

Banbury Town Council

Mark Hassall ACMA
Town Clerk



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Date: 22 March 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, 29 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 March 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 March 2023 at 6.30pm in the Town Hall, Banbury.

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

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

PL.56/22 Apologies
None

PL.57/22 Declarations of Interest
Councillors Beere, Biegel, Bishop and Hodgson 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.
Councillor Bishop also declared interests in applications 23/00144/F and 23/00192/F, Councillor Bishop agreed to refrain from speaking on the matters and would abstain from any votes that occurred.

PL.58/22 Minutes of the Last Meeting

IT WAS RESOLVED that the Minutes of the meeting held on the 01 and 15 February 2022 be approved as a correct record and signed by the Chairman.

PL.59/22 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 23/00318/F, the results of the vote were –

For – 6
Against – 2
Abstain - 1

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.60/22 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.61/22 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 7.29 pm

Appendix 1

Planning Applications considered by the Planning Committee

Application Number	Applicant	Location	Proposal	Observations
23/00182/F	Mr and Mrs Ord	18 Foscote 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 Foscote Rise	No Objections
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	No objections but comment that brick choice for the front elevation is critical
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)	No Objections
23/00318/F	DVSA	Hardwick Surgery Ferriston Banbury OX16 1XE	Change of Use of former Hardwick Surgery to Driving Test Centre (sui generis use)	On balance the Town Council raise no objections
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)	No Objections
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	Application withdrawn by applicant

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

Application Number	Applicant	Location	Proposal
23/00401/F and 23/00402/LB	Fellside Estates	Borough House, Marlborough Road, Banbury	Change of Use of part of building to form 10no apartments (Use Class C3) including the partial demolition and alterations to the rear elevation, an external staircase, and internal alterations
23/00507/F	Mr. I Iqbal	38 East Street, Banbury, OX16 3LJ	Proposed two bedroom semi-detached dwelling to north of application site
23/00497/F	Mr B Edwards	Broadmoor Cottage And Land At Wykham Park Academy, Ruskin Road, Banbury, OX16 9HY	Proposed demolition of existing house. Construction of 6 No two bedroom apartments, new access road, parking spaces and refuse/recycling storage
23/00501/REM	EG Group	Unit 2 Kalabergo Close Banbury OX17 2FJ	Reserved matters application & condition discharge of Part B of 19/00128/HYBRID - Part B: Outline planning application - the development of up to 2 no. commercial buildings having a maximum floorspace of 16,890m2 and having a flexible use [to enable changes in accordance with Part 6 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] within Class B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 as amended, and ancillary Class B1 offices, with all other matters reserved for future approval (19/00128/HYBRID)
23/00667/REM	Orbit Homes (2020) Ltd	OS Parcel 6372 South East Of Milestone Farm Broughton Road Banbury	Reserved matters application, pursuant to the outline planning permission granted under reference 21/03644/OUT for the erection of up to 49 dwellings

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
23/00202/F	Unit 3, Southam Road	Amazon UK Services Ltd	Retention of external plant associated with electric vehicle charging infrastructure	Support proposal -appropriate and necessary infrastructure
23/00127/adv	Banbury Gateway, Unit 15 Acorn Way	Claire's UK	High level illuminated fascia sign, shop front vinyls and totem vinyl	No objections
22/03783/F	4 Brenda Close	Gemma Barton	Demolition of existing single garage; erection of two-storey side extension	The Town Council has some concern about the appearance of this proposal. The addition of a full gabled extension to a half hipped semi-detached property will sit uncomfortably in this group of similar properties and would be better redesigned to match the house
23/00230/F	53 Wesley Drive	Mr and Mrs M Chudasama	Single storey rear extension - re-submission of 22/03236/F	No objections
23/00244/F	OS Parcels 6741 And 5426 West Cricket Field North Wykham Lane	David Wilson Homes	Variation of condition 40 (BREEAM 'Very Good' standards) of 15/01326/OUT	Noted that this requirement is considered not appropriate
23/00249/F	East Street Early Years CIO, East Street Centre, Calder Close	Jennie Clarke	Construction of a timber clad outbuilding for use as an office related to the Early Years Centre	No objection to temporary consent
22/03792/LB	Friends Meeting House, Horse Fair	Banbury & Evesham Area Quaker Meeting	Alterations to external access to provide a ramped wheelchair accessible route from the site boundary to the entrance door	Support the improved disabled access but note the concerns of the Conservation Officer. On balance no objections
23/00241/F	Highway North Of The Shebeen , Overthorpe Road	Mr Mark Horgan	Dropped kerb and tarmacing of surfaces behind to allow access to The Shebeen	No objections

23/00252/F	Karpet Kingdom, 4 Swan Industrial Estate, Gatteridge Street	Goodyear Tyres UK Limited	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	Objection on the grounds that the use will not have sufficient parking and that this will exacerbate existing congestion within the site.
23/00276/F	Former Robert Keith Cars Sales Ltd 2 Cherwell Street	Mr S Sandhu	Variation of Condition 4 (construction traffic management plan) of 21/01562/F - Works have already commenced on site, including demolition of existing building and carting away of debris. To complete works up to foundation slab, there will be limited number of workmen on site and traffic movement for materials required at this stage will not exceed regular movement whilst the plot was in use for car sales. Delivery of materials at this stage of the works will neither create additional concern to highway safety nor increased congestion of the highway.	Banbury Town Council support OCC's objection to this condition clearance as it has not been demonstrated that the demolition phase and construction up to slab level will not cause safety or congestion issues at this sensitive junction on the highway network.
23/0254/F and 23/00303/LB	6 Butchers Row	Mr Leon Cornish	Change of Use from cafe to Sui Generis tattoo studio - building will not be altered, extended or demolished; internal painting and re-purposing of the building	This change of use will bring back into use a frontage on a secondary street
23/00319/TCA	80 Queens Road	Miss Carole Sunderland	TA x Sycamore - Crown lift by removing 6 lower limbs TB x Birch - Crown lift by removing up to 3 lower limbs TC x Pine - Crown lift by removing up to 5 lower limbs	No objections

23/00323/F	Unit 9 Banbury Gateway Acorn Way	The Crown Estate	Minor external alterations to the elevations of Unit 9	No objections
23/00388/F	48 Park Road	Mrs Yulia Ashworth	Minor external alterations to the elevations of Unit 9	A detailed on site assessment is necessary to establish the degree of impact upon neighbouring properties
22/02357/REM	Drayton Lodge Farmhouse Warwick Road	Vistry Homes	Reserved Matters approval for 320 dwellings together with landscaping, public open space, playing fields, allotments, and associated infrastructure pursuant to Planning Permission 22/00487/F.	No further comments made on amended plans - previous comments made twice in 2022
23/00357/F	Jubilee Court	Micheal Jones	Replacement of all existing windows / patio doors with new like for like windows / doors	No objections
23/00400/F	41 Trinity Close	Mr Charlie McTaggart	Erection of single storey rear (West) extension with 2 sets of bifold doors (South and West) and a pitched roof to match existing	No objections
23/00416/F	136 Bloxham Road	Mr S James	Single storey rear extension; single storey front extension to enlarge garage; render to front elevation and sides and rear of original house; gable dormer to front bedrooms and canopy with pillars to front of house	No objections
23/00411/ADV	Starbucks Coffee Ruscote Avenue	23.5 Degrees Limited	Installation of: (1) 9m totem, (2) monument sign, (3) monument sign, (4) directional sign, (5) clearance bar, (6) menu board, (7) order point canopy, (8) menu board, (10) directional sign, (11) fascia sign, (12) fascia sign, (13) fascia sign, (14) fascia sign and (16) banner frame	Sign 1 is considered unnecessary and detrimental to the streetscene
22/02068/REM - RECONSULTATION	OS Parcel 7400 Adjoining And South Of, Salt Way	Persimmon Homes Ltd (South Midlands)	Reserved Matters to 14/01932/OUT: Parcels 1 and 3 for 237 dwellings -	The Town Council continues to object as these amended plans do not address the

			appearance, landscaping, layout and scale	issue of rear parking courts (previously considered at Planning Committee)
22/03817/F	47 Middleton Road	A & J Properties Ltd	Conversion to 3no self contained flats with associated two storey rear extension and related alterations	Continue to object to the parking arrangements for 3 flats (previously considered at Planning Committee)

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
22/02840/F Application at 45 Longleat Close, Banbury OX16 9TG	Two storey side extension with a new porch and a dropped kerb	Banbury Town Council raised no objections	CDC refused permission on the grounds that “The proposed development, by reason of its siting, scale and design, would adversely impact on the amenity of the neighbouring occupiers of No.44 through loss of light and an overbearing form of development.” And “The proposed development would result in the formation of a dropped kerb across the whole boundary with the highway. This would greatly reduce pedestrian refuge to the front of the host dwelling and on this section of Longleat Close.
23/00098/F and 23/00099/LB Application at 5 Calthorpe Road Banbury	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 soakaway, 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	Banbury Town Council raised no objection	CDC refused planning permission and listed building consent on the grounds that “Given the deficiencies with the application submission, the decision maker is unable to make a full and proper assessment of the proposed development. By reason of its nature and positioning, as well as the lack of justification for the loss of the side boundary wall, the proposed development would result in harm to the significance of heritage assets, including the Grade II listed building 5 Calthorpe Street and the Banbury Conservation Area.

23/00120/F Application at 67 Oxford Road Banbury	Conversion from 10-bed HMO to 12-bed HMO (Sui Generis)	Banbury Town Council commented that they raised no objections to this proposal, but the Town Council 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.	CDC refused planning permission on the grounds that “The proposed development, due to its first and second floor side facing windows, fails to secure an adequate level of occupier amenity for future occupiers of bedroom 6 and 10. The windows would not receive an appropriate level of light, and would have a poor outlook due to the relationship with the flank wall of No. 65 Oxford Road
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