

Banbury Town Council

Mark Hassall ACMA MA
Town Clerk & RFO



The Town Hall
Bridge Street
Banbury
Oxfordshire
OX16 5QB

Tel: 01295 250340
Fax: 01295 250820

Our Ref: 24072024
Your Ref:
Please ask for: Geoff Toon
Email: Geoff.toon@banbury.gov.uk

Date: 15 July 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, 24 July 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 Geoff Toon (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 12 June 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,
12 June 2024 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Beere (Chairman)
Councillors: Eaton, Mears, Woodward and Harwood
Alternate Members: Councillor Mears for Councillor Elugwu and Councillor Eaton for Councillor Dhesi
Officers: Robert Duxbury (Planning Officer)

PL.9/24 Apologies

Councillors: Thornhill, Elugwu, Dhesi

PL.10/24 Declarations of Interest

Councillor Harwood 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.

PL.11/24 Minutes of the Last Meeting

IT WAS RESOLVED that the Minutes of the meeting held on the 15 May 2024 be approved as a correct record and signed by Cllr Beere.

PL.12/24 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 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.13/24 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 7.05 pm

Planning Applications to be considered

Application Number	Applicant	Location	Proposal
24/01458/F	Ms. Tina Nguyen	3-4-5 George Street, Banbury	Change of Use from Class E commercial to Class C3 domestic to provide 4 x no. bedsits on first floor and 2nd floor. Internal configuration and alterations to ground floor commercial business
24/01534/F	Elme Property Development Ltd	66 Forgeway, Banbury, OX16 1QR	Conversion of existing dwelling to create 2 x 1 bed apartments"
24/01538/F	IRP Holdings Limited c/o LondonMetric Property Plc	Wickes, Southam Road, Banbury, OX16 2RR	Variation of Condition 9 (retail use) of 95/00694/F - vary the wording of condition 9 as follows: "The retail use hereby permitted shall be for the sale of convenience and comparison goods with the sale of clothing and footwear not exceeding 10% of the gross floorspace
24/01685/F	Mr M Hayat	101 Middleton Road, Banbury, OX16 3QS	Basement extension with associated internal and external works
24/01776/F	Mr.Hassan	61 High Street, Banbury, OX16 5JR	Retrospective - Change of Use of the existing ground floor unit (from financial services) to restaurant including hot food takeaway (Use Class Sui-Generis). Change of Use of existing upper floors (from office space) to residential units (Use Class C3). Changes to the external elevations, including a new flue to the rear

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
24/01224/CDC	Lock29, Castle Quay	Cherwell District Council	New Courtyard roof and roof mounted air handling units	No objections
24/01212/LB	Foxes Lift Bridge 171 Bankside	Canal & River Trust	Installation of manual hydraulic mechanism to underside of modern lift-bridge deck. To comprise a ram pit excavated to the earth bank behind the brick and stone abutment of the canal, plus an operating pedestal installed to the opposite bank. Likewise within the earth bank. Cabling to be surface mounted (held in place beneath Rigiducts) and laid across the canal bed to connect the two for operation. Plus, bank and towpath works in association to provide a safe mooring place to operate the lifting mechanism	Pleased to see that this lifting bridge is to be brought back into operation after earlier repair. The towpath should be kept open throughout construction if at all possible.
24/01225/F	141 Bismore Road	Mr Andrew Wilde	Erection of a single-storey flat roof garage at end of driveway into rear garden	No objections
24/01223/F	Kennedy House Orchard Way	Sanctuary Group	Replacement of all existing aluminium doors and casement windows with new white PVC composite doors and PVC casement windows	No objections
24/01215/F	127 Warwick Road	Kenneth Dalti	Erection of outbuilding to form garden rooms and ancillary annexe	Object on the grounds that this proposal results in a self-contained unit with the potential for separate access from the garage court to the rear. It is considered that such a unit would be harmful to the character and appearance of area and to the amenities of neighbouring property

