

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 7 April 2022 at 4.00 pm

#### Present:

Councillor George Reynolds (Chairman)  
Councillor David Hughes (Vice-Chairman)  
Councillor Maurice Billington  
Councillor Andrew Beere  
Councillor John Broad  
Councillor Hugo Brown  
Councillor Colin Clarke  
Councillor Patrick Clarke  
Councillor Sandy Dallimore  
Councillor Mike Kerford-Byrnes  
Councillor Tony Mephram  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor Les Sibley  
Councillor Dorothy Walker

#### Substitute Members:

Councillor Richard Mould (In place of Councillor Simon Holland)  
Councillor Barry Richards (In place of Councillor Sean Woodcock)  
Councillor Barry Wood (In place of Councillor Ian Corkin)

#### Apologies for absence:

Councillor Ian Corkin  
Councillor Simon Holland  
Councillor Sean Woodcock

#### Officers:

Alex Chrusciak, Senior Manager - Development Management  
Wayne Campbell, Principal Planning Officer  
Andy Bateson, Team Leader – Major Developments  
Nat Stock, Minors Team Leader  
Rebekah Morgan, Principal Planning Officer  
Sarah Greenall, Planning Officer – Householder Plus Team  
Iain Osenton, Arboricultural Officer  
David Mytton, Solicitor  
Natasha Clark, Governance and Elections Manager  
Aaron Hetherington, Democratic and Elections Team Leader

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## **Declarations of Interest**

### **8. Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester, OX25 5QL.**

Councillor Hugo Brown, Declaration, as the applicant was known to him and would leave the chamber for the duration of the item.

Councillor Mike Kerford-Byrnes, Declaration, as he has been advising the Parish Council and residents of Steeple Aston on process and procedure.

### **9. Land Opposite Hanwell Fields Recreation, Adj To Dukes Meadow Drive, Banbury.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

### **10. OS Parcel 2778, Grange Farm, North West Of Station Cottage, Station Road, Launton.**

Councillor Lynn Pratt, Declaration, as a trustee of the hummingbird centre in Launton and would leave the meeting for the duration of the item.

### **13. 7 Churchill Road, Kidlington, Oxfordshire, OX5 1BN.**

Councillor Maurice Billington, Declaration, as he was an acquaintance of a neighbour to the application.

### **14. 137-153 The Fairway, Banbury, OX16 0QZ.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting 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.

156 **Minutes**

The Minutes of the meeting held on 10 March 2022 were agreed as a correct record and signed by the Chairman.

157 **Chairman's Announcements**

The Chairman made the following announcements:

1. The Chairman thanked the planning committee members and planning officers for their work during the year.
2. The Chairman advised that application 11, 21/04271/F, Land South of Faraday House, Woodway Road, Sibford Ferris would be moved to first in the agenda.
3. The Chairman read out the following statement in relation to the pre-election period.

We are currently in the pre-election period until the close of polls on 5 May 2022. During this time rules are in place to ensure that Council's do not publish information or take decisions that could appear to affect support for a political party or candidate. Whilst we can progress with matters that are 'business as usual', we need ensure that discussion at Council meetings is balanced and accurate.

Councillors on the Committee, and any Councillors addressing this meeting, are reminded that they should limit themselves in their comments only to the planning merits of the specific proposal under consideration. Officers may interject and pause proceedings if they are concerned that any comments are wider than material planning considerations related to the matter under discussion.

In the normal way, officers will also seek to support the Committee by correcting any inaccuracies that become clear within the committee debate”

158 **Urgent Business**

There were no items of urgent business.

159 **Proposed Pre-Committee Site Visits (if any)**

It was proposed by Councillor Reynolds and seconded by Councillor Clarke that a site visit take place at Land west of Foxden Way, Great Bourton, OX17 1QY.

**Resolved**

- (1) That a site visit take place prior to the meeting at which application 21/00922/OUT, Land west of Foxden Way, Great Bourton, OX17 1QY would be considered by the Planning Committee.

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### **Land South of Faraday House, Woodway Road, Sibford Ferris**

The Committee considered application 21/04271/F for the erection of 6no single storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure at Land South of Faraday House Woodway Road Sibford Ferris for Blue Cedar Homes Limited.

Councillor Chapman, addressed the committee as Ward member.

Stewart Roussel, Secretary of Sibford Action Group and Simon Rayner, Chairman of Sibford Ferris Parish Council addressed the committee in objection to the application.

Des Dunlop, agent for the applicant, addressed the committee in support of the application.

It was proposed by Councillor Reynolds and seconded by Councillor Patrick Clarke that application 21/04271/F be refused by reason of its siting outside of the built limits of the settlement and by reason of its scale, layout and design, the proposal would be out of keeping with the form and pattern of development in the local area. The proposal was contrary to the officer recommendation.

In reaching its decision the committee considered the officers' report and presentation, the written updates and address of the ward member and public speakers.

### **Resolved**

- (1) That application 21/04271/F be refused contrary to officer recommendation due to:
  1. By reason of its siting outside of the built limits of the settlement, and having regard to the number of dwellings delivered in the rural areas (770 dwellings completed at 31st March 2021), the proposal represents development in an unsustainable location, remote from key amenities, especially for elderly residents. Notwithstanding the Council's present lack of a five year housing land supply the proposal conflicts with Policy BSC1 of the Cherwell Local Plan 2011-2031 and saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance in the National Planning Policy Framework. This identified harm significantly and demonstrably outweighs the proposal's benefits of providing additional housing.
  2. By reason of its scale, layout and design, the proposal would be out of keeping with the form and pattern of development in the local area,

resulting in significant and demonstrable harm to the character and appearance of the area. The proposal therefore conflicts with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996, the Cherwell Residential Design Guide, National Design Guide, and Government guidance in the National Planning Policy Framework.

161 **Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester, OX25 5QL**

The Committee considered application 21/01123/F for the demolition of existing buildings. Construction of replacement business units (buildings 2,3, 4,5 and 6 as use classes E(g) (i), E(g) ii and E (g) iii and Building 1 under Class B8) and associated external works at Hatch End Old Poultry Farm Steeple Aston Road Middle Aston Bicester OX25 5QL for Middle Aston Limited. This was a re-submission of application 20/01127/F.

Councillor Kerford-Byrnes proposed that application 21/01123/F be refused as the application was contrary to Policy SLE4 of the Cherwell Local Plan 2011-2031, saved Policy TR7 of the Cherwell Local Plan 1996 and the National Planning Policy Framework 2021. Councillor Reynolds seconded the proposal. The proposal was contrary to the officer recommendation.

In reaching its decision, the committee considered the officers' report and presentation.

**Resolved**

That application 21/01123/F be refused for the following reason:

1. The proposed development would create additional trips over the existing permitted use of the site. The proposed development would regularly attract large commercial vehicles and large numbers of cars onto the local minor roads which are unsuitable to serve the proposed development, and would have a severe traffic impact. The proposal is therefore contrary to Policy SLE4 of the Cherwell Local Plan 2011-2031, saved Policy TR7 of the Cherwell Local Plan 1996 and the National Planning Policy Framework 2021.

162 **Land Opposite Hanwell Fields Recreation, Adj To Dukes Meadow Drive, Banbury**

The Committee considered application 21/03426/OUT, an outline planning application for up to 78 dwellings and associated open space with all matters reserved other than access at Land opposite Hanwell Fields Recreation, adjacent to Dukes Meadow Drive, Banbury for Mr P M Donger, Mrs S M Donger and Manor Oak Homes.

Tom Sadler, Local Resident, addressed the committee in objection of the application.

Geoff Armstrong, agent for the applicant, addressed the committee in support to the application.

In reaching its decision, the committee considered the officers report and presentation, the written updates and the addresses of the public speakers.

### **Resolved**

That 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) The statutory determination period for this application expires on 6 May 2022. If the section 106 agreement/undertaking is not completed and the permission is not able to be issued by this date, and no extension of time has been agreed between the parties, it is further recommended that the assistant director for planning and development is given delegated authority to refuse the application for the following reason (and any amendments as deemed necessary):
- b) 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 highway mitigation works required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, contrary to Government Guidance contained with the National Planning Policy Framework.

### **S106 HEADS OF TERMS**

As set out in the table set out at the Annex to the Minutes (as set out in the Minute Book)

### **CONDITIONS**

1. No development shall commence until full details of the layout (including the layout of the internal access roads and footpaths), scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted 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.

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of 18 calendar months beginning with the date of this permission.

Reason: This permission is in outline only and is granted 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. The time period for submission has been reduced from the standard period. The application has been submitted to address the Council's 5 year housing land supply position and is in accordance with the applicant's planning statement.

3. 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 40 calendar months 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 (General Development Procedure) Order 2015 (as amended). The time period for submission has been reduced from the standard period. The application has been submitted to address the Council's 5 year housing land supply position and is in accordance with the applicant's planning statement.

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents: Drawing numbers SLP-02 Rev P4 (Site Location Plan), LUPP-01 Rev P4 (Land Use Parameter Plan) and 340-TA114 Rev A (Proposed Access: Option 2 without layout).

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.

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy

ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. In accordance with the recommendations of the Phase 1 report submitted with the application, 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.

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 Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. If remedial works have been identified in condition 6, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. 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 Section 15 of the National Planning Policy Framework.

8. As part of any application for reserved matters relating to layout, a detailed 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 not be implemented other than in accordance with the approved details and shall be implemented before the development is completed. It shall thereafter be managed in accordance with the approved details. The scheme shall also include:
  - Discharge rates based on 1:1 year greenfield run off rate

- Discharge Volumes
- SUDS



- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)
- A detailed maintenance regime for all proposed drainage features and SuDS features
- A detailed surface water catchment plan.

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

9. As part of any reserved matters application including layout, a noise assessment shall be submitted and approved in writing by the Local Planning Authority demonstrate how acceptable internal and external noise levels will be achieved for the proposed dwellings and amenity spaces. If the proposal includes the use of background ventilation, then a ventilation and overheating assessment should be carried out and submitted to be approved. The development shall thereafter be carried out in accordance with the approved details and any mitigation retained thereafter.

Reason: To ensure the development provides a good standard of amenity for future residents in accordance with Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and Government guidance in the National Planning Policy Framework.

10. Prior to the commencement of the development, 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 properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be 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. This information is required prior to commencement

of the development as it is fundamental to the acceptability of the scheme.

11. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include damage cost calculations where applicable along with a proposal for abatement measures that will be undertaken in addition to those already required from the developer. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Reason: To ensure the creation of a satisfactory environment for future residents in accordance with Government Guidance contained in the NPPF.

12. As part of any reserved matters for layout, an updated Arboricultural Impact Assessment, Tree Protection Plan and 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 protect the existing trees and hedgerows on site and to accord with Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and Government guidance in the National Planning Policy Framework.

13. a) No tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and matters (a) and (b) shall have effect until the expiration of five years from the date of the approval of the final reserved matters.

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.

14. 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 and prior to first occupation the means of access shall be constructed and retained in accordance with the approved details.

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

15. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing, lighting and drainage, shall be submitted to and approved in writing by the Local Planning Authority. The access, driveways and turning areas shall be constructed in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

16. No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers.

17. No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve each dwelling has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provide in accordance with the approved details prior to the first occupation of the dwelling it serves.

Reason: To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

18. Prior to occupation of any part of the development hereby approved, a revised Residential Travel Plan Statement meeting the requirements

set out in the Oxfordshire County Council guidance document, "Transport for New Developments; Transport Assessments and Travel Plans" shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried on in accordance with the approved details.

Reason: To encourage occupiers to use sustainable modes of transport in line with the NPPF.

19. Prior to first occupation a Travel Information Pack shall be submitted to Local Planning Authority for approval. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To encourage occupiers to use sustainable modes of transport in line with the NPPF.

20. No properties shall be occupied until approval has been given in writing by the Local Planning Authority that either:

- Evidence to demonstrate that all water network upgrades required to accommodate the additional flows/demand from the development have been completed; or

- a housing and infrastructure phasing plan has been agreed with Thames Water and the Local Planning Authority in writing to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing 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.

21. No development shall commence including any demolition, and any works of site clearance, unless and until a method statement and scheme for enhancing biodiversity such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, has been submitted to and approved in writing by the Local

Planning Authority, which shall accompany any reserved matters application for layout and landscaping. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out in accordance with the approved details and shall be retained as such thereafter in accordance with the approved details.

Reason: To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

22. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP), which shall also cover the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out or managed other than in accordance with the approved LEMP.

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.

23. Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, 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 document.

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.

24. As part of any submission for reserved matters, full details of a renewable energy strategy for the site in accordance with Policy ESD5 of the Cherwell Local Plan, shall be 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 any building the renewable energy serves.

Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD5 of the Cherwell Local Plan Part 1.

25. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) 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 details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

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

26. 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.

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**OS Parcel 2778, Grange Farm, North West Of Station Cottage, Station Road, Launton**

The Committee considered application 21/04112/OUT, an outline application for the erection of up to 65 dwellings, including up to 8 live-work dwellings (use class sui generis), public open space, access, infrastructure and demolition of existing buildings (all matters reserved except principle means of access from Station Road) at OS Parcel 2778, Grange Farm, North West of Station Cottage, Station Road, Launton for Richborough Estates.

Richard Lodge, Launton Action Group, addressed the committee in objection to the application.

Richard Lomas, Agent for the applicant, addressed the committee in support of the application.

It was proposed by Councillor Hughes and seconded by Councillor Wood that application 21/04112/OUT be refused as it was contrary to policies Villages 2 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved policy C28 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework, the lack of connectivity within the existing settlement would result in an isolated form of unsustainable development which would be contrary to policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and that it cannot be demonstrated that the necessary infrastructure directly required both on and off site as a result of the development can be provided in the interests of safeguarding public infrastructure. The proposal was contrary to the officer recommendation.

**Resolved**

- (1) That application 21/04112/OUT be refused contrary to the officer's recommendation for the following reasons:
1. Notwithstanding the Council's inability to demonstrate a 5 year land supply the proposals would result in the development of greenfield land forming part of the open countryside which would result in an

unacceptable extension of the village and which would harm the character and rural setting of the village to the detriment of the built, natural and historic environment. The proposal is therefore contrary to policies Villages 2 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved policy C28 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

2. The application site is located some distance from the centre of the village; the proposal would create a new community isolated from existing services in the village and would place heavy reliance on car use to reach even local services within the village such as the school and shop. This lack of connectivity within the existing settlement would result in an isolated form of unsustainable development which would be contrary to policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance within the National Planning Policy Framework.
3. In the absence of the completion of a satisfactory Planning Obligation, it cannot be demonstrated that the necessary infrastructure directly required both on and off site as a result of the development can be provided in the interests of safeguarding public infrastructure, delivering mixed and balanced communities through the provision of affordable housing and securing on site future maintenance arrangements. The development is therefore contrary to policies INF1, BSC3, BSC4, BSC9, BSC10, BSC11 and BSC12 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

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### **Grass Verge Adj To North Lane, Weston On The Green, OX25 3RG**

The Committee considered application 22/00124/TPO for the Crown lift south west limb only to 2m. Crown lift through a combination of light selective reduction and small branch removal, with no cuts exceeding 50mm - Subject to TPO 04/2018 at Grass Verge Adj To North Lane, Weston On The Green, OX25 3RG for Oxfordshire County Council.

Prior to the officers' report and presentation and the public speaking, it was proposed by Councillor Hughes and seconded by Councillor Reynolds that consideration of application 22/00124/TPO be deferred due to the expectation that the footpath affected by the canopy of the tree may soon be removed and a replacement path provided that would not necessitate pruning works to the tree

### **Resolved**

- (1) That consideration of application 22/00124/TPO be deferred due to the expectation that the footpath affected by the canopy of the tree may soon be removed and a replacement path provided that would not necessitate pruning works to the tree.

## **7 Churchill Road, Kidlington, Oxfordshire, OX5 1BN**

The Committee considered application 22/00425/F for the demolition of existing single level dwelling - Class C3(a) - and erection of 4no flats in a single, 1.5 storey building - Class C3(a) at 7 Churchill Road, Kidlington, Oxfordshire OX5 1BN for Mr Jack Piccaver.

Jack Piccaver, the applicant, addressed the committee in support of the application.

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

### **Resolved**

That application 22/00425/F be approved, subject to the following conditions:

#### **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 and the following plans and documents:

- Proposed Floor Plans
- Proposed Roof Plan
- Proposed Main Elevations
- Proposed Side Elevations
- Proposed Site Plan
- Proposed Block & Location Plan
- Proposed Drainage Plan
- Proposed Landscape Plan
- 3.1 - Local Amenities Plan
- 3.2 - Parking Survey Spaces
- Accompanying Information Revision B dated 31st January 2022

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.

3. A schedule of materials and finishes to be used in the external walls and roof(s) of the building 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 approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area 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.

4. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. 2.5 Proposed Site Plan) demarcated and constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason - In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. No dwelling shall be occupied until cycle parking has been provided on site in accordance with Drawing No. 2.5 Proposed Site Plan for 2 bicycles spaces per unit, and those spaces shall thereafter be kept available for the parking of bicycles.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the first occupation of the development the bin storage shall be provided on site in accordance with the approved drawing No. 2.5 Proposed Site Plan and shall be retained as such thereafter.

Reason: To encourage sustainable modes of transport, to ensure the satisfactory appearance of the completed development and to comply with Policies ESD1 and ESD 15 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.

7. The development hereby approved shall not be occupied unless the appropriate number of refuse bins required in relation to the dwellings have been provided and the said refuse bin provision shall remain available for use as such thereafter.

Reason – In the interests of visual and residential amenity 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.

8. Prior to the first occupation of the flats hereby permitted the electric vehicle charging shall be provided on site in accordance with the approved plan Drawing No. 2.5 Proposed Site Plan and shall be retained as such thereafter.

Reason - To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

9. Prior to the first occupation of the development hereby permitted, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

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### **137-153 The Fairway, Banbury, OX16 0QZ**

The Committee considered application 21/03912/F for external and internal refurbishment to the flats at 137-153 The Fairway Banbury OX16 0QZ for the Build Team.

In reaching its decision, the committee considered the officers' report and presentation.

#### **Resolved**

That application 21/03912/F be approved, subject to the following conditions:

#### **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 following plans and documents:

- Drawing Title: Measured Survey Drawing Number: 001
- Drawing Title: Proposed Plans and Elevations Drawing Number: 002A
- Drawing Title: Site and Location Plan Drawing Number: 003A
- Drawing Title: 3D Visuals Drawing Number: 004

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.

167 **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 7.45 pm

Chairman:

Date: