

Banbury Town Council

Mark Recchia MA FCIS FSLCC
Town Clerk



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Date: 06 October 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, 20 October 2021*** at 6.30pm, for the transaction of the following business:

Mark Recchia

Mark Recchia
Town Clerk

* Please note change of date. The meeting has been postponed for 1 week due to clashing with the Michaelmas Fair

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 meetings held on 15 September 2021 (**enclosed**).

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. Appeals

To note 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.

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, 18 August 2021 at 6.30pm in the Town Hall, Banbury.

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

PL.35/21

Apologies

Councillors Hodgson and Ilott.

PL.36/21

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.

PL.37/21

Minutes of the Last Meeting

IT WAS RESOLVED that the Minutes of the meeting held on the 18 August 2021 be approved as a correct record and signed by the Chairman.

PL.38/21

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.39/21

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.40/21

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.41/21

Consultations

a) OCC Oxfordshire Plan 2050

This document set out options for thematic-based policies and a number of spatial strategy options that would shape the future of Oxfordshire. OCC were seeking the public's and stakeholder views on these options and whether there were other options that the Oxfordshire Plan should consider. The Committee considered whether any response was needed. The Planning Officer explained that:

- The Oxfordshire Plan would focus on the strategic planning issues relevant to the whole of Oxfordshire.
- It would sit alongside adopted Local Plans and Neighbourhood Development Plans.
- It would provide the framework for new Local Plans and Neighbourhood Development Plans.
- It would be used to help make decisions on planning applications.
- The Oxfordshire Plan would identify broad locations for new development. It would be up to local plans to identify specific development sites within this framework.
- It would plan for the next 30 years, up to 2050. This was double the length of normal Local Plans.

The Planning Officer further explained that the policy options in the paper could be divided into 3 categories:

1. Those where there were specific alternatives to be considered;
2. Those where delaying the policy to a future Local Plan was an option; and
3. Those where there were no options offered and readers were asked to confirm, or otherwise, their agreement with these self-evidently obvious policies.

Following a detailed presentation and discussion of the various policy options it was **RESOLVED** that that the Town Clerk be authorised to make representations that reflect the discussion in Committee and the Planning Officer's views, after final discussion with the Leader of the Council and Chairman of the Planning Committee, based upon the draft response attached at Appendix 2.

The meeting ended at 7.40pm

Planning Applications considered by Planning Committee

APPENDIX 1

Application Number	Applicant	Location	Proposal	Observations
21/02467/F	Monte Blackburn Ltd	OS Parcel 0005 And Part OS Parcel 1300 0878 And 7566, Banbury	Erection of mixed-use development including a 240-bed hotel, 4-storey office building and roadside services including 2 no hot food restaurant drive-throughs, a coffee shop drive-through and a petrol filling station with ancillary retail store	<p>Object on the grounds that:</p> <ol style="list-style-type: none"> 1. Notwithstanding the applicant's assertions to the contrary it is considered that the PFS will function as a motorway services area with consequent detrimental impact upon the efficient operation of Junction 11 M40/A361/A422 junction which already experiences periods of congestion. 2. Whilst noting the applicants arguments the Town Council consider that the proposal will impact upon the amount of employment land that is available for the economic development of Banbury and will be contrary to Policies SLE 1 and BAN 15 of the adopted Cherwell Local Plan , and that this proposal should be resisted and the land should continue to be reserved and available for commercial employment for offices, industry and warehousing as allocated in the adopted Cherwell Local Plan 3. The Town Council consider that the increased traffic generation resulting from this development will inevitably worsen the existing traffic congestion and capacity issues experienced at Junction 11 and various junctions on Hennef Way and should be resisted. 4. The design of the hotel building is considered to be bland and lacking in style and will not be compatible with this prominent gateway location which demands a higher quality approach and consequently be contrary to Policy BAN15 of the adopted Local Plan.

Oxfordshire Plan 2050

Draft responses to Regulation 18 consultation

Policy option 01 - Sustainable Design and Construction

The Town Council agree to the inclusion in the Oxfordshire Plan of a policy setting out sustainable design and construction requirements to be applied to major residential and non-residential developments within Oxfordshire.

Policy option 02 – Energy

The Town Council agree with the preferred policy option to maximise the use of renewable energy in new developments in Oxfordshire.

Policy Option 03 – Water Efficiency

The Town Council agree that The Oxfordshire Plan should seek to require the most ambitious minimum water efficiency standards possible for new development, but also consider that Option 03- 1 (for water neutrality would be an acceptable alternative strategy

Policy Option 04 – Flood Risk

The Town Council agree with the preferred approach for the Oxfordshire Plan to provide a strategic planning framework for managing flood risk in Oxfordshire. The use of a SUDS approach is thought appropriate

Policy Option 05 - Protection and Enhancement of Landscape Characters

The Town Council support the establishment of a positive strategy for the protection and enhancement of landscape and townscape features

Policy Option 06 - Protection and Enhancement of Historic Environment

We support a policy in which development proposals would be required to assess the impact on the historic environment and heritage assets including both known and potential heritage assets including assessing the likelihood of currently unidentified assets being identified

Policy 07 - Nature Recovery

The Town Council agree with the preferred option which is to identify those parts of the county that are important for establishing a well-connected ecological network and to use this mapped resource to shape the policies, and to help define the spatial strategy and help to determine the spatial distribution of development in the Oxfordshire Plan.

Policy Option 08 – Biodiversity Gain

We agree that the Plan should set a minimum target for biodiversity net gain across Oxfordshire to protect, enhance, restore, increase and connect the natural environment and secure measurable net gains in biodiversity.

Policy Option 09 - Natural Capital and Ecosystem Services

The Town Council agree that the Plan should identify the parts of the county that are important and valuable for natural capital and ecosystems services and to use this mapped resource to shape the policies.

Policy Option 10 - Green Belt

The Town Council consider that the Plan should focus on the protection and enhancement of the Green Belt in order to strengthen the important roles that the Green Belt plays.

Policy Option 11 – Water Quality

The Town Council agree with the preferred option of providing a strategic planning framework for the protection and enhancement of water quality in Oxfordshire.

Policy Option 12 – Air Quality

The Town Council consider that the Plan should provide a framework that would set minimum standards for development in Oxfordshire, helping to ensure a consistent approach across the county. It should also provide a framework for improving air quality wherever possible, aligning with proposed ambitions around environmental improvement and creating strong and healthy communities

Policy Option 13 – Healthy Place Shaping and Impact Assessments

The Town Council consider that whilst the Plan could establish a framework that can be applied across Oxfordshire for the design and masterplanning of major developments this could equally be left to Local Plans

Policy Option 14 – Health Insurance

The Town Council agree with the preferred approach to provide an enabling policy that aims to set out a framework in which the land use and planning elements of future health reorganisations might be considered, recognising that many of the issues arising will be matters that impact across more than one local planning authority. This should include recognition of the role that health facilities also offer across County boundaries

Policy Option 15 - High-Quality Design for New Development and Garden Town Standards for New Settlements

The Town Council agree with the intention that the Plan should set an ambition for high-quality design in Oxfordshire, with local plans, neighbourhood plans and design guides providing more detailed, locally specific requirements as appropriate. The bullet points included in the preferred policy are all agreed appropriate

Policy Option 16 - Leisure, Recreation, Community and Open Space Facilities

The Town Council consider that this is a Local Plan matter and not of a strategic nature other than the need for a Policy to protect existing facilities – therefore the alternative policy (16-01) is preferred in this case. Large leisure facilities need individual consideration and do not in our opinion lend themselves to a simple encouraging policy as set out in your preferred policy.

Policy Option 17 - Towards a net zero transport network

It is agreed that it will be important that the location and planning for new development takes into account the more detailed policies within the County Local Transport and Connectivity Plan (LTCP), and where relevant other policy, both at a sub-national and national level, and that Town Council also support the delivery of enhanced walking and cycling networks and routes. Therefore the preferred policy is agreed

Policy Option 18 Sustainable Transport in New Development

The Town Council agrees with the hierarchical approach to travel sustainability but wishes to stress that adequate and viable public transport is realistically difficult to provide in some urban areas and in rural areas, and therefore private transport must continue to be allowed for in development. The document is confusing in this policy in not following the pattern universally used throughout its remainder in that it does not clearly set out a preferred policy or give options.

Policy Option 19 - Supporting Sustainable Freight Management

It is agreed that this is a matter for the Oxfordshire Plan and the preferred option is agreed

Policy Option 20 - Digital Infrastructure

The Town Council agree that the preferred option should be that all new residential and business developments would plan for the provision of fixed and mobile technology from the outset.

Policy Option 21: Strategic Infrastructure Priorities

The Town Council agree that development proposals must be planned to both take account of and take opportunities to support delivery of the strategic infrastructure priorities identified in the Oxfordshire Infrastructure Strategy (OxIS), and any subsequent updates. Local plans, and any supporting documents such as Infrastructure Delivery Plans, and Infrastructure Funding Statements should also take into account. Likewise it is expected that major development proposals will be timetabled to only be commenced after the necessary infrastructure is delivered.

Policy Option 22 - Supporting the Creation of Jobs

The Town Council agree that economic growth and housing growth would need to be aligned and take into account a range of other factors. The decision on the appropriate level of jobs growth should be taken alongside the final decision on the housing growth figure and therefore support the preferred option

Policy Option 23 - Protection of Economic Assets

The Town Council support an Oxfordshire wide approach as set out on the preferred option

Policy Option 24 - Town Centre Renewal

The Town Council welcomes the intended proposal to include a policy to encourage new dynamism into the central area of Banbury and generate new footfall, and the support proposed for the vitality and viability of town centres. They also support the proposal that the Oxfordshire Plan will support the changing nature of our town centres and provide future flexibility to this change, by continuing to support the retail uses, and in addition, supporting new measures including: New leisure and hospitality uses, including the night-time economy and 'pop up' venues in vacant buildings. They also support the preparation of town centre strategies .

Policy Option 25 - Visitor Economy

The Town Council support the need for a strategic policy for large scale development of this type and note the intended criteria. It is considered that this policy could equally validly be placed in Local Plans as each case will need careful assessment against local circumstances

Policy Option 26 - Culture and Arts

The Town Council support the need for a strategic policy for large scale development of this type and note the intended criteria. It is considered that this policy could equally validly be placed in Local Plans as each case will need careful assessment against local circumstances

Policy Option 27 - Meeting Skills and Education Needs

Banbury Town Council agree with the intention to have a supportive policy to ensure that there is a framework policy in place to enable future development or the land use aspects of the reorganisations of skills and education facilities and that these issues can be considered in a consistent way

Policy Option 28 -Homes: How Many? Commitments and Locations

The Town Council consider that the number of houses envisaged by the transformational trajectory is acceptable in the Banbury context. The aim is to establish a final list of prospective locations for future growth that secure the

objectives of this Plan and especially, sustainable outcomes, net zero carbon growth and environmental enhancement is noted .

Policy Option 29 - Urban Renewal

Banbury Town Council welcome the preferred policy on urban renewal schemes and the reuse of brownfield and 'underutilised land' to achieve a more efficient use of land and to help minimise the use of new greenfield land across Oxfordshire and look forward to the Canalside area of Banbury benefitting from this approach.

Policy Option 30 - Affordable Housing

Banbury Town Council agree that the Oxfordshire Plan should require local plans (and neighbourhood plans where relevant) to seek the maximum level of affordable housing that can be justified after taking into account the viability of the site. Other comments in the preferred policy are noted and agreed; tenure mix should be left to Local Plans and individual community assessment

Policy Option 31 - Specialist Housing Needs

The preferred option is agreed

Policy Option 32 - Gypsies, Travellers and Travelling Showpeople

Banbury Town Council agree with the preferred strategy in which The Oxfordshire Plan will set out an Oxfordshire-wide need figure and local planning authority breakdowns in 5-year tranches per each authority.

Spatial Strategy Options

Banbury Town Council support the continued growth of Banbury implied by Options 1, 3 and 4. It should be noted however that this support is provisional upon a clear undertaking given via the Oxfordshire Plan that the infrastructure needed by the implied level of growth is to be guaranteed and delivered at the appropriate time. This would include the necessary highway and transport infrastructure, educational, cultural and health infrastructure, and other infrastructure needs identified in Cherwell Local Plan. The timing of the provision of such infrastructure provision is also critical to ensure that existing congestion and overloading of current infrastructure is not worsened.

Planning Applications to be considered

<i>Application Number</i>	<i>Applicant</i>	<i>Location</i>	<i>Proposal</i>
21/02804/F	Mr M Furby	19 Hastings Road, Banbury, OX16 0SE	Erection of dwelling
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
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)

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

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Processed applications 7 September 2021-6 October 21				
Application No	Address	Applicant	Proposal	Outcome
21/02614/F	37 Woodhall Drive,	Louise Tustian	Single storey rear extension	No objections
21/02607/F	84 Sinclair Avenue	Mr Ricky Smith	Two-storey side extension (revised scheme of 21/01346/F)	In our view this does not overcome our previous concerns in which we commented that "whilst this is a well designed and elegant extension it will step forward of the established building line of Sinclair Avenue. This forward projection needs careful on-site assessment of its impact upon the character and appearance of the streetscene". It was noted that CDC subsequently refused planning permission
21/0647/F	3A Hightown Leyes	Bursoft Ltd	Erection of a retaining wall to the front of the property	No objections
21/02739/F	The Stables, Blacklocks Hill, Nethercote	Mr Malkiat Singh & Mrs Jasbir Kaur	Extension to provide annexe to existing dwelling (resubmission of 18/02063/F)	We previously raised no objection and now see no reason to change that view.

Application No	Address	Applicant	Proposal	Outcome
21/02577/F	Spencer Court, Britannia Road	Rebecca Burt	Replace the existing double timber doors to the main entrance with aluminium automatic sliding doors	No objections
21/02130/F	10 Wykham Place	Mr Edward Pollard	To extend an existing dropped kerb - re-submission of 21/01004/F	No objections
21/02601/F and 21/02602/LB	50 South Bar Street	Shakib and Co	Installation of 1 No conservation roof light in roof of listed office building	No objections
21/02829/F	30 Hillview Crescent	Mr and Mrs P Hannam	Single storey rear extension with associated internal and external works	No objections
21/02833/LB	10 High Street	Mr Alastair Allan	Partially Retrospective - Internal fitout of ground floor retail unit	No objections
21/02575/F	15 Lime Avenue	Mr Lee Baker	Replace existing carport with brick-built garage with lean-to roof to be built on existing boundary wall (party wall agreement in place)	No objections

Application No	Address	Applicant	Proposal	Outcome
21/02745/F	14 Dexter Close	Sophie Candlin and Will Stanley	Demolition of existing conservatory. Erection of single storey rear extension	No objections
21/02734/F	16 Stroud Close	Mr & Mrs L Attley	Single storey rear extension; replacement of existing canopy with extended hallway to front; conversion of garage to habitable accommodation and related internal alterations	Concern about the loss of the front garden to car parking that seems to result from conversion of the garage
21/02665/F	42 Horton View	Mr Dylan Jones	Single storey rear extension	Some concern about the impact upon the amenity of neighbouring properties due to the depth and height of the extension.
21/02842/F	89 Hillview Crescent	Mr Yasser Malik	New porch with canopy, side 1st floor extension, ground floor rear extension with part two-storey rear extension. Velux loft conversion. Render to front, side & rear of building. (Resubmission of 21/02437/F)	No objections

Application No	Address	Applicant	Proposal	Outcome
21/00056/REM	Broken Furrow, Warwick Road	Kendrick Homes Ltd	Reserved matters application to 18/01206/OUT - development for 40 new dwellings, no EIA, appearance, landscaping, layout and scale - RECONSULTATION	No further comments
21/02857/F	Woodgreen Leisure Centre, Woodgreen Avenue	Cherwell District Council	Installation of a 40 foot shipping container to the car parking area which will be utilised as battery storage for the PV panels, which will be stored on a concrete pad	No explanation is given in the application as to whether the storage use of this container is temporary or permanently required. The use of a container is considered inappropriate if the storage activity is for more than 5 years. No objection to a temporary consent.
21/02843/F	103 West Street	Mr Ikhlq Karim	Erection of garage at rear of property	The height of the proposed structure is excessive and implies a use beyond that of a normal garage. This needs to be challenged.
21/02900/F	Unit 5, Wildmere Park,	Apperly Estates Limited	Extension and alterations to existing Unit 5 to create additional industrial and office facility	no objections

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

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Application No And Location	Nature of Application	Observations of the Town Council	Decision of the District Council
NONE			

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