24/01146/F	12 Webb Close	Mr Cavender	Single storey extension to rear with a flat roof utilised over the living space	No objections
20/00628/F and 20/00629/LB	The Old Malthouse, St Johns Road	Omlet	PART RETROSPECTIVE - Construct new external mezzanine decking at the rear of the building. Alter current retaining wall to accommodate the new decking support structure. Install 4 no. roof domes. Restoration of entrance steps. Painting of render, window lintels and sills at the front of the building. Install railing on the front low rise wall. Reinstate lead coping on top of parapet wall. Install additional roof vents at the apex of the building. Install ventilation system with 2 no. associated flues. Re-roof.	No objections
24/01191/ADV	Amsel And Wilkins Dental Surgery 26 High Street	Amsel & Wilkins	Replacement of advertisement displays to both entrances on High Street and Marlborough Road.	Distinctive but not unattractive signage . On balance considered acceptable in Conservation Area
24/01173/F	24 Newland Road	Mrs S Clement	Single storey side extension with associated internal and external works - revised scheme of 24/00494/F	No objections
24/01014/REN56	Walraven 18 Wildmere Road	Cactus Energy	Proposed Solar Array - System Size: 94.16 (214 x 440w panels)	Support as this good sized array will not harm the appearance or character of the area
24/00776/F	7 Banbury View	Mr Krzysztof Stanislawski	Alterations to and upward extension of the garage and conversion of the garage to habitable accommodation to include first floor accommodation (amended plans)	The Town Council remains concerned about the scale of the building and the potential for over domination and overlooking. It is also potentially large enough to segregate off as a self contained unit.
24/01056/F	10 Cherry Road	Miss Kyrath Bhandal	Single storey rear and part double storey side extension, with skylights on rear extension	No objections

24/01317/T56	60 Castle Quay	Kumon	Change of Use from Class E to F1 Educational support	If it is possible on this form of consent we consider that this should be a personal consent to the applicant and not transferable. This particular operator, whilst no retail will retain a relatively high level of footfall which will benefit the centre and not cause undue harm to the shopping frontage
24/01195/F	37 High Acres	Mills	Single storey side and rear extension and an increased drive width	No objections
24/01117/F	143 The Fairway	Darke & Taylor	Removal of imitation chimneys and the installation of solar PV across the roof	This large array across the roof of the flats will not cause undue harm to the appearance or character of the area
24/01297/ADV	Unit 5 Spiceball Park Road	Loungers UK Ltd	1 No internally illuminated fascia sign, 1 No internally illuminated menu board and external treatments	No objections
24/01135/F	4 Warkworth Close	Mr Philip Carey	10kw air source heat pump installation	No objections
24/01304/F	45 Beaulieu Close	Mr P Talbot	Single storey rear extension, conversion of garage to habitable accommodation and first floor side extension above the garage	No objections
24/01307/F	8 Malvern Close	Mr Ryan Brough	Garage conversion into bedroom. Rear elevation change - patio doors omitted in lieu of new bi-fold door and kitchen window	No objections
24/01341/F	38 Hart Close	Mr P Spyker	Two storey side extension and conversion of garage to habitable accommodation with associated internal and external works	The Town Council object to the scale and nature of this proposal. It is large and unattractive and will tend to dominate the adjacent property and furthermore will create a self contained unit in an inappropriate location relative to the host property and the neighbours.
24/01326/F	45 Woodhall Drive	Mr and Mrs Donald & Sarah McAllister	Conversion of garage to habitable accommodation and erection of a single storey front extension	No objections

24/01342/F	4 Kingerlee Road	Miranda Topping	New rear garden outbuilding for use as hobby music room.	In principle no objections but we trust it will be well insulated if it is to be used as a music room
24/01131/F	Londis, 2-6 Bradley Arcade, Bretch Hill	Mr Sharma	Replacement of existing mechanical cooling units and associated security cage with 7 no new cooling units and new security cage	As there is an increase in the number of cooling units and no technical information has been provided there is some concern about the likely incidence of a noise nuisance to nearby residential properties. Please ensure such details are submitted before you determine the application
24/01414/F	12 Neithrop Avenue	Mr James Tobin	Single storey side extension to provide disabled bathing and toilet facilities	Support ; no objections
24/01428/TCA	Spratt Endicott, 52-54, South Bar Street	Spratt Endicott	Removal of 4 False Acacias due to their proximity to the nearby stone wall and damage being caused	Banbury Town Council has no objections to this TCA application as the trees are clearly causing structural damage to adjacent stone walls.
24/01391/F	82 High Street	Mr Wojciech Cwalina	Change of use for the ground floor existing charity shop (Class E1) to a tanning salon (sui generis)	It is noted that this retail unit has been on the market for some time. In these circumstances this alternative use is considered acceptable for a temporary period
24/01385/LB	82 High Street	Mr Wojciech Cwalina	Alterations to facilitate the change of Use from charity shop (Class E1) to a tanning salon (sui generis)	The physical changes proposed will not cause harm to the listed building in our opinion
24/01450/F	5 Field View	Mr Marc Mason	Porch overhang to be widened, single storey rear extension, upwards roof extension to increase ridge height of dwelling and addition of front dormers (revised scheme of 23/02906/F)	Whilst this is an improvement upon the previously refused scheme the Town Council remain concerned about the roof extension , which 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
24/01476/F	133 Warwick Road	Mr Tejza	RETROSPECTIVE - Single storey rear extension and outbuilding (not built in accordance with 23/01466/F).	Object on the grounds that the increased size of the outbuilding and its changed internal layout will allow this building to be used as either ancillary or

				independent living accommodation which is likely to be detrimental to the amenities of the residents of the properties to either side. This together with the other changes in dimensions as built (which further diminish the amenities of those properties) is unacceptable and should be refused . Enforcement action will then be necessary to return this development to the as approved scheme dimensions/format
24/01530/F	7 Beatrice Drive	S Arif	Two storey rear extension	No objections
24/01554/F	24 Browning Road	Mr & Mrs Michael Smith	Two storey and single storey rear extensions	No objections
24/01508/F	13 Addison Road	Mr Greg Shawyer	Dropped kerb to improve access to front hardstanding	The Town Council share OCC's concern about the length of this dropped kerb and would ask that it is restricted to no more than half the frontage,, to preserve pedestrian safety , on-road parking and appearance of the streetscene.
24/01553/F	43 Kingsway	Mr Nirmaljit Singh Bal	RETROSPECTIVE - alterations to approved application 22/00140/F for addition of parapet wall on rear elevation. Change of bifold doors to french door and single rear door. Increase in roof height and gutter to North-East elevation. Rooflight was omitted from previous approved application.	The change that this application seeks to approve could be detrimental to the amenity of the adjoining property - careful on site assessment is necessary.

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
24/00881/F Application at 26 Levenot Close Banbury	a single storey rear extension and associated alterations relating to conversion and change of Use from C3 to C4 (HMO for 6 people)	This Council objected to the application on the grounds that on the grounds that the proposal by reason of lack of parking and overall level of activity introduced into this area represents overdevelopment of the site which would be detrimental to the amenities of neighbours.	CDC approved the application on the basis that the nearby parking court is close enough to ensure the adequacy of off street parking and that the impact on neighbouring amenity was not sufficiently serious to warrant a refusal.
24/00894/F Application at 15 Addison Road Banbury	single storey rear extension	This Council objected to the proposal on the grounds that we were concerned that an extension of this depth, immediately on the boundary would have an adverse impact upon the residential amenities of the adjoining dwelling	CDC approved the extension and considered that the proposed development would be sympathetic to its context, would not adversely affect the character or appearance of the area or the living conditions of neighbouring residents.