

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: 24052023
Your Ref:
Please ask for: Martyn Surfleet
Email: martyn.surfleet@banbury.gov.uk

Date: 16 May 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, 24 May 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 03 May 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 minutes.*

PLANNING COMMITTEE

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

Present: Councillor Ilott (Chairman)
Councillors: Ahmed, Beere, Biegel, Bunce, Kilsby.

Alternate Members: None
Officers: Bob Duxbury (Planning Officer)

PL.69/22 **Apologies**
Councillor Bishop

PL.70/22 **Declarations of Interest**
Councillors Beere and Biegel, declared personal interests as members 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.

PL.71/22 **Minutes of the Last Meeting**

IT WAS RESOLVED that the Minutes of the meeting held on the 29 March 2023 be approved as a correct record and signed by the Chairman.

PL.72/22 **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 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.73/22 **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.

The meeting ended at 7.35 pm

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

Application Number	Applicant	Location	Proposal	Observations
23/00704/F	Mr. Joe Davies	Flat B, 8 West Bar Street, Banbury	Rear first and second floor extensions plus internal alterations to create 2 no self-contained one bed units (to replace existing 2 bed unit). Ground floor flat unchanged.	Banbury Town Council object on the grounds that , the proposal due to its design, scale and siting would result in harm to the setting of the listed building, and there would be a harmful impact upon No 8, and furthermore the character and appearance of the conservation area would not be preserved.
23/00735/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.	Banbury Town Council object on the grounds that these establishments will detract from the long term national and local policy of protecting the town centre by drawing trade that would otherwise use the town centre to this peripheral location.
23/00833/F	Mr Nigel Carter	41 Easington Road, Banbury	Erection of new dwelling on land to the west of 41 Easington Road, including amendment to dropped curb to serve both dwellings.	No objections raised
23/00853/OUT	Vistry Group	Land East of Warwick Road Drayton, Warwick Road, Banbury	Up to 170 dwellings (Use Class C3) with associated open space and vehicular access off Warwick Road, Banbury; All matters reserved except for access.	Banbury Town Council object to the proposal on the grounds that the consideration of this application is premature pending that publication of the draft Local Plan and Cherwell's consideration of the consultation responses that it will receive. It is understood the CDC currently calculate more than a 5-year supply of housing is available and therefore there is no pressing need to allow this in advance of the proper planning policy formulation process. The Town Council consider that the narrow gap between the existing limit of the town development and Hanwell is of vital importance and they therefore strongly object about the landscape impact of the proposal and the development's impact upon the setting of the Hanwell Conservation Area and the erosion of the narrow gap between the village and the expanded town

23/00867/F	Miss Chloe Waller	67 Oxford Road, Banbury	Conversion from 10-bed HMO to 12-bed HMO (Sui Generis) (Resubmission of 23/00120/F)	Banbury Town Council object, expressing 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.
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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>
23/00978/F	Miss Chloe Waller	Ark Farmhouse, 120 Warwick Road, Banbury.	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.
23/01012/OUT	Mr Chris Preece	60 Bankside, Banbury.	Outline application for erection of a possible bungalow or two-storey dwelling.

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
23/00879/F	McDonalds, Beaumont Road	InstaVolt	Installation of two rapid electric vehicle charging stations within the car park, three existing parking spaces will become EV charging bays, along with associated equipment	No objections
23/00724/HS	Land South Side Of, Merton Street	Gipps Energy Limited	Hazardous substances consent application - Liquified Petroleum Gas	Will leave CDC to reach a view on the safety of this operational matter
23/00909/TPO	Whately Lodge, Horse Fair	Mr Andrew Melton	Application for crown reduction of 3m to reduce over-shadowing of house - Trees designated on drawing no. 1201-05 - Beech and Field Maple (TPO group G2) (see accompanying document) - Subject to TPO 016/2002	Banbury Town Council have doubts about the works to these trees which appear healthy and are only required to be worked upon due to the desire to improve the effectiveness of solar panels – objection raised
23/00912/F	13 Gatteridge Street	Mr and Mrs A Khattak	Single storey rear extension with associated internal and external works and conversion of existing second floor into self-contained flat;	No objections
23/00894/F	14 Old School Place	Mr and Mrs N Wakelin	Proposed two storey side extension with associated internal and external works	No objections
23/00452/F	9 Foscore Rise	Mrs Daime Filikci	Proposed metal fence alongside footpath	Object on the grounds that this form of enclosure of a side garden would be a first precedent on this road which has a distinctive open plan well planted character. The proposal would be detrimental to the character and appearance of the neighbourhood

23/00944/F	78 Oxford Road	Mr Dominic Sanders	Residential annex located in the garden	This proposal is for a separate unit of accommodation, albeit for ancillary purposes in the first instance. It would be inappropriate for separating from the main property and if approved should be conditioned to its future use or removed.
23/00602/LB and 23/00700/ADV	Linden House (55 South Bar Street) and 52/54 South Bar Street,	Spratt Endicott Limited	Non-illuminated lettering and logos to building facade and a display sign set into the lawn to front of the building - AMENDED PLANS	The amended plans are considered acceptable
23/00544/F	Starbucks Coffee, Ruscote Avenue	23.5 Degrees Limited	Installation of HVAC condensing units within protective cages	No objections
23/00966/REN56	Dunelm Mill Southam Road	Mr Dunville	Installation of a PV system comprising of 196 x 410 W panels with a total output of 80.36 kWp.	A worthwhile proposal on a large roof - no objections
23/00929/F	3 Boxhedge Road West	Mr Mohammed Hafiz	Dropped kerb to allow on-plot parking	If approved this needs to be conditioned to ensure that the root structure of the adjacent street tree is not detrimentally affected
23/00964/tpo	13A-17C Dashwood Road		T1 - Overall crown reduction on Yew tree by 2-2.5m. T2 - Reduce Birch by 1-2m.	No objections
23/00902/F and 23/00903/LB	18 Boxhedge Road	Mr Jamie Graham	Demolition of existing conservatory and replace with a new extension with a flat roof	No objections but because of the design of the roof with a substantial parapet wall this may tend to overdominate the neighbours rear amenity space - assessment from neighbours necessary.
23/00952/F	14 Canterbury Close	Victoria Parkin	Erection of a wooden garden room at the rear of the garden.	No objection to the building , but this may not be an appropriate siting for a small commercial use.
23/00980/F	17 Dunnock Road	Mrs Clair Bradley	Conversion of the existing loft space and installation of 3 velux windows alongside 2 small dormers, existing finishes to match the existing	It is considered that the front dormers are poorly proportioned , being unnecessarily tall ,and that they detract from the appearance of this property.

23/00995/CLUE	107 Middleton Road	Mr and Mrs J Kent-Baguley	Certificate of Lawfulness of Existing Development - Continued use of existing flats (planning approval CHN.150/80)	We have no information to assist in determining this application.
23/01001/F	11 Queensway	Mr S James	Single storey rear extension	No objections
23/00991/F	17 Wildmere Road	Guenther Bakery Ltd	Replacement roof covering to existing factory	No objections
23/01027/ADV	1 Town Hall Buildings , Bridge Street	The Royal Bank of Scotland PLC	Various illuminated/non-illuminated signage to exterior of building	No objections
23/00987/F	67 The Fairway	Ms Melanie Deans	Single storey rear extension	Object on the grounds that an extension of this depth on the boundary, and on the south side of the neighbouring semi-detached house, will overshadow and over-dominate that property to an unreasonable extent
23/01028/ADV	CAR Motor Services Southam Road	Fretwell Investment Ltd	Various illuminated/non-illuminated signs to exterior of Burger King and Costa Coffee drive through restaurant	We have objected to planning permission for these two restaurants, but if approved then we have no objection to this advertisement package

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
23/00252/F Application at 4 Swan Industrial Estate, Gatteridge Street, Banbury	Change of Use of the unit from its former use as Class B8 with some retail to the storage, sale and fitting of motor vehicle tyres, batteries, brakes, shock absorbers, exhausts and other automotive products, carrying out of oil and filter changes, car safety checks, servicing and /or as a Ministry of Transport (MOT) testing centre.	Banbury Town Council commented that the Town Council is concerned that the use will not have sufficient parking and that this will exacerbate existing congestion within the site.	However, CDC granted planning permission accepting the applicant's comments that it can maintain parking within their allotted area, and this can be confirmed through the parking plan. OCC as local highway authority did not raise objection and therefore CDC considered that the parking provision and access is not a reason to refuse the application, and that it can be supported subject to conditions.
23/00507/F Application at 38 East Street	Erection of two bedroom semi-detached dwelling	The Planning Committee raised no objections to this proposal.	CDC refused planning permission on the grounds that: 1) By reason of its scale, siting and design, the proposal results in a cramped and constrained form of over-development of the site that would appear incongruous in the street scene. The proposal fails to reflect or reinforce the existing pattern or form of development within the immediate area. The proposal would therefore adversely affect the character and appearance of the area, contrary to the provisions and aims of ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Cherwell's Residential Design Guide 2018 and Government guidance contained in the National Planning Policy Framework. 2) The proposal fails to secure an appropriate level of amenity for future occupiers of the dwelling in terms of level of internal accommodation, and would result in a sub-standard level of private amenity space for future occupiers. The proposal would therefore result in significant and demonstrable harm to the future occupiers of the dwelling and the proposal would thus be contrary to Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996, Cherwell's Residential Design Guide 2018 and Government guidance contained within the National Planning Policy Framework.

			3) Insufficient information has been provided to demonstrate that the proposal would not result in a detrimental impact to highway safety. The proposal as submitted fails to demonstrate 4noappropriately positioned and sized parking spaces, which would therefore result in an increased risk to the safety of users of the local highway network. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.
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