

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House,  
Bodicote, Banbury, OX15 4AA, on 24 May 2018 at 4.00 pm

- Present: Councillor David Hughes (Chairman)
- Councillor Phil Chapman  
Councillor Colin Clarke  
Councillor Ian Corkin  
Councillor Chris Heath  
Councillor Mike Kerford-Byrnes  
Councillor Alan MacKenzie-Wintle  
Councillor Richard Mould  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor G A Reynolds
- Substitute Members: Councillor Barry Richards (In place of Councillor Andrew Beere)  
Councillor Barry Wood (In place of Councillor Simon Holland)  
Councillor Sean Woodcock (In place of Councillor Surinder Dhesi)
- Also Present: Councillor Hugo Brown, Ward Member for Deddington, for agenda item 7 and 8.  
Councillor Andrew McHugh, Ward Member for Adderbury, Bloxham and Bodicote, for agenda item 10
- Apologies for absence: Councillor James Macnamara  
Councillor Andrew Beere  
Councillor Maurice Billington  
Councillor Surinder Dhesi  
Councillor Simon Holland  
Councillor D M Pickford  
Councillor Les Sibley
- Officers: Paul Seckington, Senior Manager Development Management  
Caroline Ford, Principal Planning Officer  
Emily Shaw, Principal Planning Officer  
George Smith, Assistant Planning Officer  
James Kirkham, Principal Planning Officer  
Matt Chadwick, Senior Planning Officer  
Nat Stock, Minors Team Leader  
Linda Griffiths, Principal Planning Officer  
Amy Jones, Trainee Solicitor  
Aaron Hetherington, Democratic and Elections Officer

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### **Declarations of Interest**

#### **9. Land Adj To Cotswold Country Club And South Of Properties On, Bunkers Hill, Shipton On Cherwell.**

Councillor Alan MacKenzie-Wintle, Declaration, as the applicant was known to him and would therefore leave the chamber for the duration of the item.

#### **10. OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of, Berry Hill Road, Adderbury.**

Councillor Alan MacKenzie-Wintle, Declaration, as the applicant was known to him and would therefore leave the chamber for the duration of the item.

Councillor Chris Heath, Declaration, as the applicant was known to her and would therefore leave the chamber for the duration of the item.

#### **11. Woodpiece Road, Upper Arncott.**

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

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

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

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

#### **15. Graven Hill: MOD Bicester Sites D & E, Ambrosden Road Upper Arncott, Deed of Variation to Section 106 Legal Agreement.**

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

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

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

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

Councillor David Hughes, Declaration, as a Non-Executive Director of Graven Hill Holding Company (Holdco) and would leave the chamber for the duration of the item.

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### **Requests to Address the Meeting**

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

5 **Urgent Business**

There were no items of urgent business.

6 **Minutes**

The Minutes of the meetings held on 12 April 2018 and 15 May 2018 were agreed as a correct record and signed by the Chairman.

7 **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.
2. The Chairman advised that he had agreed to amend the running order of the meeting to enable a number of councillors to attend further meetings that evening.

8 **Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00098/F for the conversion of an existing barn and associated out-building/stables to residential use including raising the roof of out-building/stables by 860mm and a new single storey extension to rear with living roof at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

Councillor Brown addressed the committee as Ward Member. This address also covered the subsequent application 18/00099/LB.

Richard Court, the applicant's architect, addressed the committee in support of the application. This address also covered the subsequent application 18/00099/LB.

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

**Resolved**

That application 18/00098/F be refused for the following reason:

1. The proposals, by virtue of their siting, scale and design, would result in incongruous additions to this simple arrangement of traditional buildings of agricultural character and would result in significant and demonstrable harm to the special character and historic significance of the listed building, the setting of adjacent grade II listed building and

the setting of the surrounding Deddington Conservation Area. The less than substantial harm caused is clear, significant and demonstrable and is not outweighed by the proposal's benefits. The proposals therefore conflict with saved Policies H21, C21, C28 and C30 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, and Government guidance contained within the National Planning Policy Framework.

9 **Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00099/LB, listed building consent for the conversion of an existing barn and associated out-building/stables to residential use including raising the roof of out-building/stables by 860mm and a new single storey extension to the rear with living roof at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

Councillor Brown, addressed the committee as Ward Member. This address also covered the previous application 18/00098/F.

Richard Court, agent for the applicant, addressed the committee in support of the application. This address also covered the previous application 18/00098/F.

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

**Resolved**

That application 18/00099/LB be approved and that authority be delegated to officers to determine the final wording of conditions.

10 **Land Adj To Cotswold Country Club And South Of Properties On, Bunkers Hill, Shipton On Cherwell**

The Committee considered application 17/02148/OUT, an outline application for the demolition of an existing club house, bowling club pavilion and ancillary store and the erection of 10 no. dwellings and access improvements at Land adjacent to Cotswold Country Club and south of properties on Bunkers Hill, at Shipton On Cherwell for Keble Homes Limited.

Julian Philcox and Oliver McGovern, agents for the applicant, addressed the committee in support of the application.

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

**Resolved**

That application 17/02148/OUT be refused for the following reasons:

1. The proposal represents development within the countryside where there is no proven need for agriculture or other existing undertaking and the application has not been made on the basis that it is a rural exceptions site. As the proposal cannot be justified on the basis of an identified need, it constitutes unsustainable, new build residential development in a rural location which is divorced from established centres of population, not well served by public transport where residents would be reliant on the use of the private car. The proposal therefore results in an environmentally and socially unsustainable form of development. The development is considered to be prejudicial to the aims of both national and local policy to focus development in areas that will contribute to the general aims of reducing the need to travel by private car. The proposal is therefore contrary to Saved Policies H18 and C8, of the Cherwell Local Plan 1996, Policy Villages 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained in the National Planning Policy Framework.

11 **OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of, Berry Hill Road, Adderbury**

The Committee considered application 17/02394/OUT for outline planning permission for up to 55 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road at OS Parcel 9100 adjoining and East of Last House adjoining and North of Berry Hill Road, Adderbury for Hollins Strategic Land LLP.

Councillor McHugh addressed the committee as Ward Member.

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

**Resolved**

That application 17/02394/OUT be refused for the following reasons:

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury as well as Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan Part 1. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031) causing significant urbanisation and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals are not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.
3. The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respect its context, enhance the built environment and properly respond to local distinctiveness. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C27, C28 and C30 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
4. The submitted Drainage Strategy does not provide sufficient certainty to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems can be appropriately accommodated to deal with the sustainable discharge of surface water. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
5. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan (2011-2031) Part 1 and the advice within the National Planning Policy Framework.

The Committee considered application 17/02569/F for the change of use of land for the creation of car parking spaces at Woodpiece Road, Upper Arncott for Cherwell District Council, Stuart Parkhurst.

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

### **Resolved**

That application 17/02569/F be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and drawings numbered A.51,069a, A.51,070a, ACP5-02 Rev 02 and ACP4/5-01 Rev 02.
3. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
4. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
5. Prior to the first use of any parking bay shown on Plot 3, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, detailing the proposed tree/shrub planting including their species, number, sizes and positions. The landscaping scheme shall be implemented in accordance with the approved details and retained as such thereafter.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced

in the current/next planting season with others of similar size and species.

13 **Symmetry Park, Aylesbury Road A41, Ambrosden**

The Committee considered application 18/00091/F for 14,200 sq m of logistics floor space, within class B8, including ancillary class B1 (a) offices (929 sq m), erection of security gatehouse, security fence, sprinkler tank and pump house, with an access road and associated site infrastructure including external service yard, lorry parking, landscaping, amenity open space including 10m green corridor with 3m foot path and cycle link to wider Bicester 12 and storm water drainage infrastructure and private sewage treatment plant at Symmetry Park, Aylesbury Road A41, Ambrosden for Db Symmetry (Bicester Reid) Ltd.

John Broad, on behalf of CPRE, addressed the committee in objection to the application.

Louise Steele, agent for the applicant, addressed the committee in support of the application.

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

**Resolved**

That application 18/00091/F be approved and that authority be delegated to the Interim Director for Planning and Regeneration to grant permission subject to:

- I. the applicant entering into an appropriate legal agreement
- II. notification of decision to planning casework unit as it is EIA development and;
- III. the following conditions (and any amendments to the content and final wording of those conditions as deemed necessary):
  1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
  2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: Application forms, FRA dated December 2015 prepared by Peter Brett Associates and additional technical notes prepared by Hydrock dated march 2018 revision D.; Archaeological Evaluation Report MK 050/16 by CFA Archaeology Ltd; Design and Access Statement dated January 2018 by PHP Architects; Planning Statement dated January 2018; Biodiversity Method Statement and Management Plan dated March 2017 EDP2606-20d, Energy Statement dated September 2016 by Peter Brett Associates, Phase II Ground Investigation report dated May 2016 16.02.026;

Environmental Statement dated January 2018 PF/9932; Transport Assessment dated April 2016 by Peter Brett Associates; Framework Travel Plan dated December 2016 by Peter Brett Associates and drawing numbers: 4036-B09-011 rev PO3 - Location Plan; 4036-B09-000 Rev PO5 Red Line Plan; 4036-B09-014 rev PO8- Parking details; 4036-B09-001 rev P20-Indicative site masterplan; 4036-B09-013 rev PO8-Fencing details; 4036-B09-008 rev P15-Site layout plan; EDP-2606-123i; 124k; 125i; 126i; 127j; 129c and 128i Soft Landscape Scheme sheets 1-7; 4036-B09-020 Rev PO6 Site Sections; EDP2606/50L illustrative ecology and landscape plan; 4036-B09-006 Rev PO6; 4036-B09-009 Rev P05-elevations and sections; 4036-B09-012 Rev P01-Gatehouse details; 4036-B09-015 Rev P01-Roof plan; 4036-B09-016 Rev P04-Parameter line comparison plan; 4036-B09-017 P03-Sprinkler installation; 4036-015 rev P20-Parameters plan; Drainage Plans by Hydrock: SYM-HYD-XX-XX-DR-C-0001 Rev P3; 0002 rev P3; 0003 Rev P2; 0004 Rev P1; 0005 Rev P3; 0006 Rev P1; 0007 Rev P1; 0120 rev P2; 0105 rev T2 and 0104 Rev T2 and vehicle tracking sheets 0009 P2; 0010 P3 and 0011.

3. Prior to the commencement of the development hereby approved, full details of the external lighting shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
5. Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.
6. All existing topsoil that is disturbed by construction works shall not be removed from the site but shall be carefully removed and stored within the curtilage of the site and, following the completed planting of the landscaping scheme, shall be distributed throughout the completed planting areas.
7. The existing hedgerow along the northern and southern boundaries of the site shall be retained and properly maintained, and if any

hedgerow plant dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

8. No development shall take place [on any phase], including any works of demolition until a Construction Traffic Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
  - a) The CTMP must be appropriately titled, include the site and planning permission number;
  - b) The routeing of HGVs, construction traffic and delivery vehicles to and from the site and signed to the necessary standard/requirement, this includes means of access into the site; details of and approval of any road closures needed during construction details of any traffic management needed during construction details of appropriate signing to accord with the necessary standards/requirements for pedestrians during construction works, including any footpath diversions
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development, including site compound;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; a regime for inspection and maintenance of all signing, barriers etc contact details of the Project manager and Site Supervisor use of appropriately trained, certified and qualified banksmen for guiding vehicles/unloading etc details of parking for all those involved on the site
  - f) Wheel washing facilities/ road sweeping - to prevent mud etc, in vehicle tyres/wheels from migrating onto the adjacent highway;
  - g) Measures to control the emission of dust and dirt during construction;
  - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - i) Delivery, demolition and construction working hours which must be outside network peak and school peak hours;
  - j) The approved Construction Traffic Management Plan shall be adhered to throughout the construction period for the development.
9. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall incorporate site specific details of the means of regulating the use of private cars related to the development in favour of other modes of transport and the means of implementation and methods of monitoring. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
10. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment

of the hydrological and hydro-geological context of the development, 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. This scheme shall include.....(see OCC)

11. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to surface water infrastructure, and the programme for the works), has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
12. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk assessment (FRA)(May 2016/32765/3006/Peter Brett), Drainage Design Statement (April 2016/32765/2006/001/Peter Brett), technical note 32765-2004-TN002 and the following mitigation measures detailed within the FRA statement:
  - a) Limiting the surface water run-off generated by the 1 in 100 year critical storm to 5 litres per second so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site
  - b) Provision of underground storage tank and swale as shown on drawing number 32765-2006-001 Rev B
  - c) Provision of flood storage as shown on drawing number 32765-2006-001 rev B
  - d) Hydrocarbon interceptor and wastewater treatment centre as detailed in the Drainage design Statement (April 2016/32765/2006/001 Peter Brett) and technical note 32765-2004-TN002.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.
13. Prior to the formation of the first slab level, a scheme for sustainable urban drainage (SUDS) shall be submitted to and approved in writing by the local planning authority in accordance with a SUDS maintenance and Management Plan for the development in Zone 1 in accordance with the approved Flood Risk assessment (FRA) (May 2016/32765/3006/Peter Brett), Drainage Design Statement (April 2016/32765/2006/001/Peter Brett), technical note 32765-2004-TN002. This shall include a comprehensive maintenance schedule; a site plan showing the location of SUDS features and details; maintenance areas, location of outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan. A health and safety plan will be provided where risks are involved in any maintenance activity.

The scheme shall be implemented in accordance with the approved details.

14. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.
15. Prior to the commencement of the development full details of the green infrastructure and footpath/cycle links from this site into the adjoining Bicester 12 site and to the A41 footpath shall be submitted to and approved in writing by the Local Planning Authority. This route shall be provided in accordance with the details so approved prior to the first occupation of the building hereby approved.
16. Cumulative noise output from any mechanical ventilation or fixed plant associated with the development shall be noise attenuated or mitigated so that it achieves the following levels at 1m from the nearest receptors (listed below):
  - a) Daytime (0.700-23.00)
    - i) Wretchwick Farm Cottages and Wretchwick Farm: 43dB LAeq
    - ii) Little Wretchwick Farm: 34dB LAeq
  - b) Night time (23.00-07.00)
    - i) Wretchwick Farm Cottages and Wretchwick farm: 31dB LAeq
    - ii) Little Wretchwick Farm: 28dB LAeq
17. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised by this submission.
18. If contamination is found by undertaking the work carried out under condition 34, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
19. If remedial works have been identified in condition 20, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 20. 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.

20. 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.
21. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation produced by CFA Archaeology and submitted with this application, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.
22. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.
23. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between 1 March and 31 August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
24. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
25. Prior to the commencement of the development, including any demolition and any works of site clearance, full details of the role, responsibilities and operations to be overseen by a qualified supervising ecologist shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be

overseen by the qualified ecologist in accordance with the approved details.

26. Prior to the first occupation of the building, a strategy shall be submitted to and agreed in writing by the Local Planning Authority which sets out how Apprenticeships and Training Opportunities will be provided during construction and by the occupiers of the unit. The strategy shall include details of the number of apprenticeships and training posts, over what period of time they may be employed, where the apprentices may be placed within the company and where the apprentices may be taken from. The strategy will be implemented in accordance with the approved details.
27. Prior to the commencement of any development on the site, a detailed Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include:
- o How climate change adaption measures will be incorporated
  - o How the development design will reflect fabric efficiency in its constructions
  - o Increased energy efficiency
  - o Sustainable construction
  - o District heating /combined heat and power feasibility study
  - o Renewable energy

The agreed energy strategy shall ensure that all buildings hereby approved are constructed to at least BREEAM 'Very Good' standard.

The development thereafter shall be carried out in accordance with the agreed strategy.

28. All buildings hereby approved shall be constructed to at least BREEAM 'Very Good' standard.
29. The building hereby approved shall provide electricity charging points for cars within the site, in accordance with the details hereby approved, prior to the first occupation of the building on the development. The development shall be carried out in accordance with the approved details and thereafter retained and maintained in accordance with the approved plans.

14 **The Oxfordshire Inn, Meadow Walk, Heathfield, Kidlington, OX5 3FG**

The Committee considered application 18/00302/F for the conversion of an existing building to provide 15no. serviced apartments (use class C1) at The Oxfordshire Inn, Meadow Walk, Heathfield, Kidlington, OX5 3FG for Investfront Ltd.

Neil Davis, agent for the applicant, addressed the committee in support of the application.

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

## **Resolved**

That application 18/00302/F be refused for the following reasons:

1. The proposed development, by virtue of its use and scale, would lead to the creation of serviced apartments in a geographically and environmentally unsustainable location which is poorly located in relation to services, facilities and public transport connections. The proposal would not result in development which seeks to reduce the need to travel and fails to demonstrate a sequential approach to site selection. The development is therefore contrary to Policy ESD1, SLE2 and SLE3 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework which seeks to manage growth in a sustainable manner and reduce the need to travel.
2. The proposed development, by virtue of the creation of the new amenity space and bin and cycle stores, would constitute 'inappropriate development' in the Oxford Green Belt which is by definition harmful. It would also result in harm to the openness of the Green Belt. No very special circumstances exist which clearly outweigh this harm. The development is therefore contrary to Policy ESD14 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.
3. The proposed development, by virtue of the siting, design and prominent position of the proposed bin store, would detrimentally impact on the rural character and appearance of the area. The development is therefore contrary to Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.
4. The proposed development, by virtue of the proposed use of the building and relationship with the adjacent equestrian use to the north of the site, would result in unacceptable levels of amenity for future occupants of the serviced apartments and occupants/users of the adjacent equestrian use. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.

## 15 **Land To The North West Of Old Farm House Adjoining Orchard Piece, Mollington**

The Committee considered application 18/00473/F for the development of a site to create 3 dwellings at Land to the North West Of Old Farm House Adjoining Orchard Piece, Mollington for Mr Richard Walker.

Councillor John Summers, Chairman to Mollington Parish Council, addressed the committee in objection to the application.

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

## Resolved

That application 18/00473/F be refused for the following reasons:

1. In the absence of an assessment of its significance or any justification for its removal, the proposed development would cause significant harm to the significance of the curtilage listed outbuilding through its removal and demolition. This would cause less than substantial harm to the listed building and no public benefits would be provided. The proposal would therefore fail to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
2. The proposed development would cause significant and demonstrable harm to an important undeveloped gap on Orchard Piece which contributes to the rural character of the conservation area and provides an important visual link to the open countryside to the south. The proposal would cause significant and demonstrable harm to the visual amenities of the locality and the appearance and character of the Mollington Conservation Area and would therefore fail to comply with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, saved Policies C23, C28 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
3. The access from which it is proposed to serve the development is substandard in vision terms and its use for the purpose proposed would result in a detriment to the safety of other road users. The development would fail to provide a safe and suitable access and would cause a hazard and a detriment to highway safety, contrary to Government guidance contained within the National Planning Policy Framework.
4. In the absence of an ecological survey, it has not been demonstrated that the proposed development would not cause potentially irreversible and significant harm and disturbance to protected species on the site, including Great Crested Newts and reptiles. The development would therefore fail to comply with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

16 **Graven Hill: MOD Bicester Sites D & E, Ambrosden Road Upper Arcott, Deed of Variation to Section 106 Legal Agreement**

Prior to consideration of the application, having declared an interest in the item and advising he would leave the meeting for the duration of the item, the Chairman proposed that Councillor Heath take the chair for this item. Councillor Clarke seconded the proposal.

On being put to the vote, the Committee duly agreed and Councillor Heath took the Chair.

The Interim Director Planning and Regeneration submitted a report which informed the Planning Committee of proposed amendments to the signed Section 106 Agreement, and as part of a draft Deed of Variation, relating to the outline planning permission approved under 16/01802/OUT and relating to the development at Graven Hill. The report also sought delegated authority from Planning Committee for Officer's to continue any required negotiation and arrange for the Deed of Variation to be signed by all parties.

**Resolved**

- (1) That the proposed amendments to the Section 106 Agreement (as detailed in the annex to the Minutes as set out in the Minute Book) be noted.
- (2) That agreement be given to the proposed amendments to the Section 106 Agreement (as detailed in the annex to the Minutes as set out in the Minute Book) and to form a draft Deed of Variation to the signed Section 106 Agreement.
- (3) That authority be delegated to Officers for the final negotiation of the detailed Deed of Variation and signing by all parties be agreed.

At the conclusion of the item, the Chairman rejoined the meeting and retook the Chair.

17 **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 7.30 pm

Chairman:

Date: