

Banbury Town Council

Mark Hassall ACMA MA
Town Clerk & RFO



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Bridge Street
Banbury
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OX16 5QB

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Our Ref: 13122023
Your Ref:
Please ask for: Martyn Surfleet
Email: martyn.surfleet@banbury.gov.uk

Date: 06 December 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, 13 December 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 8 November 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.*

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 draft minutes by the Chairman of the Committee.*

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday,
08 November 2023 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Bunce (Vice-Chairman)
Councillors: Ahmed, Ayers, Beere, Bishop, Colegrave,
Kilsby and Richards.

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

PL.36/23**Apologies**

Councillor Ilott, Councillor Hodgson

PL.37/23**Declarations of Interest**

Councillors 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 Kilsby expressed a personal interest in application 23/02876/F as a friend of the neighbouring property owner.

Councillor Beere also expressed a personal interest in application 23/02923/F as this application is within the proximity to his personal address.

Both councillors expressed that they would refrain from commenting or voting on these applications.

PL.38/23**Minutes of the Last Meeting**

IT WAS RESOLVED that the Minutes of the meeting held on the 18 October 2023 be approved as a correct record and signed by Cllr Bunce.

PL.39/23**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.

Members agreed that the proposals set out by the Planning officer regarding 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.40/23**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 19.02 pm

Appendix 1

Planning Applications considered by the Planning Committee

Application Number	Applicant	Location	Proposal	Observations
23/02876/F	Mr Neil Wingfield	BT, Broadband Electronic Communications Apparatus, Goodrington Close, Banbury, OX16 0DA	Removal of existing garages and erection of two buildings, both containing 2 x 1-bedroom apartments. The project proposed also brings new amenity spaces and enhanced landscaping “ Removal of existing garages and erection of two buildings, both containing 2 x 1-bedroom apartments. The project proposed also brings new amenity spaces and enhanced landscaping.	Banbury Town Council object to the proposal on the grounds that the buildings by reason of their design and size would be detrimental to the character and appearance of the area. Furthermore, the Town Council consider that the buildings will be harmful to the residential amenity of neighbouring properties. It is also considered that the proposal is deficient in car parking and will result in on-street parking to the detriment of convenience and road safety.
23/02907/F	Mr V Tari	32 West Bar Street, Banbury, Oxfordshire, OX16 9RR	Change of Use from Trades and Labour Club to Mixed Use (Sui Generis) for places of worship, offices, workshops and first floor HMO.	Banbury Town Council object to the proposal if the HMO element is not amended as suggested by the Private Sector Housing Inspector, and the issue of overlooking from new windows for the HMO is not dealt with. Adequate cycle parking and refuse arrangements should be secured by condition if permission is to be granted. The whole of the existing car parking area also should be secured as a part of this proposal so that adequate car parking is available for the multiple uses proposed.
23/02923/F	Mr Alex Osborne	2-4 Old Grimsbury Road, Banbury, OX16 3HG	Retrospective application for Change of Use from existing 6-bedroom house in multiple occupation (HMO) to an 8-bedroom HMO.	Banbury Town Council raise no objections.

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.

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Planning Applications to be considered

<i>Application Number</i>	<i>Applicant</i>	<i>Location</i>	<i>Proposal</i>
23/03104/F	Mr Shehzad Hussain	Jimmys, 5C George Street, Banbury, OX16 5BH	Change of use from Class E commercial to Class 3 residential to form 2 x no. bedsits
23/03033/F	Francoms Global Ltd	7A Spinney Drive, Banbury, OX16 9TA	Retrospective - Erection of one new dwelling including new vehicle and pedestrian access and parking (partially revised scheme of planning permission ref 19/02464/F)
23/03266/F	Mrs Chloe Rose	Ark Farmhouse, 120 Warwick Road, Banbury, OX16 2AN	Erection of a two-storey rear extension and conversion of the property from 9-bed HMO and 2 studio apartments to 12 bedroom/12 person HMO (Sui Generis) with 2 studio apartments - re-submission of 23/00978/F

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				
Application No	Address	Applicant	Proposal	Outcome
23/01910/F	67 - 83 Castle Street	PR Alcock & Sons Ltd	RETROSPECTIVE - Complete re-roofs of properties 67-83 with like-for-like roof slates and removal of chimney pots/flue liners from properties 67-83	No objections
23/02822/F	168 Sussex Drive	Mauree Bwalya-Peletamayo	First floor side extension and conversion of garage to habitable accommodation	This proposal seems to provide sufficient accommodation to easily create a self-contained unit. Whilst the Town Council have no objection to the physical structure proposed we believe this needs assessing as if it were a new house with adequate garden space and parking.
23/02798/M56	2-6 Chiltern House, Waterperry Court, Middleton Road	Edgars Ltd	Change of Use from office (Class E) to residential (C3) to create 30 self-contained flats	The Town Council raise no objections to this prior approval application for permitted development
23/02625/F	10 Cherry Road	Miss Kyrath Bhandal	Demolition of existing single storey rear extensions and erection of new single storey rear extension with the addition of three skylights; and two storey side extension	No objections
23/02346/F	Birdhouse, 43 Lapsley Drive	Mr Neil Copping	Demolish conservatory. Single storey rear extension on footprint of existing conservatory. New door to existing side elevation. (Resubmission of 23/00257/F)	No objections
23/02673/TPO	Sainsbury's, Oxford Road	Sainsbury's	Beech tree will be reduced by 2 metres up to a height of 5 metres for the neighbouring side of the tree crown only	No objections
23/02821/F	1 Elizabeth Rise	Mr G Ashraf	Single and two storey front extensions, first floor side extension and single and	The Town Council note the continued objection of neighbours and local

			two storey rear extensions, removal of chimney on south-west elevation (revised scheme of 22/03323/F, 23/01059/F and 23/01952/F)	councillors and share their concern about overdevelopment.
23/02895/F	The Foscote Clinic, 2 Foscote Rise	The New Foscote Hospital	Removal of Condition 3 (use of site) of 20/03543/F - to allow the staff cabin to be permanent	Banbury Town Council does not consider that it is appropriate for buildings of this type to be on a permanent consent but would have no objection to a renewal for 10 years
23/02724/F	The Stables, Blacklocks Hill, Nethercote	Mr Malkiat Singh and Mrs Jasbir Kaur	Agricultural building for the storage of machinery and hay - re-submission of approval 20/02461/F	The Town Council continue to raise no objections to this proposal
23/02906/F	5 Field View	Mr Marc Mason	Single storey rear extension, single storey front extension extensions to roof including dormer window	The roof extension , both the large rear flat roof dormer and the inset balcony , is considered to be an ugly and inappropriate addition which will draw undue attention to the house to the detriment of the character and appearance of the area.
23/02929/F and 23/02931/LB	The Old Elephant And Castle, Causeway	Mrs Marifa Stanley- Grey	Variation of Condition 2 (plans) of 20/02480/F AND 20/02481/lb - drawings altered as a result of changes discussed with planning officer and conservation officer	The rendering of the rear of the property and wall to Merton Street are considered acceptable
23/02987/TCA	The Old Malthouse, St Johns Road	Omlet.	T1 x Cotoneaster - Re-reduction by approximately 2 metres, crown lifting to approximately 3.5 metres above the footpath on the east side, crown lifting above the garden to approximately 2 metres above ground level.	No objections
23/02968/F	14 Burlington Gardens	Mr and Mrs Bunting	First floor side extension	No objections
23/02996/REN56	Banbury Cross Health Centre South Bar House South Bar Street	Assura plc	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 and raise no objections

23/02619/TPO	Park Edge, 1 The Limes, Oxford Road	Mr Jo Reynolds	T6 - (Sycamore) - Reduce canopy	No objections
23/03010/TCA	4 Crouch Street	Thompson	T1 x Cherry - Reduce by 2.5 metres (around old points)	No objections
23/02977/TPO	4 Wykham Gardens	Wilson Contractors	T1 (Beech) - removal of 10-20% of the tree branches from the edge of the canopy; T2 (Sycamore) - removal of 10-20% of the tree branches from the edge of the canopy; T3 (Chestnut) - complete removal	Assume that a replacement tree for the lost Chestnut will be planted, therefore no objections
23/02995/ADV	Londis, 2-6 Bradley Arcade, Bretch Hill	Mr Sharma	Illuminated and non-illuminated shopfront signage and new advertising boards along front, rear and side of property	The amount of window graphics is considered excessive and should be reduced
23/02951/F	The Stables, Blacklocks Hill, Nethercote	Mr Malkiat Singh and Mrs Jasbir Kaur	Erection of proposed garage	No objections
23/03029/F	8 Byron Road	Mr John Colmer	Two storey extension to the rear and internal alterations	No objections
23/03021/TCA	57 Oxford Road	Mr Jones	T1 x Dogwood - reduce by up to 1 metre T2 x Magnolia - reduce back to the north boundary up to 2 metres T3 x Apple - reduce by up to 1.5 metres	No objections
23/02392/F	Horton General Hospital 93 & 95 Oxford Road	NHS OUH Horton General Hospital Estates Dept	RETROSPECTIVE - Demolition and rebuilding of vehicle damaged wall	No objections
23/03064/F	51 Fergusson Road	Mr Mobeen Hussain	Dropped kerb to front of property - (re-submission of 23/02079/F)	No objections
23/03060/F	7 Byron Road	Resonance	Removal of existing garage door and frame and replacement with uPVC double-glazed window and brick wall below. Replacement of existing driveways and path with wheelchair accessible permeable surface.	No objections

			Construction of ramped wheelchair access to front door with paved finish. Conversion of garage into a habitable room.	
23/03051/F	8 Lime Avenue	Mr & Mrs Fowler	Formation of means of access and associated dropped kerb and formation of hardstanding to provide driveway	No objections
23/03128/TCA	32 Bath Road	Ms Jane Griffiths	T1 x Cherry - crown reduction of the cherry tree that stands adjacent to boundary with 30 Bath Road	These tree works are acceptable
23/03107/F	45 Springfield Avenue	Mr Ben Newton	Single storey front extension	No objections
23/03087/LB	59 Parsons Street	Peter Bernard Boyse and Hilary Brenda Smith	Repairs to staircase – first floor to second floor. Repairs to floor structure of second floor New fire doors to 1st and 2nd floor level	No detrimental impact on listed building so no objections

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
23/02117/F 31 Howard Road	Annexe in garden to provide ancillary accommodation	The siting of an independent unit of accommodation at the base of the garden is considered inappropriate and potentially harmful to the amenities of the neighbouring properties	Approved - with a condition on the building requiring it to only be used ancillary to the main house
23/02000/ADV	OS Parcel 1500 adjoining Parish boundary And West Of Southam Road for various advertising signs and flags	The number of proposed flag signs seems excessive and will result in unnecessary clutter	Approved
23/02406/F	38 Wykham Place for a Two storey rear extension (revised scheme of 23/00954/F)	This seems to overcome the previous Town Council objection on impact upon the neighbours	Refused By reason of its siting, scale and design the proposed development would adversely impact the amenity of the neighbouring occupiers, No.36 and No.40 Wykham Place, through a loss of outlook and in an imposing and overbearing form of development. The proposed development is therefore contrary to the Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996, the Council's Home Extensions and Alterations Design Guide (2007) and Government guidance contained within the National Planning Policy Framework

23/00978/F	Ark Farmhouse 120 Warwick Road for Conversion of 9-bed HMO and 2 studio apartments to 12-bedroom HMO with 2 studio apartments (Sui Generis) with the help of a two-storey rear extension	No objections - would like to request that the outside brickwork or rendering is in-keeping and sympathetic to the main building and surrounding	Refused By reason of the positioning and orientation of the proposed two storey extension, the outlook from the windows of the proposed three new bedrooms would be almost entirely obstructed by the existing Church building as well as the proximity of bedroom 10's window to the proposed retaining wall. This would result in a poor standard of amenity for the future occupiers of these rooms. In addition, the proposed development would result in the loss of three windows to the occupiers of Studio 2 to the detriment of their amenity. The proposal would significantly reduce the available outdoor amenity area available for use by the residents of the property. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance in the National Planning Policy Framework. By reason of the scale, siting and design of the proposed rear extension, the proposal would result in an imposing and overbearing form of development and an unacceptable amount of overlooking on the users of the adjoining church, and would therefore adversely affect the amenities of the users of the adjoining church. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance in the National Planning Policy Framework.
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