Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 20 March 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chairman)

Councillor Amanda Watkins (Vice-Chairman)

Councillor Rebecca Biegel

Councillor Chris Brant

Councillor John Broad

Councillor Phil Chapman

Councillor Jean Conway

Councillor Grace Conway-Murray

Councillor Dr Isabel Creed

Councillor David Hingley

Councillor Fiona Mawson

Councillor Robert Parkinson

Councillor David Rogers

Councillor Les Sibley

Councillor Dr Kerrie Thornhill

Substitute Members:

Councillor Dorothy Walker (In place of Councillor Lesley McLean) Councillor Douglas Webb (In place of Councillor Ian Harwood)

Apologies for absence:

Councillor Becky Clarke MBE Councillor Ian Harwood Councillor Lesley McLean

Officers:

lan Boll, Corporate Director Communities
Paul Seckington, Head of Development Management
Katherine Daniels, Principal Planning Officer
Rebekah Morgan, Principal Planning Officer
Sophie Browne, Principal Planning Officer
Karen Jordan, Deputy Principal Solicitor
Matt Swinford, Democratic and Elections Officer
Martyn Surfleet, Democratic and Elections Officer

117 **Declarations of Interest**

8. Land Adjoining And North Of Playing Field The Bourne Hook Norton

Councillor Amanda Watkins Other Registerable Interest, as a local resident.

10. Oxford South Depot, 1 Woodstock Road, Yarnton, OX5 1NY

Councillor Fiona Mawson, Other Registerable Interest, as a member of Yarnton Parish Council.

118 Requests to Address the Meeting

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

119 **Minutes**

The Minutes of the meeting held on 20 February 2025 were agreed as a correct record and signed by the Chairman.

120 Chairman's Announcements

The Chairman advised that, following discussion with the Head of Planning and Development and Democratic and Elections, due to a number of applications requiring determination by Planning Committee in April and May, to ensure the applications were dealt with in the required timeframe, it had been agreed to hold additional Planning Committee meetings: 4pm on Thursday 10 April and 4pm on Thursday 15 May. Meetings requests would be sent to Committee members and named substitutes.

With regards the 15 May meeting. Members were advised that the membership of the Committee would remain without change until the Annual Council meeting on 21 May 2025. At this meeting Committee memberships for the 2025/2026 municipal year would be confirmed. At the conclusion of the Annual Council meeting, Committees would hold short meetings to appoint their Chairman and Vice-Chairman for the 2025/2026 municipal year.

121 Urgent Business

There were no items of urgent business.

122 Proposed Pre-Committee Site Visits (if any)

There were no proposed pre-committee site visits.

123 Land Adjoining And North Of Playing Field The Bourne Hook Norton

The Committee considered application 24/01948/OUT, a full application for an outline application for up to 71 dwellings (Use Class C3) with associated open space and vehicular access at The Bourne, Hook Norton for L&Q Estates, Helena Paula Clarke, James William Cl.

Councillor Eddie Reeves addressed the committee as Local Ward Member.

Liz Sparrow, on behalf of Hook Norton Parish Council addressed the Committee in objection to the application.

Richard Crosthwaite addressed the Committee as the Applicant in support of the application.

It was proposed by Councillor Rogers and seconded by Councillor Brant that application 24/01948/OUT be refused, contrary to the officer recommendation, for the reasons that there was a lack of a S106 agreement, that the proposed development would be unsustainable as well as cause harm to the surrounding village and contrary to policy reasons Village 1, Village 2, ESD13 and ESD15.

The proposal was debated. On being put to the vote, the motion was lost and therefore fell.

It was subsequently proposed by Councillor Conway and seconded by councillor Thornhill that application 24/01948/OUT be approved, in line with the officer recommendation.

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

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/01948/OUT subject to:

- (a) No objections from nature space and lead local flood Authority
- (b) The entering into a s106 to include the contributions and Infrastructure as set out in the annex to the minutes (as set out in the minute book) (and to the Conditions set out below (and any amendments to those Obligations as deemed necessary); and
- (c) The conditions set out below (and any amendments to

Those conditions as deemed necessary)

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission and the development hereby permitted shall be begun either before the expiration of two 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, access, 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 form and following approved plans Site Location Plan (Titled: edp3030 D013 Rev A), Proposed Access (Titled: 081424 Cur Xx 00 D Tp 75001 Rev P09)

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.

CONDITIONS TO BE DISCHARGED PRIOR TO THE SUBMISSION OF THE RESERVED MATTERS

Design Code

4. 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.

CONDITIONS TO BE DISCHARGED PRIOR TO COMMENCING DEVELOPMENT

5. 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 (2023).

6. Following the approval of the Written Scheme of Investigation referred to in condition 5, 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 (2023).

- 7. No development shall commence [on any phase], including any works of demolition until a Construction Environment and Traffic Management Plan [for that phase] has been submitted to and approved in writing by the local planning authority. The statement shall provide for at a minimum:
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in constructing the development:
 - The erection and maintenance of security hoarding including decorative
 - displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities including type of operation (automated, water
 - recycling etc) and road sweeping;

- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition, and construction working hours;
- The mitigation measures recommended at [Add References] of the
- Submitted Environmental Statement [Date]

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

8. No development shall commence, including any demolition and any works of site clearance, until a mitigation strategy for great crested newts, which shall include timing of works, the location and design of alternative ponds/habitats together with the timing of their provision, has been submitted to and approved in writing by the local planning authority. Thereafter, the mitigation works 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.

CONDITIONS TO BE DISCHARGED PRIOR TO OCCUPATION

9. Prior to first occupation of any of the dwellings hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the local planning authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

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

COMPLIANCE CONDITIONS

10. 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.

INFORMATIVES

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

124 Fourways, North Street, Islip, OX5 2SQ

The Committee considered application 24/00572/F for the demolition of existing bungalow and construction of two houses – resubmission of 23/02203/F at Fourways, North Street, Islip, OX5 2SQ for Mr Paul Bell.

Councillor Gemma Coton addressed the committee as Local Ward Member.

Sami Cohen addressed the committee as a local resident and on behalf of Islip Parish Council in objection to the application.

Paul Southouse addressed the committee as the applicant in support of the application.

It was proposed by Councillor Parkinson and seconded by Councillor Conway that application 24/00572/F be refused, against the officer recommendation, as it was contrary to policies ESD15, saved policies C28 and C30 (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 24/00572/F be refused for the following reason:

 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.

125 Oxford South Depot, 1 Woodstock Road, Yarnton, OX5 1NY

The Committee considered application 24/02872/F for the construction, operation, and decommissioning of a Battery Energy Storage System (BESS) facility and associated infrastructure at Oxford South Depot, 1 Woodstock Road, Yarnton, OX5 1NY for Renewable Connections Developments Limited.

Jack Halstead, the applicant, addressed the Committee in support of the application.

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

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/02872/F subject to:

- (a) No objections from the council's ecologist following Receipt of final ecology report and
- (b) 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 form and following approved plans: RCN 1016 SP 01 rev 4, RCN 1016 DZ 01 rev 5, RCN 1016 220 rev 1, RCN 1016 221 rev 1, RCN 1016 226 rev 1, RCN 1016 230 rev 0, RCN 1016 222 rev 1, RCN 1016 232 rev 0, RCN 1016 250 rev 1, RCN 1016 255 rev 1, RCN 1016 231 rev 0, RCN 1016 PLE 02 rev 10, 8127 ASP4 LSP rev E, 1676 TCP 001 rev A, 1676 TPP 003 rev B, 1676 AIP 002 rev B, and unnumbered drawing 'Hydrant tank 228m3 effective capacity'.

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.

Temporary Permission

3. The permission shall expire no later than 40 years from its first operational use. Written confirmation of the date of the first operational use shall be provided to the Local Planning Authority no later than one calendar month after the event.

Reason - In order to safeguard the amenities of the area and to comply 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.

4. Not later than 24 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted to and approved by the Local Planning Authority, such scheme to include the management and timing of any works and traffic management plan to address likely traffic impact issues during the decommissioning period. The approved scheme shall be fully implemented within 12 months of the expiry of this permission.

Reason: To ensure the environment is protected during decommission in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 5. 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.

6. No development shall commence until the existing tree(s) to be retained as shown on approved drawing number 1676 TPP 003 rev B have been protected in accordance with the Arboricultural Impact Assessment by Seed (reference 1676-AIA-V1-C, dated 7th October 2024). The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until the development is completed. Nothing shall be stored or placed within the areas protected by the barriers.

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.

7. No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be fully informed by the hydrological and hydroecological context of the site and the design of any infiltration devices shall be informed by the results of winter groundwater monitoring. The works shall be undertaken in accordance with the approved strategy and no hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved.

Reason - To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

8. Prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed and submitted Written Scheme of Investigation [Land East of Woodstock Road, Yarnton, AOC Project No: 80204]), 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).

- 9. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - 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.),

- 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 landscaping including hard surface areas, pavements, pedestrian areas, and steps.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

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.

10. No development shall commence above slab level, nor any excavations or belowground work be undertaken, until a detailed Arboricultural Method Statement has first been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall accord with the provisions of BS5837:2012 and shall include details of Arboricultural supervision for key stages of development, including installation of utilities within the root protection areas of retained trees.

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.

11. Prior to their installation, full details of the site security arrangements, including proposed security fencing, gates, CCTV and alarm systems, and monitoring arrangements, shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as such for the lifetime of the development.

Reason – In the interests of security and the reduction of crime and the fear of crime, in accordance with Government guidance contained within the National Planning Policy Framework.

12. The development hereby permitted shall be carried out strictly in accordance

with the Construction Traffic Management Plan by Motion, dated August 2024, unless otherwise first agreed in writing by the Local Planning Authority. 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.

13. The development hereby permitted shall be carried out strictly in accordance with the Noise Assessment (reference 784-B048909) by Tetra Tech, dated October 2024, including installation of the mitigation measures contained within Section 6 prior to the first use of the development, unless otherwise first agreed 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.

14. The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 3 of the Ecological Impact Assessment by Clarkson & Woods Ecological Consultants, dated February 2025, unless otherwise agreed in writing by the local planning authority.

Reason - To protect habitats and/or species of importance to nature conservation from significant harm in accordance with government guidance contained within the National Planning Policy Framework.

15. 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.

16. Prior to the first use of the development hereby approved details of all external lighting including the design, position, orientation, and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason - In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy 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.

17. No part of the development shall be brought into use unless and until full details of the means of access between the land and the highway, including 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.

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.

INFORMATIVES

1. An obligation to enter into a S278 Agreement will be required to secure mitigation/ improvement works. Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

126 Appeals Progress Report

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

Resolved	
(1)	That the position statement be accepted.
The meeting ended at Time Not Specified	
Chairman:	
Date:	