

**SUPPLEMENTARY INFORMATION**

**Planning Committee**

**20 September 2018**

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*If you need any further information about the meeting please contact Aaron Hetherington, Democratic and Elections [aaron.hetherington@cherwellandsouthnorthants.gov.uk](mailto:aaron.hetherington@cherwellandsouthnorthants.gov.uk), 01295 227956*

## CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

20 September 2018

### WRITTEN UPDATES

#### Agenda Item 7

16/02446/F – Heyford Park, Camp Road, Upper Heyford, Bicester, OX25 5HD

#### **Additional information received**

Revised information has been submitted accompanying a letter dated 10<sup>th</sup> September 2018. In particular this further revised information responds to the comments received from the Council's Landscape Architect, Strategic Housing Officer and Oxfordshire County Council's May submission.

The key amendments to the scheme can be summarised as:

- Additional landscaping to the western boundary;
- Revised planting mix and density for the Rain Gardens;
- Amended play area proposals to incorporate additional access gates (outward opening) and surface treatment in line with Officer comments;
- Amended Affordable Housing Mix and associated layout amendments to accord with Officer comments;
- Amended road geometry in line with road safety audit (RSA) comments;
- Enhanced 2m x2m visibility provided at all footpath, cyclelink and driveway crossing points with signage in line with RSA comments;
- Provision of pedestrian crossing points in line with RSA comments.

#### Affordable Housing:

The revised affordable housing mix now comprises of 62 units for affordable rent and 27 Intermediate units so 89 dwellings in total.

The proposed mix is now:

#### Affordable (62 units)

- 22 x 1 Bed flats
- 12 x 2 Bed flats
- 4 x 2 Bed houses
- 20 x 3 Bed Houses
- 4 x 4 Bed Houses

#### Intermediate (27 units):

- 17 x 2 Bed flats
- 10 x 3 Bed houses

#### **Additional Representations received**

HOUSING STRATEGY TEAM has confirmed that this amendment is acceptable to them.

OXFORDSHIRE COUNTY COUNCIL RESPONSE: the County Council have submitted a prompt response (available in full on-line) stating:

- “OCC’s transport objection concerning connections to the cycle network on Camp Road can now be withdrawn. However, there remains an OCC transport objection to the application with a number of technical issues around layout and the proposed bus loop that require further work to resolve them...
- The transport response also maintains its objection on the grounds of incomplete strategic mitigation for the Policy Villages 5 allocation as a whole, pending completion of the Transport Assessment for the masterplan area. However, as reported previously, good progress has been made and the majority of mitigation measures are agreed. Further work is required however to identify mitigation solutions for Middleton Stoney, and for Junction 10 and its surrounding junctions...
- Therefore, if CDC is minded to approve this application, any resolution to grant planning permission should be subject to resolving OCC’s technical transport objection and to agreeing a mechanism to cover S106 contributions for the elements of the masterplan mitigation package that are still to be finalised...”

Nothing submitted either on behalf of the applicant or in response to their revised submission leads to a change in Officer’s recommendation.

**Officer comment**

None

**Change to recommendation**

None

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**Agenda Item 8**

**18/01252/F - Dewey Sports Centre, Barley Close, Bloxham, Banbury, OX15 4NJ**

**Officer comment**

Given its controversial nature, it has been decided to change the recommendation to one of deferral to allow Officers more time to prepare a more comprehensive and thorough report. In particular, the revised report will take more fully into account the representations made by Bloxham Parish Council.

**Change to recommendation**

Recommendation is changed to deferral of the application.

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**Agenda Item 9**

**18/00672/OUT - OS Parcel 8233, South of Baynards Green Farm, Street to Horwell Farm, Baynards Farm**

## **Additional Representations received**

ARDLEY PARISH COUNCIL: The proposed development is in a remote location that would be totally reliant on travel by car. The amended proposals do not address the parish council's concerns re visual intrusion, the local road system as well as Junction 10 of the motorway. The Parish Council do not agree with the applicant's traffic survey. They comment on the lack of public transport serving the development, and that no improvements to public transport are proposed. The Parish would also expect traffic calming measures in the built up area of the Parish to mitigate the effects of the additional traffic travelling towards Baynards Green. The Parish Council would also wish to be involved in discussions about additional public transport routes should these be proposed.

In addition, the Parish Council comments that, "the application does not evidence need from the local business and community therefore the proposal does not fall within paragraph 84 of the NPPF", and that there is no evidence to support the view that residents living in rural areas would wish, live close enough, or be able to look for alternative employment at the proposed development. Lastly that approval would set a dangerous precedent for other similar proposals.

CDC ECOLOGY: I have read through the additional information in the ecological impact assessment addendum. They have now carried out a brief assessment of the woodland and it appears to be relatively neglected in condition and could be improved as part of enhancements on site. It is not clear if they assessed the site for protected species but if it remains unaffected in its footprint then this is not such an issue. They have not particularly taken into account the potential impacts of the adjacent development on the woodland area from recreation and increased disturbance however.

The main issue on site is the uncertainty over whether there will be no overall net loss to biodiversity in line with policy and whether a net gain can be achieved. The updated ecological assessment does not make this clearer.

They have not to date carried out a satisfactory biodiversity impact calculation. Their calculations submitted with the first ecological impact assessment missed much of the necessary information out. For example they have changed the distinctiveness values of some of the existing habitats to 'poor' without the required justification. They have not included the assessment of the difficulty of creation of some of the proposed habitats. I assessed from their calculations of the habitats on site at least a loss of 4.44.

They aim to create a grassland of 'high' distinctiveness to good condition. This may be possible but seems less likely in the context of the type of development whose general aim is not habitat creation and management. I noted an overall loss and their calculations show 0 (0.34 – less than 1 biodiversity unit gain) such that they could claim a no overall loss but as we should be trying to achieve a net gain from development for biodiversity I do not think the current plans are there yet.

Any proposed LEMP with agreed net gain on site will need to include a full calculation with justifications for changing any scores etc.. and should achieve at least 1 unit of net gain (preferably more) otherwise additional mitigation will be needed on site or potentially offset off site. Any conditions should ensure this is a possibility if agreement on net gain cannot be reached on submission of an LEMP and revised calculator.

**Officer Comment**

None

**Change to recommendation**

None

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**Agenda Item 10.**

**18/01158/F – The Old Malthouse, St Johns Road, Banbury**

No update

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**Agenda Item 11.**

**18/01159/LB - The Old Malthouse, St Johns Road, Banbury**

No update

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**Agenda item 12 & 13**

**18/01114/F & 18/01115/LB - Land North West of Fabis House, Rattlecombe Road, Shenington**

**Additional information**

Amended plans have been received on Wednesday 19<sup>th</sup> September. These plans remove the obscurely glazed square window facing onto Rattlecombe Road and replace this with an arrowlit window, with two more arrowlit windows introduced at first floor level on the west of the building.

**Additional Representations**

**SHENINGTON WITH ALKERTON PARISH COUNCIL – objects to the applications.**

- The amendments will have a detrimental impact on the listed building and the conservation area.
- There should only be one opening onto Rattlecombe Road and no opening should be obscurely glazed.
- The window onto Rattlecombe Road should be of a vertical style with wooden planking underneath.

- This application removes the three original ventilation slits which should be retained and could be glazed for additional light without altering the façade.

### MEMBERS OF THE PUBLIC

Twelve further letters of objection have been received. These letters raise the following issues:

- Works have been undertaken without consent.
- The development would cause harm to the significance of the listed building and the character and appearance of the conservation area.
- The obscure window does not conform to Cherwell's adopted guidance.
- The existing doorway is now represented by a modern square window, not in keeping with a barn conversion.
- The two existing ventilation slits should be retained in keeping with the barn, and not closed up but rather transformed into slit windows.
- The roof should be covered in Welsh Blue Slate and the gutters black as per the CDC guidelines.
- The new house would become dominant over the main listed building, 'Longworth'.
- The first floor windows on the rear of the building have been changed to a very modern style out of keeping with the original barn and out of keeping with all other properties in the village.
- These windows are in clear line of sight from several other properties in the immediate vicinity and therefore they will fundamentally change the character of this area of the village.
- The application should not have been taken to Planning Committee before the end of the consultation process.
- The development has resulted in the loss of value of neighbouring properties.

### **Officer comment**

Officers are aware that a number of works have taken place without consent but which are included within this application. It would not be expedient to enforce against these changes whilst these applications are under consideration.

The officer's report recognises that the obscure glazed window would cause some harm, but on balance considered that this harm would not be sufficient to justify a reason for refusal in itself. However, amended plans have been received which seek to remove the obscure glazed window and reintroduce three arrowslit windows at a first floor level. This represents an improved design solution and lessens the harm caused to the building even further and brings it more in line with the extant permission. As such it is recommended to delegate the approval of the applications back to officers to accept the latest amended plans and to enable re-consultation on the amended plans.

With regards the third party comments above regarding roofing and guttering, conditions have been included to ensure that the roof would be covered in natural slate and that the gutters would be cast iron or aluminium, painted black.

The building would have a lower ridge height than the adjacent listed building and this ridge height would be even lower than the previously approved scheme. The

proportions of the windows in the rear elevation have altered from the previously approved scheme, however the floor to ceiling opening would be retained and this would not cause harm to the significance of the listed building.

In response to the report being finalised before the end of the consultation process, the applications had gone through one full round of consultation and four days remaining on the second round of consultation and given these circumstances, it was considered acceptable to take the application to planning committee.

The loss of property value is not a material planning consideration.

### **Change to recommendation**

Delegate to the Assistant Director of Planning Policy and Development to, following consultation on the new amended plans and subject to no new material objections raised during the consultation, approve the applications as set out in the new amended plans, and subject to the conditions set out at the end of the report and, for 18/01114/F only, the additional ones below (and any amendments to those conditions as deemed necessary) :

Conditions have been omitted that are deemed to be necessary and were included on the previous consent. These conditions relate to:

- The parking and manoeuvring areas for the development shall be in accordance with drawings titled 'Proposed Hard Landscaping Details' and drawing numbers '17 27251/50 P1', '17 27251/51 P1', '17 27251/52 P1' and '17 27251/53 P2' approved under 17/00570/DISC.
- The development shall be carried out in accordance with the bat mitigation measures as set out on page 8 of the 'Mitigation Strategy - Bats, Nesting Birds & Swifts' prepared by Ridgeway Ecology, dated 22nd August 2017 as approved under 17/00441/DISC.
- The development shall be carried out in accordance with the bird mitigation measures as set out on page 8 of the 'Mitigation Strategy - Bats, Nesting Birds & Swifts' prepared by Ridgeway Ecology, dated 22nd August 2017 as approved under 17/00441/DISC.
- The development shall be carried out in accordance with the measures for enhancing swift nesting as set out on page 8 of the 'Mitigation Strategy - Bats, Nesting Birds & Swifts' prepared by Ridgeway Ecology, dated 22nd August 2017 as approved under 17/00441/DISC.

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### **Agenda item 14**

**18/01214/F – Showroom, Antelope Garage, Swan Close Road, Banbury**

No update

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### **Agenda item 15**

**18/00307/DISC – Eco Business Centre, Charlotte Avenue, Bicester, OX27 8BL**

No update

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**Agenda item 16**

**18/01426/F – Part of Former BHS Unit, 36-37 Castle Quay, Banbury, OX16 5UN**

No update

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**Agenda item 17**

**18/00327/DISC – Slighte, 18B Bridge Street, Banbury, OX16 5PM**

No update

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**Agenda item 18**

**18/01014/F – Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS**

No update