

Banbury Town Council

Mark Hassall ACMA
Town Clerk



The Town Hall
Bridge Street
Banbury
Oxfordshire
OX16 5QB

Tel: 01295 250340
Fax: 01295 250820

Our Ref: 01032023
Your Ref:
Please ask for: Martyn Surfleet
Email: martyn.surfleet@banbury.gov.uk

Date: 21 February 2023

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, 01 March 2023 at 6.30pm**, for the transaction of the following business:

A handwritten signature in black ink, appearing to be 'Mark Hassall'.

Mark Hassall
Town Clerk & RFO

BUSINESS TO BE TRANSACTED

1. Apologies for absence

Contact Martyn Surfleet (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).

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 01 and 15 February 2023 (**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**.

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,
01 February 2023 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Bunce (Vice-Chairman)
Councillors: Ayers, Ahmed, Beere, Biegel, Hodgson,
Kilsby.

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

PL.47/22 Apologies

None

PL.48/22 Declarations of Interest

Councillor Beere and Councillor Biegel declared personal interests as members of the Cherwell District Council Planning Committee. Councillors 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.49/22 Minutes of the Last Meeting

IT WAS RESOLVED that the Minutes of the meeting held on the 11 January 2022 be approved as a correct record and signed by the Vice-Chairman.

PL.50/22 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.

Members voted on the proposal set out by the Planning officer regarding application 22/03868/OUT, the results of the vote were –

For – 4
Against – 0
Abstain - 4

Members agreed that the proposals set out by the Planning officer regarding application 22/03868/OUT as well as 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.51/22 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.52/22 Bretch Hill Estate (Banbury) Proposed 20mph Speed Limit & Parking Restrictions

The Committee considered a verbal report from the Planning Officer regarding the proposed 20mph Speed Limit & Parking Restrictions on the Bretch Hill Estate.

Members were briefed on the proposals and agreed on the principles of the outlined implications. Officers then responded to several questions from members relating to the proposals.

IT WAS RESOLVED that the report be noted.

The meeting ended at 7.24 pm

Planning Applications considered by the Planning Committee**Appendix 1**

Application Number	Applicant	Location	Proposal	Observations
22/02068/REM	Persimmon Homes Ltd (South Midlands)	OS Parcel 7400 Adjoining And South Of Salt Way Bodicote	Reserved Matters to 14/01932/OUT: Parcels 1 and 3 for 240 dwellings - appearance, landscaping, layout and scale.	Recommend that Banbury Town Council objects to the revised layout in support of the objections to rear parking courts raised by Thames Valley Police.
22/03868/OUT	Barwood Development Securities Ltd/Mark Horgan	Land West Adj To Salt Way And West Of Bloxham Road Banbury	Development of up to 65 homes including open space provision, parking, landscaping, drainage and associated works, with all matters reserved (appearance, landscaping, layout and scale) except for access.	That Banbury Town Council should object to this development as being premature pending the imminent publication of the final consultation draft of the revised Cherwell Local Plan. Whilst we recognise that the Planning Authority cannot demonstrate a 5 year supply of housing land we consider that the landscape impact of this proposed development outweighs the presumption in favour of development which the land supply situation promotes.
23/00007/F	WAE Technologies Limited	Land Adjacent To The M40 South Of Overthorpe Road Banbury (Chalker Way)	Variation of Condition 2 (plans) and 27 (building storage) of 20/00608/F - amendment of both conditions.	Banbury Town Council raise no objections.
23/00120/F	Mr David Granat	67 Oxford Road Banbury	Conversion from 10-bed HMO to 12-bed HMO (Sui Generis)	Banbury Town Council raise no objections to this proposal , but the Town Council Planning Committee expressed concern that the scheme involves the removal of self-contained units and their replacement by bedrooms with shared facilities . This is considered a retro-grade step which is especially concerning in a property that may be occupied by residents of different genders.

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 COMMITTEE

Minutes of the Extraordinary meeting of the Planning Committee held on Wednesday, 15 February 2023 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Ilott (Chairman)
Councillors: Ahmed, Ayers, Biegel, Bishop, Bunce, Hodgson, Kilsby, Mears.
Alternate Members: Cllr Mears for Cllr Beere.
Officers: Bob Duxbury (Planning Officer)
Martyn Surfleet (Executive Officer)

PL.53/22 Apologies
Cllr Beere.

PL.54/22 Declarations of Interest
Councillor Biegel declared personal interests as a member of the Cherwell District Council Planning Committee. Councillors 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 also declared an interest as a resident of Banbury.

PL.55/22 Local Cycling and Walking Infrastructure Plan (LCWIP)

The Committee considered a verbal presentation from the Planning Officer regarding the proposals set forward in the draft Local Cycling and Walking Infrastructure Plan (LCWIP) from Oxfordshire County Council.

The planning officer walked members through each proposed cycle route in detail and members discussed each route at length and provided detailed feedback to officers to present on behalf of Banbury Town Council.

IT WAS AGREED that the concerns and comments of the committee be compiled and presented to Oxfordshire County Council for review as part of the consultation process. And that a further report will be brought to committee once further information is received from Oxfordshire County Council.

The meeting ended at 8.16 pm

Planning Applications to be considered

Application Number	Applicant	Location	Proposal
23/00182/F	Mr and Mrs Ord	18 Foscoate Rise Banbury OX16 9XN	Erection of one new dwelling with associated single garage and the demolition and erection of a single garage to be associated with No 18 Foscoate Rise
23/00199/F	Alandy Investment Properties Limited	56-58 Broad Street Banbury OX16 5BL	Alterations to ground floor retail areas and conversion of first floor and erection of a new second floor to form 6 self-contained flats. Conversion of rear cottage to form a ground floor office and a maisonette on first and second floors. Part-retrospective
23/00144/F	Mr Lorne Alway and Richard Silver	3 West Bar Street Banbury OX16 9SD	Demolition of existing building and erection of new building to provide 4 flats (resubmission of extant planning permission 20/00864/F)
23/00318/F	DVSA	Hardwick Surgery Ferriston Banbury OX16 1XE	Change of Use of former Hardwick Surgery to Driving Test Centre (sui generis use)
23/00324/F and 23/00325/LB	Mr Vas Tari	57-58 High Street Banbury OX16 5JJ	PART RETROSPECTIVE - Ground floor alterations to provide a retail unit (Use Class E) and the upper floors are to be converted to a House of Multiple Occupancy (HMO). Remove and replace ground floor facade. New fire exit to serve ground floor. (resubmission of 21/00592/LB)
23/00349/OUT	Greystoke CB	OS Parcel 5616 South West Of Huscote Farm And East Of Daventry Road Banbury	The 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 - All Matters Reserved - re-submission of 22/01488/OUT

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				
Application No	Address	Applicant	Proposal	Outcome
23/00008/F	6 Berrymoor Road	Mr Brian Simcoe	Single storey rear extension	No objections
22/03857/F	21 Claydon Close	Mrs Annetts	Single storey rear extension	No objections
23/00038/F	Horton General Hospital, Oxford Road	John Radcliffe Hospital	Installation of new Air Handling Plant on the existing external Plant Deck adjacent to the Radiology Department	No objections
23/00014/F	119 Bretch Hill	Ian McLennan	Two storey side extension with associated internal and external works	No objections
23/00034/F	50 Queens Road	Miss Rachel Tinker	Single storey rear extension and internal alternations	Banbury Town Council would have preferred to see a pitched roof on the extension, but raise no objections
23/00062/F	20 Grimsbury Drive	Mr John Orchard	Construct single-storey flat-roofed kitchen/diner extension 2.8m to rear and substantially full width. Reorder existing ground floor kitchen to WC and utility room.	No objections
23/00037/F	Park End House, Warwick Road	Miss Anisha Tashmeet Mann	Change of Use from Class E to flats - Class C3	No objections
23/00027/F	75 Withycombe Drive	Miss Samantha Gregory	Extension of existing dropped kerb - re-submission of 22/03216/F	The applicant has amended the plans so that the dropped kerb no longer extends the full length of the property boundary, eliminating our safety concerns and those of OCC
23/00057/F	10 Reid Close	Ms Lucy Coltman	Variation of Condition 5 (cycle storage area) of 20/03023/F - Changed - The bicycle storage is required to move to the front of the property. The proposed right of way to the rear garden in the original application is currently not viable. Therefore, a new solution for	Some concern about the appearance of this enclosed facility in this end of cul de sac location

			secure bicycle storage needs to be found	
23/00083/F	31 Lapsley Drive	Ms Debbie Fisher	Single storey rear extension	No objections
23/00116/TPO	5 - 6 Manor Park	Mr Russell Harrison	Ash Tree (part of G6 TPO) - remove completely - subject to TPOs 15/1988 and 14/2016	No objections
23/00138/F	133 Warwick Road	Mr Tejza	Demolition of rear kitchen, lobby and bathroom and replacing with new single storey rear extension with flat roof; formation of habitable room in roofspace with rear dormer and single storey outbuilding	The proposed rear flat-roofed dormer is an ugly extension that will detrimentally affect the appearance of the building
23/00099/LB	5 Calthorpe Road	Ms Naomi Kraker	Removal of rear boundary wall to create space for parking one vehicle; repair side wall, reduce height and length of side wall by 800mm x 800mm to allow for views of Lucky Lane as in the adjacent wall; excavate for driveway to measure 5m x 3.7m and excavate for soakway, install drainage crates and aco drains, lay and compact type 1 hardcore, sand, lay a tegula paving block and compact to finish; install concrete footings 5m in from boundary, build dwarf retaining wall and install fence and gate	No objections
23/00150/CLUE	Unit 22, Beaumont Close	Corsair Engineering Ltd	Certificate of Lawfulness for the Existing Development: Implementation of planning permission 18/01366/F subsequent to 20/00046/DISC. Erection of 10 small commercial units (B2/B8) with associated car parking and landscaping	Banbury Town Council has no contradictory information to that presented by the applicant.
23/00181/F	35 Wesley Drive	Mr and Mrs Robin Watkins	Single storey front and side extension and internal alterations	No objections

23/00192/F	Land at 5A Hightown Leyes	Hightown Leyes Homes Ltd	Variation of Condition 2 (plans) of 20/01444/F - Amendment to front elevation for retrospective permission for the use of brick slips similar to main house brick used to front and side elevation resulting setback of 4cm (20/01444/F) as an unforeseen impact of construction method	Banbury Town Council is concerned as it is understood that the brick slips are of a different colour to the rest of the brick work and that the mortar lines do not match up with the remainder of the house and therefore the extension draws attention to itself
------------	------------------------------	-----------------------------	--	--

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
22/01585/F 6 Willow Road Banbury OX16 9EY	Against refusal of planning permission by CDC for "Change of use of grass verge/land within applicant's ownership to enclosed residential garden area. Erect 1.8m high close board fencing set back from pavement to match existing rear boundary fencing"	Banbury Town Council commented that "Subject to CDC being satisfied that the applicant owns the land Banbury Town Council has no objections	The Inspector has allowed the appeal and granted planning permission saying that the change of use of the land to garden and the erection of the fence would not have a harmful effect on the character and appearance of the area.
22/01401/F 83 Mold Crescent Banbury OX16 0ER	Against the refusal of planning permission by CDC for "Single storey rear extension and part double storey rear extension"	Banbury Town Council objected to the proposal on the grounds that "The scale and positioning of these extensions is likely to have a detrimental effect upon the residential amenities of the adjoining houses by overdomination and overshadowing"	The Inspector allowed the appeal and granted planning permission concluding that the proposal, as a whole, would not appear imposing and overbearing, resulting in loss of outlook and light, and that there would be no adverse effect on the neighbours at nos. 81 and 85 Mold Crescent.