

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 11 July 2024 at 4.00 pm

Present:

Councillor Barry Wood (Chairman)
Councillor Amanda Watkins (Vice-Chairman)
Councillor Rebecca Biegel
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor Grace Conway-Murray
Councillor Ian Harwood
Councillor David Hingley
Councillor Lesley McLean
Councillor Rob Parkinson
Councillor David Rogers
Councillor Les Sibley
Councillor Dr Kerrie Thornhill

Apologies for absence:

Councillor Chris Brant
Councillor Dr Isabel Creed
Councillor Fiona Mawson

Also Present:

Councillor Gemma Coton, Speaking as Ward Member for agenda item 8

Also Present Virtually:

Councillor Dorothy Walker, Speaking as Ward Member for agenda item 16
Councillor Andrew McHugh, Speaking as Ward Member for agenda item 17

Officers:

Paul Seckington, Head of Development Management
Karen Jordan, Deputy Principal Solicitor
Rebekah Morgan, Principal Planning Officer
Tomaz Akhter, Planning Officer
Sophie Browne, Principal Planning Officer

Nat Stock, Team Leader - North Area General Developments
Saffron Loasby, Principal Planning Officer
Natasha Clark, Governance and Elections Manager
Martyn Surfleet, Democratic and Elections Officer

Officers Attending Virtually:

Thomas Webster, Principal Planning Officer

18 **Declarations of Interest**

10. Waverley House, Queens Avenue, Bicester, OX26 2PY.

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

Councillor Les Sibley, Declaration, advised that he would speak a Local Ward Member on the item and then leave the meeting for the duration of the item after speaking as Ward Member on the item.

11. Bicester Heritage, Buckingham Road, Bicester.

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

14. 12-14 Sheep Street, Bicester, OX26 6TB.

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

16. 73 High Street, Kidlington, OX5 2DN

Councillor Lesley McLean, Other Registerable Interest, as a chair of Kidlington Parish Council which had been consulted on the application.

17. Land East of Banbury Road Ditch And North Of Earls Lane Deddington OX15 0TY.

Councillor David Rogers, Declaration, as former Chair of Deddington Parish Council and Deddington Neighbourhood Plan.

18. Cornhill Cafe 1 Castle Street Banbury OX16 5NT.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury 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 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 Jean Conway, 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 Rebecca Biegel, 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.

19. Cattle Market Car Park, Victoria Road, Bicester, OX26 6QB.

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

Councillor Lesley McLean, 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.

20. 143 The Fairway, Banbury, OX16 0QZ.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury 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 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 Jean Conway, 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 Rebecca Biegel, 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.

21. Cherwell District Council Lock 29 Castle Quay, Banbury OX16 5UN.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury 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 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 Jean Conway, 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 Rebecca Biegel, 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.

22. Castle Quay 2 Spiceball Park Road Banbury Oxfordshire OX16 2PA.

Councillor Becky Clarke MBE, Other Registerable Interest, as a member of Banbury 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 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 Jean Conway, 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 Rebecca Biegel, 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.

19 **Requests to Address the Meeting**

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

20 **Minutes**

The Minutes of the meeting held on 6 June 2024 were agreed as a correct record and signed by the Chairman.

21 **Chairman's Announcements**

There were no Chairman's announcements.

22 **Urgent Business**

There were no items of urgent business.

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

The Committee considered two pre-committee site visits proposed by officers:

1. In respect of application 23/02098/OUT, Land East of A44 (Local Plan Allocation known as PR8), an outline application, with all matters reserved, for a multi-phased (severable), comprehensive residential-led mixed use development comprising: Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units) within Use Class C3/C4 and large houses of multiple occupation (Sui Generis); Supporting social infrastructure including secondary school/primary school(s) (Use Class F1); health, indoor sport and recreation, emergency and nursery facilities (Class E(d)-(f)). Supporting retail, leisure and community uses, including retail (Class E(a)), cafes and restaurants (Class E(b)), commercial and professional services (Class E(c)), a hotel (Use Class C1), local community uses (Class F2), and other local centre uses within a Sui Generis use including public houses, bars and drinking establishments (including with expanded food provision), hot food takeaways, venues for live music performance, theatre, and cinema. Up to 155,000 net additional square metres (gross external area) of flexible employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park; Highway works, including new vehicular, cyclist and

pedestrian roads and paths, improvements to the existing Sandy Lane and Begbroke Hill road, a bridge over the Oxford Canal, safeguarded land for a rail halt, and car and cycle parking with associated electric vehicle charging infrastructure; Landscape and public realm, including areas for sustainable urban drainage systems, allotments, biodiversity areas, outdoor play and sports facilities (Use Class F2(c)); Utility, energy, water, and waste water facilities and infrastructure; together with enabling, site clearance, demolition and associated works, including temporary meanwhile uses. The Proposed Development affected the setting of a listed building and includes potential alterations to public rights of way. The application was accompanied by an Environmental Statement.

