

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 23 July 2026 at 4.00 pm

Present:

Councillor Robert Parkinson (Chair)
Councillor Douglas Webb (Vice-Chair)
Councillor Chris Aramini-Brant
Councillor Besmira Brasha
Councillor Ian Harwood
Councillor Fiona Mawson
Councillor Dr Lisa Smith

Substitute Members:

Councillor Mark Gorman (In place of Councillor Yvonne Greene)
Councillor David Hingley (In place of Councillor Rob Packard)
Councillor Dr Kerrie Thornhill (In place of Councillor Dr Isabel Creed)
Councillor John Willett (In place of Councillor Jean Conway)

Apologies for absence:

Councillor Jean Conway
Councillor Dr Isabel Creed
Councillor Yvonne Greene
Councillor Rob Packard

Officers:

Paul Seckington, Head of Development Management
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
Denzil Turbervill, Head of Legal Services
Rob Duckworth, Principal Planning Officer
Nicola Wheatcroft, Principal Planning Officer
Katherine Daniels, Principal Planning Officer
Lewis Knox, Senior Planning Officer
Matt Swinford, Democratic and Elections Officer
Natasha Clark, Governance and Elections Manager

Declarations of Interest

11. Campsfield Immigration Removal Centre (IRC), Evenlode Crescent, Kidlington, OX5 1GN.

Councillor Fiona Mawson, Other Registerable Interest, as a member of Kidlington Town Council.

15. Part Of Os Parcels 1864 And 3655 South West Of Milestone Farm, Broughton Road, Banbury.

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

29 **Requests to Address the Meeting**

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

30 **Minutes**

The Minutes of the meeting held on 2 July 2026 were agreed as a correct record and signed by the Chair.

31 **Chair's Announcements**

1. The Chair reminded Members that should they need to leave the room for any reason, that they should be mindful of timing and endeavour to be present for officers' presentation, public addresses and participate in the debate. Members were advised that voting was ultimately a matter for their own judgment.

32 **Urgent Business**

There were no items of urgent business.

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

There were no proposed pre-committee site visits.

34 **Planning Performance Report**

The Assistant Director Planning submitted a report which detailed the Council's performance in determining planning applications for the

Government's targets on Speed and Quality, as well as general performance figures.

The Head of Development Management advised the Committee the Council went over the 10% threshold of major decisions overturned at appeal in 2024 and 2025 in the measure of quality of decisions. On 15 June 2026, the Ministry of Housing, Communities and Local Government advised that it had chosen to designate the Council as poor performing on the quality of major decisions, due to being over the 10% threshold.

The Head of Development Management explained that a comprehensive Action Plan was being prepared to support the earliest possible removal of designation. That work was being undertaken in partnership with the MHCLG and PAS, both of whom had committed to supporting the Council through the improvement process.

Resolved

- (1) That the report be noted

35 **Appeals Progress Report**

The Head of Development Management submitted a report which informed Members about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the report be noted.

36 **Planning Enforcement Report**

The Assistant Director Planning submitted a report that updated Members on current planning enforcement activity within the second quarter of 2026.

Resolved

- (1) That the report be noted

37 **Campsfield Immigration Removal Centre (IRC), Evenlode Crescent, Kidlington, OX5 1GN**

The Committee considered a report of the Head of Development Management which recommend the Committee authorise officers to advise the Secretary of State, the Planning Inspectorate and the Home Office that Cherwell District Council, as local planning authority, raised no objection in principle to the proposed crown development subject to:

1. The Secretary of State being satisfied that the submitted national need, operational need and security evidence justifies the proposed expansion of Campsfield Immigration Removal Centre.
2. The Secretary of State being satisfied that the proposal constitutes Grey Belt development which is not inappropriate development for the purposes of the National Planning Policy Framework, or, in the alternative, that very special circumstances exist which clearly outweigh the harm to the Green Belt and any other harm.
3. The imposition of planning conditions
4. The imposition of a legal agreement to mitigate the impact of the development

In introducing the report, the Principal Planning Officer explained that the application was made by the Home Office under the Crown development procedure. It would be determined by the Planning Inspectorate. Cherwell District Council was a consultee on the application.

The application was an outline planning application with all matters reserved (except for access) for the expansion of Campsfield Immigration Removal Centre comprising the development of new accommodation blocks and ancillary supporting accommodation, the conversion of existing site infrastructure, demolition of existing structures, creation of additional car parking, landscaping and associated site infrastructure.

It was proposed by Councillor Smith and seconded by Councillor Mawson that the Committee authorise officers, in consultation with the Portfolio Holder and Chair of the Planning Committee, to write to the Secretary of State, the Planning Inspectorate and the Home Office to advise that Cherwell District Council objects to the application subject to:

- a) The imposition of planning conditions
- b) The imposition of a legal agreement to mitigate the impact of the development
- c) Matters requiring resolution before permission could be sorted listed below:
 1. The Secretary of State must be satisfied, on complete and robust evidence, that the additional capacity is necessary; that an expanded capacity of up to 400 detained persons is justified; that the proposed scale and form of development are proportionate; and that reasonable alternative sites, configurations and less harmful means of meeting the stated need have been properly assessed.
 2. A transparent and complete Green Belt balance is required before determination as the development would cause harm to openness and to the Green Belt function of maintaining separation between settlements.
 3. A detailed operational parking justification is required due to the proposed increase from 97 parking spaces to approximately 324/325 spaces.

4. Provision of a sufficient operations detail to demonstrate how the expanded facility would safely manage a materially larger population with differing individual risk and vulnerability profiles.
5. The Council requires clear confirmation and enforceable measures to ensure that the Technology Park's present and future operation is not adversely affected.
6. Consideration of local community impact of the development and local opposition.
7. The Council requires binding and transparent arrangements to protect vulnerable people accommodated at the facility. Particular consideration must be given to LGBTQ+ persons; people with protected characteristics; victims of torture, trafficking or abuse; people with physical or mental health needs; and people detained solely under immigration powers, including those who have no criminal conviction.

Resolved

- (1) That the committee authorise officers, in consultation with the Portfolio Holder for Planning and Enforcement and Chair of the Planning Committee, to write to the Secretary of State, the Planning Inspectorate and the Home Office to advise that Cherwell District Council objects to Crown application CROWN/2026/000004/ Cherwell reference 26/01402/CROWN, unless the items that were raised and agreed by the Committee for inclusion in the officer's response have been addressed.

38

Land To The East of Claydon Road, Cropredy

The Committee considered application 25/03234/OUT, an outline planning application (with All Matters Reserved except for access) comprising a residential development of up to 74 dwellings (Use Class C3) with associated access, landscaping, amenity space, drainage and associated works at Land to the East of Claydon Road Cropredy for Obsidian Strategic Asset Management Ltd.

Geoff Scammans, on behalf of Keep Cropredy Rural and Jacqui Smith, Vice Chair of Cropredy Parish Council addressed the committee in objection to the application.

Paul Galgey, agent on behalf of the applicant, addressed the committee in support of the application.

It was proposed by Councillor Aramini-Brant and seconded by Councillor Webb that application 25/03234/OUT be refused in line with the officer recommendation for the reasons set out in their report.

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

Resolved

That, in line with officer recommendation, application 25/02895/OUT be refused for the following reasons (and any amendments to as deemed necessary), with authority delegated to officers, in consultation with the Chair of Planning Committee, to add or remove refusal reasons, in the event of an appeal being lodged against the refusal, in light of new evidence becoming available.

1. The proposal would be an urbanising form of development, would result in the permanent loss of open greenfield land at the northern edge of Cropredy and would extend built form into the Upper Cherwell Basin landscape. It fails to adequately recognise the intrinsic character and beauty of this part of the countryside, nor would it be sympathetic to the landscape setting of the northern edge of Cropredy and the Oxford Canal corridor. The proposal would adversely impact the rural setting of the village and would result in a harmful visual intrusion of development into the landscape and open countryside and would therefore result in harm to the rural character and appearance and quality of the area, and to views from sensitive public receptors, particularly users of the Oxford Canal towpath. The proposal is therefore contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policies C8 and C28 of the Cherwell Local Plan 1996, Policies SP1, CSD25, COM2, COM10, COM14, COM26 and COM27 of the draft Cherwell Local Plan 2042 and the National Planning Policy Framework including paragraphs 135 and 187.
2. The proposed development would be sited in a geographically unsustainable location with poor access to services and facilities and therefore future residents would be highly reliant on the private car to meet their day to day needs which would not reduce the need to travel and would result in increased car journeys and hence carbon emissions. The proposed development therefore conflicts with Policies ESD1 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1, Policies CSD1, CSD22 and CSD23 of the draft Cherwell Local Plan 2042 and Government guidance in the National Planning Policy Framework. This identified harm would significantly and demonstrably outweigh the benefits associated with the proposed development and therefore the development does not constitute sustainable development when assessed against the National Planning Policy Framework as a whole.
3. In the absence of the completion of a satisfactory Section 106 Agreement, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, BSC3, BSC10, BSC11 and BSC12 of the Cherwell Local Plan 2011-2031 Part 1, Policies COM2, COM20, COM23 and COM24 of the draft Cherwell Local Plan 2042, and Government guidance contained within the National Planning Policy Framework.

Land Adjoining And West Of Bloxham Recreation Ground, South Newington Road, Bloxham

The Committee considered application 25/02895/OUT, an outline application with All Matters Reserved except for access, for up to 95 dwellings (Use Class C3) with associated works at Land Adjoining And West Of Bloxham Recreation Ground, South Newington Road, Bloxham for David Wilson Homes South Midlands.

Councillor Rob Pattenden addressed the Committee as Local Ward Member.

Neil Homer, on behalf of Bloxham Parish Council, addressed the Committee in objection to the application.

Eleanor Gingell, agent on behalf of application, addressed the Committee in support of the application.

It was proposed by Councillor Hingley and seconded by Councillor Webb that application 25/02895/OUT be refused, against officer recommendation, as the proposal would result in an urbanising form of development and would be detrimental to the Slade Nature Reserve and its landscape setting and would result in a harmful visual intrusion of development into the landscape and open countryside. The proposal would also detrimentally affect the village entrance and rural setting and result in significant adverse effects to the character and appearance of the area. The proposal was not allocated for developments in the emerging Bloxham Neighbourhood Plan 2024-2042 and given its scale would be contrary to the housing strategy of the Plan. The proposal was contrary to Policies Villages 2, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C33 of the Cherwell Local Plan 1996, Policies BL1, BL3 and BL9 of the emerging Bloxham Neighbourhood Plan 2024-2042 and the National Planning Policy Framework including paragraphs 135 and 187.

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

Resolved

That, against officer recommendation, application 25/02895/OUT be refused for the reasons below.

1. The proposal would result in an urbanising form of development, and the permanent loss of open greenfield land in a prominent location at the entrance to the village of Bloxham, and would be detrimental to the Slade Nature Reserve and its landscape setting and would result in a harmful visual intrusion of development into the landscape and open countryside. The proposal would also detrimentally affect the village entrance and rural setting through the formation of a hard surfaced, three

metre wide cycleway which would result in the loss of grass verge and vegetation inappropriate to the rural context. The proposal would therefore result in significant adverse effects to the character and appearance of the area. In addition, the site is not allocated for development in the emerging Bloxham Neighbourhood Plan 2024-2042 and given its scale would be contrary to the housing strategy of the said Plan, which has now reached an advanced stage in the plan making process, and the proposal would have an adverse cumulative impact on the character of the village. The identified harm significantly and demonstrably outweighs the benefits of the proposed development. The proposal is therefore contrary to Policies Villages 2, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C33 of the Cherwell Local Plan 1996, Policies BL1, BL3 and BL9 of the emerging Bloxham Neighbourhood Plan 2024-2042 and the National Planning Policy Framework including paragraphs 135 and 187.

2. In the absence of the completion of a satisfactory Section 106 Agreement, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, BSC3, BSC10, BSC11 and BSC12 of the Cherwell Local Plan 2011-2031 Part 1, Policies COM2, COM20, COM23 and COM24 of the draft Cherwell Local Plan 2042, and the National Planning Policy Framework.

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Land At Islip Fuel Depot, Adjoining Oxford to Bicester Railway, Bletchingdon Road, Islip

The Committee considered application 25/02918/OUT, an outline application (All Matters Reserved except for Access) for the development of up to 150 homes (Class C3), up to 70-bed care home (Class C2), up to 65 no. retirement/assisted living units (Class C2/C3) and associated facilities, car parking associated with the neighbouring land use (sui generis), public open space, pedestrian and cycle links, play area, drainage, landscaping, and all other related works including the removal of fuel storage tanks and associated engineering/remediation works and demolition of associated structures and buildings at Land At Islip Fuel Depot, Adjoining Oxford to Bicester Railway, Bletchingdon Road, Islip for Barwood Development Securities Ltd and NCM Real Returns Property GP Ltd.

Dennis Price and Andrew Smith on behalf of Islip Parish Council addressed the Committee in objection to the application.

Sarah Butterfield, agent on behalf of the application, addressed the Committee in support of the application.

It was proposed by Councillor Dr Thornhill and seconded by Councillor Brasha that application 25/02918/OUT be approved in line with officer recommendation.

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

Resolved

- (1) That, in line with officer recommendation, authority be delegated to the Assistant Director - Planning to grant permission for application 25/02918/OUT subject to:
 - i) The conditions set out below (and any amendments to those conditions as deemed necessary) and
 - ii) The completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):
 - Expansion and efficiency improvements of Household Waste Recycling Centre. £22,253.
 - Increase Capacity and Stock at Kidlington Library Service: £23,844
 - £258,264 towards creation of additional clinical capacity at Islip Medical Practice or an identified primary care estates project in the local area to serve the development.
 - The Recreation and Leisure Team at Cherwell District Council have requested the following contributions towards:
 - Enhancement of Community Hall Facilities in the locality based on 2.4 person per dwelling = £165,301.20
 - Outdoor Sport provision based on £585,650.00. This contribution is considered to accord with policy BSC11 and the CDC Playing Pitch Strategy which identifies the need for improved pitches at Islip or Kidlington sports facilities.
 - Indoor Sports provision contribution £219,882.00. This contribution will go towards improving indoor sport provision.
 - Community Development Worker contribution of £37,449.61. The Community Development Worker would help integrate residents into the community and wider area.
 - Community Development Fund. £12,825.00. This contribution is considered to accord with the aims of Chapter 8 of the NPPF and promoting health and safe communities, specifically the aim of promoting social interaction.
 - Public Art. A contribution of £250 per dwelling plus 5% management and 7% maintenance has been requested towards public art. Based on the above this would amount to £73,870.00 No details have been provided on what public art this will be used to fund so I do not consider that it would meet the three tests contained within paragraph 58 of the NPPF. The applicant has

however agreed to pay this contribution, so this is a benefit in the planning balance.

- Oxfordshire County Council has requested the following financial contributions:
 - £5,000 Highway works for Kidlington Road signage
 - £5,933.60 towards wayfinding
 - £388,740 towards public transport services
 - £100,000 towards bus stop improvements
 - £3,840 towards Traffic Reg Order
 - £4,070 towards travel plan monitoring
 - £1,465, 914 towards Primary education
 - £1,453,680 towards Secondary education
 - £101,556 towards costs of acquiring a new secondary school site
 - £129,842 towards special education
 - TVP has requested £30,521 for a contribution towards additional staff, vehicles, premises, equipment, APNR cameras.
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Conditions

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months 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).

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

- Site Location Plan (Titled: 4274 01 Rev D)
- Islip Access Plan (Titled: 08756-0101 Rev J)
- Bletchingdon Road Plan (Titled: 08756-0111 Rev P03)
- Swept Path Analysis Plan (Titled: 08756-0102 Rev P01)
- High Street Crossing Point (Titled: 08756-0112 P02)

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

4. No development shall commence until a phasing plan covering the entire application site 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 phasing plan, and each reserved matters application shall only be submitted in accordance with the terms of the approved phasing plan and refer to the phase (or phases) it relates to as set out in the approved phasing plan.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD16, ESD17 and SLE4 of the Cherwell Local Plan 2011/2031 Part 1 and Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework

5. Prior to the submission of any reserved matters application, a Design Code to include the distribution of land uses, form of buildings, street frontage, materials, servicing, parking and sustainability features shall be submitted to and approved in writing by the local planning authority. Thereafter, each reserved matters application shall be submitted in accordance with the approved Design Code.

Reason: To ensure a high quality development and appropriate infrastructure in accordance with Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD17 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

6. No development shall commence until details of the existing and proposed ground levels and finished floor levels of the development in relation to the adjacent buildings have been submitted to and approved in writing by the local planning authority. The development hereby

permitted shall be constructed in accordance with the approved levels and shall be retained as such thereafter.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

7. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety 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.

8. No development shall commence until a construction traffic management plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include:
 - a) Details of wheel cleaning/wash facilities, to prevent mud from being carried onto the adjacent highway by vehicles.
 - b) Contact details of the Project Manager and Site Supervisor responsible for on-site works.
 - c) Details of how appropriately trained banksmen will be used for guiding vehicles and unloading.
 - d) Details of where staff and visitors to the construction site will park.
 - e) Details of times for deliveries to and the removal of materials from the site.
 - f) Layout plan of the site that shows haul roads, site storage, compound and pedestrian routes.
 - g) Measures to control the emission of dust and dirt during construction

The development shall then be undertaken in accordance with the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times, and in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

9. Prior to the first occupation of any residential dwelling, a Residential Travel Plan meeting the requirements set out in the Oxfordshire County

Council guidance document, Transport for New Developments; Transport Assessments and Travel Plans (March 2014) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Residential Travel Plan.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

10. Prior to the first occupation of the care home, a Care Home Travel Plan meeting the requirements set out in the Oxfordshire County Council guidance document, "Transport for New Developments; Transport Assessments and Travel Plans (March 2014)" shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved care home Travel Plan.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

11. Prior to the commencement 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 site shall be managed in accordance with the details of the approved LEMP.

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.

12. No development shall take place (including demolition, ground works, vegetation clearance) 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 i)
Badger surveys
- i) Soft felling measures for trees with bat roost potential

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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.

13. Prior to the commencement of the development, 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 shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with approved CEMP.

Reason: To ensure the development do not adversely impact the amenities of existing residents in the locality in accordance with saved Policies ENV1 and C30 of the Cherwell Local Plan 1996 and government guidance in the National Planning Policy Framework.

14. No occupation shall take place on any phase of the development until a detailed lighting strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The details to be submitted shall include:

- a) Lighting for play
- b) Lighting for public realm and walking and cycling routes
- c) Landscape and ecological areas where lighting will be prohibited.
- d) A strategy for roads and development parcels.
- e) A strategy for mitigation to reduce light pollution during construction.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance with Policies BSC10, BSC11, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 Part 1 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework

15. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- a) A site investigation scheme, based on the Desk Study, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with government guidance contained within the National Planning Policy Framework.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

17. 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 subsequently be 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;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- 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, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, 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

18. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in.pdf file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, 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.

19. The development shall not be occupied until confirmation is provided that either:

1. All necessary upgrades to the foul water network to accommodate additional flows from the development have been completed; or
2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents.

20. No development shall be occupied until confirmation has been provided that either: all water treatment 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 the Local Authority in consultation 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 water and treatment upgrade works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid no water incidents.

- (1) It was further resolved that when the statutory determination period for this application expired on 12 June 2026, if the section 106 agreement/undertaking was not completed and the permission was not able to be issued and no extension of time had been agreed between the parties, authority be delegated to the Assistant Director - Planning to refuse the application for the following reason:
1. In the absence of a signed unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure provisions and contributions related to affordable housing, open space, highways, education, health and other social infrastructure, necessary to make the impacts of the development acceptable in planning terms. The proposal therefore runs contrary to Policies, BSC 3, BSC 7, BSC8, BSC 10-12, SLE4 INF1 of the Cherwell Local Plan 2011-2031 Part 1 and Policies CSD 22-23, COM 2, COM 15 -17 COM 20-21, COM 23-24 of the Cherwell Local Plan Review (2042), Cherwell District Council's Developer Contributions Supplementary Planning Document (2018) and government guidance within the National Planning Policy Framework.

Part Of Os Parcels 1864 And 3655 South West Of Milestone Farm, Broughton Road, Banbury

The Committee considered application 25/02863/OUT, an outline application for the development of up to 76 dwellings, green and blue infrastructure, open space and associated works, with All Matters Reserved apart from access at Part Of Os Parcels 1864 And 3655 South West Of Milestone Farm Broughton Road Banbury for Kler Group.

Councillor Kieron Mallon addressed the Committee as Local Ward Member.

Richard West, agent on behalf of the applicant, addressed the Committee in support of the applicant.

It was proposed by Councillor Dr Thornhill and seconded by Councillor Brasha that application 25/02863/OUT be approved in line with officer recommendation.

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

Resolved

- (1) That, in line with officer recommendation, authority be delegated to the Assistant Director for Planning to grant permission for application 25/02863/OUT subject to:
 - i) The conditions set out below (and any amendments to those conditions as deemed necessary) and
 - ii) The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
 - a) Provision of 30% affordable housing on site
 - b) contribution to CDC for the provision or enhanced facilities at The Hill, Sunshine Centre or community facilities at Woodgreen Leisure Centre - £83,742.68
 - c) contribution to CDC towards outdoor sport provision - £214,237.00
 - d) contribution to CDC towards indoor sport at Woodgreen Leisure Centre or a new indoor sport facility in the locality - £81,171.00
 - e) contribution to CDC towards public art within the vicinity - £21,280
 - f) payment of the District Council's monitoring costs of £5,000
 - g) contribution to OCC of £120,000 for Highway Works
 - h) contribution to OCC of £103,664 for enhanced public transport services
 - i) contribution to OCC of £14,864 for enhanced public transport infrastructure
 - j) contribution to OCC of £4,224 for Traffic Regulation Order
 - k) contribution to OCC of £750,186 for secondary education provision
 - l) contribution to OCC of £72,468 for secondary education land
 - m) contribution to OCC of £70,823 for special education needs
 - n) contribution to OCC of £7,866 for household waste and recycling centres
 - o) payment of the County Council's monitoring costs – TBC and
 - p) contribution to BOBICB for health care enhancements – £68,870

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.

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of 18 calendar months beginning with the date of this permission.

Reason: This permission is in outline only and is granted 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.

3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission and the development hereby permitted shall be begun either before the expiration of 40 calendar months 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 (General Development Procedure) Order 2015 (as amended). The time period for submission has been reduced from standard period. The application has been submitted to address the Council's 5-year housing land supply position and is in accordance with the applicant's planning statement.

Compliance with Plans

4. 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 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.

Highways

5. The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing prior to the first trench being dug by the Local Planning Authority including the swept paths of the refuse vehicle covering all manoeuvres and all ancillary works

therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

Reason: To ensure a safe and adequate access.

6. Visibility splays shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

Reason: In the interests of road safety.

7. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details. The CTMP will need to incorporate the following in detail:

- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and the residential amenities of neighbouring occupiers.

8. No other part of the development shall be occupied until the offsite highway works have been laid out and constructed in accordance with details to be submitted to and first approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall include:
 - Proposed site access arrangements, pedestrian infrastructure and new bus stops (eastbound/westbound) as shown in principle on Drawing no. 3794-ADC-HGN-XX-DR-CH-0100-S1-Rev P04 including the provision of signalised pedestrian crossing connecting the two new bus stops (eastbound/westbound) located on Broughton Road.

Reason: To ensure a safe and adequate access to the site for all use

9. Prior to the first use or occupation of the development hereby approved, details including exact locations of the proposed two new bus stops (eastbound and westbound) should be submitted and approved in writing by the Local Planning Authority. Thereafter the bus stop shall be implemented in accordance with the approved details.

Reason: In the interests of safety and convenience of users of the public transport services.

10. Prior to occupation of the development details shall be submitted for the approval of the Local Planning Authority for a scheme for parking, garaging and manoeuvring in accordance with Oxfordshire's "Parking Standards for New Developments". The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

11. No part of the development shall be occupied until an area has been laid out within the site for refuse vehicles to turn in accordance with details to be submitted and approved by the Local Planning Authority and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway.

12. Prior to the first occupation of the development hereby approved, a Residential Travel Information Pack shall be prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", and submitted to and

approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

13. Full specification details of an all-weather surfaced pedestrian path linking the residential footways within the site to the northeastern boundary via the existing public right of way including the connection point into the adjacent site (located to the east) and the proposed delivery timescales for this pathway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All associated works therein specified shall be undertaken in accordance with the approved timeframe before first occupation of the dwellings hereby approved.

Reason: To ensure a safe and adequate pedestrian connectivity to the adjacent site.

Archaeology

14. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

15. Following the approval of the Written Scheme of Investigation referred to in condition 14, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

Drainage

16. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a) As built plans in both .pdf and .shp file format;
 - b) Photographs to document each key stage of the drainage system when installed on site;
 - c) Photographs to document the completed installation of the drainage structures on site;
 - d) The name and contact details of any appointed management company information.

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

Ecology

17. No development shall commence until a wildlife-sensitive lighting scheme, in line with Bat Conservation Trust guidance on bats and artificial lighting at night (GN08/23) has been submitted to and approved in writing by the LPA. Thereafter, the development shall not be carried out other than in accordance with the approved lighting 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.

18. 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:
- Risk assessment and mitigation of potentially damaging construction activities
 - Identification of 'Biodiversity Protection Zones'
 - 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)
 - The location and timing of sensitive works to avoid harm to biodiversity features
 - The times during construction when specialist ecologists need to be present on site to oversee works
 - Responsible persons and lines of communication

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- 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.

19. 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. The development shall not be carried out other than in full accordance with the approved LEMP including any/all timescales set out therein.

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.

20. No development shall commence above slab level until a method statement for enhancing ecology including at least one bird/bat box per dwelling and all enhancement measures in the Ecological Appraisal report has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation and shall thereafter be retained in full accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

21. A revised ecological survey shall be undertaken prior to the submission of any reserved matters application if the baseline data as submitted in this application is out of date. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local planning authority. Thereafter, the development shall be carried out in full accordance with the approved details.

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

22. As part of any reserved matters application an LVA shall be submitted, the LVA shall include:

- 3D modelling, wirelines, or rendered photomontages (LI Visualisation Types 2-3) to show how the scheme responds positively to the underlying topography and its landscape context. The visualisations must be supported by narrative that identifies the mitigation measures inherent to the scheme and how these are necessary to protect landscape character.

The LVA must conform to best practice and guidance including demonstration that alternative layouts have been considered and the mitigation hierarchy has been followed as part of an iterative and coordinated design process.

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.

23. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

24. No development 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.

25. No development 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

- (2) It was further resolved that when the statutory determination period for this application expired on 24 July 2026 if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date and no extension of time had been agreed between the parties, authority be delegated to the Assistant Director - Planning to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate mitigation required as a result of the development and necessary to make the ecological, landscape and highway impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to development plan policies SLE4, ESD10, ESD13, INF1, C7, C8 and C28 and national guidance contained in the National Planning Policy Framework.

The meeting ended at 8.30 pm

Chair:

Date: