

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 24 September 2026 at 4.00 pm

Present:

Councillor Douglas Webb (Vice-Chair, in the Chair)

Councillor Chris Aramini-Brant

Councillor Yvonne Greene

Councillor Ian Harwood

Councillor Fiona Mawson

Councillor Rob Packard

Substitute Members:

Councillor Rebecca Biegel (In place of Councillor Dr Isabel Creed)

Councillor Dr Kerrie Thornhill (In place of Councillor Besmira Brasha)

Apologies for absence:

Councillor Robert Parkinson

Councillor Besmira Brasha

Councillor Dr Isabel Creed

Councillor Dr Faltermeyer

Councillor Dr Lisa Smith

Officers:

Paul Seckington, Head of Development Management

Nat Stock, Team Leader - North Area General Developments

Michael Sackey, Senior Planning Officer

Denzil Turbervill, Head of Legal Services

Natasha Clark, Governance and Elections Manager

Patrick Davis, Democratic and Elections Officer

Officers Attending Virtually:

Heidi Radcliffe Hill, Project Management Office Lead

Martyn Surfleet, Democratic and Elections Officer

Declarations of Interest

9. 1 Heathcote Avenue Banbury OX16 9TP – 26/01243/CLUE.

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

10. 1 Heathcote Avenue Banbury OX16 9TP – 26/01643/F.

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

11. Spiceball Leisure Centre Cherwell Drive Banbury OX16 2BW – 26/01423/CLUP.

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

46 **Requests to Address the Meeting**

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

47 **Minutes**

The Minutes of the meeting held on 23 July 2026 were agreed as a correct record and signed by the Chair.

48 **Chair's Announcements**

- (1) The Chair reminded the Committee that only registered speakers may speak. After the officer presentation, registered speakers, as set out on the list in the written updates, would be invited to speak.

Referring to the Public Participation process, the Chair reminded attendees that ward members had a 10-minute speaking limit and a 5-minute speaking limit per category of public speaker. There were no questions and answers of speakers. After they had spoken, speakers should move back to their seats.

- (2) The Chair reminded Members that should they need to leave the room for any reason, that they should be mindful of timing and endeavor to

be present for officers' presentation, public addresses and participate in the debate. Members were also advised that voting was ultimately a matter for their own judgment.

49 **Urgent Business**

There were no items of urgent business.

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

There were no proposed pre-committee site visits.

51 **Appeals Progress Report**

The Head of Development Management 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.

52 **1 Heathcote Avenue Banbury OX16 9TP**

The Committee considered application 26/01243/CLUE, a certificate of lawfulness existing for the use of amenity land as residential garden/domestic curtilage at 1 Heathcote Avenue Banbury OX16 9TP for Mrs Nuzhat Asma Chaudhry.

Councillor Kieron Mallon addressed the committee as ward member.

Sarah Wilson, Local resident, addressed the Committee in objection to the application.

Yasser Malik, Agent on behalf of the applicant, addressed the Committee in support of the application

It was proposed by Councillor Dr Thornhill and seconded by Councillor Mawson that application 26/01243/CLUE be approved, in line with the officer recommendation.

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

Resolved

- (1) That, in line with the officer recommendation, permission be granted for the lawful development certificate, subject to Schedules (and any amendments as deemed necessary):

Schedules

First schedule	Use of land for purposes ancillary to the enjoyment of the dwellinghouse.
Second schedule	1 Heathcote Avenue, Banbury, OX16 9TP
Third schedule	On the balance of probabilities, the Local Planning Authority is satisfied from the available evidence that the land has been used for purposes ancillary to the enjoyment of the dwellinghouse currently known as 1 Heathcote Avenue for a period of time exceeding ten years.

53

1 Heathcote Avenue Banbury OX16 9TP

The Committee considered application 26/01634/F for the demolition of a garage and erection of single storey extensions to the side and rear and the addition of box dormer to side roof slope (revised scheme of 25/02081/F to amend the roof of the rear extension from a flat roof to a pitched roof and to make changes to fenestration), at 1 Heathcote Avenue Banbury OX16 9TP for Mrs Nuzhat Asma Chaudhry.

Councillor Kieron Mallon addressed the Committee as ward member.

Sarah Wilson, Local resident, addressed the Committee in objection to the application.

Yasser Malik, Agent on behalf of the applicant, addressed the Committee in support of the application

It was proposed by Councillor Dr Thornhill and seconded by Councillor Mawson that application 26/01634/F be approved, in line with the officer recommendation and conditions, with an additional condition in respect of working hours.

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

Resolved

- (1) That, in line with the officer recommendation, authority be delegated to the Assistant Director Planning to grant permission for application 24/01909/F subject to:

- i. the conditions set out below (and any amendments to those conditions as deemed necessary) and
- ii. The inclusion of standardised working hours in line with Cherwell District Council Planning Policy.

Conditions

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.

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 drawings numbered 00-ST-01 P03, 00-PR-EL-01 P03, 00-PR-FP-01 P03, and 00-PR-RF-01 P02.

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. Notwithstanding the details submitted, within three months of the date of this decision a method statement for biodiversity enhancement, to full details of bee bricks and the type and location of at least one bird box or owl box or bat box shall be submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to the first use or occupation of the development and shall thereafter be retained in full 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 the National Planning Policy Framework.

4. The external materials to be used for the walls and roof of the development hereby permitted shall match in terms of colour, type, and texture those used on the existing building and shall be retained as such thereafter.

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

5. The parking area for two vehicles shown in the drawing numbered 00-ST-01 Rev 03 (Site & Location Plan) shall be laid out and completed prior to the first use or occupation of the development hereby permitted and the car parking spaces shall be retained for the parking of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and to comply with Policy ESD15 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 hereby approved the first floor dormer windows in the north-eastern side elevation of the development shown on drawing no. 00-PR-EL-01 P02 to serve 1x bathroom and 2x bedrooms shall be obscurely glazed using manufactured obscure glass that is impenetrable to sight (Level 3 or above and not an applied adhesive film) and shall be permanently retained as such thereafter. The said openings shall also be fixed shut and non-opening unless (a) those parts which can be opened are more than 1.7 metres above the floor of the room in which it is/they are installed or (b) an alternative means of restricted opening has first been submitted to and approved in writing by the local planning authority and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the occupants of the adjacent properties and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Notwithstanding the details submitted, the existing hedgerow/planting along the site's boundary with Elton Road shall be retained and maintained in perpetuity and shall be maintained at a maximum height of one metre above adjacent ground level. 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.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and in the interests of local highway safety and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling currently known as 1 Heathcote Avenue, Banbury, OX16 9TP and as

such shall not be sold, leased, let, or sub-let as a separate unit of accommodation.

Reason: To safeguard the character and appearance of the area and the living conditions of existing and future occupiers and because of the basis on which the current application has been submitted, and in order 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 and comply with Government guidance contained within the National Planning Policy Framework.

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Spiceball Leisure Centre Cherwell Drive Banbury OX16 2BW

The Committee considered application 26/01423/CLU, for the installation of 84no 450W Photovoltaic Panels to the southeast side elevation at Spiceball Leisure Centre Cherwell Drive Banbury OX16 2BW, for Cherwell District Council.

It was proposed by Councillor Biegel and seconded by Councillor Packard that application 26/01423/CLU be approved, in line with the officer recommendation.

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

Resolved

- (1) That, in line with officer recommendation, permission be granted to issue a certificate to confirm the lawfulness of the specified works subject to schedules below (and any amendments as deemed necessary).

Schedules

First Schedule	Installation of 84no 450W Photovoltaic Panels to the southeast side elevation in accordance with the application form, the Site Location Plan 1:1250, Block Plan 1:750 (Spiceball Centre Block Plan PV Panels) and drawing ref. SBLS-PV-R01. Page 80
Second Schedule	Spiceball Leisure Centre Cherwell Drive Banbury OX16 2BW
Third Schedule	The proposal is permitted development under Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015.).

The meeting ended at 6.27 pm

Chair:

Date: