



SUPPLEMENTARY INFORMATION

Planning Committee

7 April 2022

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If you need any further information about the meeting please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 7 April 2022 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
8	21/01123/F	Hatch End Old Poultry Farm Steeple Aston Road Middle Aston Bicester OX25 5QL		NO PUBLIC SPEAKERS ON THIS ITEM	
9	21/03426/OUT	Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive Banbury		Tom Sadler - Local Resident	Geoff Armstrong - Agent
10	21/04112/OUT	OS Parcel 2778 Grange Farm North West Of Station Cottage Station Road Launton		Richard Lodge - Launton Action group	Richard Lomas - Agent
11	21/04271/F	Land South of Faraday House Woodway Road Sibford Ferris	Cllr Chapman	Stewart Roussel - Secretary - Sibford Action Group and Simon Rayner – Chairman of Sibford Ferris PC	Des Dunlop - Agent

12	22/00124/TPO	Grass Verge Adj To North Lane Weston On The Green, OX25 3RG		Roger Evans – Weston on the Green Parish Council	
13	22/00425/F	7 Churchill Road Kidlington Oxfordshire OX5 1BN	Cllr Ian Middleton		Jack Piccaver - Applicant
14	21/03912/F	137-153 The Fairway Banbury OX16 0QZ	No registered speakers		

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

7 April 2022

WRITTEN UPDATES

Please Note – Change of Running Order

There is to be a change in the running order for consideration of the applications. Agenda Item 11 – Application 21/04271/F at land south of Faraday House, Woodway Road, Sibford Ferris will be heard **first** of the planning applications on the agenda.

It will then be followed by Agenda Item 8 – Application 21/01123/F at Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, followed by the rest of the applications in the published order.

Agenda item 7

Proposed Pre-Committee Site Visits

A request has been received from Cllr Chapman a formal committee site visit to be held for application 21/00922/OUT. This relates to a proposal for outline permission for up to 9 First Homes on land west of Foxden Way, Great Bourton, OX17 1QY.

Cllr Chapman highlights:

“The Parish Council believe that a site visit would be helpful for Planning Committee Members, this suggestion makes sense to me.

- *The access to this site is difficult. From either Little Bourton which is the closest entrance to Banbury town, via a very narrow road, which is designated 60 mph. The Great Bourton access is through very tight and narrow bends*
- *The land seems to have been used successfully for agriculture*
- *The traffic survey data used is in dispute, 129 movements per week versus 1,763 movements*

There is a need for such housing. This application is the first of its kind for Cherwell so a full evaluation seems required.”

In relation to Council's Planning Committee Procedure Rules (Section 11.3), officers consider that the reasoning put forward to support this request is considered to meet the following criteria:

- The setting and surroundings are particularly relevant to the determination or conditions being considered

Officer recommendation

Section 11.3.6 of the Council's Planning Committee Procedure Rules relates to unaccompanied site visits. It highlights that members of the Planning Committee have a long-established practice of undertaking their own visits to sites before Committee meetings.

The Procedure Rules highlights that the disadvantage of these unaccompanied, informal visits is that:

- They can be used by applicants, agents and objectors to undertake unwarranted lobbying

- Where a Member visits private property it can be interpreted as showing favour to the person visited. Therefore Members are advised against entering private land, even if invited to do so, but to view the site only from public vantage points.

There is a public bridleway to the south of the site and a roadway to the north of the site, South View that afford longer range views. However, there is no public access to the site or viewpoints in close proximity. Information submitted in support of this application includes a Landscape & Visual Technical Note which indicates that from many positions the development site is screened by vegetation. On this basis, should the Committee conclude that the issues raised by Cllr Chapman indicate the setting and surroundings of this site to be particularly relevant to the determination, the recommendation of officers is that a formal committee site visit would be appropriate.

Agenda Item 8

21/01123/F

Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston

Additional representations received

1 additional submission of objection has been received. Concerns raised are:

- Roads are the main concern, has the highways dept looked closely is extremely difficult and limited to access the site.
- The road is almost single track and narrows considerably on Pains Hill in Steeple Aston, also next to the church and school.
- Traffic during demolition & re-construction of buildings would be considerable for local residents and then if and when they are constructed the commuting workers of which there could be up to 200+ would be a massive increase on our small local roads.
- Primary school which is on the route. It is extremely busy and dangerous for children normally without the huge increase in traffic due to this proposal.

Officer comments

The letter does not raise any additional or new issues/concerns. The points raised are similar to those raised by other objectors which have been fully considered in the published report.

Recommendation

As per the published agenda report with the addition of the condition set out above.

Agenda Item 9

21/03426/OUT

Land Opposite Hanwell Fields Recreation, adjacent to Dukes Meadow Drive, Banbury

Additional representations received

Hanwell Parish Council:

- Express our disappointment at the recommendation by the planning officer to approve the Manor Oak development. We maintain our position that it is precipitous to develop land that was not earmarked as part of the local plan up to 2031 and are extremely concerned about the precedent this would set for future developments to occur in a haphazard and piecemeal manner.

- Calls into question the validity of the local plan. Are these local plans fit for purpose at all if they cannot provide the five year housing supply that seems to trump all other considerations?
- 36 formal objections to this application were submitted together with objections from both Hanwell Parish Council and Banbury Town Council.
- This is a greenfield site, beyond a previously agreed hard border of the town. It is within line of sight of the Hanwell conservation area and will lead to further local congestion and constraints upon services, some of which would be addressed by the significant monetary donations required by the developers, but strain in other sectors such a police and healthcare are not addressed.
- Does the five year housing supply quota really make all other considerations irrelevant? Given that the latest review of allocated sites for the five year housing supply estimates a 3.5 year supply it seems precipitous to approve this development which would be due for completion in 2024, especially as this is a site currently under consideration in the 2031 onwards local plan.
- We would urge the planning committee to take into account the views of the town and parish council and local residents and withhold permission for this development.

1 additional letter of objection has been received. The letter does not raise any additional or new issues/concerns. The points raised are similar to those raised by other objectors which have been fully considered in the published report.

Recommendation

As per the published agenda report

Agenda Item 10

21/04112/OUT

OS Parcel 2778, Grange Farm, North West of Station Cottage, Station Road, Launton

Additional representations received

Six additional letters of objection - issues raised include:

- Impact on the village transport system; the road would need upgrading for safe pedestrian use and for existing access points from older dwellings to the north of Station Road
- Increased air pollution and noise pollution
- Loss of local business and employment
- Lack of need in the context of the amount of development taking place at Bicester (one of these objections mentions “10,000 homes being built just 2 miles away”); overbearing on the village
- Impact on drainage (one objector raising this issue is a qualified geologist who formerly worked at Hydraulics Research, Wallingford – see below) and sewage
- The proposal would be an unnatural extension to the village and there are sequentially better sites around Launton if there was a need established
- Substantial impact on the quality and environment of the village
- Impact on wildlife e.g. badgers, bats and wild birds
- Impact on hedgerows between Laurels Farm and Grange Farm which belong to the former; they will not be altered in any way and so any reference to them should be ignored; any permission given would need to be subject of a condition that precludes

any alteration to those hedgerow(s); previous owners of Grange Farm have cut down veteran trees resulting in enforcement investigations as well as a police file

- Impact on infrastructure e.g. the local school

One of these letters of objection remarks on drainage in Launton as follows:

Launton sits atop a wide band of mudstone rock (BGS Sheet 219 2002) topped with an impermeable heavy clay soil. The land grades very slightly downwards from north to south by approximately 1 metre per kilometre (OS Explorer 191), ie, this land is effectively flat for miles around.

Throughout the winter and during periods of heavy rain in other seasons, there is permanent water-logging of the land surface. This is evidenced by numerous ponds and ditches which, for the most part remain filled throughout the year. Undulations within the fields from long-standing ridge and furrow farming, retains surface water for many months affecting farming, which is restricted to livestock grazing.

Close to this proposed development are numerous poorly maintained drainage ditches of between 0.5 to 2 metres in width. One of those named B to A (CDC Land drainage map) is the developer's proposal to drain all run-off from hard surfaces on this proposed development. This ditch is just 0.5 metres wide and is already used to drain run-off from Station Road and is prone to backing up. The so called "Main River" (a small stream no more than 1.5 metres wide) (mentioned in CDC Land drainage) already has to cope with the run-off from fields to both the N and S of EWR, Station Road and most recently the run-off from the large tarmac area on both sides of the new Station Road EWR over-bridge. The latter is already full to capacity during the winter.

The culvert which passes below the surface of Station Road to drain Grange Mews Business Centre was, according to local residents, installed recently by the present land owner without the approval of the local authorities. This culvert can be seen to run at a shallow depth below the road surface and as such is liable to subsidence and the flooding that may ensue, causing the road ditches to be over-topped. Furthermore, ditch (B to A) is said to have been dug at the same time and is therefore not a naturally formed waterway. As such it may require remedial works to increase its slope to the Main River in order to cope with maximum predicted flows. Whose responsibility is it to maintain this ditch?

Adding a further 68 (65) houses with hundreds of square metres of hard surfaces from rooves and the access roads is highly likely to cause overflowing of channel B to A and the Main River with the excess causing flooding both on the new development site and to properties along Station Road and Blackthorn Road. The addition of three flood alleviation ponds to this clay soil are unlikely to fulfil their purpose of allowing water to percolate into the soil and will in-effect become permanent new clay-lined ponds. For example, see the nearby pond opposite Blenheim Drive.

Add to all of this the foul water sewer in Station Road is already being full to capacity (verbal quote from Thames Water to the new owners of 21/01921 Plot 1 Land to SW of South Riding). The addition of a pump to this sewer where it outfalls from the proposed development, will exacerbate the flooding which is regularly seen on Blackthorn Road, West End and Island Pond, when the capacity of the existing pumped Sewage Works is exceeded; especially during power cuts.

Response to this from the applicant's drainage consultant:

- *The site is not generating 'new' water and the land already drains into the watercourse and so we are mimicking existing conditions.*

- *The development will control surface water flows to the 1 in 1 year for all storm events up to the 1 in 100 year + 40% climate change event, which will result in significant betterment in the higher storm events providing betterment over existing conditions. This will reduce the inundation of the watercourse helping with existing identified surface water flooding issues.*
- *The watercourse as it passes through the site will be the responsibility of the developer and will form part of their ongoing management plan. This will be a requirement of any planning permission with a condition imposed to be discharged by the local authority. The plan will include all drainage features not adopted by the water authority and the watercourse where the developer has riparian responsibility.*
- *We are unsure of any issues with road culvert or that it was installed without permission which is unlikely bearing in mind it is under an adopted highway. No issues have been raised by the LLFA on this matter*
- *The ponds are not designed to percolate due to ground conditions, they do however attenuate flows to below greenfield runoff rates and reduce inundation of the network in higher storm events.*
- *Foul capacity is being discussed with Thames Water who have confirmed capacity is available if pump rates from the site are controlled to 3l/s. The water authority in any event has a legal obligation to provide foul drainage capacity in line with the Water Industry Act. The proposed condition 23 also requires evidence that all water network upgrades required to accommodate the development have been completed prior to relevant occupation of properties.*

Other correspondence from the applicant's agent:

We met with the Parish Council yesterday and they talked us through the Parish Hall redevelopment and the councillors explained to us the extent of the works required and that their costings for these had informed the request for £200,000.

We discussed the £54,271 indoor sports contribution (for improvements at the Parish Hall or Bicester Leisure Centre) and Councillors felt it would be more beneficial for this sum to be put towards the redevelopment of the Parish Hall which would provide indoor sports facilities, in addition to the £74,311 already earmarked for this purpose. This would leave a shortfall of £71,418 against the £200,000 sought by the Parish Council.

The applicant has discussed whether to make up the £71,418 shortfall to contribute further to the Parish Hall redevelopment. Is this something that you would be open to discussing and that in your view would be compliant with the S106 tests? It would be good to discuss this before committee so we can update members accordingly.

In addition, the road to the sports club was discussed. The sports club have an agreement with the Parish to access their sports club and as part of this agreement the sports club are required to maintain the access road past the Parish Hall, which to date they haven't had the money to do so. There is a financial contribution to the sports club and we wondered whether the wording in the S106 could be such that the contribution could be put to maintaining access to the sports club as well as sports provision?

Officer response

In relation to the s106 contributions:

The formulae and calculation of the monies for indoor and outdoor sports, etc, are set out in the Developer Contribution SPD. As such any variance to the amount or purpose would be 'not in accordance with the Development Plan' and require material considerations to justify divergence from policy. The committee report, as written, secures policy compliant contributions. Additional money beyond that requested by technical consultees in line with

the SPD formulae would not be required to make the development acceptable, would not meet the S106 tests, and it would be inappropriate for the Committee to weigh additional money in the planning balance.

The Community Infrastructure officer has informally advised that improvements to the access to the outdoor sports facilities could potentially form part of the enhancement of those facilities. However, this would be part of any negotiation to create a future project to access the contributions secured.

Recommendation

As per the published agenda report

Agenda Item 11

21/04271/F

Land South of Faraday House, Woodway Road, Sibford Ferris

Officer comments

There is an error on paragraph 7.2 in that the Parish Council stated is Sibford Gower, whereas the comments relate to those of Sibford Ferris Parish Council.

Recommendation

As per the published agenda report

Agenda Item 12

22/00124/TPO

Grass Verge adj to North Lane, Weston On The Green

Additional representations received

Cllr Holland has commented as follows:

“On the face of it, this call in may seem trivial, it is not. The village of Weston on the Green has been fighting creeping urbanisation and suburbanisation (if that is a word).

The new development at the northern end of the village required a footpath to link it to the centre. Unfortunately this has resulted in a raised urban style metalled footpath and railings also inappropriate to their surroundings. They also impinge, I think, on the ancient "cart wash" an area that looks a little like a pond that was formerly used to wash the mud of carriages and wagons- like an 18th c car wash.

The raised footpath causes the issue with the tree as it brings it up too close to the lowest branches.

As I understand it, the villagers are hoping to remove the unsightly railings and replace the path. If such were to happen the need to reduce and harm the tree would disappear.

Consequently they feel this action is premature and hopefully unnecessary. If my thoughts are correct it might be sensible to have a stay of execution to see whether the path is indeed changed.”

Officer comments:

These comments mirror the comments of the Weston on the Green Parish Council. These issues and concerns regarding the need for the works in light of the potential delivery of an alternative footpath have been addressed in the published report.

Recommendation

As per the published agenda report

Agenda Item 13

22/00425/F

7 Churchill Road, Kidlington

Additional representations received

1 additional letter of objection has been received. The letter does not raise any additional or new issues/concerns. The points raised are similar to those raised by other objectors which have been fully considered in the published report.

Recommendation

As per the published agenda report

Agenda Item 13

21/03912/F

137-153 The Fairway, Banbury

Additional information or representations received

None

Recommendation

As per the published agenda report