

**SUPPLEMENTARY INFORMATION****Planning Committee****2 December 2021**

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If you need any further information about the meeting please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 2 December 2021 – Public Speakers

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Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
8	Development Brief – PR9	Land West of the A44	None	David Thornhill – Yarnton Flood Defence -	None
9	Development Brief – PR7b	Land at Stratfield Farm	Councillor Ian Middleton	None	None
10	21/01123/F	Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester, OX25 5QL	None	Edward Dowler, Chair of Middle Aston Parish Meeting	None
11	21/03017/F	94 The Moors, Kidlington, OX5 2AG	WITHDRAWN		
12	21/02472/F	The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA	None	Weston on the Green Parish Council - Susan Daenke	Jake Russell - Agent
13	21/02473/LB	The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA	None	Weston on the Green Parish Council - Susan Daenke	Jake Russell - Agent
14	21/03059/CLUP	35 Bridge Street, Banbury, OX16 5PN	None	None	None

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

2 December 2021

WRITTEN UPDATES

Agenda item 8

**Development Brief
PR9**

Typographical errors

Paragraph 3.18 – the comments are those of Yarnton Parish Council not Begbroke Parish Council

Additional Representations received

None

Recommendation

As per the published Agenda.

Agenda Item 9

**Development Brief
PR7b**

Typographical errors

Paragraph 3.9 – the word “developable” was omitted from before “site” – the sentence in the middle of the para should read: “The LAP/LEAP play area for the site and allotments (shown as an extension of the existing orchard) are shown outside of the developable site, within the wider site but on retained Green Belt land.”

Paragraph 3.23 (comments from Begbroke Parish Council) – in the 1st bullet point “sued” should be “used”

Paragraph 3.23 (comments from Cllr Middleton) – in the 3rd bullet point education should be in the singular and the 5th bullet point should read “Pedestrian crossings...”

Paragraph 3.31 (comments from the Canal and River Trust) – the word “Newt” was omitted after “Crested”

Paragraph 3.34 (comments from Sport England) – subsequent discussions took place between officers and Sport England resulting in the latter withdrawing its concern

Additional representations received

None received.

Officer comments

In relation to paragraph 3.30: Provision of a bridge over the canal at this location is a fundamental part of the green infrastructure and connectivity plan for the Partial Review sites. It is a requirement of the Partial Review policies. It is important that dialogue continues on this matter through to the planning application stage.

Recommendation

As set out in the published report

Agenda Item 10**21/01123/F****Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester****Additional representations received**

None received.

Recommendation

As set out in the published report. However, condition 16 reworded to the following:

16. No development shall commence above slab level until full details of the sustainability and energy proposals (based on the submitted report) has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the buildings hereby permitted and unless otherwise agreed in writing by the Local Planning Authority shall be retained as such thereafter.

Reason: To encourage the use of sustainable construction and renewable energy in accordance with Policy ESD1 to ESD5 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.

Agenda Item 11**21/03017/F****94 The Moors, Kidlington, OX5 2AG**

This application was **WITHDRAWN** on the 29 November 2021.

Agenda Item 12**21/02472/F****The Ben Jonson Inn, Northampton Road, Weston on the Green****Additional representations received**

Five additional representations have been received from members of the public, all objecting to the application, including the current landlady of The Ben Jonson. New issued raised are summarised as follows:

- Garden is used approximately 5 months of the year for dining – pub would not survive if half of garden was taken away – loss of 9 tables
- The Ben Jonson was a failed business for at least 10 years prior to taking over 2 years ago – unsustainable overheads vs. amount of trade
- Play area attracts families during holidays
- Punch have never invested in the property despite being ongoing failed business – false claim that they will re-invest into business, only raised prices
- New dwelling will overlook pub garden
- Final nail in the coffin, The Ben Jonson business and pub will not survive another year

- Removal of trees will harm wildlife
- 8 unsold houses in new development some 300 yards away
- What happens if emergency services need to attend whilst a delivery is being made?

The following additional consultee responses have been received:

Weston on the Green Parish Council – **Object** to the application on the following grounds (summarised):

- Contrary to NPPF, CLP 2031 Part 1, CLP 1996 and WotGNP Policies, and the Planning (Listed Buildings & Conservation Areas) Act 1990
- Affecting setting of heritage assets, harming significance
- Detrimental effect on trading of the business through loss of garden, comments from current licensee around these applications are highlighted
- Application seeks to remove access from historic pub business to its car park, affecting deliveries, creating access/ownership issue, long-term detrimental affect on business and viability
- Historic legacy of village needs to be preserved
- Does not make a positive contribution to the locally distinctive character of village, attempts to reduce openness and setting of multiple listed buildings
- Loss of green space, site sits in conservation area, bringing noise and closeness, not expected for such an area
- Negative impact upon character of the village, would not be protected or conserved
- Believe that the rules require the application for a property on this back-land site should be rejected

CDC Arboriculture – **No objection**, subject to provision of an Arboricultural Method Statement and replanting scheme to enhance the quality of tree stock within the site, to be sought via condition.

CDC Environmental Health – No additional comments to make from those previous.

CDC Planning Policy – Verbally advised that as the WotGNP is less than 2 years old (made on 19 May 2021) and there is at least a three year supply of deliverable housing sites, paragraph 14 of the NPPF applies. As a result, the WotGNP is not considered to be out of date and the presumption in favour of sustainable development does not apply.

Officer comments

The advice from Planning Policy does not affect the current officer recommendation or the published report. Paragraph 14 of the NPPF indicates that where a tilted balance exists, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits (subject to all the criteria in paragraph 14 being met). The officer assessment is that this proposal for one dwelling would constitute 'minor' development within the built-up limits of the village, in accordance with Policy Villages 1 of the CLP 2031 Part 1 and 'infilling/other' development in accordance with Policy H2 of the WotGNP. Therefore it does not represent a conflict with the Neighbourhood Plan and paragraph 14 of the NPPF is not triggered.

The remaining issues raised in the additional representations have been discussed in the published report.

Given the request from the Arboricultural Officer for the submission of an Arboricultural Method Statement and replanting scheme, the following three additional conditions are suggested:

1. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be 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 and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area and to comply with the saved Policy C28 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.

2. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) 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,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development 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.

3. 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.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development 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.

Recommendation

As set out in the published report, with three suggested additional conditions.

Agenda Item 13

21/02473/LB

The Ben Jonson Inn, Northampton Road, Weston on the Green

Additional representations received

The following additional consultee responses have been received:

Weston on the Green Parish Council – **Object** to the application on the following grounds (summarised):

- Contrary to NPPF, CLP 2031 Part 1, CLP 1996 and WotGNP Policies, and the Planning (Listed Buildings & Conservation Areas) Act 1990
- Affecting setting of heritage assets, harming significance
- Detrimental effect on trading of the business through loss of garden, comments from current licensee around these applications are highlighted
- Application seeks to remove access from historic pub business to its car park, affecting deliveries, creating access/ownership issue, long-term detrimental affect on business and viability
- Historic legacy of village needs to be preserved
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- Loss of green space, site sits in conservation area, bringing noise and closeness, not expected for such an area
- Negative impact upon character of the village, would not be protected or conserved
- Believe that the rules require the application for a property on this back-land site should be rejected

Officer comments

The issues raised in the additional representations have been discussed in the published report.

Recommendation

As set out in the published report

Agenda Item 14

21/03059/CLUP

35 Bridge Street, Banbury, OX16 5PN

Additional representations received

None received.

Recommendation

As set out in the published report.