2. In respect of application 23/03307/OUT, former Piggery and Land North of Woodstock Road Yarnton for application, an outline planning application for the residential development of up to 300 dwellings with associated infrastructure and open space (outline) and new access off the A44 (detailed).

Resolved

- (1) That pre-committee site visits for applications 23/02098/OUT and 23/03307/OUT be carried out.

24

Land North of Manor Farm, Noke

The Committee considered application 22/01682/F for the development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas at Land North of Manor Farm, Noke for Oxford New Energy.

Councillor Gemma Coton addressed the Committee as Local Ward Member.

Michael Heaney, Local Resident, Michael Tyce, on behalf of CPRE, David De Mestre, on behalf of Noke Parish Meeting and Oddington Parish Meeting addressed the meeting in objection to the application.

Jonathan Thompson, on behalf of the applicant, addressed the meeting in support of the application.

It was proposed by Councillor Rogers and seconded by Councillor Harwood that application 22/01682/F be refused, against officer recommendation, as it was contrary to policies ESD10, ESD11, ESD12, ESD13, ESD14, ESD 15, saved policy C28 and the NPPF (exact wording for reasons for refusal to be delegated to officers).

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

Resolved

That, contrary to the officer's recommendation, application 22/01682/F be refused for the following reason:

1. The proposed solar farm constitutes inappropriate development inside the Oxford Green Belt causing significant harm to the Green Belt's openness. Further, by virtue of the topography of the surrounding area and its exposed isolated location, the proposal, which would be visible from several public vantage points, would have a significant adverse landscape impact. The very special circumstances case put forward does not outweigh the harm identified. The proposal is therefore contrary to Policies ESD5, ESD10, ESD13, ESD14 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and the National Planning Policy Framework.

25

Land North and Adjacent to Mill Lane, Stratton Audley

The Committee considered application 22/03873/F for the installation and operation of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with a switchgear container, inverter/transformer units, Site access, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements at Land North and Adjacent to Mill Lane, Stratton Audley for JBM Solar Projects 8.

Christobel Smith, local resident and on behalf of Stratton Audley Parish Council and David Jenks, on behalf of Godington Parish Meeting addresses the Committee in objection to the application.

Robin Johnson, on behalf of the applicant, RWE Renewables, addressed the Committee in support of the application.

It was proposed by Councillor Conway-Murray and seconded by Councillor Wood that application 22/01682/F be refused, against officer's recommendation, as it was contrary to policies ESD10, ESD13, ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework (exact wording for reasons for refusal to be delegated to officers).

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

Resolved

That, contrary to the officer's recommendation, application 22/03873/F be refused for the following reason:

1. By virtue of the topography of the surrounding area and its exposed isolated location, the proposed solar farm, which would be visible from

several public vantage points, would have a significant adverse landscape impact. The benefits of the scheme do not outweigh the harm identified. The proposal is therefore contrary to Policies ESD5, ESD10, ESD13, and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and the National Planning Policy Framework.

26

Waverley House, Queens Avenue, Bicester, OX26 2PY

The Committee considered application 23/02355/F for the demolition of an existing building and construction of 32 No apartments together with landscaping, car parking, bin stores, secure cycle parking and associated infrastructure - re-submission of 21/02573/F - at Waverley House, Queens Avenue, Bicester, OX26 2PY for GG Oxford Investments Ltd.

Councillor Sibley addressed the Committee as Local Ward Member. Councillor Sibley then left the meeting for the rest of the item.

Pastor James Adeyemi from The Redeemed Christian Church of God addressed the Committee in objection to the application.

Joe Bennett, on behalf of the agent for the applicant, RCA Regeneration Limited, addressed the Committee in support of the application.

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

Contrary to the officers' recommendation, it was proposed by Councillor Broad and seconded by Councillor Watkins that application 23/02355/F be refused, on the grounds the proposed development does not make good use of an existing building that could be used for other purposes required by the residents and town of Bicester; that there is no provision for viable affordable of social housing and is contrary to policies ESD15, BSC1 and BSC3 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Resolved

That against the officer's recommendation, application 23/02355/F be refused. The exact wording of the reason for refusal be delegated to the Assistant Director for Planning and Development.

27

Bicester Heritage, Buckingham Road, Bicester

The Committee considered application 23/01085/F, a retrospective application for Change of Use of land to allow for aviation, vehicle exercising and other uses/events at Bicester Heritage, Buckingham Road, Bicester for Bicester Motion.

Jonty Ashworth, on behalf of the applicant, Bicester Motion, addressed the Committee in support of the application.

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

Resolved

That, in line with the officer's recommendation, application 23/01085/F be delegated to the Assistant Director for Planning and Development to approve subject to the conditions set out below (and any amendments to those conditions as deemed necessary):

Conditions

Compliance with Plans

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and following approved plans:
 - Planning Statement prepared by Edgars dated April 2023
 - Transport Statement prepared by Mode Transport Planning dated April 2023
 - Environmental Noise Impact Assessment (ref: 28453-AASP-ZZ-XX-DNY-1001-S1-P03) prepared by Hydrock dated 13 April 2023
 - Ecological Briefing Note prepared by Ecology Solutions
 - Drawing number 5002854-RDG-Z05-ST-PL-A-0010 Rev F - [Site Location Plan]

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.

2. Within 1 month of the date of this decision, a noise management plan shall be submitted to the Local Planning Authority. The noise management plan shall include a review mechanism which requires the applicant to update the Council's Environmental Health Team as the need arises and should include (but not be limited to) such matters as numbers of days allowed for noisier vehicle use, hours of use, absolute noise limits set, actions taken when these are exceeded and communication with the local community. The approved noise management plan shall be implemented in full from the date of the discharge of this condition and be accorded with for the lifetime of the development.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. Within 3 months of the date of this decision, details of the SPL Track Drive By System or similar shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be implemented and be fully operational within 1 month of the date of the discharge of the condition. The system shall be maintained and operated in accordance with the approved details. Prior to any amendment to the system, full details of the revised/alternative system shall be submitted and approved in writing prior to its installation. The alternative system shall be installed in accordance with the approved details and be operational prior to any further use of the track.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No event exceeding 5,000 attendees in total during the event shall take place until the applicant has secured the written agreement of the Cherwell Safety Advisory Group or any future successor advisory group.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No event exceeding 5,000 attendees in total during the event shall take place until an 'Event Day Traffic Management Plan' has been agreed in writing with the Local Highway Authority. The event shall be carried out in strict accordance with the approved Event Day Traffic Management Plan.

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

6. The number of events with the number of attendees between 5000-7000 attendees in total during the event shall not exceed 10 events in any calendar year and such events shall not exceed 3 days in total. Any amendment to these restrictions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. The number of events with the number of attendees exceeding 7,001 attendees in total during the event shall not exceed 3 events in any calendar year. Such events shall not exceed 3 days in total. Any amendment to these restrictions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. The use of the site shall be carried out in compliance with the safeguards and management of ecological areas in strict accordance with the Ecological Briefing Note submitted with the application.

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 Government guidance contained within the National Planning Policy Framework.

9. A register of all events shall be kept that includes details of the nature of the event (e.g. exercising of vehicles, members day, music festival etc.), dates of the event (including set up/close down days), timings for each day, number of attendees for each day (and overall total). Each entry on the register shall be retained for no less than 2 years from the date the event ended. This register shall be made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: To ensure the levels of activity and size of events can be adequately monitored and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. No more than two events exceeding 5000 attendees in total during the event shall occur in any rolling 30 day period (from the first day of any event to the last day of the subsequent event) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Planning Notes

1. The applicant should note that the site area excludes all of the existing buildings on the site and therefore the change of use granted by this decision does not apply to any individual buildings on the site.

28 OS Parcel 0927 East Of And Adjoining Chacombe Road Wardington

The Committee considered application 24/00807/F, for new detached offices and agricultural buildings for a new agricultural seed facility, including access road, parking, landscaping, and associated facilities at OS Parcel 0927 East of and Adjoining Chacombe Road, Wardington for DSV United Kingdom Ltd.

Dr Matt Kerton, on behalf of the applicant, DSV United Kingdom Ltd, addressed the Committee in support of the application.

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

Resolved

That, in line with the officer's recommendation, application 24/00807/F 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):
 - Contributions to Highways
 - Offsite Biodiversity Net Gain

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from 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 in accordance with the application forms and the following plans and documents:
 - Site location Plan 1:1250 and 1:2500 494-01 Rev C
 - Proposed Site Layout Plan 1:200 494-100 Rev H
 - Proposed Ground Floor Offices 1:50 494-110 Rev E
 - Proposed Offices First Floor Plan 1:50 494-111 Rev E
 - Proposed Offices Roof Plan 1:50 494-112 Rev B
 - Proposed Buildings 1 and 2 Elevations 1:100 494-200 Rev B
 - Proposed Buildings 2 and 3 Floor Plans 1:100 494-120 Rev D
 - Proposed Buildings 2 and 3 Elevations 1:100 494-201 Rev B
 - Proposed Building 4 Floor Plan 1:100 494-140 Rev D
 - Proposed Building 4 Elevations 1:100 494-202 Rev B
 - Site Elevations 1:100 494-20 Rev A
 - Greenhouse Elevations 4152-01 Rev 2
 - Greenhouse Floor Plans 4152-02 Rev 1
 - Proposed Material Schedule 494-205 Rev A
 - Tree Protection Plan 23.1754.001 Rev A Received 22/03/2024
 - Infiltration Basin Calculations
 - Porous Paving Calculations Received 14/05/2024
 - Proposed Material Schedule 494-205 Rev A received 11/06/2024

3. No development shall commence above slab level unless and until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.
 - details of the proposed boundary treatment

The development shall not be carried out other than in accordance with the approved details and the hard landscape elements shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To protect the visual amenity and ecology of the area. To accord with Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and 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 current/next planting season with others of similar size and species.

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.

5. No development shall commence unless and until a Construction Environmental Management Plan (CEMP) 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. Storage of plant and materials used in constructing the development;

- d. Wheel washing facilities/ road sweeping;
- e. Measures to control the emission of dust and dirt during construction;
- f. Delivery and construction working hours;
- g. Biodiversity impact assessment
- h. The approved CEMP shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. No development shall commence, including any demolition, any works of site clearance and or the introduction of any construction machinery onto the site, unless and until protective fencing and warning notices have been erected on the site in accordance with the approved [construction method statement, ecological report, CEMP]. All protective fencing and warning signs shall be maintained in accordance with approved details for the entirety of the construction phase.

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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

8. Prior to first occupation 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.

9. Prior to the first occupation of the development, details of a proposed external lighting scheme shall be submitted to the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within development promotes a secure environment and does not cause a nuisance to local residents or wildlife.

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 Government guidance contained within the National Planning Policy Framework.

10. No development shall commence above slab level until a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area 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.

11. Prior to the first use or occupation of the development hereby permitted the cycle parking as shown on the approved plans shall be provided in accordance with the approved plans, except that they shall be covered. The said cycle parking facilities shall be permanently retained and maintained thereafter 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.

12. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”.
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change and 10% urban creep (Note: the Cv

values should be set to 0.95 for roofs and 0.90 for paved areas and MADD should be 0.0);

- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (to include three tests at each location and using the full depth of the trial pit);
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element;
- Details of how water quality will be managed during construction and post development in perpetuity; and
- Consent for any connections into third party drainage systems

Reason - To ensure that there is no flooding due to the site drainage and that the water environment is protected.

13. TRANSPORT CONDITIONS AS REQUIRED BY THE LHA

14. SECURE HMMP CONDITION

15. Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved building shall not be extended or altered without the grant of further specific planning permission from the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of the site in order to safeguard the amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

16. The buildings hereby permitted shall be used only for purposes falling within research and development (Class E(g)(ii)) as specified in Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) with ancillary agricultural and for no other purpose(s) whatsoever.

Reason: To enable the Local Planning Authority to retain planning control over the development of the site, in the interests of sustainable development and in order to maintain the character of the area in accordance with Saved Policy C28 of the Cherwell Local Plan 1996, Policies SLE1 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

17. No development shall commence unless and until an Arboricultural method statement in line with BS5837:2012 has been submitted for

review, outlining protective measures, and working practices to allow retention of existing trees/hedges.

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.

18. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve 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 114(a) of the National Planning Policy Framework.

19. Building 1, hereby permitted, shall be used only for purposes falling within Research and Development Class E(g) (ii) as specified in Schedule 2 of the Town and Country Planning Use Classes order 1987 (as amended) with ancillary office and no other purpose(s) whatsoever.

Reason: To enable the Local Planning Authority to retain planning control over the development of the site, in the interests of sustainable development and in order to maintain the character of the area in accordance with Saved Policy C28 of the Cherwell Local Plan 1996, Policies SLE1 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

20. Buildings 2, 3, 4 and the glasshouses, hereby permitted, shall be used only for the purposes of agriculture associated with the Research and Development use, hereby permitted for building 1 and no other use whatsoever and shall remain as one planning unit.

Reason: To enable the Local Planning Authority to retain planning control over the development of the site, in the interests of sustainable development and in order to maintain the character of the area in accordance with Saved Policy C28 of the Cherwell Local Plan 1996, Policies SLE1 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

20 Almond Road, Bicester, OX26 2HT

The Committee considered application 24/00401/F for a two-storey front bay extension, two storey rear extension, hip-to-gable roof extensions, roof conversion and associated alterations - (re-submission of 23/02412/F) at 20 Almond Road, Bicester, OX26 2HT for Mr John Prpa.

Sandra Nicholson, local resident, addressed the Committee in objection to the application.

John Prpa, applicant, addressed the Committee in support of the application.

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

Resolved

That, in line with the officer's recommendation, application 24/00401/F 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)

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 following plans and documents:
 - Application form
 - Design Statement
 - Site Location Plan
 - Block Plan
 - Drawing number PRPA/S9/05 Rev A – [Proposed floor plans and elevations]

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, no development shall commence above slab level until and unless a plan detailing the proposed car parking provision for two spaces to be accommodated within the site

(including details of the proposed surfacing and drainage of the provision), has been submitted to and approved in writing by the Local Planning Authority. The approved parking facilities shall be laid out and completed in accordance with the approved details before the first occupation of the dwelling. The car parking spaces shall be retained for the parking [turning/loading/unloading] of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

4. 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 Government guidance contained within the National Planning Policy Framework.

5. No development shall commence above slab level until samples of the bricks to be used in the construction of the walls of the extensions have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved samples.

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.

6. The first floor windows in the east and west (side) elevations of the extension shall be obscure glazed, using manufactured obscure glass that is impenetrable to sight, (not an applied adhesive film) before the extension is first occupied and shall be permanently retained as such thereafter. The window shall also be nonopening, unless those parts which can be opened are more than 1.7m above the floor level of the room in which it is installed and shall be permanently retained as such thereafter.

Reason: To ensure that the amenities of the occupants of the neighbouring properties are not adversely affected by loss of privacy in accordance 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. Prior to first use of the air source heat pump, a copy of the installation certificate (which demonstrates that the installed model satisfies standards specified in Microgeneration Certificate Scheme MCS 020(b) in terms of the noise limit stipulated in the Explanatory Memorandum to Permitted Development Order 2011 No. 2056) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Biodiversity Net Gain Condition

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cherwell District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which **will not** require the approval of a biodiversity gain plan before development is begun because the following statutory exemptions or transitional arrangements apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

The permission which has been granted is for development which is exempt being:

Development below the de minimis threshold, meaning development which:

- i) does not impact an on-site priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of on-site habitat that has biodiversity value greater than zero and less than 5 metres in length of on-site linear habitat (as defined in the statutory metric).

Notes

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the on-site habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that on-site habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

PLANNING NOTES

1. Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. This is separate from any planning permission that may be granted.

2. The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any works commence on site. Network Rail is a Government funded Organisation and we are expected to recover our involvement costs from this type of interface, to proceed in more detail with discussions a signed Basic Asset Protection Agreement (BAPA) would be required to be in place. Permanent impacts of development are usually material considerations (such as the position of permanent structures, or drainage design etc) and where these are likely to occur, requests for planning conditions or scheme amendments are requested to protect the existing railway infrastructure from the impacts of the works on site and as a permanent arrangement. Controls on the temporary impact of construction to outside party land should also be picked up via building control, or in some cases a party wall surveyor.

30 **73 High Street, Kidlington, OX5 2DN**

The Committee considered application 23/03368/F for a first-floor extension with associated internal and external work (follow-up to 23/01073/F) at 73 High Street, Kidlington, OX5 2DN for Mr and Mrs R Parshad.

Councillor Dorothy Walker addressed the Committee as Local Ward Member.

In reaching its decision the Committee considered the officers report, presentation, address from the public speaker and the written updates.

It was proposed by Councillor McLean and seconded by Councillor Chapman that application 23/03368/F be refused due the heritage impact of the development and it was contrary to policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the Cherwell Local Plan 1996 and the Kidlington Masterplan.

Resolved

That, contrary to the officer's recommendation, application 23/03368 be refused for the following reason:

1. The extension, by virtue of its size, scale and form, has an adverse impact on the character, appearance and significance of the application property, which is considered to be a non-designated heritage asset. The proposal therefore runs contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the Cherwell Local Plan 1996, The Kidlington Masterplan 2016 and Government guidance contained within the National Planning Policy Framework.

31 **Land East of Banbury Road Ditch And North Of Earls Lane Deddington OX15 0TY**

The Committee considered application 23/02096/OUT, an outline application for the development of up to 90 dwellings (including affordable dwellings), a new children's nursery, Earls Lane car park, SuDS attenuation, open space and associated landscaping and highway works at Land East of Banbury Road Ditch And North Of Earls Lane, Deddington, OX15 0TY for Welbeck Strategic Land V Limited.

Councillor Andrew McHugh addressed the Committee as Local Ward Member.

Richard Broadbent, local resident, addressed the Committee in objection to the application.

Bhavash Vashi, agent to the applicant, BVA Planning and Helen Oldfield, Chair of Deddington Parish Council, addressed the Committee in support of the application.

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

Resolved

That, in line with the officer's recommendation, application 23/02096/OUT 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 what is set out in the annex to the Minutes, as set out in the Minute book (and any amendments deemed necessary with an amendment regarding nursery building which is to be agreed by officers).

Conditions

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years 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 (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance, and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

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 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. 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: TBC

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.

4. No development shall commence unless and until a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, Land contamination risk management (LCRM) and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
5. If contamination is found by undertaking the work carried out under condition 4, 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.
6. If remedial works have been identified in condition 5, the development shall not be occupied until the remedial works have been carried out in

accordance with the scheme approved under condition 4. 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.

7. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes be carried out before the relevant phase of development is resumed or continued.
8. No development shall commence unless and until a specialist acoustic consultant's report has been provided and approved in writing by the local planning authority that demonstrates that all habitable rooms within the dwelling will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings). For outdoor areas (domestic gardens and recreation areas used in common) the World Health Organisations guideline noise value of 50 dB LAeq (16 hr) or less shall be achieved during the time period 07:00 to 23:00 hrs. Where acoustic barriers, planting or other features are required to achieve this standard full details of these elements shall be submitted with the report for approval. Thereafter, and prior to the first occupation of the dwellings affected by this condition, the dwellings shall be insulated and maintained in accordance with the approved details.
9. No development shall commence unless and until 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 or other sensitive properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with the occupiers of those properties has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in full accordance with the approved CEMP.
10. No development shall commence (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
 - a. Risk assessment of potentially damaging construction activities;
 - b. Identification of 'Biodiversity Protection Zones';
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

- d. The location and timing of sensitive works to avoid harm to biodiversity features;
- e. The times during construction when specialist ecologists need to be present on site to oversee works;
- f. Responsible persons and lines of communication;
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h. Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly 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 the National Planning Policy Framework.

11. No development shall commence unless and until a detailed air quality impact assessment to identify the impact of the development on local air quality has been submitted to and approved in writing by the Local Planning Authority. The assessment shall 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.
12. 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 development shall not be carried out other than in accordance with the approved CTMP.

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

13. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.

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

14. Prior to the first occupation of the development, a Travel Plan as set out in the Oxfordshire County Council Travel Plans guidance shall be submitted to and approved by the Local Planning Authority. The

development shall not be occupied other than in full accordance with the approved Travel Plan.

Reason: To encourage the use of sustainable modes as a means of transport.

15. No dwelling shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

16. No dwelling shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development 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.

17. GCN Condition according to licence
18. Prior to first occupation 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 the National Planning Policy Framework.

19. Further details of the cycle/footpath access onto the highway.

32 **Kelberg Ltd, Northampton Road, Weston On The Green, Bicester, OX25 3TH**

The Committee considered application 24/00893/F for the proposed erection of 8-bay workshop and associated works at Kelberg Ltd, Northampton Road, Weston On The Green, Bicester, OX25 3TH for Kelberg Trailers And Trucks Ltd.

In reaching its decision the Committee considered the officers report and presentation.

Resolved

That, in line with the officer's recommendation, application 24/00893/F be delegated to the Assistant Director for Planning and Development to grant permission subject to:

- No objections from the Arboricultural Officer and
- 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 following plans and documents: unnumbered location/site plan (submitted 2.4.2024) and drawing number 2024-728-20.

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. Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any

variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason – To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems and in accordance with Government guidance contained within the National Planning Policy Framework.

4. Before any above ground works commence a scheme for the provision and implementation of surface water drainage shall be 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 use of the building hereby approved and shall be maintained as such thereafter.

