



To: **Members of the Planning & Regulation Committee**

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 13 January 2014 at 2.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

January 2014

Contact Officer: **Graham Warrington**
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Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Mrs Catherine Fulljames
Deputy Chairman - Councillor Neil Owen

Councillors

David Bartholomew
Mark Cherry
Patrick Greene
Pete Handley

Bob Johnston
Stewart Lilly
Glynis Phillips
Anne Purse

G.A. Reynolds
John Tanner

Notes:

- **Site visits are required for Items 6 (Gill Mill Quarry) and 9 (Park & Ride, Bicester) and have been arranged for Thursday 9 January 2014.**
- **Date of next meeting: 3 March 2014**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Rachel Dunn on (01865) 815279 or Rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes (Pages 1 - 14)**

To approve the minutes of the meeting held on 2 December 2013 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Gill Mill Quarry, Ducklington (Pages 15 - 74)**

The extraction of sand, gravel and clay as an extension to the existing Gill Mill site with the retention of processing plant, offices with welfare accommodation, weighbridge, sheeting bay, maintenance and storage facilities, vehicle parking areas, fuel storage, conveyor and haul road system, and existing site access, with the crushing, screening, washing, grading and blending of products for sale, retention and extension of existing water management provision including clean water lagoons and silt ponds, retention and extension of stockpiling areas, merchandising of imported aggregates, a concrete products factory, aggregate bagging plant, installation of wheel wash, erection of concrete batching plant and erection of recycled aggregate plant and the import of inert materials for recycling and non-recyclable waste materials for restoration of worked out mineral voids and the manufacture and sale of soils from site and imported materials. Restoration to a combination of nature conservation, including reed bed, meadows and woodland areas, with ecotourism development and recreational uses including retention of existing office complex building and new footpath and bridleway links with the retention and adaptation of the farm buildings of the Beef Unit Farmstead to provide ancillary development for the management of the restored land as a management centre including offices, stores, educational facilities and provision for a small scale biomass energy plant primarily for biomass arising on site at Gill Mill Quarry, Ducklington – Application

MW.0050/13.

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN6**).

This application is for the extraction of approximately 7.8 million tonnes of sand and gravel from an area adjacent and incorporating an existing part of Gill Mill Quarry near Ducklington in West Oxfordshire. The land would be restored to water based recreation, lowland meadow and nature conservation incorporating reedbeds, reedmarsh and wet woodland. The restoration would involve the use of approximately 1.25 million tonnes of imported inert waste material. Up to 100,000 tonnes per annum of clay would also be worked in response to local demand and for restoration purposes. Permission is sought for 30 years and it is anticipated that extraction would take 23 years and the completion of restoration a further 4 years. The quarry currently operates under an existing permission that allows extraction until 2020. Therefore, this development would extend operations for approximately a further 16-23 years.

The application is being reported to this Committee as the District Council have objected. No other objections have been received to this application either from consultees or neighbours. The applicant provided further information to address the District Council's concerns. However, the District Council did not respond to this. Their areas of concern are that the application is premature ahead of a new Minerals Local Plan, the scale of the expansion, the impact on the landscape, dust, the protection of the SSSI, highway safety and potential for watercourse pollution. However, they support some aspects of the development such as the eco-tourism element to the restoration proposals and the proposal to use a routeing agreement to ensure HGVs travel north towards the A40.

The report describes why the proposals have been put forward and outlines the relevant planning policies along with the comments and recommendation of the Deputy Director for Environment & Economy (Strategy and Infrastructure Planning).

The proposed development would be beneficial in terms of contributing towards Oxfordshire's supply of sharp sand and gravel and providing a high quality restoration and it is considered that the potential impacts on flood risk, transport, protection of amenity, restoration, landscape and archaeology can be adequately addressed through planning condition and legal agreement as proposed. There would be no increase in flood risk as a result of this development.

It is RECOMMENDED that:

(a) subject to:

- (i) a Section 106 legal agreement to cover the matters outlined in annex 1;**
- (ii) a routeing agreement to ensure that vehicle movements from the new development are covered by the existing routeing arrangements i.e. use only the A415 access and use the route north on the A415 from the site;**

that planning permission for application no. MW.0050/13 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the matters set out in Annex 2 to the report PN6; and

- (b) the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) being authorised to refuse the application if the legal agreement referred to in (i) above is not completed within 10 weeks of the date of this meeting on the grounds that it would not comply with OMWLP policy PE13 and the guidance set out in paragraph 118 of the NPPF (in that there would not be satisfactory provisions for the long term management of the restored site).***

7. Erection of Waste Recycling and Transfer Facility and Access Improvements at The Marshes, Sheehan Plant Hire & Haulage, Woodstock Road, Yarnton - Application MW.0103/13 (Pages 75 - 94)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN7).

The site including the access road has a total area of 1.27 hectares. It is proposed to construct a waste recycling shed which would be an open-fronted steel-framed with steel cladding building measuring 50 metres long by 15 metres wide (750 m² of new floorspace) with a ten metres extended roof overhang to the front. The building would be located in the south-eastern part of the main site and orientated south-west to north-east such that the open front would face towards the north-west. The roof height would be ten metres at the front sloping to eight metres at the back. It is required to meet Environment Agency permitting requirements that all processing of waste would take place within a building. This building would be used for sorting skip waste through a semi-automated system which would comprise a feed hopper, trommel screen, conveyor and elevated picking station with bins beneath. It is proposed that up to 35,000 tonnes of skip waste (10,000 tonnes of construction, Demolition and excavation waste and 25,000 tonnes of commercial and industrial waste) would be brought to the site for processing each year and that up to 90% of this would be recycled. The waste would be tipped under cover in the waste recycling shed and then fed into the processing facility using a grab material handler. Excavators and/or loading shovels would also be used to load lorries for the removal of sorted materials from the site. 30 full-time members of staff would be employed, an increase of five on the applicant's existing site at Slape Hill Quarry. The site lies in the open countryside and the Green Belt and so is a departure from development plan policies and so very special circumstances must be demonstrated if the application is to be approved.

It is RECOMMENDED that Application MW.0103/13 (13/01217/CM) be refused planning permission for the following reasons:

- i) The development would be inappropriate in and would affect the openness of the Oxford Green Belt contrary to the provisions of policy GB1 of the Cherwell Local Plan 1996, paragraphs 87 & 88 of the National Planning Policy Framework, policy GB1 of the Cherwell Non-Statutory Local Plan***

and policy ESD14 of the Emerging Cherwell Local Plan (ECLP) 2006-2031 (Proposed Submission Draft). The applicant has not demonstrated that the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations. Very special circumstances do not therefore exist to justify making an exception to these policies;

- ii) The development would be on a green field site in the open countryside contrary to the provisions of policy W4 of the Oxfordshire Minerals and Waste Local Plan 1996.*
- iii) The development would be sporadic development in the open countryside contrary to the provisions of policy C8 of the Cherwell Local Plan 1996 and policy EN30 of the Cherwell Non-Statutory Local Plan.*
- iv) The application site lies within a relatively narrow ribbon of open countryside between Oxford and Kidlington and could contribute towards coalescence and so would be contrary to the provisions of policy C15 of the Cherwell Local Plan 1996 and policy EN30 of the Cherwell Non-Statutory Local Plan .*
- v) The development would be substantial and urban in appearance and so unsympathetic to the rural context of the site and visually intrusive in the local landscape contrary to the provisions of policy W3 of the Oxfordshire Minerals and Waste Local Plan 1996, policies C7 and C28 of the Cherwell Local Plan 1996, paragraph 35 of Planning Policy Statement 10, policies EN34 & D1 of the Cherwell Non-Statutory Local Plan and policies ESD13 & ESD16 of the Emerging Cherwell Local Plan (ECLP) 2006-2031 (Proposed Submission Draft) .*

8. Details Pursuant to Condition 31 (external lighting scheme) of Planning Permission 08/02472/CM (MW.0044/08) for Ardley Energy from Waste Facility, Ardley, Ardley Energy from Waste site - Application No MW.0067/13 (Pages 95 - 102)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN8)

This is a 'details pursuant' application providing details required by a condition on an existing planning consent. Condition 31 on the planning permission for an Energy from Waste plant at Ardley landfill site requires that the applicant provide details of the external lighting for the plant, for approval by the Waste Planning Authority. The applicant has submitted a scheme, however some concerns have been raised by local residents and Parish Councils.

Following comments from a specialist lighting consultant, the applicant amended the scheme and provided a series of photomontages to show how the proposed lighting

would look from a number of viewpoints. There is no objection from the consultant providing lighting advice. Therefore, it is considered that the lighting scheme submitted would provide the appropriate level of lighting for the permitted development whilst ensuring that light spillage beyond the boundary of the site is minimised in the interests of the residents in the locality, as required by the condition.

