

Banbury Town Council

Mark Hassall ACMA
Town Clerk & RFO



The Town Hall
Bridge Street
Banbury
Oxfordshire
OX16 5QB

Tel: 01295 250340
Fax: 01295 250820

Our Ref: 28022024
Your Ref:
Please ask for: Martyn Surfleet
Email: martyn.surfleet@banbury.gov.uk

Date: 21 February 2024

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, 28 February 2024 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 31 January 2024 (**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.*

Recording of Meeting

- (i) Please be aware that an audio recording of the meeting may be made, as an aide-memoire for the purposes of the Clerk to ensure minutes reflect the overall tone and content of meetings, and will be deleted following the first approval of minutes.*

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

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

Application Number	Applicant	Location	Proposal	Observations
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; 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. 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.

				3. The proposal would cause severe harm to highway safety and convenience and would worsen traffic conditions on the M40 junction 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. 5. The development will worsen air pollution issues on Hennef Way 6. The type of development is restricted to warehousing which is unacceptable
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.	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. 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
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.	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. In our view we have insufficient information upon the occurrence of the flaring activity; is it a common occurrence? Or is it only infrequent? 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. 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. 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.

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 to be considered

<i>Application Number</i>	<i>Applicant</i>	<i>Location</i>	<i>Proposal</i>
24/00145/F	Mrs Kumar	7 Albert Street, Banbury	Conversion of house to two flats.
24/00099/F	Mr Iklaq Karim	2 George Street, Banbury	Banbury Change of Use from Class E Use to include hot food takeaway (sui generis).
24/00162/OUT	Shine Star Properties Ltd	Land to Rear Of 10 Bloxham Road, Banbury	Proposed 3-bedroom dwelling with associated off-street parking.
24/00182/F	Fretwell Investment Ltd	Car Motor Services, Southam Road, Banbury	Two 'drive-through' restaurants, alterations to existing access onto Southam Road; demolition of existing premises (resubmission of 23/00735/F).
24/00275/F	Mr Riasat Ali	104 Causeway, Banbury	Single storey rear extension to form an additional flat (retrospective).
24/00339/F and 24/00340/LB	Hycrest Limited	2 High Street, Banbury	Change of Use of upper floors to create 5 no residential units.

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
23/03598/F	62 St Annes Road	Mr Ian Salisbury	Extension of the dropped kerb to front of property	No objections
23/03604/REN56	Banbury Cross Health Centre South Bar House South Bar Street	Assura Plc	a 62kwp Solar Voltaic installation to the flat roof surface of the building, comprising of 125 PV modules giving a combined generation surface of 297m squared	Support with no objections
23/03517/F	The Foscote Clinic 2 Foscote Rise	The New Foscote Hospital Ltd	Installation of prefabricated wooden clad storeroom	No objections to temporary consent
24/00004/F	13 Gatteridge Street	Mr and Mrs A Khattak	Single storey rear extension, associated internal and external works with conversion of existing dwelling into two separate units	No objections provided that the bin arrangement is provided and used so that bins do not have to sit in the small front garden
23/03230/F	8 Morris Drive	Mrs Patricia Brown	Extension of dropped kerb to front of property	No objections
23/02909/F	2 Dashwood Terrace Dashwood Road	Mr Gary Griffin	Single storey rear extension	No objections
24/00049/TPO	50 Levenot Close	CTS Environmental Management	T1-3 - There are 3 XL Leylandii trees in the rear garden that need to be removed so that the wall can be rebuilt.	No objections to felling. Is there to be replacement planting of a more appropriate species?
24/00044/F	49 Wesley Drive	Mr & Mrs R Wiltshire	Single storey side part front extension	No objections
24/00037/LB and 24/00038/ADV	18-19 Market Place	Nationwide Building Society	Replace 1 no. Projecting sign with new 600mm sign. Retain heritage bracket. Replace 1 no. Fascia signage and Lozenge logo with new 150mm White Heritage Site Logo height. Allow to make good and decorate fascia to match existing. Replace 1 no. ATM surround with bespoke and decals with new.	No objections

23/03607/F	Cromwell Lodge Hotel, 9-11 North Bar Street	Greene King	External works comprising of the erection of a timber pergola to replace the marquee at the rear, installation of an external bar unit, additional seating, external lighting and other associated works to the rear of the property	No objections
23/03523/LB	7 Calthorpe Road	Ms Ann Swann	Replacement of 1no sash window to ground floor rear	No objections
24/00093/F	133 Springfield Avenue	Mr Stuart Salisbury	Single storey front extension	Concerned about the scale and depth of this proposal which could be detrimental to the character and appearance of the street scene
24/00087/F	Horton General Hospital, Oxford Road	Oxford Health NHS Foundation Trust	Single storey flat roof extension to provide new entrance to rear	No objections
23/03279/F and 23/03280/LB	Hardwick House, Southam Road	Mrs Jane Pavia-Davis	Removal of existing and provision of glazed French double doors to provide access and light to sitting room	No objections
24/00031/F	Walraven, 18 Wildmere Road	Walraven Ltd	Extension of existing warehouse / stores	No objections
24/00100/F	10 Keats Road	Mr Ghorban Karini	Single storey rear extension, first floor side extension and extension of dropped kerb	No objections
24/00116/TPO	24 Buckhurst Close	Ms Jolibois	T1 - Sycamore - Crown reduction by up to 2m with a view to retaining a canopy spread of 8m radius	Banbury Town Council is disappointed that on this new estate it is already thought necessary to substantially lop this significant tree.
24/00135/F	Horton General Hospital Oxford Road	Oxford University Hospitals NHS Foundation Trust	Installation of cycle shelters	This scheme seems to involve the loss of 2 carparking spaces, and whilst supporting the provision of covered cycle parking the Town Council would hope that this provision could be made without losing much needed on site car parking.

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
23/03434/F Application at 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.	Committee objected	This application has been WITHDRAWN
23/03348/F Application at Land Verges At Highlands South of Kerry Close	Erection of 2 No. 2-bed dwellings with shared garage	Committee objected	This application has been WITHDRAWN
23/03291/F Application at 30 William Close Banbury	Single storey rear extension (revised scheme of 23/02324/F)	Banbury Town Council objected on the grounds that whilst this is an improvement upon the previously refused scheme to which we objected, we continued to believe that the impact upon the neighbour is excessive and detrimental to their amenities.	Cherwell District Council concluded that they considered that the original reason for refusal on the previous application has been sufficiently overcome and the proposal is now to be considered acceptable in this respect.
23/03396/F Application at 3 Priory Vale Road	Erection of single storey rear extension and first floor side extension (resubmission of 23/02164/F)	Banbury Town Council objected on the grounds that the depth of the rear extension was considered to be excessive and would have a detrimental impact upon the neighbouring property.	Cherwell District Council concluded that the proposals would not adversely affect the living amenities of any neighbouring occupiers either in terms of loss of light, privacy, or outlook or through an imposing or overbearing form of development.