

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

1 August 2024

WRITTEN UPDATES

Agenda Item 7 – Pre-Committee Site Visits

Cllr Watkins has requested a site visit take place for 24/01948/OUT - an outline application for 73 houses in Hook Norton. Cllr Watkins advises that there is high public interest in this application including the proposed sites for pedestrian and vehicular access and the removal of a large section of mature hedgerow.

Agenda Item 8 – Hanwell Fields, Dukes Meadow Drive, Banbury, OX27 8TH

Summary of Additional Information Received from the Applicant

The applicant submitted an email on Tuesday requesting correction of “*factual inaccuracies*” and suggested “*additional commentary be provided to explain how the applicant had worked proactively with Officers*”.

The Factual Corrections Sought are:

Para.3.1 – Description of Development – The applicant is now seeking a scheme of “**up to 114 dwellings**” rather than 117, in accordance with more detailed site capacity design work undertaken during the course of the application’s processing;

Para.4.1 – Phase 1 Status – The Phase 1 development of 78 dwellings on the adjoining site (Ref: 21/03426/OUT) now has an outline planning permission, dated 3rd May 2024, and a completed S.106.

Paras.7.12-7.13 & 9.96 – Ecological impact – An area containing Adder’s-tongue fern near the northwest corner of the site was referenced in the objections from CDC’s Ecologist and by BBOWT. That area was part of the previously withdrawn development proposal for 176 dwellings on a much larger site. It was excluded from this red-edge application boundary, so it is not a constraint to this development of 114 dwellings.

Officer Response:

Officers accept these corrections are appropriate and recommend that Members note the corrections referenced.

Additional Commentary:

Paras.9.37 & 9.52 – Landscape Impact & Site Layout and Design – The Parameter Plan accompanying the application, as referenced at suggested Condition 4, would “*limit any impact on the landscape [by introducing] bungalows around the perimeter of the site on the northern and western boundaries.*”

Para.7.13 – BBOWT objections – The concerns raised by BBOWT were all addressed by the Applicant’s ecologist, Aspect Ecology, in a response dated 5th March 2024.

Para.9.49 – Heritage impacts – The report concludes that with no direct intervisibility between the application site and heritage assets at Hanwell village and with only a potential for archaeological remains to be found onsite during construction then the level of any heritage

harm would be 'less than substantial' as defined in the NPPF, and towards the lower end of such impact. Such impact could adequately be controlled by condition(s).

Paras.9.5, 9.18 & 9.19 – Strategic context – Reference is made to appeal decisions where Policy Villages 2 was applicable in development proposals in rural villages. This application site lies on the edge of Banbury, so Policy Villages 2 is not relevant in any determination.

Para.11 – Recommended Conditions – Condition 4 – The Applicant is broadly supportive of the suggested conditions of approval. However, as the application is in outline with most design aspects to be dealt with at reserved matters, the suggested list of approved plans and documents should be limited to the red line plan, the parameter plan and the access plan plus its accompanying support documents.

Officer Response:

Officers note the comments made and accept the suggested alteration to recommended Condition 4, which Committee Members are asked to support.

Appeal Decision APP/C3105/W/24/3338211 – Land east of Warwick Road, Banbury

Committee Members should note that an appeal by Vistry Homes for a development of 250 homes on the east side of Warwick Road between Banbury and Hanwell village was allowed by PINS earlier this week.

The Inspector also concluded that there would be no substantive landscape, heritage or agricultural land quality harm and therefore nothing in combination of those factors that would outweigh the benefit of providing more homes generally at Banbury.

The Inspector also concluded that the District did not have a five-year housing land supply by virtue of the Inspector's perceived need for a single combined requirement to satisfy both Cherwell District's own housing needs with those of the Oxford city overspill. This echoed the decision reached previously at Heyford Park, which the Council will be challenging at the High Court in November. The Council are reviewing this appeal decision and whether there any grounds for challenge.

Officer Response:

Committee Members should note this decision as a material consideration that should be afforded weight.

Objection from interested party

"I would like to reiterate my objection to this proposal in writing, to be considered in the meeting on the 1st of August which I am unable to make.

My objection comes down to two things.

The sheer volume of newbuild housing estates being built on the outskirts of Banbury in particular, which many residents feel is becoming excessive and starting to make Banbury feel like one very large housing estate, with negative impact on the surrounding countryside and wildlife. Directly opposite where I live there is a new development being built now by Sanctuary Housing. Hanwell Fields just up the road from this is already sprawling, and the latest proposal will serve to effectively just connect up Hanwell Fields estate/ the houses opposite it on Bannister drive with the new Sanctuary Housing development.

Linked with the above, the complete lack of any updates to infrastructure, especially any provision being made to increase capacity of the road network in to Banbury, doctor's surgeries, dentists' (which are already desperately oversubscribed), and local primary and secondary schools.

How will the new development be catering for the increased demand on these public services from 117 new dwellings? I would ask whether any of the councillors have ever driven up the Southam Road between 8 and 9 am, or indeed the Warwick road up by the Sainsbury's local, attempting to do a school run or get to work. There is at times gridlocked congestion, and this problem will become worse with no provision to alleviate it.

My fear with these proposals is that the profit motive for the developers comes first, and it is on the council to ensure these provisions are being made so the extra demand on our local services doesn't become unbearable.

I appreciate that I myself live in a newbuild estate, and that newbuild homes are needed. However, the issue is that Banbury seems to be heavily built upon compared to other areas now, and we aren't upgrading infrastructure above accordingly."

Agenda Item 9 - South Lodge, Fringford Road, Caversfield, Bicester, OX27 8TH

Summary of Additional Information Received from the Applicant

The applicant has submitted two documents in respect of the application

- Comparison document to the previous 2013 appeal scheme
- Stage 1 Road Safety Audit

Officer Response:

In response to the comparison document this is addressed in the committee report and does not include new information. It is a response to present the positive elements of the scheme and how the scheme differs from the previous appeal consideration.

In respect of the Road Safety Audit, officers have re-consulted and notified highways officers in respect of the submission. Their comments are awaited.

Additional Consultee Response

The following consultee response has been received:

NHS Buckinghamshire, Oxfordshire, and Berkshire West Integrated Care Board (the ICB) identifies Alchester Medical Group has identified an estate project at Victoria House Surgery, which is to reconfigure and refurbish the existing areas, arises from the new first floor extension and from taking back space currently occupied by Oxford Health NHS Foundation Trust and others. The newly developed rooms will fully comply with Health Building Notes while the existing clinical facilities will also be brought up to standard. The gross floor area of the extended Victoria House Surgery will be approximately 940 square metres, which will provide additional 8 consulting rooms.

This outline planning application is now seeking to deliver up to 99 units at the application site. The ICB has raised NO OBJECTION to the proposed development, subject to a primary healthcare contribution, which will support the project at Victoria House Surgery. Based on the provision of 99 units, the ICB would like to request a financial contribution of £85,536. Such contribution should be secured by a Section 106 agreement and the contribution should be index linked.

Officer Response

The consultation response completes the Heads of Terms sought in the s106 should the application be recommended for approval.

Summary of Additional Representation Received:

4 additional comments have been received following the publication of the report these raise the following comments in summary:

- Impact on the character of the village
- Lack of facilities
- Impact on roads
- Loss of wildlife and countryside
- Disruption of construction and activity of the EcoTown

Officer Response:

These matters have been addressed in the main report and are similar to comments made by other local residents.

Amended Recommendation:

That delegated authority be given to keep, amend or remove Reason for Refusal 2, the highway reason for refusal, following formal consultation response from the highway authority, in respect of the further information received, prior to issuing of the decision.

Agenda Item 10 – Poultry House, Rickfield Farm, Station Road, Milcombe, OX15 4RS

Neighbour Response: Two additional letters have been received and have raised concerns about the impact on the Local Wildlife Site (LWS) and Conservation Target Area (CTA). Also has raised concerns regarding the impact on traffic and on the cumulative impact on the surrounding area. Also, if the building will be converted in accordance with the submitted information. What the planning application relates to, and Milcombe Parish Council has in fact raised objections.

Richard Buxton Solicitors: Would like to raise concerns about the discrepancy in the report on what the application is for, and that Milcombe Parish Council objected to the scheme. There is also a current appeal on site for the conversion of the Dutch barn and the poultry shed.

National Farmers Union: Supports the application to diversify the farming business. It will allow the farming business to continue to operate and supports the rural economy.

The Country Land and Business Association (CLA): Supports the proposal to diversify the existing farm unit.

Cherwell District Council Ecologist: Has reflected on the comments on the email from a neighbour representation. The Council's records show that only a small areas of the track is within the CTA and potential expansion to the LWS. The original comments still stand, and if permission is granted conditions are recommended on biodiversity enhancements, and timings of vegetation removal.

Agent: Has raised inconsistencies within the committee report. The site is known as Rickfield Farm, and not Rickyard Farm. The application relates to the Poultry building only, and not the Dutch Barn. The building is fully enclosed and not partially enclosed. The planning history relates to the recent planning history and not the whole planning history of the site. Concern regarding the SLE1 Policy of the CLP 2015 plan, and what is farm diversification. The proposal does constitute farm diversification. 50 acres of the Rickfield Farm are still farmed, and the applicant farms a total of 400 acres across his farm estate.

Officer Response: *The application is for the conversion of the Poultry Shed, and not for the Dutch Barn. The comments from the Councils Ecologist states that the proposal*

could be mitigated against, with the imposition of planning conditions if the application was approved.

If the application is approved, a condition will be required to develop in accordance with the approved plans. If the scheme is not carried out in accordance with the agreed details, then this would be subject to an enforcement investigation.

The comments received from Milcombe Parish Council on the file raise no objections. No additional comments have been received.

Policy SLE1 states the following for New Employment Proposals:

New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- They will be outside of the Green Belt, unless very special circumstances can be demonstrated.*
- Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.*
- They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.*
- They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.*
- The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).*
- The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car. There are no suitable available plots or premises within existing nearby employment sites in the rural areas.*

The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

The proposal is for the change of use of the Poultry building which is an enclosed building, and the storage shed will have a limited impact on the surrounding area. The changes to the character of the rural area will be by the travel movements increasing due to the self-storage. Officer's consider that additional funds is separate to the farming business and would result in a development which is a new business in the rural location. It would further remove areas which could be used for the farming enterprise at Rickfield Farm. All of these are highlighted within the main body of the committee report.

Agenda Item 11 – 45 Woodhall Drive Banbury

No Update