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 guidance contained within the National Planning Policy Framework.

5. A method statement for enhancing the site for biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level, which shall include details of the planting and management of the 5m grassed buffer against the southern site boundary. It could include measures such as additional landscaping within the wider site or appropriate inclusion of bat/bird/invertebrate boxes on the building hereby approved. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained 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 the National Planning Policy Framework.

6. All plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5 dB(A) below the pre-existing background noise level (dBLA90) when measured at the nearest noise sensitive premises/site boundary. Measurements and rating of noise for the purpose of this conditions shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason – To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the first use of the development hereby approved details of the external lighting, including security lighting and/or floodlighting, and 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 the first use of the development hereby approved the lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason - In the interests of visual amenity and to protect the amenities of nearby residents and to ensure that the development does not cause harm to any protected species or their habitats in accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996, and Government guidance contained within the National Planning Policy Framework.

33

12-14 Sheep Street, Bicester, OX26 6TB

The Committee considered application 24/00214/F for the conversion of part of the first and the second floor to residential together with a set-back rear extension at second floor and a lightwell formed at first floor providing 10 flats, with retention of the ground floor and part of the first floor as a commercial unit at 12-14 Sheep Street, Bicester, OX26 6TB for Haithwell Ltd.

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

Resolved

That, in line with the officer's recommendation, application 24/00214/F be delegated to the Assistant Director for Planning and Development to grant permission, subject to:

- The resolution of the drainage objection
- The conditions as set out below (and any amendments to those conditions as deemed necessary), and
- The completion of planning obligation under section 106 of the town and country planning act 1990, as substituted by the Planning and Compensation Act 1991:
 - a) Payment of a financial contribution towards the expansion and efficiency of Household Recycling Centres (HWRC) of £940 (index linked)
 - b) Payment of a financial contribution towards Community Hall Facilities of £11,020.08 (index linked)
 - c) Payment of a financial contribution towards Outdoor Sports Provision of £20,170.30 (index linked)
 - d) Payment of a financial contribution towards Indoor Sports Provision of £8,047.68 (index linked)

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 following plans and documents:
 - Planning, Heritage, Design and Access Statement dated January 2024
 - Preliminary Roost Assessment prepared by Daniel Ahern Ecology dated January 2024
 - External Building Fabric Assessment (noise assessment) prepared by Clement Acoustics, reference 18824-EBF-01 dated 21 December 2023
 - Drawing number 22.1353/011 – [Site Location Plan]
 - Drawing number 22.1353/015 – [Proposed Block Plan]
 - Drawing number 22.1353/003 Rev C – [Proposed Ground Floor Plan]
 - Drawing number 22.1353/004 Rev B – [Proposed First Floor Plan]
 - Drawing number 22.1353/005 Rev A – [Proposed Second Floor Plan]
 - Drawing number 22.1353/008 Rev A – [Proposed Rear Elevation]
 - Drawing number 22.1353/013 Rev A – [Proposed rear elevation from side road (off Victoria Road)]
 - Drawing number 22.1353/010 – [Proposed Front Elevation]
 - Drawing number 22.1353/007 Rev A – [Proposed Section A-A]
 - Drawing number 22.1353/014 – [Proposed Front Elevation (B-B, C-C)]

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

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.

4. Prior to the commencement of works above slab level in respect of the development the development hereby approved, a scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority which shall include:
 - a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
 - b) details of the hard landscaping including hard surface areas,
 - c) details of the enclosures within the communal rooftop terrace area,
 - d) details of any fixed furniture within the communal rooftop terrace area.

All planting, seeding or turfing included 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 on the completion of the development, whichever is the sooner,] 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. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and 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 development shall not be occupied unless and until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out strictly in accordance with the approved schedule and shall be retained as such thereafter.

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 Policies ESD13 and 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.
6. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by an ecologist (member of the IEEEM or similar related professional body) to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys 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 Government guidance contained within the National Planning Policy Framework.

7. A method statement for enhancing the biodiversity (including bat boxes, swift brick/boxes and other enhancements within the rooftop terrace) shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity from any loss or damage and to seek biodiversity enhancements in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall have first been 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 Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. The development hereby approved shall not be occupied until details of how Secured by Design measures have been incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details of how the scheme accords with the secure by design principles shall include: details of all bedroom doors being certified to PAS24, with a door viewer installed; details of a secure postal strategy; and details of a visitor notification system (doorbell) for each bedroom. The Secure by Design measures shall be implemented in accordance with the approved detail and be retained and maintained in perpetuity. 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.

10. Prior to the first occupation of the residential dwellings all mitigation measures as set out in the noise report (Clement Acoustics ref 18824-EBF-01, dated 21 December 2023) shall be implemented. Thereafter this mitigation shall be maintained in accordance with the approved details.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

34

Cornhill Cafe 1 Castle Street Banbury OX16 5NT

The Committee considered application 24/01153/F for the Conversion of unused garage into a new office for two members of staff, this work includes a new front window and access from the existing building at Cornhill Cafe 1 Castle Street Banbury OX16 5NT for Royal Voluntary Service.

In reaching its decision the Committee considered the officers report and presentation.

Resolved

That, in line with officers' recommendation, application 24/01153/F 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), subject to:

CONDITIONS/REASONS

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: Site Location Plan (Titled: 5825 MAP), Block Plan (Titled: 5828 01), Proposed Floor Plans and Elevations (Titled: 5828 21)

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.

35 Cattle Market Car Park, Victoria Road, Bicester, OX26 6QB

The Committee considered application 24/01172/CDC to retain use of land as a car park at Cattle Market Car Park, Victoria Road, Bicester, OX26 6QB for Cherwell District Council.

In reaching its decision the Committee considered the officers report, presentation and the written updates.

Resolved

That, in line with officers' recommendation, application 24/01172/CDC be delegate 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), subject to:

CONDITIONS

(1) 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:

- Application form
- Site Location Plan
- Block Plan
- Drawing number OPAC-SSE-CB-XX-DR-E-001 Rev 06 – [EV Hub Oxford Park and Charge]

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.

(2) That the site shall be used only for the purpose of a public car park and for no other purpose whatsoever.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies C28 and C31 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

36 143 The Fairway, Banbury, OX16 0QZ

The Committee considered application 24/01117/F for the removal of imitation chimneys and the installation of solar PV across the roof at 143 The Fairway Banbury OX16 0QZ for Cherwell District Council.

In reaching its decision the Committee considered the officers report and presentation.

Resolved

That, in line with the officer's recommendation, application 24/01117/F 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), Subject to:

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: Drawing 003A (Site and Location Plan) and TE0466-DTL-XX-RF-DT-E-9001 Rev P01.

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.

37

Cherwell District Council Lock 29 Castle Quay, Banbury OX16 5UN

The Committee considered application 24/01224/CDC for a new courtyard roof and roof mounted air handling units at Cherwell District Council, Lock 29, Castle Quay, Banbury OX16 5UN for Cherwell District Council.

In reaching its decision the Committee considered the officers report, presentation and the written updates.

Resolved

That, in line with the officer's recommendation, application 24/01224/CDC be delegated to the Assistant Director for Planning and Development subject to the conditions 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 form and the following plans and documents: Drawing No. 7165-GBS-XX-XX-DR-A-104-P01, 7165-GBS-XX-XX-DR-A-105-P01 and 7165-GBS-XX-XX-DR-A-107-P01.

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.

Environmental Health

3. All plant, machinery, and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5 dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary (boundary of the roof). Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996

Castle Quay 2 Spiceball Park Road Banbury Oxfordshire OX16 2PA

The Committee considered application 24/01150/DISC for the discharge of Condition 22 (details of operational plant and mitigation) of 16/02366/OUT at Castle Quay 2 Spiceball Park Road Banbury Oxfordshire OX16 2PA for Loungers PLC.

In reaching its decision the Committee considered the officers report and presentation.

Resolved

That, in line with the officer recommendation, the discharge of condition 22 (operational plant and mitigation) of application 16/02366/OUT be granted with the details approved as set out below

- DEFRA RISK ASSESSMENT FOR ODOUR;
- DRAWING - 01
- DRAWING – 02
- DRAWING – 03
- ACOUSTICA LOUNGE SILENCERS (ELECTRIC COOKLINE)
- JE-EN-2023 PANEL VS4
- LONGAR TYPE 3 LOW PRESSURE BAFFLE FILTER PRODUCT DATA
- OC INNOVATIONS O2 OZONE
- SITE SAFE DISCARB UNIT EN 2014-1
- SYSTEMAIR KVK SILENT 160
- SYSTEMAIR KVK SILENT 200
- SYSTEMAIR MUB 062 560 D4 MULTIBOX
- SYSTEMAIR MUB 062 630 D4

The meeting ended at 10.20 pm

Chairman:

Date: