

## **Cherwell District Council**

### **Planning Committee**

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 20 May 2021 at 4.00 pm

#### Present:

Councillor George Reynolds (Chairman)  
Councillor David Hughes (Vice-Chairman)  
Councillor Andrew Beere  
Councillor John Broad  
Councillor Hugo Brown  
Councillor Colin Clarke  
Councillor Patrick Clarke  
Councillor Ian Corkin  
Councillor Sandy Dallimore  
Councillor Simon Holland  
Councillor Mike Kerford-Byrnes  
Councillor Tony Mephram  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor Les Sibley  
Councillor Dorothy Walker  
Councillor Sean Woodcock

#### Substitute Members:

Councillor Richard Mould (In place of Councillor Maurice Billington)

#### Apologies for absence:

Councillor Maurice Billington

#### Officers:

Alex Chrusciak, Senior Manager - Development Management  
Andy Bateson, Team Leader – Major Developments  
Matt Chadwick, Senior Planning Officer  
Caroline Ford, Principal Planning Officer – Major Projects Planning Team  
George Smith, Planning Officer  
Nat Stock, Minors Team Leader  
Karen Jordan, Deputy Principal Solicitor  
Natasha Clark, Governance and Elections Manager  
Lesley Farrell, Democratic and Elections Officer

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## **Declarations of Interest**

### **8. Phase 3 OS Parcel 5863 Adjacent Briar Close And East Of Warwick Road Banbury.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

### **9. Tesco Bicester CR, Lake view Drive, Bicester. OX26 1DE.**

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

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

### **12. 16 - 18 Sheep Street, Bicester, OX26 6TB.**

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

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

### **14. Cherwell District Council Car Park, Upper Windsor Street, Banbury, OX16 5DH.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

**15. Coach Park, Compton Road, Banbury.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

**16. Kidlington Centre Car Park, High Street, Kidlington.**

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Lynn Pratt, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

**18. Claremont Car Park Public Conveniences Victoria Road Bicester OX26 6RD.**

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

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

Councillor Lynn Pratt, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Richard Mould, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application and a separate declaration as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

**2 Requests to Address the Meeting**

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

**3 Minutes**

The Minutes of the meeting held on 15 April 2021 were agreed as a correct record and would be signed by the Chairman in due course.

**4 Chairman's Announcements**

There were no Chairman's announcements.

**5 Urgent Business**

There were no items of urgent business.

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

There were no pre-Committee Site visits proposed.

7 **Phase 3 OS Parcel 5863 Adjacent Briar Close And East Of Warwick Road Banbury**

The Committee considered application 19/02126/F for the erection of 36 dwellings with associated infrastructure and public open space at Phase 3 OS Parcel 5863 Adjacent to Briar Close and East of Warwick Road, Banbury for Persimmon Homes Limited.

Elliot Rowen, agent for the applicant, addressed the meeting in support of the application.

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

**Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 19/02126/F subject to receipt of satisfactory amended plans/information and no objections to the additional information from the Lead Local Flood Authority and;

1. 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 at least 30% affordable housing on site
- b) Provision of and commuted sum for maintenance of open space including open space, hedgerows, trees and attenuation features
- c) Provision of and commuted sum for maintenance of equipped Local Area of Play, or off-site contribution towards the improvement of a LAP in the vicinity of the site;
- d) contribution towards Off-site outdoor sports facilities provision
- e) contribution towards Off-site indoor sports facilities
- f) contribution towards Community hall facilities
- g) £106 per dwelling for bins
- h) Provision of 2 new pedestrian accesses up to the boundary of the site and allow public access through these points
- i) £1,429 per dwelling to sustain and enhance the local bus service
- j) £1,869 per dwelling towards 'east west strategic movements – Warwick Road corridor'
- k) Obligation to enter into a S278 agreement to secure the new access and improvements.
- l) contribution towards nursery provision
- m) contribution towards the primary school provision
- n) contribution towards secondary (incl. sixth form) provision
- o) contribution towards provision of biodiversity habitats at Banbury Country Park

2. The following conditions (and any amendments to those

conditions deemed necessary):

## CONDITIONS

### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: [to be completed]

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

3. No development shall commence unless and until a plan showing car parking provision for unallocated provision to be accommodated within the site, has been submitted to and approved in writing by the Local Planning Authority. The approved parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details prior to the first occupation of the development and shall be retained for the parking of vehicles at all times thereafter.
4. No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers 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.

5. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

Reason – In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

6. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. Notwithstanding the plans hereby approved, and prior to any construction of the dwelling above slab level, a revised schedule of externally facing materials for the development 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 details and retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Notwithstanding the plans hereby approved, no development shall proceed above slab level on any dwelling until a stone sample panel (minimum 1 sq m in size) has been constructed on site and inspected and approved in writing by the Local Planning Authority. Thereafter, all of the external walls of those dwellings approved to be in stone pursuant to the requirements of Condition 4 of this permission, and the means of enclosure to those dwellings approved to be in stone pursuant to the requirements of Condition x of this permission, shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning

Policy Framework.

9. Notwithstanding the details submitted, and prior to the construction of any dwelling above slab level, full details of the architectural details of the dwelling(s), including windows, doors, heads, cills, lintels, eaves and verges (at a scale of 1:10), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented fully in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure and retain the satisfactory appearance of the completed development and in the interests of the character and appearance of the area 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.

10. Prior to any landscaping of the site and prior to the first occupation of the development hereby approved, and notwithstanding the submitted details, a revised and fully detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- (b) 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,
- (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps,
- (d) means of enclosure and boundary treatments.

The hard landscape elements shall be implemented prior to the first use or occupation of the parts of the development they are intended to serve and shall be retained as such thereafter.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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



sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

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

13. Prior to the first occupation of the development, a refuse collection strategy shall be submitted for approval of the Local Planning Authority. The refuse collection strategy shall identify the location and dimensions of bin collection points which shall not be located so as not to cause obstruction.

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

14. Before each respective dwelling is first occupied all first floor openings identified on the plans listed in Condition 1 of this permission to be obscurely glazed, that is all bathrooms and en suite bathrooms, shall be glazed with obscure glass (at least Level 3) only and, unless fixed shut, fixed with a ventilation stay restricting the opening of the window to no more than 30 degrees from the elevation in question, and must be permanently maintained as such at all times thereafter.

Reason - To safeguard the living conditions of neighbouring residents and future occupiers of the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

15. Before each respective dwelling is first occupied the south east

facing first floor openings and south west facing first floor window in the rear gable projection serving Plot 1, the side facing first floor openings to Plot 10, the south facing first floor window to Plot 13, the west (rear) facing first floor windows to Plot 14, the west facing first floor openings to Plot 32 and the side facing first floor openings to Plot 33 shall be glazed with obscure glass (at least Level 3) only and fixed with a ventilation stay restricting the opening of the window to no more than 30 degrees from the elevation in question, and must be permanently maintained as such at all times thereafter.

Reason - To safeguard the living conditions of neighbouring residents and future occupiers of the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), and with the exception of the rear elevations to Plots 15-19, and 24-35 inclusive, no additional windows, doors or any other openings shall be inserted at first floor level or above in the development hereby permitted, or, in the case of the west elevations of Plot 15 and 20, at ground floor level, without the grant of further specific planning permission from the Local Planning Authority.

Reason - To safeguard the living conditions of neighbouring residents and future occupiers of the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), and with the exception of Plots 10, 30, 31, 32, 33, 34, 35 and 36 in respect of Class A development, no development within Schedule 2, Part 1, Classes A - E (inclusive) shall take place on the dwellinghouses hereby permitted or within their curtilage without the grant of further specific planning permission from the Local Planning Authority.

Reason - To ensure and retain the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to ensure a satisfactory living environment for future occupiers, 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.

18. In the case of those plots to be externally faced in brick as amended

by the conditions of this permission, the brick headers to those plots shall be constructed only using the same brick as the main walls to that respective plot.

Reason - To ensure and retain the satisfactory appearance of the completed development and to safeguard the living conditions of neighbouring residents and future occupiers of the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

19. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), no walls, gates, fences or planting shall be erected or allowed to grow on or adjacent to the highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway.

Reason: To afford adequate visibility at the access/junction and to cater for the expected volume of traffic joining the existing highway network and in the interests of highway safety, and to accord 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.

20. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall not be implemented other than in accordance with the approved details and shall be implemented before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- SUDS (Permeable Paving, Soakaway Tanks)
- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)

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 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter and to comply with Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

21. The parking provision shown on the plans hereby approved shall be constructed and made available for use before the development is brought into use and other than in the case of garages shall be retained and maintained for the purposes of car parking at all times.

Reason: To safeguard the character and appearance of the area and the amenities of occupiers of the development and in the interests of highway safety and to accord 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.

22. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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 details and specifications.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

23. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within soft landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, 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 details and

specifications. Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

24. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

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 built environment and to comply with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996, Policy PD5 of the Mid-Cherwell Neighbourhood Plan (2017-2031) and Government guidance contained within the National Planning Policy Framework.

25. a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998:Recommendations for Tree Works.  
b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of this reserved matters permission.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

26. If any retained tree is identified as being or having the potential to be a 'veteran tree' [as defined in BS:3998 section 3 - 'Terms & Definitions'], it shall be the subject of a specific management plan

devised by a qualified and competent arboriculturalist. No work to the veteran tree, or within its vicinity, which might compromise the environs of the tree shall be carried out without the written approval of the Local Planning Authority.

Reason - To ensure the retention and protection of veteran trees which are important ecological habitats for a wide range of wildlife including Red Data Book species as identified in the UK Biodiversity Action Plan (BAP) and are of significant cultural value and to comply with the adopted Cherwell BAP and Government guidance contained within the National Planning Policy Framework.

27. Prior to the commencement of the development hereby approved including any demolition, and any works of site clearance, a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, shall be submitted to and approved in writing by the Local Planning Authority. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason: To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained with the National Planning Policy Framework.

NOTE TO APPLICANT/DEVELOPER: It is advised that this condition include a Biodiversity Impact Assessment metric to show how a clear net gain for biodiversity will be achieved.

28. 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 development shall not be carried out other than in accordance with 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.

29. Prior to the installation of any external lighting a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance, 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 document.

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.

30. No properties shall be occupied until approval has been given in writing by the Local Planning Authority that either:
- Evidence to demonstrate that all water network upgrades required to accommodate the additional flows/demand from the development have been completed; or
  - a housing and infrastructure phasing plan has been agreed with Thames Water and the Local Planning Authority in writing to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing 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

31. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

32. If a potential risk from contamination is identified as a result of the work carried out under condition 31, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and

approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

33. If contamination is found by undertaking the work carried out under condition 32, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

34. If remedial works have been identified in condition 33, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 33. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.



35. 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

36. Each dwelling shall be provided with ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling prior to its first occupation.

Reason - To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

37. 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.

38. Notwithstanding the details shown in drawing "P-H-03 Rev C", the ground floor living room window shown to be provided to plot 30 only shall also be provided to plot 5 in its southern elevation, and notwithstanding the details shown in drawing "P-H-01-1 Rev B", a ground floor window shall be added to the southern elevation of the dwelling to serve the lounge, of a size and style to match that shown to serve the dining room on the side elevation of the dwelling.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to safeguard the living conditions of neighbouring residents and future occupiers of the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- (2) That it further be resolved that if the section 106

Agreement/undertaking was not completed and the permission was not issued within six months of the Planning Committee meeting on 20 May 2021 and no time extension had been agreed between the parties, that authority be delegated to the Assistant Director Planning and Development to refuse application 19/02126/F for the following reasons:

1. The applicant has failed to demonstrate an appropriate drainage strategy for the site that would avoid harm to trees subject of a Tree Preservation Order and/or to the local area or existing or future occupiers through increased flood risk. The proposed development would be contrary to Policies ESD6, ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

2. In the absence of the completion of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of: safeguarding public infrastructure, education provision, community facilities and indoor and outdoor sports/recreation facilities; mitigating highway safety concerns; encouraging use of sustainable modes of transportation; delivering mixed and balanced communities by the provision of affordable housing; and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, SLE4, BSC3, BSC4, BSC9, BSC10, BSC11, BSC12, Banbury 5, ESD1 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

## 8 **Tesco Bicester CR, Lake view Drive, Bicester. OX26 1DE**

The Committee considered application 20/00059/F for the removal of an existing spoil and erection of two units for non-food retail at Tesco Bicester CR, Lakeview Drive, Bicester for Tesco Stores Limited.

Thomas Marley addressed the Committee on behalf of the applicant in support of the application.

In response to comments from members of the Planning Committee who were also Bicester Town Councillors, that they could not recollect consultation of application 20/00059/F with Bicester Town Council, the Interim Senior Manager, Development Management agreed to provide information regarding the consultation to those members.

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

**Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 20/00059/F subject to:
1. 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 seemed necessary);
    - a. Payment of a financial contribution towards off-site highway works of £71,738.52
    - b. Payment of a financial contribution towards bus services of £43,170
    - c. Payment of a financial contribution towards travel plan monitoring of £2,040
  2. The following conditions (and any amendments to those conditions as deemed necessary):

### CONDITIONS

#### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Design and Access Statement ref:163045 dated April 2019; Transport Assessment and Appendices and further Transport Note Document ref: WCR10002-105-TN-9-1-3 dated 3<sup>rd</sup> August 2020; FRA dated July 2020; Drainage Strategy Report dated 10<sup>th</sup> March 2021 Version 6; Ecological Survey Report Ref: 1002878 BN 02 UEA Ap dv1; Tree survey by Aspect Arboricultural; Ground Investigation Report; Site Location Plan AP01; Existing Site Layout AP02; Site Layout Plan AP03C; ground Floor Plan AP04B; Proposed Mezzanine AP05B; Existing Elevations AP06; Proposed Elevations AP07A; Sections AA AP08; Sections BB AP09; Drainage Plan SLP1; Tree Constraints Plan 9994 TCP01 and Proposed Tree Protection Plan 9994 TPP 01.

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

3. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include the following:
- The CTMP must be appropriately titled, include the site and planning permission number
  - Routing of construction traffic and delivery vehicles is required to be shown, including means of access to the site
  - Details 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 from migrating onto the 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
  - A regime to inspect and maintain all lighting and barriers
  - Contact details of the Project Manager and Site Supervisor responsible for on site works to be provided
  - The use of appropriately trained, qualified and certified 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, Areas to be shown on a plan of not less than 1:500
  - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc
  - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted
  - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in the first instance to be provided and a record kept of these and subsequent resolution
  - Any temporary access arrangements to be agreed with and approved by Highways Depot
  - Details of times for construction traffic and delivery vehicles, which must be outside network peak hours
  - Hours of work on site
  - The approved CTMP shall be adhered to throughout the construction.

Reason: in the interests of highway safety and the protection of the environment in accordance with Government guidance within the NPPF.

4. Prior to the building being first brought into use, electric vehicle charging points shall be installed for use by the businesses, staff and customers, the number, location and details of which shall first be agreed in writing by the Local Planning Authority. The electric charging points shall thereafter be retained and maintained in accordance with the approved scheme.

Reason: In the interests of sustainability and to comply with Policy ESD1 of the adopted Cherwell Local Plan 2011-2031 and in accordance with Government guidance within the NPPF

5. Prior to the first occupation of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall accord with the approved Travel Plan.

Reason: In the interests of sustainability and to ensure a satisfactory form of development in accordance with Government guidance within the NPPF.

6. The development hereby approved shall be carried out in accordance with the Pinnacle Surface Water Drainage Report Version 6 dated 12 March 2021.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development and to comply with Policy ESD6 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

7. Prior to first occupation, a record of 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 Flood Authority Asset Register. The details shall include:
  - As built plans in both .pdf and .shp file format
  - Photographs to document each key stage of the drainage system when installed on site
  - Photographs to document the completed installation of the drainage structures on site
  - The name and contact details of any appointed management company information

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water and to comply with Policy ESD6 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

8. 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 adopted Cherwell Local Plan 1996 and Government guidance within the NPPF.

9. The retail units hereby approved shall not be subdivided.

Reason: In order to safeguard the vitality and viability of Bicester Town Centre and to comply with Government guidance within the NPPF.

10. Prior to the commencement of the development hereby approved, a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Reason: In the interests of protecting the environment in accordance with Government guidance within the NPPF.

11. Prior to the commencement of the development hereby approved, where an adverse impact has been identified during works in condition 9 above, an air quality mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the measures within this strategy shall be implemented as agreed. No development shall take place until the Local Planning Authority has given its written approval that measures are in place which mitigate the impact of the development on local air quality.

Reason: In the interests of protecting the environment in accordance with Government guidance within the NPPF.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the units, or on 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 5 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, unless the Local Planning Authority gives written consent for variation.

Reason: To ensure the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance in the NPPF.

13. The development hereby permitted shall be carried out in accordance with the recommendations set out in sections 4.23 and 4.26 of the Update Ecological Survey Report by Aspect Ecology dated February 2019 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 within the NPPF.

14. The buildings hereby approved shall be constructed to at least BREEAM 'very good' standards

Reason: To ensure sustainable construction and reduce carbon emissions in accordance with Policy ESD3 of the adopted Cherwell Local Plan 2011-2031 and Government guidance contained within the NPPF.

## 9 **Land north of Hempton Road and west of Wimborn Close, Deddington**

The Committee considered application 20/02083/OUT, an outline application for the erection of 14 two-storey dwellings at Land north of Hempton Road and west of Wimborn Close, Deddington for Pembury Estates Limited.

Mervin Dobson, agent for the application addressed the Committee in support of the application.

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

### **Resolved**

- (1) That authority be delegated to the Assistant Director, Planning and Development to grant permission for application 20/02083/OUT subject to:
  1. 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 commuted sum of £19,973.10 in lieu of Open Space Provision

- b. Provision of a commuted sum of £32,296.04 to the upgrading of local play equipment at Wimborn Close.
  - c. Off-site outdoor sports facilities capital provision – improvement of sports provision within Deddington - £33,568.50.
  - d. Off-site indoor sports facilities – Towards the replacement of the main hall floor at The Windmill Centre and sports equipment - £13,895.66.
  - e. Community hall facilities - £19,036.94 – To expand and/or enhance Windmill Community Centre.
  - f. £106 per dwelling for bins
  - g. Affordable housing provision – 35%
  - h. £14,518 – Public transport to upgrading of bus frequency to Oxford and Banbury
  - i. £4,500 – Supply and installation of a solar-powered Vehicle Activated Sign
  - j. Education provision contribution of £183,247
  - k. Libraries contribution of £4,166
2. The following conditions (and any amendments to those conditions as deemed necessary):

## CONDITIONS

### **Time Limits**

1. No development shall commence until full details of the layout (including the layout of the internal access roads and footpaths), scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

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.

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of three years 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 three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five 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 (General Development Procedure) Order 2015 (as amended).

### **Plans**

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out in broad accordance with the following plans and documents: Application form, Design and Access Statement by Pegasus Planning dated July 2020, Ecological Appraisal by Aspect Ecology dated June 2020 and drawing number: 201-305 Rev. B

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.

NOTE: The illustrative layout included within the Design and Access Statement accompanying the application is not considered to create an appropriate, locally distinctive or high quality development for the site. The applicant is advised to have regard to the Council's New Residential Development Design Guide and engage in pre-application discussions with the Council regarding the 'reserved matters'.

### **Finished floor levels**

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Land Contamination Desk Study / Site Walkover**

6. Prior to the submission of any reserved matters and prior to the commencement of development a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's

'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

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 Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Land Contamination Intrusive Investigation**

7. If a potential risk from contamination is identified as a result of the work carried out under condition 6, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is 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 Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Land Contamination Remediation Scheme**

8. If contamination is found by undertaking the work carried out under condition 7, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is 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 Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Land Contamination Remediation Works**

9. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 8. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is 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 Section 15 of the National Planning Policy Framework.

### **Drainage**

10. Notwithstanding the information submitted, development shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently 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 micro-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;
- 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

Reason: To ensure satisfactory drainage of the site and appropriate flood prevention and to comply Policy ESD 7 of the Cherwell Local Plan 2011-2031 Part 1 and with Government guidance contained within the National Planning Policy Framework.

11. 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 satisfactory drainage of the site and appropriate flood prevention and to comply Policy ESD 7 of the Cherwell Local Plan 2011-2031 Part 1 and with Government guidance contained within the National Planning Policy Framework.

### **Construction Traffic Management Plan**

12. 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 development shall not be carried out other than in accordance with the approved CTMP.

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

### **Construction Environmental Management Plan**

13. No development shall take until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- a. The parking of vehicles of site operatives and visitors;
- b. The routing of HGVs to and from the site;
- c. Storage of plant and materials used in constructing the

development;

- d. Wheel washing facilities/ road sweeping;
- e. Measures to control the emission of dust and dirt during construction;
- f. Delivery and construction working hours;

The approved CEMP shall be adhered to throughout the construction period for the development.

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

### **Energy Statement**

14. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) 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 details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

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

### **Biodiversity enhancement**

15. Prior to the commencement of the development hereby approved including any demolition, and any works of site clearance, and as part of any reserved matters for layout and landscaping, a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, shall be submitted to and approved in writing by the Local Planning Authority. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason -To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local

Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

NOTE: It is advised that this condition include a Biodiversity Impact Assessment to show how a clear net gain for biodiversity will be achieved.

### **Landscape and Ecological Management Plan (LEMP)**

16. 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 development shall not be carried out other than in accordance with 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.

### **Lighting strategy**

17. Prior to the installation of any external lighting a full lighting strategy to include illustration of proposed light spill and which adheres to the recommendations set out in Section 6 - Mitigation Measures and Biodiversity Net Gains (MM2) of the Ecological Appraisal carried out by Aspect Ecology dated June 2020, 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 document.

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.

### **Travel information packs**

18. Prior to first occupation the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them, and to comply with Government guidance contained within the National Planning Policy Framework.

### **Water usage**

19. 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.

### **Compliance with ecological appraisal**

20. The development hereby approved shall be carried out strictly in accordance with the recommendations set out in Section 6 - Mitigation Measures and Biodiversity Net Gains of the Ecological Appraisal carried out by Aspect Ecology dated June 2020.

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.

### **Electrical Vehicle Infrastructure**

21. Each dwelling shall be provided with ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling prior to its first occupation.

Reason: To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

- (2) It further be resolved that as the statutory determination period of application 20/02083/OUT expired on 4 June 2021, if the Section 106 agreement/undertaking was not completed and the permission was not able to be issued by that date and no extension of time had been agreed between the parties, authority be delegated to the Assistant Director Planning and Development to refuse application 20/02083/OUT for the following reason:

1. In the absence of the completion of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of: safeguarding public infrastructure, education provision, community facilities and indoor and outdoor sports/recreation facilities; mitigating highway safety concerns; encouraging use of sustainable modes of transportation; delivering mixed and balanced communities by the provision of affordable housing; and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, SLE4, BSC3, BSC4, BSC9, BSC10, BSC11, BSC12, VILLAGES 2, ESD1 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

## **Tuthill Park, Banbury Road through Wardington, Wardington**

The Committee considered application 20/03556/F for the erection of a new building and associated car parking at Tuthill Park, Banbury Road through Wardington, Wardington for Francis Tuthill Limited.

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

### **Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 20/03556/F subject to the following conditions:

#### CONDITIONS

##### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

##### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
  - Site Location Plan – WG1013-001
  - Proposed Site Layout (1) – WG1013-003 C
  - Proposed Floor Plans – WG1013-004 B
  - Proposed Elevations – WG1013-005 B
  - Proposed Site Layout (2) – WG1013-006

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.

##### **Details of materials and finishes**

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



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

**Parking and manoeuvring areas retained**

4. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

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

**Construction Traffic Management Plan**

5. 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. The CTMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods.

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.

11      **16 - 18 Sheep Street, Bicester, OX26 6TB**

The Chairman advised the Committee that application 20/03693/F had been withdrawn from the planning process by the applicant.

12      **3 The Green Barn, Stoke Lyne Road, Stratton Audley, Bicester OX27 9AT**

The Committee considered application 21/00519/F a retrospective application for the erection of new detached dwelling house at 3 The Green Barn, Stoke Lyne Road, Stratton Audley, Bicester, OX27 9AT for Mobley Limited. This application sought to amend the original dwelling design from 16/00366/REM and Appeal APP/C3105/W/16/3154107 - revised scheme of 20/03426/F.

Claire McCabe, a local resident, addressed the Committee in objection to the application.

Andrew Mobley, agent for the applicant, addressed the Committee in support of the application.

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

### **Resolved**

- (1) That authority be delegated to the Assistant Director Planning and Development to grant permission for application 21/00519/F subject to the following conditions:

#### CONDITIONS

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site Location Plan (PU1905/19) and Plot 3 Proposals (PU1905/26A).

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

2. The external walls of the development that are to be constructed from natural stone shall be constructed in accordance with the stone sample panel approved under 19/00074/DISC and shall be retained as such thereafter.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. The roofs of the development that are to be finished in slates shall be finished in accordance with the slate sample approved under 19/00074/DISC and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Within one month of the date of this consent, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be

submitted to and approved in writing by the Local Planning Authority. The doors and windows shall be installed within the building in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the first occupation of the dwelling, details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - i) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas.
  - ii) details of the hard surface areas including pavements, pedestrian areas, reduce-dig areas, crossing points and steps.

The landscaping works shall be carried out in accordance with the approved details and the hard landscaping works shall be carried out before any part of the development is first occupied and shall be retained as such thereafter.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the first occupation of the dwelling, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure, in respect of the dwellings they are intended to screen, shall be erected in accordance with the approved details prior to the first occupation of those dwellings and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Prior to any works to provide the access, parking and turning area of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the access between the land and the highway, and the turning area and parking spaces within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the access, turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

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

9. Prior to the first occupation of the development hereby approved, the first floor window in the southeast elevation of the en-suite serving bedroom 1 shall be restricted opening to 15 degrees and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling shall not be altered or extended, nor shall any structures be erected within the curtilage of the said dwelling, without the grant of further specific planning permission from the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining buildings in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no new windows or other openings, other than those shown on the approved plans, shall be inserted in the walls or roof of the dwelling without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby permitted, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

13

**Cherwell District Council Car Park, Upper Windsor Street, Banbury, OX16 5DH**

The Committee considered application 21/00949/F for an Electricity kiosk and 5 no. charging stations for Electric Vehicle Charging at Cherwell District Council Car Park, Upper Windsor Street, Banbury, OX16 5DH for EZ Charge Limited.

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

**Resolved**

- (1) That permission be granted for application 21/00949/F subject to the following conditions and an additional Planning Note to highlight Member concern regarding the lack of a Vehicular Restraint System and to encourage the applicant to engage with Local Members regarding the consideration of options to protect the equipment:

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-WI-XX-DR-E-0002 titled 'Windsor Street Car Park EV Boundary' and images showing the 'EZC-\_CPC1\_SYSTEM\_SPECIFICATION'.

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.

14

**Coach Park, Compton Road, Banbury**

The Committee considered application 21/00950/F for an Electricity kiosk and 5 no. charging stations for Electric Vehicle Charging at Coach Park, Compton Road, Banbury for EZ Charge Limited.

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

**Resolved**

- (1) That permission be granted for application 21/00950/F subject to the following conditions and subject to Officers writing separately to the applicant regarding the lack of a vehicular restraint system and to encourage Member involvement in the consideration of options to protect the equipment:

**CONDITIONS**

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date

of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-CR-XX-DR-E-0002 titled 'Compton Road Car Park EV Boundary' and image showing the 'EZC\_CPC1\_SYSTEM\_SPECIFICATION'.

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.

**Restriction on use until the car park is available for public use**

3. No part of the Electric Vehicle Charging Infrastructure shall be used until change of use for the wider Coach Park to public car parking has been implemented and the car park made available for public use.

Reason – To ensure that the EV infrastructure can be accessed within a lawfully permitted public car park and in the interests of highway safety in accordance with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

15

**Kidlington Centre Car Park, High Street, Kidlington**

The Committee considered application 21/00957/F for an Electricity kiosk and 6 no. charging stations for Electric Vehicle Charging at Kidlington Centre Car Park, High Street, Kidlington for EZ Charge Limited.

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

**Resolved**

- (1) That permission be granted for application 21/00957/F subject to the following conditions and subject to Officers writing separately to the applicant regarding the lack of a vehicular restraint system and to encourage Member involvement in the consideration of options to protect the equipment:

CONDITIONS

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-CP-XX-DR-E-0002 titled 'Curtis Place Car Park EV Boundary' and image showing the 'EZC-  
\_CPC1\_SYSTEM\_SPECIFICATION'.

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.

16

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

The Committee considered application 21/00969/F a retrospective application for an Electricity kiosk and 6 no. charging stations for Electric Vehicle Charging at Cattle Market Car Park, Victoria Road, Bicester, OX26 6QB for EZ Charging Limited.

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

**Resolved**

- (1) That permission be granted for application 21/00969/F subject to the following conditions and subject to Officers writing separately to the applicant regarding the lack of a vehicular restraint system and to encourage Member involvement in the consideration of options to protect the equipment:

**CONDITIONS**

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.



**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-CB-XX-DR-E-0004 titled 'Cattle Market Bicester Car Park EV Boundary' and image showing the 'EZC\_CPC1\_SYSTEM\_SPECIFICATION'.

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.

17 **Claremont Car Park Public Conveniences Victoria Road Bicester OX26 6RD**

The Committee considered application 21/00986/F for an Electricity kiosk and 6 no. charging stations for Electric Vehicle Charging at Claremont Car Park Public Conveniences, Victoria Road, Bicester. OX26 6RD for EZ Charging Limited.

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

**Resolved**

- (1) That permission be granted for application 21/00986/F subject to the following conditions and subject to Officers writing separately to the applicant regarding the lack of a vehicular restraint system and to encourage Member involvement in the consideration of options to protect the equipment:

**CONDITIONS**

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-CM-XX-DR-E-0003 titled 'Claremont Car Park EV Boundary' and image showing the

'EZC\_CPC1\_SYSTEM\_SPECIFICATION'.

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.

18 **4 Water Eaton Lane, Gosford, Kidlington, OX5 2PP**

The Committee considered application 21/00763/CLUP for a Certificate of Lawfulness of a Proposed Development for the conversion of loft space to habitable accommodation at 4 Water Eaton Lane Gosford Kidlington OX5 2PP for Mr Jordan Otwell.

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

**Resolved**

- (1) That the Certificate be issued in accordance with the following schedules:

**FIRST SCHEDULE**

1. Hip to gable roof extension, addition of a rear facing flat roof dormer and roof lights to the front roof slope to facilitate the conversion of loft space to habitable accommodation in accordance with drawings numbered "017/03 REVISION C", "017/04 REVISION C" and "017/07"

**SECOND SCHEDULE**

2. 4 Water Eaton Lane Gosford Kidlington OX5 2PP

**THIRD SCHEDULE**

3. The proposal is permitted development under Schedule 2, Part 1, Class A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

19 **Appeals Progress Report**

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

**Resolved**

- (1) That the position on planning appeals contained within the report be noted.

The meeting ended at 6.15 pm

Chairman:

Date: