

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 12 May 2014 commencing at 2.00 pm and finishing at 2.55 pm

### Present:

**Voting Members:** Councillor Mrs Catherine Fulljames – in the Chair  
Councillor Neil Owen (Deputy Chairman)  
Councillor David Bartholomew  
Councillor Mark Cherry  
Councillor Pete Handley  
Councillor Ian Hudspeth (In place of Councillor Stewart Lilly)  
Councillor Bob Johnston  
Councillor Glynis Phillips  
Councillor Anne Purse  
Councillor G.A. Reynolds  
Councillor John Tanner  
Councillor David Wilmshurst (In place of Councillor Patrick Greene)

### Officers:

Whole of meeting G. Warrington & D. Mytton (Law & Culture); C. Kenneford and D. Periam (Environment & Economy)

Part of meeting

<b>Agenda Item</b>	<b>Officer Attending</b>
6.	M. Thompson (Environment & Economy) and A. Potts (Atkins)
7.	C. Hodgkinson (Environment & Economy)

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.*

## 15/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Stewart Lilly Councillor Patrick Greene	Councillor Ian Hudspeth Councillor David Wilmshurst

**16/14 MINUTES**  
(Agenda No. 3)

The minutes of the meeting held on 7 April 2014 were approved and signed.

**17/14 PETITIONS AND PUBLIC ADDRESS**  
(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Grant Scott (Viridor)	6. Details pursuant to Condition 31 (external lighting scheme) of Planning Permission 08/02472/CM (MW.0044/08)
Ron Wyatt	7. Progress report on Minerals and Waste site Monitoring and Enforcement

**18/14 DETAILS PURSUANT TO CONDITION 31 (EXTERNAL LIGHTING SCHEME) OF PLANNING PERMISSION 08/02472/CM (MW.0044/08)**  
(Agenda No. 6)

Councillor Owen took the chair for the duration of this item.

The Committee considered (PN6) a details pursuant application required by condition 31 on an existing planning condition which required details of external lighting for the energy from waste facility at Ardley to be approved by the Waste Planning Authority. This matter had been previously deferred by Committee on 13 January and 7 April 2014.

Councillor Hudspeth advised that although he had been a member of the Cabinet which had approved various decisions regarding this facility he still had an open mind in relation to this matter and would consider the issues in the light of the officers report and other information presented at the meeting.

Following a presentation of the report Ms Thompson and Anthony Potts addressed questions from:

Councillor Purse – Mr Potts confirmed that Viridor’s proposal complied fully with British standards.

Councillor Mrs Fulljames – Mr Potts advised that details regarding lighting in the ash area particularly whether or not they would be wall or column mounted and if the latter then the height of those columns had not been part of his brief and were matter better directed to Viridor who were responsible for the design element. He had been asked to comment only on degrees of sky glow.

Councillor Purse – Mr Potts explained differences in the photomontage images where in one the lighting was more controlled. Other images showed the temporary construction lighting which created more reflected light from surfaces around the site.

Councillor Hudspeth – officers advised that it seemed that the lighting to be provided in the ash ponds area would be wall mounted and therefore lower than the wall surround itself.

Councillor Purse – Mr Potts advised that following the review to be undertaken in November 2014 (paragraph 21 of the report) if there were any issues of light spillage from the site they would be addressed by reducing output of lamps or switching down to two or one third(s) to reduce light trespass.

Councillor Handley – Mr Potts confirmed he was happy with compliance on light emission and sky glow.

Mr Scott thanked members of the Committee for visiting the site which he hoped had demonstrated that the operational lighting would be more sympathetic and less intrusive for residents. There were other operating sites in the area such as the motorway service area which had operational lighting and reminded the Committee a right to a view was not a planning consideration. Regarding the November 2014 review Viridor would be having discussions with county planning officers but also taking the opportunity to raise these issues at the Liaison Committee.

Mr Scott then responded to questions from:

Councillor Cherry – he had not had any personal interaction with local residents but issues were discussed at the quarterly Liaison meetings.

Councillor Purse – with regard to her comments regarding the constant glowing nature and the possibility of reducing reflected light he advised that the construction lighting was more reflective and that was not helped by the large temporary office area which was glazed and white in colour. Tree planting was to be extended over a wider area including the car park area. There was also the potential for more bunding and planting between the entrance and the facility itself but that would be largely for amenity value with benefits mainly for passing traffic.

Councillor Fulljames – there would be no lighting columns in the ash area and confirmed that internal lighting would be wall mounted and therefore below wall level and no external work after 7pm. There would be road lights outside that area.

Councillor Fulljames thanked those members who had been able to visit the site. She had hoped that that could have gone ahead in January when tree cover would have been minimal. She reiterated the wording in Condition 31 that lighting should be designed in such a way as to minimise potential light spillage on properties and the highway. This was a rural area and therefore dark and yet this large industrial unit had been placed there. There had been an acceptance locally that this had to be but everything should be done to mitigate its effects.

Councillor Bartholomew stated that the facility was nearly operational and had to be lit. The critical element therefore was to secure the review to address any issues. He moved the officer recommendation with that explicit proviso for a review in November 2014.

Councillor Purse advised that she had driven past the site on the M40 and had thought that it looked bigger and brighter than when she had been on the site visit. She still had concerns regarding the glowing nature in a rural area which was very intrusive and a distraction for motorists and agreed that it looked completely out of place.

Seconding the proposal by Councillor Bartholomew Councillor Hudspeth that members needed to try and remove the construction lighting from the equation and stressed that a review was a vital component for the peace of mind of local residents.

Councillor Handley felt there were now enough guarantees in place to offer protection for local residents.

The motion was put to the Committee and –

**RESOLVED:** (unanimously) that Application MW.0067/13 be approved subject to a review of lighting on the site to be carried out in November 2014.

## **19/14 PROGRESS REPORT ON MINERALS AND WASTE SITE MONITORING AND ENFORCEMENT**

(Agenda No. 7)

Councillor Mrs Fulljames resumed the Chair for the remainder of the meeting.

The Committee considered (PN7) a report updating the regular monitoring of minerals and waste planning permissions and progress of enforcement cases for the period 1 October 2013 to 31 March 2014.

Mr Wyatt spoke to Annex 2 (Waterstock Golf Course). He challenged the assumption that any of the alleged deposited waste remained on site and pointed out that an 8 month monitoring period had failed to locate it. He maintained that little or no waste remained on site other than what had been legitimately allowed. He alleged that a report written by county officers supported that view but he had been denied access to it and told that no report existed or had existed. He had wanted to secure a retrospective planning application and it was grossly unfair that the sequestration process could result in the loss of 2 family homes.

The Committee noted :

Annex 1

*Gosford Silo Waste Recovery* site no longer existed.

*LC Hughes scrap yard* situated in Blackthorn not Bicester.

*Shenington ROMP* – Mr Hodgkinson explained the discrepancy between targeted visits and visits completed. Although no scheduled visits had been planned there had

..... in fact been 2. The ROMP was subject to review and had been served a prohibition order. However, it was not an active ROMP.

*Woodeaton Quarry* – there was a legal problem regarding access which needed to be resolved before restoration work could start. The County Council was not party to those discussions.

Annex 2

*Ferris Hill Farm* – Mr Hodgkinson explained the rationale behind the delay. Care had been needed before serving an enforcement notice to ensure everything that needed to be included had been as failure to do so could inadvertently allow something which had not been intended.

The Committee commended Mr Hodgkinson and his team for a thorough report and the improvement in the monitoring and enforcement position over the last few years.

**RESOLVED:** that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 to the report PN7 be noted.

..... in the Chair

Date of signing