It is RECOMMENDED that Application MW.0067/13 be approved.

9. Construction of a remote park and ride facility including up to 580 car parking spaces, 60 cycle parking spaces, cycle shelter, bus laybys and shelter, fencing, landscaping, attenuation pond and drainage ditch, pedestrian walkways, height restriction barriers and security lighting and cameras on land to the North West of the A41, Junction of A41/Vendee Drive, Bicester - Application No R3.0128/13 (Pages 103 - 122)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN9**)

This is an application is for a remote park and ride car park to allow users to park their cars or cycles and catch a bus to either Oxford or Bicester and to provide overflow parking for Bicester Village shopping centre. The development is located to the south west of Bicester adjacent to the A41.

The application is being reported to committee because 13 letters of representation have been received from neighbours. Only one of these letters stated that it was an objection, but others raised comments and concerns. Two letters stated that they supported the development.

The proposed development would provide a new interchange facility which would make it easier for people to use public transport for part of their journey to Bicester or Oxford. The proposals are acceptable in terms of policy relating to transport, amenity, biodiversity, historic environment, landscape and drainage. Policy does not fully support the location in the open countryside, however the specific locational requirements of park and ride sites and the policy support for development encouraging the use of public transport are considered to outweigh this.

It is RECOMMENDED that Application R3.0146/13 be approved subject to the conditions to be determined by the Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out below:

Heads of Conditions

- 1. Complete accordance with plans***
- 2. Commencement within 3 years***
- 3. No use of the site until the parking, access and manoeuvring areas are laid out as per approved plans***

4. ***Archaeological Written Scheme of Investigation to be submitted prior to commencement***
 5. ***Implementation of Written Scheme of Investigation***
 6. ***Ecological mitigation measures as proposed to be implemented***
 7. ***Submission of a detailed landscaping plan***
 8. ***Protection of trees and hedges to be retained***
 9. ***Submission, approval and implementation of a Construction Travel and Management Plan***
 10. ***Development to be carried out in accordance with approved Flood Risk Assessment***
 11. ***Implementation of surface water management scheme***
 12. ***Submission of full details of lighting programme***
 13. ***Ducting for electric charging points***
 14. ***Submission of management plan to cover day to day running for the site***
 15. ***Submission of final details of bus stands***
- 10. Replacement Local Information Requirements for application validation - consultation responses & revisions for approval and adoption. (Pages 123 - 248)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN10**).

Central government has published a national list of planning application requirements. No planning application will be valid unless it includes the relevant information set out in this list. Central government has also advised that local authorities are also encouraged to consult on and adopt their own Local List of information requirements for planning applications and has published guidance as to how this should be carried out emphasising the need to take account of national and local planning policies. It is also recommended that appropriate links to further guidance be included in the list, including website hyperlinks. There is no legal requirement setting out a time period for a local authority to adopt such a Local List, but if they do then applicants will also be required to provide the information set out in them before their applications will be validated by the local authority. In the absence of such a Local List, then provided an applicant has met the national requirements list, the local authority would be obliged to validate the application. The adopted Local List should be regularly reviewed such that it can be used for the validation of planning applications if they are submitted within two years of its being published or re-published.

The County Council has a Local List of information requirements which was adopted at the meeting of the Planning and Regulation Committee on 21st July following a six week consultation period. It is now over five years on from then and officers have

reviewed it. Due to the passage of time and significant changes since then, particularly the publication of the National Planning Policy Framework and its accompanying Technical Guidance and consequent deletion of much of the previous central government Planning Policy Statements and Guidance, it is considered that the draft Local List appended to the report should be regarded as a replacement for the existing Local List as opposed to a revision of it. The draft local list has now undergone a period of consultation and it is now proposed for approval and adoption subject to minor amendments.

Alongside the provision of pre-application advice, the adoption of an up-to-date Local List enables the County Planning Authority to better engage with applicants at an early stage and assist them to submit more accurate and comprehensive planning applications from the start of the planning application process, thus facilitating their processing more efficiently

The Committee is RECOMMENDED to approve and adopt for publication the Local List of Information Requirements for validation of planning and related applications set out in Annex 2 to the report PN10.

11. Relevant Development Plan and other Policies (Pages 249 - 276)

Paper by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN11)

The paper sets out policies referred to in items 6,7, 8 and 9 and should be regarded as an Annex to each report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 13 January 2014** at **12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.