

Public Document Pack

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 20 February 2025 at 4.00 pm

Present:

Councillor Amanda Watkins (Vice-Chairman, in the Chair)
Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor Grace Conway-Murray
Councillor Dr Isabel Creed
Councillor Ian Harwood
Councillor David Hingley
Councillor Lesley McLean
Councillor Robert Parkinson
Councillor David Rogers
Councillor Les Sibley
Councillor Dr Kerrie Thornhill

Substitute Members:

Councillor Linda Ward (In place of Councillor Fiona Mawson)
Councillor Douglas Webb (In place of Councillor Barry Wood)

Apologies for absence:

Councillor Barry Wood (Chairman)
Councillor Fiona Mawson

Officers:

Paul Seckington, Head of Development Management
Katherine Daniels, Principal Planning Officer
Andrew Thompson, Principal Planning Officer
Michael Sackey, Senior Planning Officer
Nina Guy, Graduate Pathways To Planning
Karen Jordan, Deputy Principal Solicitor
Matt Swinford, Democratic and Elections Officer
Martyn Surfleet, Democratic and Elections Officer

Declarations of Interest

8. Land to the North of Anniversary Avenue Graven Hill Bicester OX25 2BF

Councillor Les Sibley, Other Registerable Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

9. Building To Rear Of Ocean House Noral Way Banbury OX16 2AA

Councillor Dr Kerry Thornhill, 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.

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

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

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

10. Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Dr Kerry Thornhill, Other Registerable Interest, as a member of Banbury Town Council.

Councillor Rebecca Biegel, Other Registerable Interest, as a member of Banbury Town Council.

Councillor Dr Isabel Creed, Other Registerable Interest, as a member of Banbury Town Council.

Councillor Ian Harwood, Other Registerable Interest, as a member of Banbury Town Council.

Councillor Chris Brant, Other Registerable Interest, as a member of Banbury Town Council.

11. Cherwell District Council Lock29 Castle Quay Banbury Oxfordshire OX16 5UN

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Dr Kerry Thornhill, 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.

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

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

12. 6&7 Castle Quay, Banbury, OX16 5UH

Councillor David Hingley, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lesley McLean, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Chris Brant, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Rob Parkinson, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Jean Conway, Other Registerable Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Dr Kerry Thornhill, 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.

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

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

106 **Requests to Address the Meeting**

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

107 **Minutes**

The Minutes of the meeting held on 16 January 2025 were agreed as a correct record and signed by the Chairman.

108 **Chairman's Announcements**

There were no Chairman's announcements.

109 **Urgent Business**

There were no items of urgent business.

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

There were no proposed pre-committee site visits.

111 **Land to the North of Anniversary Avenue Graven Hill Bicester OX25 2BF**

The Committee considered application 24/02058/F, a full application for the proposed erection of a two storey building to form a 66 no. bedroom care home for older people with parking, access, landscaping, and associated ground works at Land to the North of Anniversary Avenue, Graven Hill, Bicester, OX25 2BF for LNT Care Developments.

Councillor Chris Pruden addressed the Committee as Local Ward Member.

Claire Brenner on behalf of Bicester Bike Users Group addressed the Committee in objection to the application.

Samuel Finlay, on behalf of the applicant addressed the Committee in support of 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

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/02058/F subject to:

- i) The conditions set out below (and any amendments to those conditions as deemed necessary) and
- ii) 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 terms annex to the Minutes as set out in the Minute Book, (and any amendments as deemed necessary):
and
- iii) Receipt of a satisfactory non-material amendment to the masterplan and
- iv) Resolution of the Lead Local Flood Authority objection

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 form and following approved plans.
Site Location Plan (Ref: OX25 2BF A-01)
Topographical Survey (Ref: OX25 2BF A-02 Rev A)
Proposed Site Plan (Ref: OX25 2BF A-03 Rev B)
Proposed Floor Plans (Ref: OX25 2BF A-04)
Proposed Elevations (Ref: OX25 2BF A-05 Rev A)
Proposed Internal Elevations (Ref: OX25 2BF A-05.1 Rev A)
Proposed Bin Store (Ref: SDL-033 Rev A)
Proposed Cycle Store (Ref: CYSH-PREM-2250 X 3000 X 2100 Rev A)
Proposed PV Meter Housing (Ref: SDL-090.4 Rev A)
Proposed PV Battery Housing (Ref: PV-01)
Tree Protection and Removal Plan (Ref: WIE AA 72 002 Rev P02)
Arboricultural Constraints Plan (Ref: WIE AA 72 001 Rev P02)
Soft Landscaping Detail (Ref: 24_330_101 Sheet 1 and Sheet 2)
Proposed Block Plan (Ref: A-03)
Vehicle Tracking (Ref: A-07 Rev A)
GCN Impact area (Ref: A-01.1)
Drainage Strategy (Ref: GHBO-BSP-ZZ-XX-DR-C-SK240 Rev P05)
EV Charger Details (Ref: EVQRTMD-04)
Details Of Solar PV Ref: JAM60S21-355-375)

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.

Samples/Materials

3. A schedule and detail of external materials to be used in the construction 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 be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the

completed development in accordance 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.

Sections – window reveal and architectural detail.

4. Prior to above ground works commencing section details of window reveals, gable projections and material and façade treatment (including those detailed at Paragraph 5.37 of the submitted Design and Access Statement) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the samples so approved.

Reason: The proposals use a contemporary design solution with architectural treatment to ensure design interest and ensure that the proposals create interest and achieve a high quality design. These further details are required to ensure the satisfactory appearance of the completed development in accordance 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.

Timing of Landscaping

5. All planting, seeding or turfing shown on Soft Landscaping Detail (Ref: 24_330_101 Sheet 1 and Sheet 2) comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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 next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord 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

Retention of hedge

6. The existing hedge(s) shown as G2 in the approved Arboricultural Impact Assessment (Ref: WIE11386-182-R-4-4-1-AIA Issue 3) along the north west boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed

or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996

Tree T1

7. No development shall take place until the existing tree T1 to be retained on the south east boundary (shown on approved plan Ref: WIE AA 72 002 Rev P02) has been protected in accordance with the approved Arboricultural Impact Assessment (Ref: WIE11386-182-R-4-4-1-AIA Issue 3) unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape 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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Parking/Turning/Manoeuvring Areas

8. The approved parking and turning/loading/unloading facilities (shown on Proposed Site Plan (Ref: OX25 2BF A-03 Rev B) shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking and turning/loading/unloading spaces shall be retained for the parking and turning/loading/unloading of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/loading/unloading and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

Surface Water

9. Before any above ground works commence a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the building hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

Unidentified Contamination

10. 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.

Reason: To ensure that any ground and water contamination is identified and 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.

Construction hours

11. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason: In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996.

Construction Method Statement and CTMP

12. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors.
 - b) The routing of HGVs to and from the site.
 - c) Loading and unloading of plant and materials.
 - d) Storage of plant and materials used in constructing the development.

- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping.
- 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) A Construction Traffic Management Plan (CTMP) including delivery hours. The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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.

Biodiversity Enhancement Plan

13. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Biodiversity Enhancement and Management Plan (Issue 1.0) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

District Licence Condition

14. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR150, or a 'Further Licence') and with the proposals detailed on plan "Land to the North of Anniversary Avenue: Impact plan for great crested newt District Licensing (Version 1)", dated 8th January 2025.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WMLOR150, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

District Licence Condition

15. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR150, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the

planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Swift Boxes

16. Prior to above ground works details of the location and height (being at least 4.5m above ground level) of at least 12 swift boxes shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To support nature conservation aims to support the enhancement of swift population in accordance with the aims to support Biodiversity Enhancement of the development.

Sustainability

17. The development hereby permitted shall be constructed in accordance with the recommendations of the approved Sustainability & Renewable Energy Statement (Dated November 2024)

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

Electric Vehicle Charging Points

18. Prior to the first occupation of the development the approved six electric vehicle charging points (shown on Proposed Site Plan (Ref: OX25 2BF A-03 Rev B and EV Charger Details (Ref: EVQRTMD-04) shall be installed and made available for use.

Reason: To ensure approved electric vehicle charging points are implemented into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

Cycle Parking

19. Notwithstanding the submitted details prior to commencement of the development hereby approved, covered cycle parking facilities (with a minimum capacity of 16 bicycles) shall be provided on the site in

accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

LEMP

20. Prior to construction of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

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 Section 15 of the National Planning Policy Framework.

Solar Panels Implementation

21. Prior to any occupation of the building the solar PV panels shown on plan number Proposed Floor Plans (Ref: OX25 2BF A-04 – Roof Plan and Details Of Solar PV Ref: JAM60S21-355-375) shall be implemented and made available for use.

Reason: To support the delivery of renewable and low carbon energy in accordance with Government guidance contained within the National Planning Policy Framework and Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

Travel Plan

22. Prior to first occupation a Full Travel Plan based on the approved Draft Travel Plan should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development promotes sustainable transport and active travel in accordance with the Policies Bicester 2 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and in accordance with Government guidance contained within the National Planning Policy Framework.

Further recommendation: the statutory determination period for this application expires on 31 March 2025. 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:

1. 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 transport, healthcare and monitoring costs required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies SLE4 and INF1 of the Cherwell Local Plan 2011- 2031 (2015)

112

Building To Rear Of Ocean House Noral Way Banbury OX16 2AA

The Committee considered application 24/02693/F, for the erection of a transport Office, vehicle storage building, maintenance building extension, and road track to the vehicle storage building (Part Retrospective) at Building to Rear of Ocean House, Noral Way, Banbury, OX16 2AA for DCS Group UK.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/02693/F, subject to the conditions set out below (and any amendments to those conditions as deemed necessary).

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 forms and the following plans and documents:
 - Site Location Plan (0712/101)
 - Existing Block Plan (0712/102)
 - Proposed Block Plan (0712/103)
 - Proposed Elevations and Layouts for the Transport Office (0712/115)

- Proposed Elevations and Layouts for the Maintenance Building Extension (0712/120)
- Proposed Site Plan, Ground and First Floor Layouts for the Vehicle Storage Building (0712/125)
- Proposed Elevations for the Vehicle Storage Building (0712/126)

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.

Cycle Storage Provision

3. Prior to the first use or occupation of the warehouse extension hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development. Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

Drainage Strategy

4. Notwithstanding the previously submitted drainage strategy, before any above ground works commence, a scheme for the provision and implementation of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the extensions hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

External Lighting

5. Details of the external lighting, including the design, position, orientation, and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: To protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996.

Update to Out of Date Ecological Protected Species Check

6. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked through an updated walkover survey 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 ecological surveys that are now out of date 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.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and G

113 Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA

The Committee considered an application to serve a Tree Preservation order under reference TPO 21/2024 on the land of Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, the Tree Preservation Order, TPO 21/2024 be confirmed.

114 Cherwell District Council Lock29 Castle Quay Banbury Oxfordshire OX16 5UN

The Committee considered application 25/00043/NMA, a non-material amendment application for works to the existing roof to be simplified, the addition of 3no new flag poles, an alternative location for Air Handling Unit (AHU), removal of the courtyard roof proposal and it remain as existing; ductwork step-overs to be removed, and existing ductwork stepped up and over to form walkway Value (proposed as Non-Material Amendment of 24/01224/CDC) at Cherwell District Council, Lock29, Castle Quay, Banbury, Oxfordshire, OX16 5UN for Mr Chris Hills.

In reaching its decision the Committee considered the officer's report and presentation and the written updates.

Resolved

That, in line with the officers recommendation, the non-material amendment application 25/00043/NMA be approved.

115 **6 & 7 Castle Quay Banbury OX16 5UH**

The Committee considered application, 25/00134/F, an application to replace existing two single air conditioning condensing units with one single and one double condenser units at 6 & 7 Castle Quay, Banbury, OX16 5UH for Greggs PLC.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 25/00134/F, subject to the conditions set out below (and any amendments to those conditions as deemed necessary)

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 forms and the following plans and documents: RCEN/S6631/02A, RCEN/S6631/03P, and RCEN/S6631/04P.

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. Informative Note Planning permission may be required for the proposed use i.e. if the latter is a different use class to the last / lawful use of the site.

116 **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 5.27 pm

Chairman:

Date:

24/02508/F

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

| Planning obligation | | | Regulation 122 Assessment |
|----------------------------------------|----------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Detail | Amounts (all to be Index linked) | Trigger points | |
| Healthcare | £23,760.00 | First occupation or an alternative agreed trigger | <p>Necessary – This PCN area is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Alchester Medical Group surgery in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services.</p> <p>Directly related – Yes. The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.</p> <p>Fairly and reasonably related in scale and kind – Yes</p> |
| Public transport services contribution | £tbc | First Occupation or alternative agreed trigger | <p>Necessary – The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport provision.</p> <p>Directly related –</p> |

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>The proposal provides for residential which should be reasonably accessible via public transport modes to ensure occupiers have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – TBC</p> |
| <p>Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans.</p> | <p>£1,985 index linked from April 2022 using RPIX Index</p> | <p>At appropriate stages</p> | <p>Necessary – The site will require a framework travel plan. The fee is required to cover OCCs costs of monitoring the travel plans over their life.</p> <p>Directly related - The contribution is directly related to the required travel plans that relate to this development. Monitoring of the travel plans is critical to ensure their implementation and effectiveness in promoting sustainable transport options.</p> <p>Fairly and reasonably related in scale and kind – The amount is based on standard charging scales which are in turn calculated based on the Officer time required at cost.</p> |
| <p>CDC Monitoring Fee</p> | <p>£1,000</p> | <p>On completion of the S106</p> | <p>The CDC charge is based upon its agreed Fees and Charges Schedule</p> |