

**PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held on Wednesday,  
31 January 2024 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Ilott (Chairman)  
Councillors: Ayers, Beere, Bishop, Colegrave, Hodgson,  
Kilsby and Richards.

Alternate Members: None  
Officers: Robert Duxbury (Planning Officer)  
Martyn Surfleet (Executive Officer)

**PL.47/23 Apologies**  
Councillor Ahmed, Councillor Bunce

**PL.48/23 Declarations of Interest**  
Councillor Beere declared personal interests as a member of the Cherwell District Council Planning Committee. Members indicated that any views expressed at the meeting would be based on the information currently available and a final decision, which in the light of further information, might differ from previous views, would be made at the Local Planning Authority Meeting.  
Councillor Bishop declared personal interests in application **23/03550/F** due to the proximity to his personal address and expressed that he would abstain from making any comments or voting on any decisions relating to the matter.

**PL.49/23 Minutes of the Last Meeting**  
**IT WAS RESOLVED** that the Minutes of the meeting held on the 13 December 2023 be amended and approved as a correct record and signed by Cllr Ilott.

**PL.50/23 Planning Applications to be Considered**  
The Committee considered various planning applications that had been referred to the Town Council for consideration by Cherwell District Council (CDC) and were matters that had been delegated to the Planning Committee or where a Ward Member had referred a delegated application.  
Officers responded to a number of questions raised by Members.

**23/03403/OUT -**

Members raised concerns regarding the survey undertaken by Oxfordshire County Council relating to the peak usage of the Banbury Madni Mosque, and stated that the survey had not captured a full picture of the peak usage of the carpark for sporadic events.

A vote then took place on the amendments, the results of which were;

For – 6  
Against – 1  
Abstain – 1

**IT WAS AGREED** that the comments proposed by the Planning officer be amended to include concerns regarding the loss of parking spaces within the site as well as its impact on the adjoining conservation area and that these comments be passed to the district and county councils for further consideration.

Members agreed that the proposals set out by the Planning officer regarding the observations included within **Appendix 1** be forwarded to the local planning authority for consideration.

**IT WAS RESOLVED** that the comments, as set out in **Appendix 1**, be forwarded to the Local Planning Authority.

**PL.51/23**

**Planning Applications Delegated to the Town Clerk**

The Town Clerk had submitted a schedule containing details of planning applications which had been delegated to him in consultation with the Chairman, setting out the observations that had been forwarded to Cherwell District Council.

**IT WAS RESOLVED** that the report be noted.

The meeting ended at 19.59 pm

## Appendix 1

Planning Applications considered by the Planning Committee

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Observations</b>
23/03366/OUT	Manor Oak Homes	Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive Banbury	117 dwellings and associated open space with all matters reserved other than access.	That Banbury Town Council object to this development as being premature pending the outcome of the emerging Cherwell Local Plan. Whilst noting the applicants contention that the District Council is in a position where it cannot demonstrate a 5 year housing land supply, Banbury Town Council nevertheless object that by reason of its scale and siting beyond the built up limits of the settlement, and within the countryside, the proposal would result in development of a greenfield site that contributes to the rural character of the approach into Banbury and is important in preserving the character of the this edge of Banbury and would be unduly prominent in the landscape. This concern is considered to outweigh any tilted balance that would exist if the land supply is deemed to be insufficient after the outcome of the Local Plan examination and inspectors report. The proposal is therefore considered to be unacceptable in principle and contrary to Policies ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
23/03428/OUT	Greystoke CB	OS Parcel 7921 South of Huscote Farm and North West of County Boundary, Daventry Road, Banbury	Construction of up to 140,000 sqm of employment floorspace (use class B8) with ancillary offices and facilities and servicing and infrastructure including new site accesses. Internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works including demolition of the existing farmhouse.	Banbury Town Council object on the grounds that; <ol style="list-style-type: none"> <li>1. The principle of providing employment development on this site fails to comply with SLE 1 of the adopted Cherwell Local Plan. The land is not identified for development in the emerging Local Plan review and if additional land for employment development is required it should be assessed and allocated through that Local Plan making process which is now well underway, and therefore this proposal is also considered to be premature.</li> <li>2. Development at this location would not be sustainable, given the site's location without direct and convenient access for pedestrians, cyclists and has no frequent public transport service.</li> </ol>

				<ol style="list-style-type: none"> <li>3. The proposal would cause severe harm to highway safety and convenience and would worsen traffic conditions on the M40 junction</li> <li>4. The proposed development would be out of scale and character with the open rural character of the site and its surrounding context, and the development would cause unacceptable harm to the visual amenity of the area and the local landscape.</li> <li>5. The development will worsen air pollution issues on Hennef Way</li> <li>6. The type of development is restricted to warehousing which is unacceptable</li> </ol>
23/03434/F	Mr R Firoozan	24-26, Broughton Road, Banbury	Demolition of existing residential building and associated out-buildings, with the erection of 3 no. 4 bed townhouses and 3 no. 1 bedroom apartments, with associated parking, landscaping and bin and cycle storage.	Banbury Town Council object to the proposal as being overdevelopment, resulting in reduced amenity for neighbouring properties and insufficient garden area for the proposed houses.
23/03550/F	The Clews Trust at Acanthus Clews Architects	Acanthus House, 57 Hightown Road, Banbury, OX16 9BE	Change of use of office into two dwellings with associated works. Erection of four dwellings with parking and associated works and landscaping. Alterations to site access, alterations to existing storage building and removal of trees.	Banbury Town Council object to the proposal on the grounds that the increased scale of development will be detrimental to the character of the Conservation Area and the scale and orientation of the terraced units will cause harm to the residential amenity of adjacent properties
23/03594/OUT	Mr Chris Preece	60 Bankside, Banbury, OX16 9SN	Single storey two-bedroom bungalow with associated hardstanding and garden - re-submission of 23/01012/OUT.	Banbury Town Council object to the proposal on the grounds that the site is too small and, in a back-land position and would represent over-development of the site to the detriment of the amenities of surrounding properties and would create a poor standard of amenity for any prospective residents.
23/03348/F	Benjit Dhesi	Land Verges at Highlands South of Kerry Close Banbury	Erection of 2 No. 2-bed dwellings with shared garage.	Banbury Town Council object to the proposal on the grounds that the proposal would result in the loss of a significant and attractive area of open space and trees which are important in their contribution to the character and appearance of the area and is therefore contrary to Local Plan policy.

23/03403/OUT	Yasmin Kad	Banbury Madni Mosque Merton Street Banbury OX16 4RP	Portacabin (single storey) to west of car park with All Matters Reserved - Re-submission of 23/01624/OUT.	<p>Banbury Town Council continue to have concerns about the parking implications of this proposal. The survey upon which OCC have commented and based their opinions upon does not seem to pick up the true peak usage of the car park, namely on days when festivals, funerals and weddings are being held. The loss of car parking for these events will exacerbate the on-street parking congestion at these times. We ask that these comments be put to the applicants and the highway authority for further comments.</p> <p>Furthermore, as this site adjoins the Conservation Area if this building is designed to meet a permanent future requirement would it not be better that the building was also a permanent structure</p>
23/03544/F	Gipps Energy Limited	British Gas Plc Merton Street Banbury OX16 4RN	Variation of Condition 2 (plans) of 22/03808/F - gas flare has been included in the latest Site design as the best method to manage reject gas.	<p>The Town Council has queries and concerns about this proposal, in particular the safety aspects and the appearance of the chimney/flare in this area.</p> <p>In our view we have insufficient information upon the occurrence of the flaring activity; is it a common occurrence? Or is it only infrequent?</p> <p>Are there alternatives to the flaring? Or can the reject gas be returned to the supplier for flaring or processing at their rural location or elsewhere.</p> <p>Given this location in an urban area in relatively close proximity to residential properties it would seem essential to establish whether this is a safe operation.</p> <p>When planning permission was granted for this use there must have been some thought given to the rejected gas scenario, and yet no flaring was referred to. If this is essential to the operation and there are no alternatives then it seems disingenuous that this was not referred to at that time.</p>

Please note that following the consideration of delegated planning by the Town Clerk and Chairman, there may be additional plans to consider in order to meet the deadlines of the Planning Authority.