banbury, by Baker Shepherd Gillespie, dated 22/3/10, unless otherwise agreed in writing by the Local Planning Authority.
- 12) A Green Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the planning process to secure travel plans", shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

The Committee considered the issue of affordable housing and also expressed concern regarding arrangements for the bus lay-by.

Resolved

That application 10/00002/F be approved subject to the variation of the current Section 106 Agreement and the following conditions:

- 1) SC 1.4A – Full permission duration 3 years
- 2) SC 2.0 A – Details of materials and external finishes - insert “dwellings”
- 3) SC 3.7AA – Submit boundary enclosure details
- 4) The development shall not be occupied until remedial works have been carried out in accordance with the agreed Verification Plan. A verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation in accordance with the Verification Plan must be submitted to and approved in writing by the Local Planning Authority.
- 5) SC 4.0AB – Access specification proposed - insert “construction” “dwellings”
- 6) SC 4.13CD – Parking and manoeuvring area retained
- 7) That the proposed dwellings are to be constructed wholly within land owned or controlled by the applicant
- 8) SC 6.2AA – Residential no new extensions
- 9) SC 6.1BC – Residential open fronts

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Bryan House, Chapel Street, Bicester, Oxfordshire

The Committee considered a report of the Head of Development Control and Major Developments for the demolition of the existing Bryan House and development of 23 units of affordable housing.

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

Resolved

That application 10/00106/F be deferred to resolve flood risk and Section 106 matters.

193

Bryan House, Chapel Street, Bicester, Oxfordshire

The Committee considered a report of the Head of Development Control and Major Developments for the demolition of the wall to Chapel Street car park and other means of enclosure within the Conservation Area.

Resolved

That application 10/00122/CAC be deferred to await the determination of 10/00106/F.

194

7 Colesbourne Road, Bloxham

The Committee considered a report of the Head of Development Control and Major Developments for a two storey side extension.

The Committee considered the impact the proposed development may have to the street scene.

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

Resolved

That application 10/00273/F, subject to the expiration of the consultation period on 14 April 2010 and the delegation of the authority to issue the permission to the Head of Development Control and Major Developments, be approved subject to the following conditions:

- 1) 1.4A - Full Permission: Duration Limit (3 years) (RC2)
- 2) 2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the schedule of materials and approved plans numbered 1-5, 7 and 8 received 24/02/2010 and plan number 6 which was amended 16/03/2010.
- 3) 2.6AA – Materials to match (RC5AA)

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Former Spiceball Park Sports Centre, Spiceball Park Road, Banbury, Oxfordshire, OX16 2PG

The Committee considered a report of the Head of Development Control and Major Developments for the construction of a temporary car park on the site of the old Spiceball Sports Centre Hall (92 spaces).

The Committee expressed concerns regarding maintenance given the proposed permeable surface of the car park.

Resolved

That application 10/00290/CDC be approved subject to no objection being received from the Environment Agency and the following conditions:

- 1) 1.4A - Full Permission: Duration Limit (3 years) (RC2)
- 2) Notwithstanding the details of access shown on the submitted drawings the car parking areas and circulation space shall be constructed in accordance with the construction details set out in the HBCES memo dated 26.3.10
- 3) That at the expiration of 5 years from the date hereof the use specified shall be discontinued.
- 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: drawing number (9)01, drawing number E3545-1 and site location plan received 26 February 2010.
- 5) That the development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment ref.no.ARJ/JJT/E3545 and the ground levels shall be maintained at the ambient levels achieved through the demolition of the existing building on the site as outlined in Section 1.1 of the FRA.(Reason: To prevent the increased risk of flooding and in order to comply with the Government advice contained in PPS25 and Policy NRM4 of the South East Plan)
- 6) If during development contamination not previously identified is found to be present at the site then no further development(unless otherwise agreed in writing by the LPA) shall be carried out until the developer has submitted and obtained written approval from the LPA for an amendment to the remediation strategy detailing how this unsuspected contamination will be dealt with.
- 7) No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to and agreed in writing by the LPA and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme.
- 8) Notwithstanding the details of access shown on the submitted plans access to the car park shall not be taken from the adjacent roadway, but shall instead be taken via the Spiceball North Car Park in accordance with a revised plan which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development

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Westgate Development, Oxford, Oxon

The Committee considered a report of the Head of Development Control and Major Developments which sought comment from Cherwell District Council on the proposed alteration, refurbishment, part redevelopment and extension of the existing Westgate Centre.

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

Resolved

That Oxford City Council be advised Cherwell District Council raise no objections to the proposed development. Oxford City Council is requested to inform Cherwell District Council of the outcome of the planning application.

197

Decisions Subject to Various Requirements - Progress Report

The Committee considered a report of the Head of Development Control and Major Developments which updated Members on decisions which were subject to various requirements.

Resolved

That the position statement be accepted.

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Appeals Progress Report

The Committee considered a report of the Head of Development Control and Major Developments which updated Members on applications where new appeals had been lodged, public inquiries/hearings scheduled or appeal results received.

Resolved

That the position statement be noted.

The meeting ended at 5:05 pm

Chairman:

Date: