

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

18 April 2019

WRITTEN UPDATES

Agenda Item 7
Proposed Pre-Committee Site Vists

Officers would like to recommend that the Committee agrees to hold pre-committee site visits for the following applications, which are expected to be brought before the Committee for determination at the next meeting:

None proposed

If the Committee agree any site visits at today's meeting, the site visits will be held on Thursday 30th May 2019

Agenda Item 8
18/01894/OUT – OS Parcel 4300 North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris

Additional Representations received

OCC ARCHAEOLOGY: verbally reported that the outstanding archaeology issues have been addressed; written comments yet to be received at the time of writing.

Officer comment

None

Change to recommendation

None, but an additional condition to require staged programme of archaeological evaluation during construction of the development, the precise wording of which to be suggested by OCC Archaeology Officer and agreed in line with the recommendation to members.

Agenda Item 9
18/01569/F - Robert Keith Cars Sales Ltd, 2 Cherwell Street, Banbury, OX16 2BB

Additional Representations received

None

Officer Comments

Since the report was drafted amended plans have been received that address the concerns regarding the side elevations of the building as outlined in paragraph 9.18 of the report (page 74). These result in the roof to the front of the building along Cherwell Street having a more traditional appearance with gable ends and the removal of a large proportion of the flat roof element which previously existed.

An amended Construction Traffic Management Plan (CTMP) has also been received by the Council on Tuesday. The County Council has been consulted on this but given the tight timescale has not been in a position to provide comments prior to the committee. The submitted CTMP provides details on the phasing of the construction and provides swept path analysis of vehicles entering and leaving the site so vehicles will not need to stop on Cherwell Street to unload which is a significant concern of the County Council. Therefore the recommendation remains to approve the development subject to a satisfactory CTMP being provided.

Change to recommendation

None (the conditions in the report pick up on this amended plan)

Agenda Item 10

18/00487/F – Land to the Rear of 7 and 7A High Street

Additional representations received

CDC CONSERVATION – has reviewed the amended plans and has raised no objections to the scheme.

CDC HOUSING – has confirmed that they have no objection to the scheme subject the affordable housing contribution being secured.

BANBURY CIVIC SOCIETY has commented on the amended plans as follows:

The Society considers that, in general, the revisions are beneficial in harmonising the building with the conservation environment of this area of the town. Especially welcomed are the alterations affecting the scale and profile of the roof along the Pepper Alley 'wing', the fenestration and the external wall treatment. The Society is also pleased with the efforts to 're-populate' the Alley, although we are sceptical whether there is sufficient demand, even at a peppercorn rent, for the number of commercial units now proposed.

Units lying empty for long periods are not going to enamour the resulting scheme to those, like the Society, that wish for Banbury to regain its commercial vibrancy.

The one aspect which we believe 'jars' in the elevational treatment is the part rounded arch to the parking and service area. Such a shape is not a feature of

Banbury and it does not express the structural function of the feature. We consider that a rectangular opening would be more in keeping with the local style and be a more honest expression of the function of the element.

We remain unconvinced regarding the naming of the development as we believe 'Red Lion Yard' would be more accurate, historically.

Officer comments

Since the report was drafted amended plans have been received that include the introduction of chimneys and minor changes to the ground floor frontage. These are considered to be acceptable. Full details of the detailing of the building, such as the drive through arch, can be controlled through the recommended Condition 17.

Officers have worked with the applicant to try and make the use of the ground floor units as flexible as possible (as outlined in paragraph 9.5 of the officer's report) to help increase the chances of finding users for the units.

Change to recommendation

None, but an amended Condition 2:

Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawing numbers: 001 Rev A (site location plan), 104 Rev C (site plan), 100 Rev H (area plans), 101 Rev H (ground floor), 102 Rev E (first floor), 103 Rev E (second floor) and 105 Rev E (elevations).

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.

Agenda Item 11

Dcs Group, Rear Pt Lxb Rp No 26, Oceans House, Noral Way, Banbury, OX16 2AA

Additional Representations received

None

Additional Information received

One objection has been received, raising concerns regarding to the access to the site with vehicles queuing up on Noral Way and blocking the access to Hardwick Business Park. Also raises concerns regarding the floodlighting at the site and the site operating outside of its agreed hours of operation.

Officer comment

None

Change to recommendation

None

Agenda item 12

19/00245/ADV – Motor Fuel Ltd, Bloxham Service Station, South Newington Road, Bloxham, OX15 4QF

No update

Agenda Item 13

19/00082/DISC – Park Farm, Agricultural Barn, New Street, Deddington

No update

Agenda item 14

19/00095/DISC – Park Farm, Agricultural Barn, New Street, Deddington

No update

Agenda item 15

19/00163/F - Part Land East And Adj To Roundabout At Junction Of Bicester Road, Launton

Additional Representations received

The applicant has submitted comments on the officer's report: The applicant refers to para 3.3 of the officer's report but does not provide amended plans to respond to the issues cited by the officer in that para.

In response to para 9.7 of the officer's report, the applicant now contends that the proposal *would* "form part of essential utility infrastructure within the overall context of National Grids electricity infrastructure network".

The applicant contends that para 9.8 of the officer's report "is not factual" but provides no further information to counter what officers have said.

The applicant directs officers to the existing Network Rail compound within the site, to which the applicant rightly notes that officers have not referred in the report to Committee. However, this is a temporary compound, is required for essential infrastructure work, and did not require planning permission.

Additional Information received

Subsequent to the publication of the Committee Agenda, the applicant has lodged an appeal on the grounds of non-determination. The appeal has been received by the Planning Inspectorate but has not been given a start date and it is not yet known if the appeal is valid.

In support of the planning application the applicant has submitted an “illustrative landscape mitigation plan”.

Officer comment

Applicant’s comment re para 9.7, during the application planning officers sought advice from energy officers in the Council’s Bicester Delivery team in this regard.

Officers have concluded from the advice received that the current proposal is speculative, seeking to take advantage of a market opportunity for diversification during 2019, and that it has not been made clear *how* the proposal forms part of the National Grid’s essential utility infrastructure, and importantly why it needs to be in this particular location.

Regarding the appeal, should it be valid, the LPA would be unable to make a determination on the application, but the Planning Committee should be invited to say what decision they would have reached. If the appeal is invalid and not accepted by PINS, the Committee’s decision would form its determination on the application. As such the recommendation is changed from ‘refusal’ to the below, depending on whether the appeal turns out to be valid or not.

Change to recommendation

THAT AUTHORITY BE DELEGATED TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO EITHER:

- a. IF THE APPEAL IS INVALID, REFUSE PLANNING PERMISSION FOR THE REASONS OUTLINED IN THE COMMITTEE REPORT; OR**
 - b. IF THE APPEAL IS VALID, TO INFORM PINS THAT THE LOCAL PLANNING AUTHORITY WOULD HAVE REFUSED PLANNING PERMISSION FOR THE REASONS OUTLINED IN THE COMMITTEE REPORT.**
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