

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House,  
Bodicote, Banbury, OX15 4AA, on 14 February 2019 at 4.00 pm

Present: Councillor David Hughes (Chairman)  
Councillor James Macnamara (Vice-Chairman)

Councillor Andrew Beere  
Councillor Phil Chapman  
Councillor Colin Clarke  
Councillor Ian Corkin  
Councillor Surinder Dhesi  
Councillor Chris Heath  
Councillor Mike Kerford-Byrnes  
Councillor Alan MacKenzie-Wintle  
Councillor Richard Mould  
Councillor Cassi Perry  
Councillor D M Pickford  
Councillor Lynn Pratt  
Councillor G A Reynolds  
Councillor Les Sibley

Substitute Members: Councillor Douglas Webb (In place of Councillor Maurice Billington)

Also Present: Councillor Dan Sames – Ward Member, speaking on item 7

Apologies for absence: Councillor Maurice Billington  
Councillor Simon Holland

Officers: Robert Jolley, Assistant Director: Planning & Economy  
Paul Seckington, Senior Manager Development Management  
Matt Chadwick, Senior Planning Officer  
Stuart Howden, Principal Planning Officer  
Aaron Hetherington, Democratic and Elections Officer

### **Declarations of Interest**

#### **12. Unit 1, Plot 1, Thorpe Way, Banbury, OX16 4SP.**

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

Councillor Colin Clarke, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would therefore leave the chamber for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Ian Corkin, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would leave the chamber for the duration of the item.

Councillor Richard Mould, Declaration, as a member of the Executive and would leave the chamber for the duration of the item

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

**13. Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury.**

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

Councillor Colin Clarke, Declaration, as a member of Banbury Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would therefore leave the chamber for the duration of the item.

Councillor G A Reynolds, Declaration, as a member of the Executive and would therefore leave the chamber for the duration of the item.

Councillor Ian Corkin, Declaration, as a member of the Executive and would therefore leave the chamber for the duration of the item.

Councillor Lynn Pratt, Declaration, as a member of the Executive and would therefore leave the chamber for the duration of the item.

Councillor Richard Mould, Declaration, as a member of the Executive and would therefore leave the chamber for the duration of the item.

13. Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury.  
Councillor Surinder Dhesi, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

**Requests to Address the Meeting**

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

146 **Urgent Business**

There were no items of urgent business.

147 **Minutes**

The Minutes of the meeting held on 17 January 2019 were agreed as a correct record and signed by the Chairman.

148 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

149 **Land North Of Merton Road, Ambrosden**

The Committee considered application 18/02056/OUT, an outline application for the erection of up to 84no dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Merton Rd - All matters reserved except for means of access at Land North of Merton Road Ambrosden for Gladman Developments Ltd.

Councillor Dan Sames, addressed the committee as Ward member.

Maureen Cossens, Ambrosden Parish Council and Pamela Roberts, Vice Chairman of CPRE addressed the committee in objection to the application.

In reaching their decision the committee considered the officers' report, presentation, written update and addresses of the ward member and public speakers.

**Resolved**

That application 18/02056/OUT be refused for the following reasons:

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in the open countryside and taking into account the number of dwellings already permitted at Ambrosden as well as Cherwell District Council's ability to demonstrate an up-to-date five housing land supply, is considered to be unnecessary, undesirable and unsustainable development that would lead to an over concentration of new housing development in Ambrosden, which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan (2011-2031) Part 1. Thus, the proposal is unacceptable in principle and contrary to Policy Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the

National Planning Policy Framework.

2. The development proposed, by reason of its siting beyond the built up area of the village to the south west of the village, excessive scale and poorly integrated relationship with existing built development, would cause local landscape harm and a significant amount of harm to the character and appearance of the countryside, as well as cause considerable harm to the character and appearance of the area and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the significance of the Grade II\* listed Church of St Mary and the harm stemming from the proposal is not considered to be outweighed by any public benefits. Thus, the proposal is contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policy C28 of the Cherwell local Plan 1996 and Government advice within the National Planning Policy Framework.
3. In the absence of the completion of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, encouraging use of sustainable modes of transportation, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, SLE4, BSC3, BSC4, BSC9, BSC10, BSC11, BSC12, ESD1 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

150

**Motor Fuel Ltd, Bloxham Service Station, South Newington Road, Bloxham, OX15 4QF**

The Committee considered application 18/01113/F for a new recessed forecourt canopy lights, which was retrospective, at Motor Fuel Ltd, Bloxham Service Station, South Newington Road, Bloxham, OX15 4QF for the Motor Fuel Group.

Amanda Baxter, neighbour to the application site, addressed the committee in objection to the application.

In reaching their decision the committee considered the officers' report, presentation and written update.

**Resolved**

That application 18/01113/F be refused for the following reasons:

1. The canopy lighting, due its excessive illuminance, has an urbanising and harmful impact on the rural character of the area and on the setting of the grade II listed building Killowen House and the Bloxham

Conservation Area. As such, the proposal has a visually intrusive impact, harmful to the intrinsic character of the surrounding area. Therefore, the development is contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996, Policy BL11 of the Bloxham Neighbourhood Plan 2015-2031 and Government guidance contained in the National Planning Policy Framework.

2. The canopy lighting, due its excessive illuminance and resulting light spill, causes harm to the amenities of the occupiers of Killowen House due to the amount of light intrusion into the windows of the house facing South Newington Road. This harm significantly and demonstrably outweighs the benefits of the lighting, not least because the level of lighting has been shown to exceed that which is required for the purpose of illuminating the petrol station forecourt. Therefore, the development is contrary to Policies ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, saved Policies C28 and C31 of the Cherwell Local Plan 1996, Policy BL9 of the Bloxham Neighbourhood Plan 2015-2031 and Government guidance contained in the National Planning Policy Framework.

151

**Evelyns Farm, Brill Road, Horton Cum Studley, OX33 1BZ**

The Committee considered application 18/02150/F for the demolition of three asbestos clad industrial units and asbestos clad garage, conversion of indoor pool building and former greenhouse to form a single dwelling together with new garage and work from home office, improved vehicular access and landscaping at Evelyns Farm, Brill Road, Horton Cum Studley, OX33 1BZ for Mr B Hearn.

Councillor Corkin proposed that consideration of application 18/02150/F be deferred to allow a formal site visit. Councillor Hughes seconded the proposal.

In reaching their decision the committee considered the officers' report, presentation and written update.

**Resolved**

That consideration of application 18/02150/F be deferred to allow a formal site visit.

152

**Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00472/DISC for the discharge of Conditions 4 (Weatherboarding sample), 5 (door and window details), 6 (Parking and manoeuvring details) and 7 (Desk study and site walk over) of 18/00971/F at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

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

**Resolved**

That authority be delegated to the Assistant Director: Planning and Economy to discharge Conditions 4, 5, 6 and 7 of planning permission 18/00971/F.

153

**Park Farm Agricultural Barn, New Street, Deddington**

The Committee considered application 18/00475/DISC for the discharge of Conditions 4 (Weatherboarding sample) and 5 (door and windows) of 18/00972/LB at Park Farm Agricultural Barn, New Street, Deddington for Mr & Mrs Bryn Williams.

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

**Resolved**

That authority be delegated to the Assistant Director: Planning and Economy to discharge Conditions 4 and 5 of Listed Building Consent 18/00972/LB.

154

**Unit 1, Plot 1, Thorpe Way, Banbury, OX16 4SP**

The Committee considered application 18/02193/F for the installation of external air conditioning units and lights to Units 1, 2, 3, 4, 5 & 6 at Thorpe Way and Units 21, 22, 24 at Thorpe Place at Unit 1, Plot 1, Thorpe Way, Banbury, OX16 4SP for Cherwell District Council.

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

**Resolved**

That application 18/02193/F be approved and authority be delegated to the Assistant Director: Planning and Economy to grant permission, subject to the conditions set out below (and any amendments to those conditions as deemed necessary)

**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.

**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: Site Plan Units 1-7 Site Plan Units 18-24 (NTBS3086/04); Units 1-5 Elevations

(NTBS3086/01); Unit 6 Elevations (NTBS3086/02) and Units 21-24 Elevations (NTBS3086/03).

155

**Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury**

The Committee considered application 19/00026/DISC for the discharge of condition 13 (construction environmental management plan) of 17/00284/REM at Land Adjacent To The Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

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

**Resolved**

That authority be delegated to the Assistant Director: Planning and Economy to approve the details submitted subject to the minor amendments and clarifications considered necessary by officers as summarised in the report,

The meeting ended at 5.20 pm

Chairman:

Date: