

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 7 September 2023 at 4.00 pm

#### Present:

Councillor George Reynolds (Chairman)  
Councillor Andrew Beere  
Councillor Rebecca Biegel  
Councillor John Broad  
Councillor Phil Chapman  
Councillor Becky Clarke MBE  
Councillor Jean Conway  
Councillor Fiona Mawson  
Councillor Lesley McLean  
Councillor Julian Nedelcu  
Councillor Lynn Pratt  
Councillor Les Sibley  
Councillor Nigel Simpson  
Councillor Amanda Watkins  
Councillor Barry Wood

#### Apologies for absence:

Councillor Maurice Billington (Vice-Chairman)  
Councillor Ian Harwood  
Councillor Simon Holland

#### Officers:

Paul Seckington, Senior Manager Development Management  
Andy Bateson, Development Management Team Leader - North Area  
Jeanette Davey, Principal Planning Officer  
Karen Jordan, Deputy Principal Solicitor  
Shiraz Sheikh, Assistant Director Law, Governance & Democratic Services/Monitoring Officer  
Natasha Clark, Governance and Elections Manager  
Matt Swinford, Democratic and Elections Officer

#### Officers Attending Virtually:

Ian Boll, Corporate Director Communities

**8. Land West Adj To Salt Way And West Of Bloxham Road, Banbury.**

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

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

45 **Requests to Address the Meeting**

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

46 **Minutes**

The Minutes of the meeting held on 10 August 2023 were agreed as a correct record and signed by the Chairman.

47 **Chairman's Announcements**

The Chairman made the following announcement:

1. Thanked the Planning Department and Officers for the meet and greet session that took place prior to the Committee meeting.

48 **Urgent Business**

There were no items of urgent business.

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

There were no proposed Pre-Committee site visits.

50 **Land West Adj To Salt Way And West Of Bloxham Road, Banbury**

The Committee considered application 22/03868/OUT, an outline application for the development of up to 60 homes including open space provision, parking, landscaping, drainage and associated works, with all matters reserved (appearance, landscaping, layout and scale) except for access at Land West adjacent to Salt Way and West Of Bloxham Road, Banbury for Barwood Development Securities Ltd/Mark Horgan.

Liz Reed, local resident, addressed the Committee in objection to the application.

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

## **Resolved**

- (1) That, in line with the officer's recommendation, application 22/03836/OUT, be refused for the following reasons:
1. Cherwell District Council is able to demonstrate a five-year housing land supply meaning that relevant Development Plan policies are up to date and carry full weight. The application site is located in open countryside beyond the existing built-up limits of Banbury and is not allocated for development. Due to its location it would appear isolated and divorced. The proposal is therefore contrary to Policies PSD1, BSC1, ESD13 and ESD15 of the adopted Cherwell Local Plan 2011- 2031 and saved policies C8 and H18 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
  2. By reason of its location beyond the built-up limits of Banbury and its relationship with existing and proposed built development, the proposal is considered to result in unacceptable, poorly related and isolated development that could not successfully be fully integrated with existing development contrary to Policies ESD13 and ESD15 of the adopted Cherwell Local Plan 2011-2031 and saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
  3. The proposal has failed to adequately demonstrate through a full and detailed Landscape and Visual Impact Assessment that the proposal would not cause harm to the landscape and important landscape features such as Crouch Hill, the visual amenities of the locality and users of the Public Right of Way network contrary to Policies ESD13 and ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.
  4. The submitted Design and Access Statement and the accompanying parameter, layout and landscape strategy plans fail to successfully demonstrate how development could be successfully accommodated on site and deliver a locally distinctive development with sufficient open space, play space and other infrastructure as required by Policies BSC11 and ESD15 of the adopted Cherwell Local Plan 2011-2031, saved Policies C28 and C30 of the Cherwell Local Plan 1996, guidance within the adopted Residential Design Guide SPD 2018 and Government guidance within the National Planning Policy Framework.
  5. 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 would provide for appropriate on-site infrastructure or infrastructure contributions required as a result of the development and necessary to make the impacts of development acceptable in planning terms, to the detriment of both existing and

proposed residents and contrary to Policy INF1 of the adopted Cherwell Local Plan 2011-2031, CDC Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework.

6. In the absence of a satisfactory Construction Traffic Management Plan (CTMP) including construction traffic route, the Local Planning Authority is not satisfied that the proposed development would provide an acceptable and safe construction access route that would not cause unacceptable detriment to the amenities of nearby residents contrary to Policy ESD15 of the adopted Cherwell local Plan 2011-2031, saved policy TR7 of the Cherwell local Plan 1996 and government guidance contained within the National Planning Policy Framework.

51

### **Apollo Office Park, Ironstone Lane, Wroxton, OX15 6AY**

The Committee considered application 22/03245/F for the provision of 10 employment units (Office, Research and Development and Light Industry), associated car parking, landscaping/biodiversity enhancements/works and provision of foul water treatment plant - resubmission of 22/00928/F - at Apollo Office Park, Ironstone Lane, Wroxton, OX15 6AY for Apollo Business Parks LLP.

Robert Synge, on behalf of the applicant, Apollo Business Parks LLP, addressed the Committee in support of the application.

In reaching its decision the Committee considered the officers report and presentation and the addresses from the public speakers.

### **Resolved**

- (1) That, in line with the officer's recommendation, application 22/03245/F be refused for the following reasons:
  1. The proposal represents unsustainable development because it conflicts with the spatial strategy of Cherwell Local Plan 2011-2031 by proposing development on an unallocated site. Notwithstanding this objection in principle, the site is in a geographically unsustainable location and would result in a significant increase in vehicular journeys. The scale and nature of the use is considered inappropriate in a rural location and the application fails to demonstrate exceptional circumstances or adequate justification for why the development should be located on an unallocated rural site. In addition, the proposal would have an adverse effect on the character and appearance of the area. The proposal therefore conflicts with Policies PSD1, ESD1 and SLE1 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.
  2. In the absence of adequate supporting information, the Local Planning Authority is not satisfied that the proposal can be achieved without resulting in harm to existing trees, and that a satisfactory planting

scheme has been put forward for the site. The proposal therefore conflicts with Policies PSD1 and ESD10 of the Local Plan and with the provisions of the NPPF.

52 **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 4.53 pm

Chairman:

Date: