

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay,
Banbury, OX16 5FD, on 31 July 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chair)
Councillor Amanda Watkins (Vice-Chair)
Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor David Hingley
Councillor Fiona Mawson
Councillor Lesley McLean
Councillor Chris Pruden
Councillor Les Sibley
Councillor Dr Kerrie Thornhill
Councillor Douglas Webb

Substitute Members:

Councillor Lynne Parsons (In place of Councillor Dr Isabel Creed)
Councillor David Rogers (In place of Councillor Ian Harwood)
Councillor Dorothy Walker (In place of Councillor Robert Parkinson)

Apologies for absence:

Councillor Dr Isabel Creed
Councillor Ian Harwood
Councillor Robert Parkinson

Officers:

Paul Seckington, Head of Development Management
Katherine Daniels, Principal Planning Officer
Caroline Ford, Team Leader - South Area Major Developments
Denzil Turbervill, Head of Legal Services
Matt Swinford, Democratic and Elections Officer
Martyn Surfleet, Democratic and Elections Officer

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Declarations of Interest

10. Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester.

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

11. Hanwell Fields Community Centre Rotary Way Banbury Oxfordshire OX16 1ER.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Dr Kerrie Thornhill, Other Registerable Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rebecca Biegel, Other Registerable 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 Chair advised that requests to address the meeting would be dealt with at each item.

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Minutes

Subject to the correction of incorrect Councillor names listed at Minute 13 of the 3 July 2025 Minutes, The Minutes of the meeting held on 3 July 2025 were agreed as a correct record and signed by the Chair.

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Chair's Announcements

- (1) The Chair requested Members remain in their seats for the presentation and discussion of items. Comfort breaks would be taken roughly every two hours as far as practicable.
- (2) The Chair reminded Members that should they leave the room during an item for whatever reason, as per the Constitution, it was recommended that they refrain from speaking or voting on the item.
- (3) The Chair reminded Members that there would be a special meeting of the Planning Committee on 14 August, at 4pm. Any apologies and substitutes should be notified to the Democratic and Elections team as soon as practicable before the meeting.
- (4) The Chair explained that only registered speakers could address the meeting, and the members of the public should refrain from calling out.

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Urgent Business

There were no items of urgent business.

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Proposed Pre-Committee Site Visits (if any)

There were no proposed pre-committee site visits.

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Land West Of The Old Piggeries Bloxham Road Milcombe

The Committee considered application 24/03399/OUT, an outline planning application, together with associated access off Bloxham Road (all other matters reserved), for up to 50 homes (Use Class C3) together with associated infrastructure, open space and landscaping; and retained agricultural field at Land West Of The Old Piggeries Bloxham Road Milcombe for Neptune Land Promotion Ltd, Mr I Smith, Mrs L Smit.

Myra Peters, on behalf of Milcombe Parish Council, addressed the Committee in objection to the application.

Arron Twamley, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Rogers and seconded by Councillor Webb that application 24/03399/OUT be refused against officer recommendation, as it would cause undue visual harm to the local area, as well poor effective use of land proposed within the scheme.

The proposal was debated and on being put to the vote the motion was lost and therefore fell.

It was proposed by Councillor Watkins and seconded by Councillor Conway that application 24/03399/OUT be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation, public speakers and the written updates.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/03399/OUT subject to –

- (1) No objections from nature space and ecology
- (2) The entering into a s106 to include the contributions and infrastructure as set out below (and any amendments to those obligations as deemed necessary); and
 1. Provision of 35% affordable housing on site
 2. Payment of a financial contribution towards off outdoor site sports and recreation provision in the locality of £2,017.03 per dwelling (index linked)
 3. Payment of a financial contribution towards off indoor site sports and recreation provision in the locality of £40 238.40 (index linked)
 4. Payment of a financial contribution towards the provision of Household Waste Recycling Centres of £5 094 (index linked)
 5. On-site provision of an equipped Local Area of Play and payment of a financial contribution to be confirmed (index linked) towards maintenance or other management provisions thereof
 6. Payment of a financial contribution towards the maintenance of on-site Open Space
 7. Payment of a financial contribution towards community hall facilities of £64, 824 (index linked)
 8. Provision of a Habitat Management and Monitoring Plan (including funding) to secure long-term biodiversity net gain
 9. Payment of a financial contribution towards public transport provision of £56 650 (index linked)
 10. Payment of transport infrastructure (if not dealt with the S278) contribution £20 944
 11. Payment of Traffic Regulations Order contribution: £4 224 (Index linked)
 12. Payment of a financial contribution towards improvements to Public Rights of Way in the vicinity of the site of £35 000 (index linked)
 13. Payment of a financial contribution towards Primary education needs in the locality £472 074 (index linked)
 14. Payment of a financial contribution towards Secondary education needs in the locality £410 076 (index linked)

15. Payment of a financial contribution towards Special Needs Education needs in the locality £47 215 (index linked)
 16. Payment of a financial contribution towards the expansion of Hook Norton and Bloxham Surgeries £45 309 (indexed linked)
 17. Payment of the Council's monitoring costs to be confirmed
- (3) The conditions set out below (and any amendments to those conditions as deemed necessary)

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 Months from the date of this permission and the development hereby permitted shall be begun either before the expiration of two years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCING DEVELOPMENT

4. No development shall commence including any demolition unless and until a professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area and which has been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2023).

5. Following the approval of the Written Scheme of Investigation referred to in condition 5, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2023).

6. No development shall commence [on any phase], including any works of demolition until a Construction Environment and Traffic Management Plan [for that phase] has been submitted to and approved in writing by the local planning authority. The statement shall provide for at a minimum:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

7. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

8. No development shall commence unless and until 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 has been 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.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

9. If contamination is found by undertaking the work carried out under condition 8 if 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.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. 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.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO OCCUPATION

11. Prior to first occupation of any of the dwellings hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the local planning authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby approved, a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

COMPLIANCE CONDITIONS

13. 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.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

INFORMATIVES

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be

completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

It was further resolved that as the statutory determination period for this application expired on 30 September 2025 and if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, CDC's Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework

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Land To The Rear Of Mole End Main Street Great Bourton

The Committee considered application 24/01885/F for the development of 19 dwellings at the Land to the Rear of Mole End Main Street Great Bourton for Talbot Homes.

Duncan Vercoe, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Watkins and seconded by Councillor Chapman that application 24/01885/F be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report, presentation, and public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission, subject to the conditions set out below (and any amendments to those conditions as deemed necessary) and the completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):

- a. Provision of 7 affordable dwellings on site
- b. Payment of a financial contribution (index linked) towards Community Hall facilities (£20,948.08), Outdoor sport provision (£38,323.57), Indoor sport provision (£15,290.59) and Public realm/art (£4,256.00)
- c. Payment of a financial contribution towards public transport provision (50,000.00) (index linked)
- d. S278 Agreement for carrying out works within the public highway
- e. Payment of the Council's and Oxfordshire County Council's monitoring costs to be confirmed
- f. Payment of a financial contribution of £16,416 (index linked) towards primary care.

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of 18 months beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and the following approved plans:

5674 001 P0, 002 P0, 003 P13, 004 P9, 005 P8, 006 P6, 007 P5, 008 P5, 010 P6, 011 P6, 012 P2, 013 P6, 014 P8, 015 P6, 016 P1 and SK01 P2.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCING DEVELOPMENT

3. No development shall commence unless and until a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential or other sensitive properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with the occupiers of those properties, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. As contamination was identified in the report provided with the application (RDM1194 dated 8th July 2024), 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 "Land Contamination Risk Management (LCRM)" 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.

Reason - To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No development shall commence including any demolition unless and until a professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area and which has been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2023).

6. Following the approval of the Written Scheme of Investigation referred to in condition 5, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2023).

7. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason - To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

8. No development shall commence above slab level until a method statement for enhancing biodiversity has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation and shall thereafter be retained in full accordance with the approved details. The statement should include the location and type of all bird, bat and hedgehog boxes, RAMs for great crested newts, a nesting bird check, tree check and soft-strip methodology.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

9. No development shall commence unless and until an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been 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.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell

Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO CERTAIN WORKS

10. No development shall commence above slab level until sample panels of the stone and brick to be used in the construction of the external elevations of the dwellings and stone boundary wall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panels shall be at least 1 metre x 1 metre and show the proposed material, bond and pointing technique. The sample panels shall be constructed in a position that is readily accessible for viewing in good natural daylight and shall not be removed from the site until completion of the development. The development shall not be carried out other than in accordance with the approved samples and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

11. Samples of the slates to be used in the covering of the roof of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to commencement of those works. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. No development shall commence above slab level until details of the construction, including cross sections, cill, lintel, reveal and colour/finish of the proposed windows and doors, to a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the dwellings and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

13. Prior to the construction of the footpath link to the Public Right of Way construction and surfacing details of the footpath link shall be submitted to and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

14. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- 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,
- details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included in the approved details of landscaping shall be carried out 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,] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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 next planting season with others of similar size and species. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

CONDITIONS TO BE DISCHARGED PRIOR TO OCCUPATION

15. No development shall be occupied until confirmation has been provided to the Local Planning Authority that all sewage works upgrades required to accommodate the additional flows from the development have been completed.

Reason - To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

16. Prior to first occupation of the development hereby approved, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason – To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

17. The development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 4. 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.

Reason - To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. Prior to the first use or occupation of the development hereby approved details of the external lighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

19. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance

with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework

COMPLIANCE CONDITIONS

20. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

36 Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester

The Committee considered application 23/03073/HYBRID, a hybrid application for the construction of an 82-apartment affordable extra care home (C3 use class) with associated open space / green infrastructure, landscaping, car / cycle parking, service infrastructure (drainage, highways, lighting), engineering operations, creation of new vehicular access and re-instatement of existing access to footpath, and in OUTLINE, the construction of up to 14 residential (C3 use class) dwellings with associated landscaping, service infrastructure (highways, drainage, lighting) at Phase 2 SW Bicester Kingsmere Parcel R East of Ludlow Road Bicester for PHL Ltd & Countryside Properties (Bicester) Ltd.

Sarah R Smith, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Pruden and seconded by Councillor Sibley that application 23/03073/HYBRID be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report, presentation, and public speakers.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 23/03073/HYBRID subject to –

- a. The conditions set out below (and any amendments to those conditions as deemed necessary) and

- b. The completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):
- A) provision of 30% (4 units) affordable housing on the outline site
 - B) payment of a financial contribution towards off site sports and recreation provision in the locality of £28,238.42 residential and £59,166.25 extra care, plus £11,266.75 residential and £23,606.52 extra care indoor sports (index linked)
 - C) payment of a financial contribution towards the provision of refuse/recycling bins for the development of £1,554.00 for residential and £1,258.70 for extra care (index linked) OCC waste and recycling centre £1,315.00.
 - D) OCC Middleton Stoney cycle network contribution for residential of £14,000
 - F) payment of a financial contribution towards primary health care provision serving the residential development of £12,096.00 and £44,352.00 extra care (index linked)
 - G) OCC travel plan monitoring for extra care £3,110.00
 - H) payment of the district council's monitoring costs of £5,000.
 - I) OCC Monitoring fee (tbc)

CONDITIONS

FULL APPLICATION – Extra Care

Time Limit

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.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. That prior to first occupation of the extra care facility hereby approved, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway and pedestrian safety and to accord with Government guidance within the National Planning Policy Framework.

3. Prior to the first occupation of the extra care facility hereby approved, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway and pedestrian safety and to comply with Government guidance within the national Planning Policy Framework.

4. That prior to the first occupation of the extra care facility, a detailed plan showing the cycle parking provision and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained and maintained as such.

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

5. Prior to the commencement of any development above slab level and notwithstanding the details submitted, a schedule of revised materials and finishes, which shall include the submission of sample and sample panels of bricks and natural limestone to be constructed on site (minimum 1 squared metre in size) to be used in the construction of the external walls of the extra care building shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance with the details and samples hereby approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031, approved Kingsmere Phase 2 Design Code 2018 and Government guidance within the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the building, including the windows and doors (and their surrounds and reveals), guttering etc, shall be submitted to and approved in writing by the Local Planning Authority prior to any construction above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the details are appropriate to the locality and are locally distinctive and ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the national Planning Policy Framework.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season prior to the first occupation of the extra care building and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual

amenity and to accord with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

8. A scheme for the suitable treatment of the sub-station and air source heat pumps against the transmission of sound and/or vibration on the proposed and existing residential units shall be submitted to and approved in writing by the Local Planning Authority and the measures implemented and maintained in accordance with the approved scheme at all times.

Reason: To protect existing and proposed new residents from noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

9. Prior to the commencement of development in respect of the extra care units, details of a lighting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed sensitively for bats in accordance with the BCT lighting guidance (ILP Bat Conservation Trust Guidance Note 08/23) with a colour temperature of 2700 degrees kelvin or under. The lighting plan should also take into account any trees, landscaping and bat box location. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protection of ecology and biodiversity to accord with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

10. Prior to first occupation a Full Travel Plan for the extra care facility shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Travel Plan.

Reason: In the interests of sustainability and to comply with Government guidance within the National Planning Policy Framework.

HYBRID – Extra Care and Residential Dwellings

Compliance with Plans

11. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans and documents: Site Location 21413-CWA-BC-XX-DR-A-0202 Rev P02; Hybrid Plan 21413-CWA-BC-XX-DR-A-0211 Rev P13; Site Layout 21413-CWA-BC-XX-DR-A-2011 Rev P25; Site Context 21413-CWA-BC-XX-DR-A-0100 Rev P01; Ground Floor 21413-CW-BC-ODA-2000 Rev P09; First Floor 21413-CW-BC-01-DR-A-2001 Rev P09; Second Floor 21413-CW-BC-02-DR-A-2002 Rev P09; Third Floor 21413-CW-BC-03-DR-A-2003 Rev P08; Roof Plan 21413-CW-BC-XX-DR-A-2004 Rev P03; Elevations 21413-CW-BC-XX-DR-A-2006 Rev P07 and 2007 Rev P07; Acoustic Box Detail SPqbove 01a and 21413-CWA-B1-00-DR-A2011; Substation 21413-CW-B1-00-DR-A-2021 Rev P02; Cyclestore 21413-CWA-BC-XX-DR-A-2020

Rev P01; Boundary Treatment 21413-CWA-BC-XX-DR-A-2010 Rev P05; Bellmouth 03/801 Rev A; Tree Pit Detail UG-2166-LSN-DRW-04 Rev P01; Landscape Plans UG-2166-LAN-GA-DRW-01 Rev P08, 03 Rev P06 and 02 Rev P07; S38 Plan 23047-ARC-XX-XX-DR-C-6200-P5; Vehicle Swept Path PC5143-RHD-GE-SW-DR-R-0050 Rev P05, 0051 Rev P05, 0052 Rev P04, 0055 Rev P04 and 0057 Rev P04; Visibility Splays PC5143-RHD-GE-SW-DR-R-0056 Rev P04 and 0059 Rev P01; Drainage Plans 23047-ARC-XX-XX-DR-C-5000-P5, 5201-P4 and 02/801 Rev E and Site Sections 21413-CWA-B1-XX-DR-A-2030 Rev P02, 2031 Rev P01 and 2032 Rev P01.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

12. No development shall be occupied until confirmation has been provided that either: (1) all network upgrades required to accommodate the additional demand to serve the development have been completed; or (ii) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan has been agreed with Thames Water, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

13. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification scheme shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

14. The approved drainage system shall be implemented in accordance with the approved Detailed Design as shown on the following drawings: Land Parcel R drainage layout reference 02/801 Rev E; 23047-ARC-XX-XX-DR-C-5000-P5-DRAINAGE GA; Impermeable Area Plan 5500-P4; Section 104 adopted

Drainage GA 5200-P4 and Appendix E – Surface Water Drainage Calculation, prior to the use of any of the development commencing.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

15. Prior to first occupation of any part of the development, a record of the installed SUDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include: (i) As built plans in both pdf and shp format; (ii) photographs to document each key stage of the drainage system when installed on site; (iii) photographs to document the completed installation of the drainage structures on site; (iv) the name and contact details of any appointed management company information.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

16. Prior to the first occupation of any part of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) for the whole site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

17. Full details of a scheme for the location of bat, bird, owl and invertebrate boxes (which may be integral to the building construction) (on that part/phase of development) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any building on that phase or part of the development, the bat, bird, owl and invertebrate boxes shall be installed on the site in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ED10 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

18. No development shall take place on the site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for a minimum:

- the parking of vehicles of site operatives and visitors
- the routing of HGVs to and from the site
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- erection and maintenance of security hoarding
- wheel washing facilities including type of operation and road sweeping
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from the construction works
- delivery times, demolition and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction of the development.

Reason: To ensure the environment and amenities of local residents are protected during the construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

OUTLINE – Residential Dwellings

19. Application for the approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

20. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2025 (as amended).

21. Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic Scheme (Strategic Surface Water Management Scheme) and include all supporting information listed in the condition.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

22. Prior to the first occupation of the residential properties, a Residential Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Travel Information Pack.

Reason: In the interest of sustainability and to comply with Government guidance within the National Planning Policy Framework.

It was further resolved that as the PPA determination period for this application expired on 31 August 2025 and if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of section 106 legal agreement the local planning authority is not satisfied that the proposed development provides for appropriate infrastructure and affordable housing provision required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to policy inf1 of the adopted Cherwell Local Plan 2011-2031, CDC planning obligations SPD 2018 and Government guidance within the NPPF

37 **Hanwell Fields Community Centre Rotary Way Banbury Oxfordshire
OX16 1ER**

The Committee considered application 25/01191/CDC for the insertion of 3 new windows, enlargement of a fire escape door opening and insertion of glazed door with sidelights, addition of rear escape gate in courtyard and rear escape steps with handrails and associated internal changes to increase capacity at Hanwell Fields Community Centre, Rotary Way, Banbury, Oxfordshire, OX16 1ER for Cherwell District Council.

It was proposed by Councillor Thornhill and seconded by Councillor Watkins that application 25/01191/CDC be approved, in line with the officer recommendation.

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

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 25/01191/CDC subject to -

Time Limit

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.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, Site Location Plan (dwg no 06425-101) and following approved plans and documents: 06425-106 (Proposed Elevations), Proposed Floor Plans (06425-105) and Design/Access/Planning/Ecology Statement.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

38 **Appeals Progress Report**

The Assistant Director Planning and Development submitted a report which informed Members about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the position statement be accepted.

The meeting ended at 6.34 pm

Chairman:

Date: