

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 04 April 2018 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Harrison (Chairman)  
Councillors: Beere, Clarke, L. Donaldson, Hussain, & Wren.

Officers: Audrey O'Mahony (Planning & Administration Officer)

**PL.72/17**

### **Apologies**

Apologies were received from Councillors Illott, Milne Home, Bell, Woodcock, & Ross.

**PL.73/17**

### **Declarations of Interest**

Councillors Clarke, Beere, declared that as Members of the Planning Committee of Cherwell District Council, any views expressed at the meeting would be based on the information currently available and that final decisions, which in the light of further information, might differ from previous views, would be made at the Local Planning Authority Meeting.

Councillor Donaldson declared a disclosable pecuniary interest in application 18/00273/OUT (Pandora Trading Limited and Sanctuary Affordable Housing Ltd, OUTLINE application for the development of 90 residential units (Use Class C3), Class A uses, Class D1 use and associated access, landscaping/open space, parking and related works) as she is an employee of Sanctuary Housing Ltd

**PL.74/17**

### **Minutes of the Last Meeting**

**IT WAS RESOLVED** that the Minutes of the meeting held on 07 March 2018 be approved as a correct record and signed by the Chairman.

**PL.75/17**

### **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.

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

**PL.76/17**

### **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.

**PL.77/17**

### **Decision Notices**

The committee were informed that there were no decision notices to be considered where the decision of the Planning Authority was contrary to the observations of the Town Council

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

**PL.78/17**

**Appeal Decision**

Members were updated on the decision made at appeal of APP/C3105/D17/3187530. The appeal was made against the decision of Cherwell District Council. The application (17/00902/F) was refused by notice on 29<sup>th</sup> September 2017. The development proposed was described as a “first floor extension above existing extension to create two further bedrooms”. The appeal was allowed and planning permission was granted.

The meeting ended at 7.20pm

## Planning Applications considered by the Planning Committee

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Observations</b>
18/00053/F	Bellway Homes Limited (Northern Homes Counties)	Hardwick Hill Southam Road Banbury	Sensory garden on previously approved Locally Equipped Area of Play (LEAP); provision of LEAP on copse land and continuation of existing bund; RETROSPECTIVE planning permission for installation of sub-station	<p>Having considered the application documents Banbury Town Council have the following comments to make on this application – Some of the ideas are out of place, some items such as the wooden play equipment are more suited to a rural community but in an urban setting totally inappropriate. The sensory garden would be more suited to a town centre park, such as People’s Park, but again not in a housing estate where the maintenance required for it will not be available. On the individual areas the comments are as follows:</p> <p>SENSORY GARDEN – 5549/ SG /ASP10</p> <ol style="list-style-type: none"> <li>1. More suited to a formal setting such as a town centre park but not on an urban housing estate.</li> <li>2. The use of timber equipment will require high maintenance and replacement before too long (estimated to be 5 years in my opinion, 10 years at the very outside if you are lucky)</li> <li>3. The plan states that 50mm of mulch would be used the minimum should be 75mm but preferably 100mm.</li> <li>4. It also states that stones over 75mm will be removed this should be &lt;25mm</li> <li>5. There is no identification of the plants being used with most requiring a higher level of maintenance than may be available through a general grounds maintenance contract</li> <li>6. A lamp post is identified on the site – who will be responsible for this? This is to be considered</li> </ol>

				<p>a maintenance issue going forward dependent upon the type of lighting column.</p> <p>7. Some of the ornamental planting could fall within the area to be transferred to Oxfordshire County Council Highways this should just be grass only.</p> <p>PLAY SPACE DESIGN – 5549/ ASP4.2</p> <p>1. The first initial problem is that this site is equipped with wooden equipment that is unsuitable in an urban environment.</p> <p>2. As this area is designed as a LEAP, the equipment envisaged to be installed is for a much younger age group and would not cater for children up to the age of 12. The current equipment shown would only cater for children up to 5 approximately and is not a good design.</p> <p>3. Play area signs should be installed to both entrances gates this design only has one with both entrances being for pedestrian access i.e. no access for vehicle access maintenance if required.</p> <p>4. Entrance gates should open inwards to ensure children cannot readily run out into the road and these should be hydraulically operated for controlled closing</p> <p>5. With the hedging around the site there is no need for fencing to the rear of the play equipment.</p> <p>6. The proposed play equipment – Multiplay unit should not be located just in front of the South East entrance gate but set further back. The use of play panels would be suitable for a LAP not a LEAP and the play house is unsuitable for children over the age of 5 and could be potentially used for anti-social behaviour.</p>
--	--	--	--	--

				<p>7. The design has minimal play value and could have incorporated a fixed point swing in it at least.</p> <p>8. Again there are no details of the plants being used</p> <p>COPSE OPEN SPACE &amp; PLAY AREA – 5549/ASP11.0</p> <p>1. As above the use of timber in an urban play area is not appropriate, this is said with some regret as wooden play equipment is very attractive, but, susceptible to vandalism.</p> <p>2. It is presumed that the play area is a LEAP and the comments above would also apply to this area however there is no indication of fencing, gates or signage for the site (although it does mention a sign in the key)? The critical fall heights of the equipment is only 1.5m.</p> <p>3. There is nothing on the site for older users of the areas nor has any consideration been given for the provision of outdoor fitness equipment, which on a site of this size would have been appropriate?</p> <p>4. Litter bins are identified for the site but the landscape plan gives no indication of where these are being located and the number to be installed.</p> <p>5. There is no indication that any dog bins will be installed especially as the soft landscaped areas will be used by dog walkers.</p> <p>6. No planting detail is available for the soft landscaping so unable to comment on this.</p> <p>7. The soft landscaping seems Ok but some of the mounds identified will be difficult to maintain to the standard required. The features identified would have to be maintained to a much higher standard than would be expected for open spaces</p>
--	--	--	--	---

				<p>on housing estates and therefore considerably more labour intensive than other sites of a similar nature elsewhere in the town.</p> <p>8. There are other soft landscaped areas shown on the plan adjacent to the public highway that will not be maintained by the County Council to the standard required are these to be offered and adopted as other public open space to be maintained by Banbury TC and if so will they be covered by Commuted Sums?</p> <p>9. The substation in its current location will stick out like a sore thumb and will require soft landscaping around it – no thought has been given to this proposal in the plans.</p> <p>Too little detail is available on the landscape plans to give any more comment on them and therefore it is essential that this information is made available to complete and give an informed opinion of the proposals other than those expressed above</p>
18/00376/F	Bellway Homes Ltd (South Midlands)	Plots 131 To 134 Hornton Drive Banbury	Erection of four pairs of semi-detached houses with detached garages (amendment to design, number of units and layout permitted under 13/00159/OUT and 15/00961/REM)	Banbury Town Council have no objections to these proposals.

<p>18/00299/LB</p>	<p>Indian Pantry Ltd</p>	<p>Former Warehouse Rear Of 4 High Street Banbury</p>	<p>Conversion of former storage building into offices (ground and lower ground floors) and 4no. one-bed flats (first and second floors) including internal and external alterations. Provision of new toilet in association with shop at No.4 High St</p>	<p>Banbury Town Council wish to object to this application. It is the view of the Town Council that should this conversion go ahead, there would be a significant change to the character of the building and the proposed works would result in irreversible damage to the structure.</p> <p>There are a number of reasons for this objection. The building does not appear in any danger currently, and whilst supportive of development in the town centre, the Town Council believes that this conversion may come at too high a cost. Policy ESD 15 of the Cherwell Local Plan 2011-2031, outlines that proposals should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness. This Grade 11 listed building is historically significant in the town centre, its design and features contribute greatly to the character of the area and the building as a whole is an excellent example of a town centre warehouse that was distinctive to Banbury and its economy over the last 200 years.</p> <p>Whilst the majority of the proposed work would be carried out on the interior of this building, away from the view of the public, there is no doubt that the works would be carried out to a scale that would result in a loss that would not be outweighed by a public benefit. There is currently no shortage of office space in the town centre and therefore request that the objection of the Town Council be taken into consideration.</p>
<p>18/00332/F</p>	<p>Mr &amp; Mrs Allison</p>	<p>Banbury Cycles 56 - 59 Broad</p>	<p>Conversion of first floor and construction of a new second floor over to form 6 No self-contained flats; conversion of rear cottage to</p>	<p>Banbury Town Council have no objections to these proposals provided that the concerns regarding odour issues are addressed.</p>

		Street Banbury OX16 5BL	form a ground floor office and a maisonette on the first and second floors	
18/00334/F	Mr & Mrs Nicholls	9 Grebe Road Banbury OX16 9YZ	Demolition of existing garage, conservatory and covered parking, and erection of two storey side and rear extensions and single storey rear extension	Banbury Town Council have no objections.
18/00235/F	Mr Artur Plotnikow	1 Cherwell Wharf Lower Cherwell Street Banbury OX16 5AJ	Enclosure of the existing covered archway at the ground floor level to allow the extension of the residential use of the building. The proposed archway infill with the installed walls, door and windows will keep the existing look of the Cherwell Wharf building	Banbury Town Council have no objections.
18/00167/F	Mr George Xiourouppas	45 Middleton Road Banbury OX16 3QR	Addition of two apartments at the far end of the garden, one studio apartment and one two bedroom apartment, as an addition/extension to the existing apartment block at the rear.	Banbury Town Council object to this application. It is the view of the Town Council that this development, by virtue of its size; scale and situation, would have a negative effect on the residential amenity of neighbouring properties. There is a potential for over development of the site and the creation of a tunneling effect causing a visual intrusion to neighbouring properties. Therefore it is the belief of the Town Council that this development would be in contravention of Saved Policy C30, and Policy ESD 15 of the Cherwell Local Plan 2011-2031.
18/00228/F	Mr J Kent- Baguley	107 Middleton Road Banbury	Sub-division of existing 4 flats into 7 individual self-contained units (part retrospective)	Banbury Town Council maintain the concerns that were outlined previously for a similar application on this site  For the Town Council parking is still a concern on the site, this is primarily related to the resultant highway issues that may stem from further traffic

				<p>generation and inadequate parking provision on the site.</p> <p>The Town Council believe that this application is unsatisfactory in terms of layout and contravenes guidelines set out in the Cherwell District Council Planning and Design Guidance Subdivision of Buildings for Residential Use.</p>
18/00188/LB	Mr Mark Horgan	Home Farm Blacklocks Hill Nethercote Banbury OX17 2BW	Strip and rescale roofs of house and outbuildings. Provide roof insulation as required by the Housing Act	Banbury Town Council have no objections to this application.
18/00433/F	Mr Mazeer Iqbal	5 Queensway Banbury OX16 9LY	Two storey side extension and ground floor rear extension with erection of a boundary wall	<p>Banbury Town Council have no objections to the two storey side extension and ground floor rear extension.</p> <p>However, the Town Council do object to the erection of a boundary wall. The wall, if erected, would have a negative impact on the surrounding area and would undoubtedly alter the character of the street scene in that area. Therefore , this would be seen as being in contravention of Saved Policies C28 and C30 of the Cherwell Local Plan 1996.</p>
18/00458/LB	Mr Savino Campanaro	Flat 8 Southam Road Banbury OX16 2ED	Insertion of window to first floor of rear elevation	Banbury Town Council object to this proposal. Having taken into consideration the new design for this window, it is the view of the Town Council that by virtue of its design the insertion of a new window at the rear of this property would alter the exterior of the property undesirably in a way that could not be reversed, and not respect the form of the property.

18/00273/OUT	Pandora Trading Limited and Sanctuary Affordable Housing Ltd	OS Parcel 3900 Adjoining Foxhill And West Of Southam Road Banbury	OUTLINE Application for the development of up to 90 residential units (Use Class C3), Class A Uses, Class D1 Use and associated access, landscaping / open space, parking and related works	Banbury Town Council have no objections to the principal of development at this site. However, the Town Council do wish to be party to any discussions related to outdoor play provision, open green space, and landscaping
18/00439/F	Teesbourne Properties Limited	49A Castle Street Banbury OX16 5NX	Change of Use from Offices to Residential apartments (revised scheme of application 17/00681/F)	Banbury Town Council have no objections to this application.
18/00352/F	Ten High Street Ltd	Edinburgh Woollen Shop 10 High Street Banbury OX16 5DZ	Variation of conditions 2 (plans), 3 (roof slate sample), 5 (window and external doors), 7 (restriction on use class) and 8 (biodiversity) of 17/01944/F	Banbury Town Council have no objections to this application.