

Banbury Town Council

Mark Recchia MA FCIS FSLCC
Town Clerk



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Date: 03 November 2021

To: All Members of the Planning Committee

You are hereby summoned to attend a Meeting of the **PLANNING COMMITTEE** to be held in the TOWN HALL, BRIDGE STREET, BANBURY on **WEDNESDAY, 10 November 2021 at 6.30pm**, for the transaction of the following business:

Mark Recchia

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Town Clerk

COVID 19 AWARENESS

- If you have had any of the main three symptoms of Coronavirus in the previous 14 days please do not come to the meeting – High temperature, a new, continuous cough and a loss or change to your sense of smell or taste.
- Wear a mask on entrance – until you are seated
- Sanitise your hands before ascending the stairs
- There is a QR code at reception which can be scanned on entry by those who are able but the Clerk will also record attendance for track and trace purposes so signing in is not essential
- Maintain distance at all times

BUSINESS TO BE TRANSACTED

1. Apologies for absence

Contact Mark Recchia (01295 250340).

2. Declarations of Interest

Members are asked to declare any disclosable pecuniary interests in items on the agenda, **and the nature of that interest**, in accordance with the Localism Act 2011, the Banbury Town Council Code of Conduct and Section 106 of the Local Government Finance Act 1992 (Please refer to the notes at the end of Agenda).

Banbury Town Council

Members of the Local Planning Authority are invited to declare that any views they may express at this meeting will be based on the information currently available and that their final decision (which may differ from views previously expressed) will be made at the Local Planning Authority.

3. Minutes of the last Meeting

To approve as a correct record the Minutes of the meeting held on 20 October 2021 (**enclosed**) and of the Special Meeting held on 3 November 2021 (**to follow**).

4. Planning Applications to be considered

To consider the planning applications set out in **Enclosure 4**.

5. Planning Applications delegated to the Town Clerk

To note the planning applications dealt with by the Town Clerk, in consultation with Ward Members and the Chairman of the Planning Committee, as set out in **Enclosure 5**.

6. Decision Notices

To consider Decision Notices where the decision of the Planning Authority is contrary to the observations of the Town Council, as set out in **Enclosure 6**.

7. A422 Stratford Road – 20 MPH Speed Limit

To consider a request from County Councillor Mark Cherry, who has written to the Town Clerk indicating that a few years ago the protocol was to go to your local Parish Council to ask for speed limit reductions, in this case on the A422 Stratford Road, in the proximity of North Oxfordshire Academy School. Oxfordshire County Council Officers have been trying to progress a reduction from 30mph to 20mph from the Bretch Hill turn to the Warwick Road Street Traffic lights. The OCC Cabinet member for Highways, Tim Bearder, has reaffirmed to Cllr Cherry that it is still the process to go via parish councils first, County Councillor Cherry is looking for the support of the Town Council to progress this change.

8. Appeals

To note that the appeal (Ref 21/01057/F) made by Compass Food Ltd against the decision of Cherwell District Council to refuse permission for the development of land without complying with conditions subject to which a previous planning permission (Ref 03/00144/F) was granted, for Change of use from A1 (shops) to A3 (food and drink), including new shop front and rear ductwork at 177 Warwick Road, Banbury OX16 1AS, had been dismissed. The condition in dispute is No 2 which states: That the operational use of the premises shall be restricted to:- Monday to Thursday – until 10.30pm, Friday and Saturday – until 11.00pm, Sunday – No time. BTC had raised concerns over late night noise and litter issues.

9. Banbury Traffic Advisory Committee

To receive and note the Minutes of the Banbury Traffic Advisory Committee Meeting held on 1 September 2021, as set out in **Enclosure 9**.

Notes on declaration of interest

(i) Any Member arriving after the start of the meeting is asked to declare any disclosable pecuniary interests as necessary as soon as practicable after their arrival even if the item in question has been considered;

(ii) In such circumstances, the Member must withdraw from the meeting room, and should inform the Chairman accordingly.

It is not practical to offer detailed advice during the meeting.

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 20 October 2021 (postponed from 13 October due to Michaelmas Fair) at 6.30pm in the Town Hall, Banbury.

Present: Councillor Bunce (Vice-Chairman in the Chair)
Councillors: Ayers, Beere, Biegel, Hodgson and Hussain.
Alternate Members: None.
Officers: Bob Duxbury (Planning Officer).

PL.42/21**Apologies**

Councillors Ahmed and Dalton.

PL.43/21**Declarations of Interest**

Councillor Beere declared a personal interest as a member of the Cherwell District Council Planning Committee. He 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. He also declared a personal interest in Application No 21/02499/F, as an acquaintance of the applicant, and remained in the meeting but refrained from participating in the discussion or voting on the application.

PL.44/21**Minutes of the Last Meeting**

IT WAS RESOLVED that the Minutes of the meeting held on the 15 September 2021 be approved as a correct record and signed by the Chairman.

PL.45/21**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.46/21**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.47/21**Decision Notices**

The Town Clerk had submitted a schedule containing details of decision notices which had been sent by Cherwell District Council which were contrary to the recommendations of the Town Council. Members noted that there were in fact no contrary decisions within the period.

IT WAS RESOLVED that the report be noted.

PL.48/21**Appeals**

The Committee noted that the appeal made by Mrs Lizhu Guo, against the decision of Cherwell District Council to refuse to grant planning permission for the formation of means of access and associated dropped kerb at 113 Cromwell Road, Banbury (Application No 20/03210/F) was dismissed. The Town Council had raised no objections.

The meeting ended at 7.20pm

Planning Applications considered by Planning Committee

APPENDIX 1

Application Number	Applicant	Location	Proposal	Observations
21/02804/F	Mr M Furby	19 Hastings Road, Banbury, OX16 0SE	Erection of dwelling	Banbury Town Council object to the proposal on the grounds that inadequate car parking can be provided to serve the needs of two houses and that consequent on-street parking will be caused to the detriment of the safety and free flow of the highway.
21/02499/F	Mr Mohammad Taj	1 Queensway, Banbury, OX16 9LY	For conversion of large dwelling into 2 dwellings (1 and 1a Queensway). Single storey rear extensions to both dwellings	No objections
21/03057/F	Mrs K Beckingsale	3 Denbigh Close, Banbury, OX16 0BQ	For Change of use from HMO (Class C4) to 7 Bedroom HMO (Sui-Generis)	Banbury Town Council object on the grounds that 1. The proposed 7-bedroom HMO would generate additional parking demand, albeit from 1 extra bedroom, from residents and visitors which could not be accommodated off-street The consequent lack of parking on site and increased on-street parking would be materially harmful to highway safety and the free flow of traffic, including emergency vehicles, and there would be insufficient space within the cul-de-sac to accommodate displaced vehicles without having an adverse effect on the safety and convenience of existing residents and other highway users. 2. The loss of front garden and use of all of it as car parking, together with the intensified use would be harmful to the character and appearance of the area and consequently contrary to the adopted Cherwell Local Plan

Planning Applications to be considered

<i>Application Number</i>	<i>Applicant</i>	<i>Location</i>	<i>Proposal</i>
21/03242/F	Brady Corporation UK	14 Wildmere Road, Banbury, OX16 3JU	Demolition of the existing buildings with subsequent re-development of the site for new premises for the existing owner / occupier
21/03459/M56	OX1 Properties	The Blarney Stone, Windsor Terrace, Banbury, OX16 5AS	Reconfiguring the layout of the coffee shop at the ground floor to create 2 dwellings
21/03305/F	Glencar Property (Banbury) Limited	Land South East Of Town And Country Scaffolding Ltd, Tramway Road, Banbury	Variation of condition 24 (use of building) of 20/00247/F - The permission restricts use to a E(g)(iii) use, light industrial. The application seeks to extend this use to an additional use falling within the E (d) Use Class, for indoor sport and recreation. The application proposes a variation of condition 24 of permission 20/00247/F to allow for the units to be used for indoor sport, recreation, or fitness (Use Class E(d))
21/03644/OUT	Lone Star Land Limited	OS Parcel 6372 South East Of Milestone Farm, Broughton Road, Banbury	Erection of up to 49 dwellings, associated open space, sustainable urban drainage systems, and access from Balmoral Avenue.

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.

Planning Applications delegated to the Town Clerk in consultation with the Ward Members and the Chairman of Planning Committee**5**

Processed applications 7 October 2021- 1 November 2021				
Application No	Address	Applicant	Proposal	Outcome
21/02702/F	17 Lime Ave	Mr Timothy Green	Single storey rear extension	Seems unduly deep and likely to cause harm to the amenities of the adjoining property , but there seems to be a precedent at no 15.
21/02872/F	7 Parsons Piece	Mr Luke Towle	Front porch and single storey rear extension	No objections
21/02990/F	2 Grebe Road	Mrs T O'Donnell	Single storey rear and side extensions	No objections
21/02871/F	7 Briggs Close	Surveyors to Education	Single storey front extension to include shower room and utility area - re-submission of 18/01210/F	No objections
21/03104/f	125 Sinclair Ave	Mr Andrew Veitch	Proposed single storey rear extension and internal alterations	No objections
21/03055/F	71 Brinkburn Grove	Mrs E Lammert	Single storey rear extension	No objections

Application No	Address	Applicant	Proposal	Outcome
21/03044/F	231 Balmoral Avenue	Lianne Heath	Rear balcony from first floor to high level rear garden	Object on the grounds that the introduction of a balcony onto the rear is likely to result in a loss of privacy and amenity for the adjacent property
21/02830/F	5 Lime Avenue	Mr Andrew Stidder	single storey side extension and conversion of loft to habitable accommodation	No objections
21/02920/ADV	61 High Street	TSB	Various new panels and signs	No objections
21/03056/LB	43 Market Place	Makespace Oxford	Internal repairs etc	No objections
21/01755/F	16 Brantwood Rise	Mr Lines	Two-storey side and rear extension to dwelling	Object - Our previous concerns remain with this revised proposal
21/03148/LB	82 High Street	Heiland Ltd	Discharge of Conditions 3 (windows), 4 (ventilation) and 6 (floor and ceiling details) of 19/02441/LB	No objections

Application No	Address	Applicant	Proposal	Outcome
21/03156/disc	82 High Street	Heiland Ltd	Discharge of Conditions 3 (windows), 4 (noise) and 5 (ventilation) of 19/02440/F	No objections
21/02399/F	28 Lower Cherwell Street,	Mr Akdas Zia	Change of Use of existing rear yard to hand car wash / valeting centre and erection of wash down screen and canopy over	No objections to the change of use, but OCC's comments on access and queuing are likely to be significant -support OCC Highways concerns
21/03000/F	49 Nursery Drive	Mr and Mrs D Gilkes	Two storey side part rear single storey rear extension with associated internal and external works	no objections
21/02987/F	Sainsbury's, Oxford Road	Sainsbury's Supermarket Ltd	Extension of the groceries online (GOL) distribution hub, erection of click & collect canopy, alterations to the service yard and car park and landscaping	No objections

Application No	Address	Applicant	Proposal	Outcome
21/02768/F	Tooleys Boat Yard, Spiceball Park Road	John Madden	The construction of removable pedestrian footbridge to span the entrance to canal dry dock together with erection of security fence	The Town Council support the principle of having the two towpath footpaths connected. The plans submitted however do not explain the necessary opening of the bridgeway. How often will it be necessary to open the bridge to allow access for boats?
21/03257/F	Magistrates Court, Warwick Road	Talbot Homes Ltd	Variation of condition 2 and minor material amendments to 20/01317/F (see cover letter and plans). Clearance of conditions 17 (architectural detailing), 18 (roof tiles), 20 (boundary enclosures), 22 (bin store), 30 (swift bricks), 33 (vehicular electric charging points) and 34 (noise mitigation measures) of 20/01317/F	No observations
21/03077/F	8 Overfield	Mr D Rose	Proposed 10mx11m Industrial Unit - Expansion for Existing Business (Resubmission of 21/01066/F)	No objections

Application No	Address	Applicant	Proposal	Outcome
21/02931/U56	38 Middleton Road	Emaar Construction	Additional 2 floors on top of the 3rd floor of the existing building. Creation of 6 no. flats	Banbury Town Council is concerned about the adequacy of the car parking provision for this enlarged group of housing and considers that the scale and mass of the building is inappropriate in the streetscene that adjoins a Conservation Area

Planning Applications where the decision of the Planning Authority is contrary to the observations of the Town Clerk

Application No And Location	Nature of Application	Observations of the Town Council	Decision of the District Council
21/02311/F 2 Foscote Rise, Banbury, OX16 9XP	Extensions to accommodate additional staff changing and support facilities	BTC had objected on the grounds that the development will have an adverse and detrimental impact upon residential amenity (specifically relating to the overbearing nature of development, its overdominance, and inappropriate materials and the functionality of the proposed design) which will be an ill considered form of development in this residential setting and would be therefore inappropriate for the site.	Application approved by CDC, who considered that the medical requirements for this extension outweighed concerns about appearance.
20/00329/CDC Coach Park, Compton Road, Banbury	Change of use from coach parking to car parking modifications to layout of hardsurfacing and landscaping	BTC questioned the impact of this proposal on the parking of buses . On Thursday 19th March there were 5 buses parked on the site at 11.00am. Where are the buses to be re-directed to? There is a strong possibility that this will lead to parking in inappropriate side streets and commercial areas. We sought clarification of the following - access arrangements to remain as existing? - Number of disabled spaces? - Number of electric vehicle charging points? - Long stay or short stay? Also requested that clear signing to and from the car park to the town centre for pedestrians is provided.	Application approved by CDC with conditions requiring charging points and signage.

BANBURY TRAFFIC ADVISORY COMMITTEE

Minutes of a Meeting of the Banbury Traffic Advisory Committee held at The Town Hall, Banbury on Wednesday, 01 September 2021 at 2.00pm.

Present: Kieron Mallon Oxfordshire County Council (Chairman)
Cllr Rebecca Biegel Banbury Town Council
Cllr Fiaz Ahmed Banbury Town Council
Cllr Tony Ilott Banbury Town Council
Peter Monk Banbury Civic Society
Yasmin Kaduji Banbury Chamber of Commerce

Officers: Robert Duxbury Banbury Town Council
Mike Wasley Oxfordshire County Council
Jacqui Cox Oxfordshire County Council
Ian Connick Oxfordshire County Council
Keith Stenning Oxfordshire County Council
Jim Whiting Oxfordshire County Council

1/21 Apologies

Chris Hulme (TVP); Andrew Bowe (CDC); Robert Wingrove (BADI); and Colin Clarke (CDC).

2/21 Declarations of Interest

None.

3/21 Minutes

IT WAS AGREED that the Minutes of the meeting held on Wednesday 26 February 2021 be received.

4/21 Oxfordshire County Council – Combined Report on Transport Policy/Strategy & Area Operations

Tramway Road accessibility scheme

The preliminary design work for this scheme was progressing, with several detailed matters being discussed with Network Rail and Chiltern Railways, including land negotiations. The focus of the scheme was providing bus (and taxi) access to the station and town centre and car access to the west car park by opening up the connection between Tramway Road and Station Approach. All schemes were required to provide improvements for active travel modes as well as buses wherever possible. The scheme had been amended to better provide for cyclists through this corridor. Consultation on the emerging scheme design would take place during November this year, with construction planned to start towards the end of 2022 and completed in 2023.

Access to Banbury (north)

This project work covered two main elements – the potential for new slip roads onto/off of the M40 from Southam Road and the options for improvements to the Southam Road roundabout. The slip roads work would feed into the review of the area transport strategy for the new Local Transport & Connectivity Plan and also the evidence base for the Local Plan Review transport work. This will need to be considered within the wider context of decarbonising transport, both locally and for the strategic transport network. An options assessment for the Southam Road junction is near completion and will be discussed with Members before deciding how to progress.

Local Walking and Cycling Improvement Plan (LCWIP)

An LCWIP for Banbury was currently being progressed by both Cherwell District Council and OCC. The early steps for the work were to audit current facilities both for people walking and those cycling and propose a network of improvements. There is a very strong focus from central government and OCC on increasing the number of short trips, in particular, that people undertake by walking or cycling to address both Climate Change and Health objectives. Production of an LCWIP would put Banbury in a much stronger position to successfully bid for funding for active travel schemes. It would be helpful to discuss the emerging plans with BTAC at the appropriate time.

Local Transport & Connectivity Plan (LTCP) area strategy

The overarching policies for the Local Transport & Connectivity Plan were to go to OCC Cabinet for approval in October. The infrastructure locality team were to start to discuss with local Members and stakeholders how best to meet the challenges for Banbury, in terms of meeting the ambitions to increase active travel whilst at the same time improving conditions for bus services and ensuring cars and HGVs are still able to make necessary connections.

As part of this area strategy work, officers were proposing to undertake a piece of work assessing 'Banbury's Strategic Transport Connectivity', which would assess what would be required to increase the number trips into the town by rail (passenger and freight), bus, strategic cycle connections and whether improved connections to/from the strategic road network are also required. This would tie together the work emerging from the Access to Banbury North work and previous discussions around link roads and slip roads to the south of the town.

Recent funding bids

Bids had been submitted to the Levelling Up Fund to improve Banbury canal towpath and bridge connections. An Active Travel Tranche 3 bid for feasibility work to consider how to improve active travel routes in the Easington area had also been made.

Public transport

The Government continued to provide a tailored package of financial support to the bus industry and OCC were currently providing additional support through the maintenance of pre-Covid levels of contract and concessionary fare payments. However, the scale and timing of future Government funding was currently uncertain, and operators were becoming increasingly nervous about retaining services at their current uneconomic levels in the absence of further information.

In September 2020 the Council entered into several new bus service contracts which were funded by a one-year Government grant for the provision or improvement of routes in rural areas. The Government subsequently confirmed this grant would not be repeated and the services were therefore at risk of withdrawal; however, funding has been found from OCC Local Authority Bus Subsidy Grant allocation to retain these until April 2022. The Banbury area services retained through this were:

- 488: Banbury to Chipping Norton (Sundays, 2-hourly); and
- S4: Banbury to Oxford (Mondays to Saturdays, 2 evening journeys).

Civil Parking Enforcement

With the support of Cherwell, Vale of White Horse and South Oxfordshire District Councils, Oxfordshire County Council had applied to the Secretary of State for Transport for the powers to enforce on street parking restrictions within the District areas, commonly referred to as Civil Parking Enforcement (CPE) (Oxford City and West Oxfordshire areas already had CPE). The Department for Transport had indicated that these powers would be available to the County from 1 November 2021. This meant that the enforcement role would transfer from Thames Valley Police to the County Council from that date. The County had appointed a parking Contractor, Conduent Transportation to undertake the enforcement work following a tender exercise. There were a number of positives to the decriminalisation of on-street parking enforcement: a more uniform and consistent approach to enforcement, the ability to respond to the growing pressure on on-street capacity, support the use of off-street parking and provide for a more accountable responsive and sensitive service.

Officers from the Parking Team were keen to engage with BTAC to update them on progress of the scheme, the introduction of limited on-street pay and display in Banbury, to help support the scheme being financially viable, and the possible implementation of Controlled Parking Zones (CPZ's) in the area to support resident parking.

Defects and maintenance

No defects were overdue in the period. Details of various highway maintenance schemes were noted. It was also noted that the annual programme for signing and lining maintenance was now complete. Zebra Crossing and junction table works, including Broughton Road Zebra Crossing were complete. On Bankside the construction works were complete, but there were some lining amendments to make.

IT WAS AGREED that the report be noted.

5/21 Matters Raised by Members

Banbury Chamber of Commerce: Please can we get OCC to move surplus cones/covid vaccines, boards around Banbury.

OCC Officers confirmed that procedures were in place to ensure that contractors and utilities did remove traffic management infrastructure at the end of works, and indeed could be fined for failing to do so. Where this was not happening it was possible to report it on Fix My Street, but officers would report back the comments. **KS**

Banbury Town Council – Cllr Rebecca Biegel: Consideration of the effects on traffic into Banbury from Junction 11 of the M40 and along Hennef Way, Ermont Way and Wildmere Road in light of the i. The current new warehouse development on the A361 just north of the M40; and ii. The proposed new development on the A361 between the above warehouse and J11 comprising of offices, a new hotel, food restaurant and cafe drive-throughs and a petrol station and iii. Increased HS2 construction traffic alongside existing heavy goods and car traffic from this junction.

BTC Planning Officer explained that these issues were covered in detail as part of assessing the planning applications. OCC officers added that all new road schemes were also assessed against environmental criteria.

Banbury Civic Society:

- I. *M40 / Junc. 11 – BCS asked whether OCC were intending to object to the latest proposals?* OCC officers advised that they had previously raised objections but the current proposals were still being assessed.
- II. *Conduct and advance notice of utilities work in the highway – already covered;*
- III. *Oxford Road - trees.* Some of the highway frontage trees were in Sainsbury's ownership. OCC Officers to investigate **JC**
- IV. *Configuration of roundabout for Banbury 17 – a discussion took place about amending the current set up/traffic flow.* OCC Officers would raise with the roads agreement team **JC**.
- V. *Condition of highway surface - multiple locations; also trees obscuring direction signs (Hennef Way etc.) -* OCC Officers would investigate **MW**
- VI. *Bridge Street / Merton Street junction.* – there was an issue with traffic light signal timing. OCC Officers would investigate **JC**

6/21 Date of next meeting

Wednesday 1 December 2021 at 2pm

The Meeting ended at 3.45pm.