



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

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

Monday, 17 July 2017 at 2.00 pm

Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND

A handwritten signature in black ink that reads 'PG Clark'.

Peter G. Clark
Chief Executive

July 2017

Committee Officer: **Graham Warrington**
Tel: 07393 001211; E-Mail:
graham.warrington@oxfordshire.gov.uk

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 Les Sibley
Deputy Chairman - Councillor Jeannette Matelot

Councillors

Mrs Anda Fitzgerald-
O'Connor
Mike Fox-Davies
Stefan Gawrysiak
Dr Kirsten Johnson

Bob Johnston
Mark Lygo
Glynis Phillips
G.A. Reynolds

Judy Roberts
Dan Sames
Alan Thompson

Notes:

- **Lunch will be available at County Hall at 12.30 pm.**

- ***Date of next meeting: 4 September 2017***

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 Glenn Watson on **07776 997946** or glenn.watson@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 - 6)

To approve the minutes of the meeting held on 5 June 2017 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Section 73 application for the variation of condition 11 attached to planning consent P15/S3167/CM (MW.0124/15) to allow up to four heavy goods vehicles (HGVs) to leave the site in both morning and evening rush hour - Moorend Lane Farm, Moorend Lane, Thame - Application MW.0032/17** (Pages 7 - 20)

Report by Director for Planning and Place (**PN6**).

The site is a consented inert landfill and mineral extraction operation, with permission to screen and crush material. It is situated to the north of Thame, just south of the Buckinghamshire county boundary. The application site occupies an area of 4.75 hectares. Access to the site is off Moorend Lane via the A4129 Kingsey Road which acts as Thame's northern by-pass. Thame bridleway 2 (382/2/100) runs concurrent with the access to the application site. The site is bounded by a sewage treatment works to the south, the leisure centre football pitches and skate park to the west, the sewage works outfall ditch and agricultural grazing land (belonging to the owner of the application site) to the east, and Lash Lake Stream to the north. Moorend Lane bounds the south-east corner of the site.

The report covers an application for a variation of condition attached to the existing planning permission for the mineral extraction and waste management facility at Moorend Lane, Thame. The proposal is to amend the current condition restricting HGVs from leaving the site during peak hours such that up to 4 movements during each such period will be allowed.

The application is being brought to committee because objection has been raised to the application by the Local Member, Councillor Carter and Thame Town Council.

The report considers the development against relevant planning policies and other material considerations.

It is RECOMMENDED that application MW.0032/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out at Annex 2 to the report PN6.

- 7. Construction of a 76 space car park for a period of four years. The car park to be surrounded by weld mesh fence with control gates, and to include surface water drainage into a new petrol interceptor, and lighting. Also the construction of permanent lighting along the school roadway - The Warriner School, Banbury Road, Bloxham - Application R3.0033/17 (Pages 21 - 30)**

Report by the Director for Planning and Place (**PN7**).

This is a planning application to provide additional car parking spaces, and lighting at Warriner School while the school is undergoing infrastructure improvements and future expansion. The car park would be removed and restored after four years. There would be lighting provided for the car park and the access road; the access road lighting would be permanent, but the lighting for the car park would be removed along with the car park.

An objection has been received from Bloxham Parish Council to the lighting, and consequently the application is being brought to Planning and Regulation Committee for decision.

It is RECOMMENDED that planning permission for application no. R3.0033/17 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:

- I. Detailed compliance.***
- II. Permission to be implemented within 3 years.***
- III. Prior to commencement of the development, details of improvements to the access road to be submitted and approved. Approved details to be implemented.***
- IV. Prior to commencement of the development, drainage details to be submitted and approved. Approved details to be implemented***

- 8. Progress report on Minerals and Waste Site Monitoring and Enforcement (Pages 31 - 64)**

Report by the Director for Planning and Place (**PN8**).

The County Council is the Minerals and Waste Planning Authority for the county of Oxfordshire and has a duty to control development associated with mineral extraction and the management of waste. Officers within the Planning Regulation Service of the County Council carry out monitoring and enforcement on all permitted development sites. Officers also investigate allegations of unauthorised mineral or waste development and seek to resolve breaches of planning control caused by the County

Council's own developments.

This report updates members on the regular monitoring of minerals and waste planning permissions for the financial year 1 April 2016 to 31 March 2017 and on the progress of enforcement cases for the period 1 November 2016 to 30 June 2017.

It is RECOMMENDED that the Schedule of Compliance Monitoring Visits in Annex 1 to the report PN8 and the Schedule of Enforcement Cases in Annex 2 be noted.

9. Relevant Development Plan and other Policies (Pages 65 - 72)

Paper by the Director for Planning and Place (**PN9**).

The paper sets out policies in relation to Items 6 and 7 and should be regarded as an Annex to each report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Thursday** at **10.00 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 5 June 2017 commencing at 2.00 pm and finishing at 3.10 pm

Present:

Voting Members: Councillor Les Sibley – in the Chair

Councillor Jeannette Matelot (Deputy Chairman)
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Mike Fox-Davies
Councillor Stefan Gawrysiak
Councillor Bob Johnston
Councillor Mark Lygo
Councillor Glynis Phillips
Councillor G.A. Reynolds
Councillor Judy Roberts
Councillor Dan Sames
Councillor Lawrie Stratford (In place of Councillor Alan Thompson)
Councillor Richard Webber (In place of Councillor Dr Kirsten Johnson)

Officers:

Whole of meeting Graham Warrington and Jennifer Crouch (Law & Governance); Chris Kenneford and David Periam (Planning & Place)

Part of meeting

Agenda Item

Officer Attending

- | | |
|----|---|
| 6. | Sue Lawley (County Ecology Officer, Environment) & Geoff Arnold (Transport Development Control officer, Vale & South Oxfordshire Localities team) |
| 7. | Nick Mottram (Countryside Strategy Officer, Environment) |
| 8. | Emily Catcheside & Catherine Kelham (Buckinghamshire County Council) |

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 and schedule, copies of which are attached to the signed Minutes.

20/17 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor Alan Thompson Councillor Kirsten Johnson	Councillor Lawrie Stratford Councillor Richard Webber

21/17 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE
(Agenda No. 2)

<i>Councillor</i>	<i>Item</i>	<i>Nature of Interest</i>
Richard Webber	6, 7 & 8	Local Member for all three items and member of Sutton Courtenay Local liaison Committee for Items 6 & 7. He advised that he had not expressed an opinion on any of the three applications in either capacity and therefore intended to participate in discussion and voting on all three items.

22/17 MINUTES
(Agenda No. 3)

The minutes of the meetings held on 24 April 2017 and 16 May 2017 were approved subject to:

24 April 2017 - amending paragraph 11 of Minute 17/17 to read "Councillor Lily – the existing noise limit for the pump was set at 51 decibels"

16 May 2017 - amending Minute 18/17 to read "**RESOLVED:** (on a motion by Councillor George Reynolds and carried by 7 votes to 6) that Councillor Sibley be appointed Chairman for the ensuing council year"

23/17 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Phillip Duncan	6. Bridge Farm Quarry – Application MW.0127/16 7. Replacement asphalt plant, Appleford Sidings – Application MW.0005/17

24/17 SMALL EXTENSION TO BRIDGE FARM QUARRY TO EXTRACT SAND AND GRAVEL AND RESTORATION TO AGRICULTURE AND LAKES WITH REED FRINGES - APPLICATION NO. MW.0127/16

(Agenda No. 6)

The Committee considered (PN6) an application for a proposed extension to the north and west of the existing Bridge Farm Quarry.

Presenting the report Mr Periam drew the Committee's attention to the tabled addenda sheet setting out amendments to the officer report following the withdrawal of their objection by the Environment Agency.

Officers then responded to questions from:

Councillor Reynolds – Sue Lawley confirmed that ecological conditions covering movement of small animals represented best practice.

Councillor Fox Davis felt the application was hardly a small extension and in view of its potential commercial value wondered whether the applicants might be persuaded to consider extending the management plan.

Mr Periam confirmed that the applicants had been disinclined to accept an extension to the 20 year management plan but had accepted extending proposals for aftercare from the normal 5 years to 7.

Thanking officers for a comprehensive report Mr Duncan commended the recommendations. Responding to Councillor Fox Davis he added that although the area appeared to be large in size the deposits of material scheme were shallow and that along with the existence of paleochannels meant that extraction costs would be high although that ultimately would benefit restoration to agriculture. There were also issues with the landowner regarding after management.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Lygo and carried unanimously) that subject to:

- (i) completion of a section 106 legal agreement to provide for the submission and implementation of a bird management plan; and
- (ii) to a supplementary routeing agreement;

that Application MW.0127/16 be approved subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to the report PN6 and as revised in the published addenda.

25/17 DEMOLITION OF EXISTING ASPHALT PLANT AND CONSTRUCTION AND OPERATION OF A REPLACEMENT ASPHALT PLANT WITH ANCILLARY PLANT AND MACHINERY, A NEW WEIGHBRIDGE AND PORTABLE OFFICE - APPLICATION NO. MW.0005/17

(Agenda No. 7)

The Committee considered a report (PN7) setting out proposals for an asphalt plant at Appleford Sidings to replace the existing plant which was over 30 years old and in need of replacement.

Mr Periam introduced the report and then responded to questions from:

Councillor Johnston - he was unaware of proposals to electrify the sidings at Appleford nor any implications, which might arise from that work for security at the site itself.

Councillor Matelot – he confirmed that although the new plant would be in the same general location the chimney stack would, at its highest point, be 10m higher than the current site.

Councillor Webber – the pylon adjacent to the site would be 15 metres higher than the proposed plant. Mr Mottram added that although there had been some concerns regarding visibility of the plant over the existing tree cover that had been considered acceptable as the impact was not severe.

Councillor Webber - the proposal was closely associated with the sidings, which was currently used to bring in hard rock.

Councillor Fitzgerald O'Connor –the neighbouring BOAT (*Byway Open to All Traffic*) was currently used by HGVs and that would not change.

Councillor Gawrysiak – he confirmed that the development would cease in 2030 in line with the main requirements of the landfill permission. However, as the remainder of the industrial site and the sidings was not subject to any restoration requirement that industrial use would continue .

Councillor Stratford – the routeing agreement would be the same as currently existed.

Mr Duncan explained there were 2 plants in the County at Banbury and Sutton Courtenay. Both had significant strategic and long term importance hence the need for permanent permissions. Both were sited near rail sidings. With regard to the Sutton Courtenay site the surrounding land which was now domed because of landfill offered good screening.

He then responded to questions from:

Councillor Johnston – as the cost of the plant was £7m he considered it unlikely that any development of the sidings would have an adverse impact on or pose any risk to the security or viability of the proposed plant.

Councillor Phillips – although the proposed site was not exactly in the same position the footprint between the two differed by one metre. The chimney stack was higher in order to meet environmental standards for emissions.

Mr Periam confirmed that the Vale of White Horse district council had not responded.

Councillor Webber referred to the work undertaken by the Sutton Courtenay Local Liaison Committee over many years which had been instrumental in helping to promote the smooth transition of numerous applications and he felt that that work should be recognised.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Lygo and carried unanimously) that subject to the completion of a routeing agreement requiring all vehicles to access and egress the site to and from the A4130 Didcot northern perimeter road, application MW.0005/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to the report PN7.

26/17 ERECTION OF A SALT BARN, PROVISION OF HARDSTANDING AND VEHICLE WASH DOWN FACILITY, AND INSTALLATION OF SILTBUSTER SETTLEMENT UNIT, DESALINATION PLANT, DRAINAGE, LIGHTING AND LANDSCAPING - APPLICATION

(Agenda No. 8)

The Committee considered (PN8) an application for the erection of a salt barn and ancillary development at the Drayton Highways Maintenance Depot.

Emily Catcheside presented the report together and the tabled addenda sheet which contained a revised condition regarding landscaping.

She then responded to questions from:

Councillor Johnston – the south west boundary was to be planted with a mix of holly, yew and the eastern boundary with scots pine, maple, willow and oak.

Councillor Stratford – the colour of the building could be submitted for approval.

Councillor Roberts – she was unable to confirm whether maintenance work would be required to trees on the south boundary because of the proximity of powerlines.

Councillor Reynolds – the current site was operational 24 hours a day and already lit for safety purposes. The salt barn building was not proposed to be lit but lighting towers were proposed in order to light the hardstanding and wash down areas. The

proposed lighting would be LED which would keep any light over the horizontal of the light source to a minimum.

Councillor Webber – screening would be the best available in order to adequately screen the site from future development in the area. Mrs Crouch confirmed that it was legally acceptable for an authority to consider its own application.

Councillor Fox-Davies – the building needed to be a certain height in order to accommodate machinery.

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Lygo and carried unanimously) that application R3.0030/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to the report PN8 as revised in the published Addenda.

..... in the Chair

Date of signing

For: PLANNING AND REGULATION COMMITTEE – 17 JULY 2017

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed: Section 73 application for the variation of condition 11 attached to planning consent P15/S3167/CM (MW.0124/15) to allow up to four heavy goods vehicles (HGVs) to leave the site in both morning and evening rush hour.

Division Affected:	Thame and Chinnor	
Contact Officer:	Catherine Kelham	Tel: 07809 383 809
Location:	Moorend Lane Farm, Moorend Lane, Thame, Oxfordshire, OX9 3HW	
Applicant:	David Einig Contracting Ltd.	
Application No:	MW.0032/17	District No: P17/S1500/CM
Application received date:	29 March 2017	
Consultation Period:	27 April 2017 to 18 May 2017	
District Council Area:	South Oxfordshire	

Contents

- Part 1 – Facts and Background
- Part 2 – Other viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Reason for Committee:

Objection from Thame Town Council
Objection from the Local Member

Part 1 - Facts and Background

Location (see site plan Annex 1)

1. The site is a consented inert landfill and mineral extraction operation, with permission to screen and crush material. It is situated to the north of Thame, just south of the Buckinghamshire county boundary. The application site occupies an area of 4.75 hectares. Access to the site is off Moorend Lane via the A4129 Kingsey Road which acts as Thame's northern by-pass. Thame bridleway 2 (382/2/100) runs concurrent with the access to the application site.
2. The site is bounded by a sewage treatment works to the south, the leisure centre football pitches and skate park to the west, the sewage works outfall ditch and agricultural grazing land (belonging to the owner of the application site) to the east, and Lash Lake Stream to the north. Moorend Lane bounds the south-east corner of the site.

Relevant Planning History

3. Planning permission for the site was first granted on 31st January 2013 (reference MW.0101/12 (P12/S1461/CM)). This was for the extraction of a small sand reserve and the importation of inert material to restore the old landfill and sewage beds to facilitate livestock grazing above the surrounding floodplain. Since then, there have been several applications seeking to vary conditions of this and the subsequently granted planning permissions.

4. Condition 1 of planning permission reference MW.0101/12 was varied in order to amend the location of the crusher, screener, associated stockpiles and screening bund. This permission was granted on 31st March 2013 (planning permission reference MW.0011/14).
5. Conditions 2 and 3 of planning permission reference MW.0011/14 were varied to extent the time period for extraction of sand to 31 December 2020, to extend the time period of completion of restoration to 31 December 2022, and to remove the requirement to install ground markers around the sand extraction site boundary. This permission was granted on 20th May 2015 (planning permission reference MW.0154/14).
6. Condition 12 of planning permission reference MW.0154/14 was varied to allow an increase in the height of the permitted screening bunds on the site. This was granted on 12th November 2015 (planning permission reference MW.0124/15). This is the planning permission for the site which is being implemented.

Details of the Proposed Development

7. The applicant seeks permission to vary condition 11 attached to planning permission MW.0124/15 to allow up to four heavy goods vehicles (HGVs) to leave the site in both the morning and evening rush hours. The existing access and current operating hours, as outlined in condition 4 of the current planning permission (MW.0124/15), would be retained. No changes to operations within the site are proposed by this application.
8. It is stated in support of the application that this current rush hours restriction is problematic in terms of efficient use of the site and the contracted HGV drivers, who are only allowed to drive a certain number of hours per day. As HGVs can enter before and during rush hour times, the site operator reports there is a backlog of HGVs leaving the site at the end of the morning rush hour.
9. The existing planning permission does not restrict the total number of HGVs movements to and from the site. HGV movements therefore are technically unlimited and uncontrolled outside of rush hours.
10. Access to the site is off Moorend Lane via the A4129 Kingsey Road. The existing routing agreement (see Figure 1 below) ensures HGVs from the site do not go through Thame. As in the plan below, HGVs travelling on local roads to and from the site are restricted to using the A418 in both directions (towards Oxford and Aylesbury), the A4129 (Tythrop Way and Kingsey Road towards Longwick and Princess Risborough) and B4012. This routing agreement would be retained should planning permission for the changes to HGV movements be permitted. The site operator has also further voluntarily restricted HGV routing, reportedly at the request of local residents, to insist HGVs turn left out of the site rather than cross a lane of traffic to turn right.

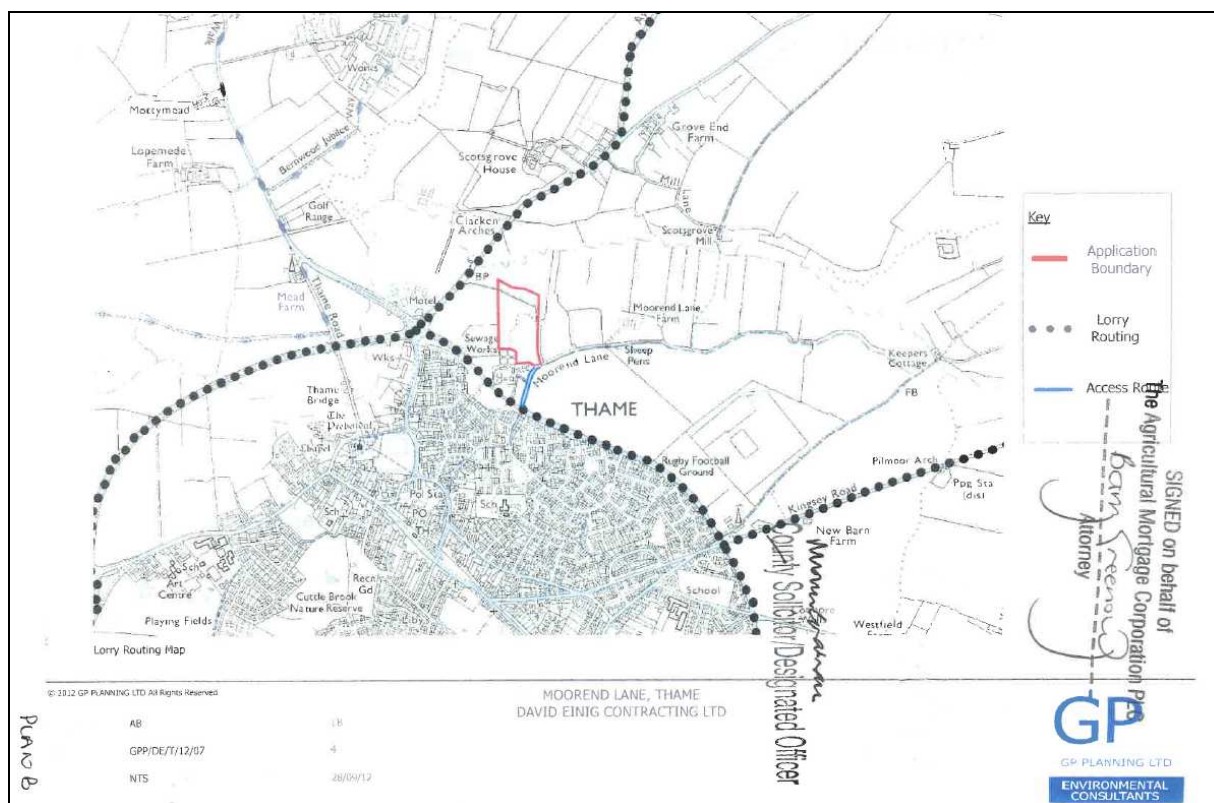


Figure 1: Existing Routing Agreement

Part 2 - Other Viewpoints

Third Party Representations

11. Ten representations, all objecting to the application, have been received. The planning issues raised by these representations are:
 - Highway safety
 - Traffic, congestion and journey time
 - Mud and dust (both on the road and in the surrounding area)
 - Noise from the site
 - Breaches of planning control at the site

Consultation Responses

12. The Local Member, Councillor Carter objects to the application. He has stated that the Thame ring road is heavily congested during peak periods, and the application site is on a section of the ring road which feeds into one of the main roundabouts. At peak times this area is particularly busy, and he believes it would not be appropriate for heavy lorries to be disrupting the traffic flows even further by manoeuvring in and out of the application site. He believes this would have been the reason why the restriction was applied to the original planning permission, and states that as the circumstances have not changed since then, it would make no sense to lift the restriction now.
13. Thame Town Council objects to the development as they are concerned about highways safety.
14. South Oxfordshire District Council supports the views that the relevant highways expertise will make on this application.
15. The Rights of Way Officer has no objection to the application.

16. The Oxfordshire Minerals and Waste Policy Team have no comments to make on the application.
17. Oxfordshire Transport Development Control Officer has no objection to the application. They are satisfied the geometry and visibility available at the junction and the limited number of trips proposed would not have a significant impact upon highway safety or convenience. The junction has visibility in excess of 'comfortable' stopping distance commensurate to speed of passing traffic. They consider that vehicles slowing and waiting to turn would delay traffic along the A4129 but this would be minimal given the proposed number of trips. They also state there is spare capacity along the A4129 and the additional trips would have a negligible impact and whilst local junctions may be subject to some congestion, such a small number of additional trips would be unperceivable against background flows and demand.
18. Buckinghamshire County Council Highways Authority considers this to be a cross border application. They have concerns of the capacity of the Kingsey Road towards Longwick and Princes Risborough although after speaking with the applicant's agent it has been confirmed that none of the HGVs stated within this application will be routed via Kingsey Road during the peak hours therefore negating the capacity concerns. Nonetheless, it is requested that the condition is amended to prevent HGVs from being routed via Kingsey Road towards Princes Risborough during peak hours. Subject to this, Buckinghamshire County Council Highways Authority has no objection to the application.
19. The South Oxfordshire Environmental Health Officer had recommended that a condition be placed on the application to ensure that all mitigation shall be used to reduce noise levels from land restoration, as described in the noise report ref 4118 by Walter Beak Mason dated 18/09/12, including the earthen bunds detailed in the Moorend Lane Plan, job number 1336 dated 28/01/14. Following clarification that this bund already exists, the District EHO has confirmed he has no further comments to make in terms of noise mitigation.

Part 3 – Relevant Planning Documents

20. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
21. The Development Plan for this area comprises:
 - i. Oxfordshire Minerals and Waste Local Plan (OMWLP) (saved policies);
 - ii. South Oxfordshire Core Strategy (SOCS);
 - iii. South Oxfordshire Local Plan saved policies (SOLP); and
 - iv. Thame Neighbourhood Plan (TNP).
22. Other documents that need to be considered in determining this development include:
 - i. Draft Oxfordshire Minerals and Waste Part 1- Core Strategy incorporating proposed main and additional modifications (OMWCS);
 - ii. National Planning Policy Framework (NPPF); and
 - iii. National Planning Policy for Waste (NPPW).

Relevant Policies

23. The relevant policies are:

Oxfordshire Minerals and Waste Local Plan (OMWLP) 1996 Saved Policies

- Saved Policy PE11 (Protecting the Rights of Way Network)

South Oxfordshire Core Strategy (SOCS) 2012

- CSM1 (Transport)

South Oxfordshire Local Plan (SOLP) 2011 Saved Policies

- T1 (Transport)
- T10 (Lorries on Unsuitable Roads)
- EP1 (Prevention of Polluting Emissions)
- EP2 (Noise and Vibrations)
- R8 (Public Rights of Way)

Thame Neighbourhood Plan

- Policy ESDQ24 (Linking Pedestrian and Cycle Routes and Destinations)
In addition, as set out within the Thame Neighbourhood Plan policy list, a number of saved policies from the SOLP 2011 continue to apply to Thame. This includes all those listed above.

Draft Oxfordshire Minerals and Waste Core Strategy (OMWCS) (Main and additional Modifications February 2017)

24. The draft Oxfordshire Minerals and Waste Local Plan Part 1 - Core Strategy (OMWCS) was submitted to the Secretary of State for independent examination in December 2015. Following an examination hearing held in September 2016, the Inspector issued his Report on 15 June 2017. He concludes that with his recommended main modifications, the OMWCS satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (amended) and meets the criteria for soundness in the National Planning Policy Framework. In accordance with Section 23(3) of the 2004 Act, the County Council may now adopt the OMWCS with the Inspector's recommended main modifications and any additional modifications that do not materially affect the policies. Therefore, although the OMWCS is not yet adopted, it is at a very advanced stage and the draft policies with the Inspector's recommended main modifications should accordingly be given due weight.

Relevant policies are:

- C5 (Local environment, amenity and economy)
- C10 (Transport)
- C11 (Rights of Way)

Part 4 – Analysis and Conclusions

25. The principle of the development, to extract a small sand reserve, to import inert material to restore the old landfill, and to crush and screen material has already been established at this location. No changes to the use of the site, or operations within the site are proposed. The only planning issue to be considered is whether the development already permitted would remain acceptable with up to four HGVs leaving the site in both morning and evening rush hours. I therefore considered the key policy matters to consider are:
- Traffic, Congestion and Highway Safety;
 - Amenity (Noise, Dusts and Air Quality); and
 - Rights of Way.

Traffic, Congestion and Highway Safety

26. Taken together policy CSM1 of the SOCS and saved policy T1 of the SOLP seek to ensure developments are served by an adequate road network, which can accommodate the traffic from the development, without creating traffic hazards, affecting road safety, damaging the environment or effecting air quality. Draft policy C10 of the OMWCS, expects mineral and waste developments to use roads suitable for lorries and make provision for safe and suitable access to the advisory lorry routes shown on the

Oxfordshire Lorry Route Maps. In addition, saved policy T10 of the SOLP seeks to prevent development which would significantly increase the number of lorries on unsuitable roads.

27. Local residents have objected to the proposed development, as they believe it would lead to increased congestion and journey times and would adversely impact highways safety. Similarly, Thame Town Council has objected to the application on highway safety grounds. The Local Member has also objected to the application, believing it would increase congestion on the Thame ring road at peak times. These views are not supported by the Oxfordshire Development Control Officer (Transport) responding to the application on behalf of the council as Highway Authority. In his view, the number of trips proposed would not have a significant impact upon highway safety or convenience. In addition, he believes that such a small number of additional trips would be unperceivable against background flows and demand. In light of the technical advice, as the development has safe and convenient access to a highway network that can accommodate the traffic, I consider the development is in compliance with policy CSM1 of the SOCS and saved policy T1 of the SOLP.
28. As the HGV movements are not specifically controlled by condition through the existing permission, allowing HGVs to leave the site during the morning and evening rush hours, could inadvertently enable the operator to increase HGV movements to and from the site. Should the application be permitted, as only four HGVs could leave the site in the morning rush hour and only four could leave the site in the evening rush hour, it is anticipated this possible increase would be small. As such, although there is no overall limit on HGVs accessing the site, in light of the comments from the Oxfordshire Transport Development Control Officer, I am satisfied that changing the limit on HGV movements from the site during the rush hour would not cause severe harm to the highways network.
29. Chapter eight of the SOLP supports the County Council Policy that lorry traffic should, wherever possible, use the major road network and encourages the use of routing agreements as a means of addressing environmental impacts in towns and rural areas. Normally these routing agreements would be to address specific local issues, for example at a junction in the immediate vicinity of the site, and direct HGVs to the county's strategic highway network. Once HGVs are on the county's strategic highway network, it would not normally be considered necessary, reasonable or enforceable to control them.
30. Access to the site is off Moorend Lane via the A4129 Tythrop Way and the exiting routing agreement, as shown in figure 1, ensures that HGVs travel on suitable roads and prevents HGVs travelling through Thame. Buckinghamshire County Council Highways Authority has expressed concerns of the capacity at Princes Risborough (approximately 7.5 miles to the west-southwest of Moorend Lane Farm along the A4129). Due to this, they have requested that vehicles from the site are not routed towards via Kingsey Road (A4129) towards Princes Risborough during peak hours.
31. Whilst I accept these concerns, the routing restriction suggested by Buckinghamshire County Council Highways Authority would only apply to those of the four HGVs that left the Moorend Lane site between the peak hours wanting to travel through Princes Risborough and not to any other "David Einig Contracting Ltd" branded HGV on the highway network. In addition, whilst there are concerns over the capacity of the road network at Princes Risborough, I consider the impact of four HGVs during rush hours to be negligible. The proposed change between no HGVs leaving the site during the morning and evening rush hours, and four HGVs leaving the site during the morning and evening rush hours is likely to be within daily fluctuations of vehicles on the highway network, for example between school holiday and term-time. As in the comments from Oxfordshire Transport Development Control Officer, such a small number of additional trips are likely to be unperceivable against background flows.

32. I therefore consider that further restricting the HGV routing, and preventing them from entering or exiting the site via part of the local A-road network would be unreasonable and unnecessary as the HGVs have already been routed on to the county's strategic highway network. As such, a condition or obligation requiring this new routing would be unacceptable and contrary to Paragraph 206 of the NPPF. If planning permission were to be granted, this new suggested routing should not be a requirement. I believe the existing routing agreement should however be carried forward as it seeks to address a specific local issue, and provide a safe route to direct HGVs on to the county's strategic highway's network. Regardless of this view, the comments from Buckinghamshire County Council Highways Authority indicate the applicant already chooses not to route HGVs via Kingsey Road during peak hours. Whether to continue this practice is a matter for the operator rather than planning control.
33. In summary, this application proposes to allow up to four HGVs to leave the site in both the morning and afternoon rush hours. From a technical perspective, I have been advised that the geometry and visibility available at the junction is satisfactory and the junction has visibility in excess of 'comfortable' stopping distance commensurate to speed of passing traffic. The existing routing agreement seeks to ensure that HGVs access the site using the major road network and bypass Thame. It facilitates safe and suitable access to advisory lorry routes shown on the Oxfordshire Lorry Route Map. Should the application be permitted, this routing agreement would be retained. I am satisfied that the limited number of trips proposed during peaks hours times would not have a severe or significant impact upon highway safety or convenience. I consider the development is in compliance with saved policy T10 of the SOLP and draft policy C10 of the OMWCS.

Amenity (Noise, Dust and Air Quality)

34. Saved policy EP1 of the SOLP seeks to prevent development which would have an adverse effect on people and other organisms from polluting emissions, including dust and grit. Similarly, draft policy C5 of the OMWCS requires development to demonstrate that it would not have an unacceptable adverse impact on the local environment and human health. Potential adverse effects on air quality are also protected through draft policy C10 of the OWMCS and saved policy T10 of the SOLP. Saved policy EP2 of the SOLP seeks to prevent development which would have adverse effects on neighbours in terms of noise or vibrations.
35. Several representations have highlighted concerns over mud and dust on the road and in the surrounding area. No changes to the operations already permitted at the site are proposed and a dust mitigation strategy is already in place at the site. This requires all vehicles to be sheeted prior to leaving the site to minimise spillages or wind whipping of loose material and requires vehicles to have their wheels cleaned prior to leaving the site. During dry weather, this strategy also requires a water bowser to be used to dampen the access road to suppress dust, and for loose stockpiles to be stabilised with water. The dust mitigation strategy is required by condition and this would be carried forward should planning permission be granted. Overall, I consider it unlikely that allowing four HGVs to leave the site during both the morning and afternoon rush hour would noticeably change how much dust or mud is generated from the site. I therefore consider this development to be in compliance with saved policy EP1 of the SOLP and draft policy C5 of the OMWCS.
36. One representation commented on the noise from the existing operations on the site. The District EHO also commented to ensure noise from the land restoration operation is adequately mitigated. As above, the use of the site for mineral extraction, landfill and material screening has already been established and planning permission to change this use is not being sought through this application. A bund is already in place and the District EHO believes this would be sufficient to minimise any mechanical noise from the restoration process.

37. Should the proposed development be permitted, HGVs would leave the site during morning and evening rush hours and travel on the roads outlined in the routing agreement. Outside these times, HGVs would continue to access the site as permitted by the current permission. No changes to operations at the site are proposed. Overall, I consider the noise and vibrations linked to the site are likely to be unchanged. I therefore believe the proposed development would not have adverse effects on neighbours in terms of vibrations or noise, and is in compliance with saved policy EP2 of the SOLP.
38. In terms of air quality, Thame is not within a South Oxfordshire Air Quality Management Area. In addition, the District EHO has not highlighted any air quality concerns in his comments. As such, I consider that allowing four HGVs to leave the site during both the morning and evening rush hours, would not lead to significant concern in regard to the air quality in the immediate area. I therefore consider the development is in compliance with draft policy C10 of the OWMCS and saved policy T10 of the SOLP.

Rights of Way

39. Thame bridleway 2 (382/2/100) runs concurrent with the access to the application site. This is part of an existing off-road cycle route, and forms part of a potential cycle connection towards Thame and Haddenham as outlined in Figure 9.2 of the Thame Neighbourhood Plan. Such connects are protected through Thame Neighbourhood Plan Policy ESDQ24 which requires pedestrian and cycle routes to link together potential destinations. Saved policy PE 11 of the OMWLP, draft policy C11 of the OMWCS and saved policy R8 of the SOLP also seek to maintain and protect existing public rights of way.
40. In light of the proposed changes, the Rights of Way Officer has requested that the applicant inspect and confirm that all the advisory signage as outlined in the previous application for this site are still in place, legible, and are being adhered to by all vehicle drivers. The applicant has confirmed this is the case, and I suggest that to protect the users of the bridleway, the requirement for this signage to be maintained for the duration of the development is controlled through condition. With this in place, I am satisfied the development is in accordance with policy ESDQ24 of the Thame Neighbourhood plan, Saved policy PE11 of the OMWLP, draft policy C11 of the OMWCS and saved policy R8 of the SOLP.

Other Issues

41. Two representations objected to the development on the basis that it is breaching its existing permission, and one specified this was in relation to the height of the bund being over 4 metres. The bunds are permitted to be maximum 6 metres in height, as shown on approved drawing No.4b "Proposed Screen Bund Cross Section August 2015". Stockpile heights however are limited to a maximum of four metres. These matters are not considered relevant to the application being considered, but have been referred to the Council's Monitoring Officer for investigation.

Conclusion

42. Oxfordshire County Council seeks to prevent developments which are likely to result in an unacceptable level of traffic on the local highway network, or which would result in a detrimental effect on the amenities and environment of the area. In this instance, I am satisfied this development would not result in an unacceptable level of traffic, and nor would it have a detrimental effect on the amenities of the area and highway safety. I therefore consider it is compliance with the development plan policies. Subject to the conditions set out in Annex 2 below, I recommend the proposed development is permitted.

RECOMMENDATION

- 43. It is RECOMMENDED that application MW.0032/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out at Annex 2 to this report.**

SUSAN HALLIWELL
Director for Planning and Place

July 2017

Annex 2: Proposed Conditions

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise:
 - Planning Application form dated 27/03/17
 - Planning Application form dated 04/08/15
 - Planning Application form dated 03/02/14.
 - Planning Application form dated 20/06/2012
 - Planning Statement ref DEC/P4 dated August 2015
 - Planning Statement dated 29th March 2015
 - Planning Statement by GP Planning V1 February 2014
 - Transport Statement (JPH/151201/D2) February 2017
 - Email from Gill Pawson to David Flavin dated 04/03/14
 - Gill Pawson Drawings: Dwg Nos. GPP/DE/T/11/01 [Site Location Plan]
 - GPP/DE/T/11/02 [Site Plan]
 - GPP/DE/T/12/03 [Site Layout Plan]
 - GPP/DE/T/12/04 Rev 5 [Landscape Plan revised 18/09/12]
 - GPP/DE/T/12/05 [Proposed Footpath Diversion]
 - GPP/DE/T/12/09 [Flood Plain & Land Ownership]
 - DT Transport Planning Drawings Dwg Nos. SK3 [LH visibility splay]
 - SK4 [RH visibility splay]
 - 1 [Proposed Restoration Version 2 Rev A dated 13/6/12]
 - 1B [Site Survey 6/2/12]
 - 2a [Proposed Sand Extraction 6/2/12]
 - 4 [Cross Sections Pre & Post restoration 17/6/12]
 - 4b [Proposed Screen Bund Cross Sections August 2015]
 - 5 [Section Location Plan 17/6/12] PGW&A
 - Sand Extraction Drawings: ML/S1/D1 [Current site survey with trial pit and borehole locations]
 - ML/S1/D2 [Inferred contours on the top of the sand]
 - ML/S1/D3 [Inferred contours at the base of the sand]
 - ML/S1/D4 [Inferred sand thickness]
 - ML/S1/D5 [Proposed extent of sand extraction]
 - ML/S1/D6 [Cross sections through site]
 - Noise Assessment & Mitigation Report by WBM dated 18/09/12
 - Final Ecological Assessment & Mitigation Report by BSG dated September 2012
 - Planning Statement by GP Planning V2 June 2012
 - Transport Statement from DT Transport Planning June 2012
 - Landscape & Visual Assessment by GP Planning V1 June 2012
 - Addendum to Landscape & Visual Amenity Appraisal by DB Landscape Consultancy Ltd dated January 2015
 - Flood Risk Assessment by Abington Consulting Rev A 13/6/12
 - Hydrogeological Assessment by Hafren Water Ref:THL/HIA V1 May 2012
 - Geology & Proposed Sand Extraction by PGW&A Ref:ML/S1/1 14/6/12
 - Discharge of Conditions Application Relating to Planning Permission MW.0100/12 by GP Planning V1 March 2013 • Email from Gill Pawson to Kevin Broughton dated 24/10/13
 - Restoration and Aftercare Scheme February 2013 by Katie Burfitt
 - Dwg KB-THA001 [Agricultural Restoration Plan, February 2013]
 - Dwg 13012/104 [Proposed Highway Works Layout, 25/02/13]
 - Ecological Management Plan by BSG ecology dated 05/03/13

Reason: To ensure that the development is carried out as proposed (PE18:OMWLP1996).

2. Extraction of minerals shall cease by 31/12/2020, all plant, vehicles and machinery to which this permission relates shall be removed by 31/12/2022 and restoration shall also be completed by 31/12/2022.

Reason: To ensure restoration takes place when sand extraction and landfilling has ended (PE13:OMWLP1996).

3. A copy of this permission and the approved plans showing the method and direction of working and landfilling and restoration shall be displayed in the operator's site office at all times during the life of the site. Any subsequent approved amendments shall also be displayed.

Reason: To ensure that the development is carried out as approved (PE18:OMWLP1996).

4. No operations, including HGVs entering and leaving the site (subject to the additional restriction in Condition 11 below), other than environmental monitoring, shall be carried out at the site except between the following times:- 7.00 am to 6.00 pm Mondays to Fridays 7.00 am to 1.00 pm Saturdays. No operations shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenities of local residents the southern side of the by-pass (PE18:OMWLP1996).

5. The site access road shall be maintained in accordance with approved DT Transport Dwgs SK3 & SK4. No other access shall be used by traffic entering or leaving the site. The visibility splays shown on approved plans SK3 & SK4 shall be maintained free of all obstruction.

Reason: To ensure the access road is maintained with due regard to highway safety (PE18:OMWLP1996).

6. Unsurfaced sections of the access or haul road shall be hardened to ensure a smooth running surface free of pot holes and shall be maintained as such and kept free of mud and other debris at all times until completion of site restoration and aftercare.

Reason: In the interests of highway safety and to reduce the effect of noise and dust on residents on the other side of the by-pass (PE18:OMWLP1996).

7. No mud or dust shall be deposited on the public highway.

Reason: In the interests of highway safety (PE18:OMWLP1996).

8. No development shall take place except in accordance with the dust suppression measures specified in the document Discharge of Conditions Application Relating to Planning Permission MW.0100/12 by GP Planning V1 March 2013.

Reason: To protect the amenities of residents the other side of the by-pass and the users of the adjacent sports pitches from the effects of any dust arising from the development (PE18, W7: OMWLP1996; EP1: SOLP2011).

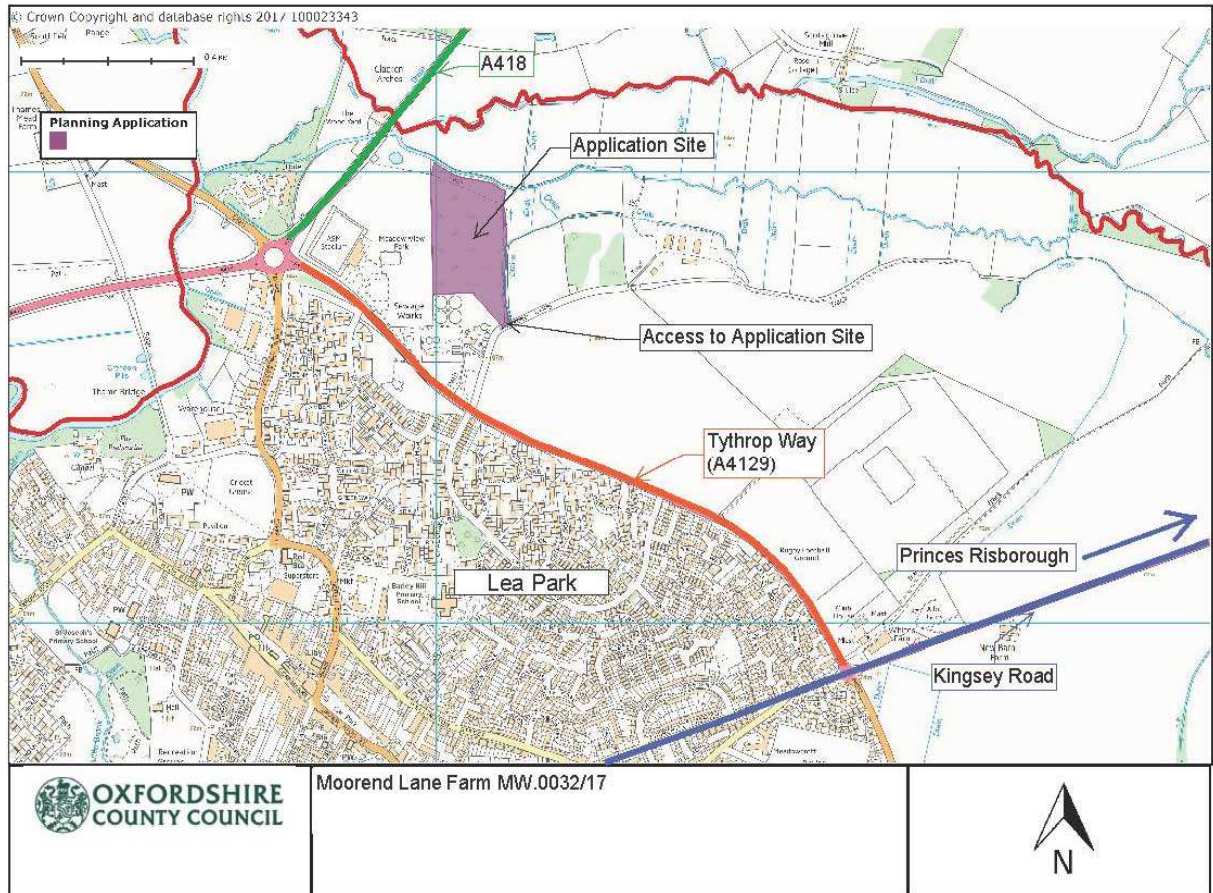
9. No development shall take place except in accordance with the approved Restoration and Aftercare Scheme dated February 2013, email from Gill Pawson to Kevin Broughton dated 24/10/13 and Ecological Management Plan by BSG ecology dated 05/03/13.

Reason: To ensure the productive afteruse of the land and that the development results in biodiversity enhancement (PE18:OMWLP1996; NERC Act 2006).

10. All topsoil and subsoil shall be permanently retained on site and used in restoration.

Reason: To prevent loss of soil (PE18:OMWLP1996).

11. No more than 4 HGVs shall leave the site during the morning rush hour (8.00 - 9.00 am) and no more than 4 HGVs shall leave the site during the afternoon rush hour (4.00 - 6.00 pm).
Reason: To prevent severe harm to the highways network in terms of congestion and highways safety (CSM1:SOCS 2012, T1: SOLP2012).
12. A landscape bund shall be constructed as per Dwg No.4b "Proposed Screen Bund Cross Section August 2015". The bund shall be seeded and maintained in accordance with the approved Restoration and Aftercare Scheme (February 2013).
Reason: To ensure residents to the south of the by-pass do not suffer any adverse noise impacts from the crushing and screening operations on the site (PE18, PE13, W5:OMWLP1996; EP2:SOLP2011).
13. No material shall be stockpiled to a height exceeding 4 metres.
Reason: In the interests of visual amenity (W3:OMWLP1996).
14. Prior to commencement of each phase of restoration details of the location of the temporary perimeter ditches to collect surface water run-off and the location of the temporary settlement lagoon (identified in Para. 9.9 of the Flood Risk Assessment by Abington Consulting dated 13/6/12) shall be submitted to and approved in writing by the Mineral Planning Authority.
Reason: In order to prevent sediment discharging to the watercourse as set out in the FRA (PE18:OMWLP1996).
15. Along Moorend Lane, from the junction with the A4129 to the site entrance, advisory signage reminding drivers accessing the site that they should proceed with care and expect to meet walkers, horse riders or cyclist, shall be kept clear and legible for the duration of the development.
Reason: To protect users of the existing bridleway (R8:SOLP2012)



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For: PLANNING AND REGULATION COMMITTEE – 17 JULY 2017

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Construction of a 76 space car park for a period of four years. The car park to be surrounded by weld mesh fence with control gates, and to include surface water drainage into a new petrol interceptor, and lighting. Also the construction of permanent lighting along the school roadway.

Division Affected: Bloxham and Easington

Contact Officer: Kevin Broughton **Tel:** 07979 704458

Location: The Warriner School, Banbury Road, Bloxham, Oxfordshire, OX15 4LJ

Applicant: Oxfordshire County Council

Application No: R3.0033/17 **District ref No:** 17/00873/OCC

District Council Area: Cherwell

Date Received: 28 March 2017

Consultation Period: 24 April – 16 May 2017

Contents:

- Part 1 – Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Recommendation: Approval

• Part 1 – Facts and Background

Location (see site plan Annex 1)

1. The Warriner School is a secondary school on the northern edge of Bloxham, which is a village about 3km south west of Banbury. The application site and the entire school site are not subject to any landscape or other designations.

2. The school site is bounded by housing to the south, the A361 with housing beyond to the west, Bloxham Grove Road and agricultural land to the north, and agricultural land to the east.
3. The site of the proposed car park is within the school site on land that is currently unused and fenced. School playing fields lie to the north and east, and school buildings lie to the west and south.
4. The roadway for which the permanent lighting would be provided runs north south from Bloxham Grove Road to the school site.
5. The nearest property is 78m to the south west.

Details of the Development

6. It is intended that the school is to be the subject of further development including two new teaching blocks. If permitted, this will result in the loss of existing car parking on the school site, and the proposed car park would provide car parking for staff and contractors while that development is taking place.
7. In addition to the proposed development at the school there is also work being carried out to the gas pipes on the site which will require the digging up of parts of the school site where parking currently takes place. This does not need planning permission, but will require alternative car parking to be provided if parking on the surrounding roads is to be avoided.
8. One of the applications, which is for a two classroom extension, is currently being considered by Cherwell District. Warriner school is an Academy and therefore submits its applications to the District Council, but the application before you is to be provided by the County Council, and as this is a development by the County Council it must be considered under Regulation 3 of the Town and Country Planning General Regulations 1992 (Reg 3).
9. The proposed car park would be formed with a reduced excavation of approximately 500mm underlined with an impervious membrane over the total area, with a 400mm sub-base of type 1 stone, finished with a 100mm tarmac base coarse. It would be drained above the impervious membrane to a petrol interceptor. Two parking bays would be allocated for disabled spaces.
10. The car park would be enclosed by a 1.8m high weld mesh fence, with control entrance/exit gates.
11. Temporary lighting would be provided on 6m columns for the car parking area. This would be low energy LED lighting.

12. The permanent lighting on the access road would be on 5m columns. This would also be low energy LED lighting and would replace the existing sodium lighting that is attached to the school buildings. The applicant states that the lighting is required for health and safety reasons because the access road leads to the school farm and children need to be able to cross it safely.
13. On completion of the school construction works the temporary car park site would be returned to its former rough grassland condition.

Part 2 – Other Viewpoints

Representations

14. There have been no third party representations.

Consultations

15. Cherwell District Council - No objections, but make the following comments: once the new building is completed the car park should be removed and re-instated; and concerned about the hours of operation of the lights, particularly the need for them to be on throughout the night.
16. Bloxham Parish Council – Objects on the grounds that there is no justification for the permanent lighting on the access road. If the development is permitted they would like the hours of the lighting controlled and the removal of the car park to be included in the conditions.
17. Sport England – Objected to the application because of the loss of playing fields, but following the submission of further information, including that the land in question is not part of the formal sports pitches, the objection was withdrawn.
18. Transport Development Control - No objection, but have advised that advised that the track be widened to 4.8m to allow two vehicles to pass each other safely, or that passing bays are put in place. They have asked for conditions requiring a Construction Management Plan (CMP) and full details of the access road improvements, which include widening the road or providing passing places.
19. Lead Local Flood Authority - No objection, but raises concerns about the design of the drainage, and in particular the lack of sustainable drainage.
20. County Arboriculture Officer – No objection.
21. County Archaeologist – No objection.
22. County Ecologist – No objection, but would want controls on the hours of the lighting.

Part 3 – Relevant Planning Documents

Relevant planning policies (see Policy Annex to the committee papers)

23. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

24. The relevant Development Plan policies are:

Cherwell Local Plan 2031 (CLP2031) Policies:

PSD1: Presumption in favour of sustainable development.

BSC7: Meeting Education needs.

ESD 2: Energy Hierarchy and Allowable Solutions

ESD 7: Sustainable Drainage Systems (SuDS)

ESD 13: Local Landscape Protection and Enhancement

Saved policies of the Cherwell Local Plan 1996 (CLP1996)

ENV1 Development likely to cause detrimental levels of pollution

25. Other Material Considerations are:

The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions. The CLG letter to the Chief Planning Officers dated 15 August 2011 is also relevant.

• Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

26. The CLG letter to the Chief Planning Officers dated 15th August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system. The policy statement states that:

"The creation and development of state funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations." State funded schools include Academies and free schools as well as local authority maintained schools.

It further states that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools;
- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions; Local Authorities should

make full use of their planning powers to support state-funded schools applications;

- Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
- Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;
- A refusal of any application for a state-funded school or the imposition of conditions, will have to be clearly justified by the Local Planning Authority.

This has been endorsed as part of the National Planning Policy Framework.

27. Policy PSD1 of the CLP2031 sets out the presumption in favour of sustainable development. It requires planning authorities to take a proactive approach to development.
28. Policy BSC7 of the CLP 2031 states that the District Council will work together with other bodies to meet educational needs.
29. These policies in combination with the letter from the Secretary of State are a strong steer that planning permission should be granted for the proposed development unless there are overriding reasons not to.
30. The main issues for this development are the effect on the local amenity and the transport issues relating to the access track.

Effect on the Local Amenity and landscape

31. Policy ESD13 of the CLP 2031 seeks to protect and enhance local landscape, particularly on the edges of settlements such as this site. Policy ENV1 of the CLP 1996 seeks to protect the local environment from pollution, including light pollution.
32. The development of the car park surface would have little effect on the landscape of the area because the development is located within the school grounds and would not be visible outside the school. The fencing around the car park would be 1.8m weldmesh fence. It would again be within the school site and would be alongside an existing barn and other school buildings. The effect would also be restricted to a temporary period of four years.
33. The lighting would be visible outside the site and would have an effect on the landscape and amenity of local residents. It does however sit alongside the site of a permitted MUGA that has similar lighting that has to operate within the hours: Monday-Friday: 9.00am-9.00pm; Weekend : 9.00am-4.00pm. The car park proposal is for the lights to be on at all times which would have an

unacceptable impact on the landscape at the edge of the village. However, I consider that with a condition limiting the lighting to that of the MUGA lighting times the effect would be acceptable. The lighting to the car park would be limited to four years but the lighting on the access road would be permanent.

34. With the conditions discussed above the development would not cause significant harm to the local landscape, nor would it cause unacceptable light pollution to the local environment and so local amenity.

Other Issues

35. Concerns about the access track were raised by the County Council as Highway Authority. Following further information from the applicant some of those concerns have been satisfied. However there is still the concern for users of the access road and the advice of the Highways DC officer is that the access road should be widened, or passing place be provided. The condition requiring details of improvements to the access road to be submitted and approved could be included as part of any planning permission granted, so that measures to allow cars to pass could be provided.
36. The County Highways Officer has also requested a pre-commencement condition of a Construction Management Plan, however the response relates to the site compound which relates to works that do not form part of this application. I do not feel that the imposition of such a pre-commencement condition on this application would be necessary or reasonable, and so it would not fit the tests of a condition.
37. Policy ESD2 seeks to promote reductions in energy use. The proposed lighting on the access road would be low energy LED lighting that would replace higher energy lighting which is poorly located on the existing school buildings.
38. Policy ESD7 of the CLP2031 requires a sustainable drainage scheme to manage surface run off. The Lead Local Flood Authority has raised concerns about the drainage scheme submitted, and so a condition requiring drainage details prior to the development taking place should be attached to any permission given.

Conclusions

39. The proposed development would provide a car park to replace the one that will be lost temporarily while construction is being carried out on the school, should planning permission be forthcoming. With the conditions discussed in this report there would be no long term loss of amenity or any other overriding reasons to refuse the application. The application should therefore be granted permission in accordance with the presumption in favour of sustainable development.

RECOMMENDATION

40. It is **RECOMMENDED** that planning permission for application no. R3.0033/17 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:
- I. Detailed compliance.
 - II. Permission to be implemented within 3 years.
 - III. Prior to commencement of the development, details of improvements to the access road to be submitted and approved. Approved details to be implemented
 - IV. Prior to commencement of the development, drainage details to be submitted and approved. Approved details to be implemented

SUSAN HALLIWELL
Director of Planning and Place

July 2017

European Protected Species

The habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service, which the applicant took advantage of in this case updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. Concerns about the design and massing of the building were put to the applicant ahead of the recommendation for refusal, but no alterations to the building were proposed.

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For: PLANNING AND REGULATION COMMITTEE – 17 JULY 2017

By: Director for Planning and Place

PROGRESS REPORT ON MINERALS AND WASTE SITE MONITORING AND ENFORCEMENT
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Division Affected: All

Contact Officer: Chris Hodgkinson **Tel:** 07899 065518

Recommendation

The report recommends that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 be noted.

Introduction

1. This report updates members on the regular monitoring of minerals and waste planning permissions for the financial year 1 April 2016 to 31 March 2017 and on the progress of enforcement cases for the period 1 November 2016 to 30 June 2017.

Compliance Monitoring Visits

2. County Council officers endeavour to pursue and foster good working relationships with operators following the grant of planning permission. The effective monitoring of sites can avoid problems developing and by acting in a proactive manner we can be a positive educator of good practice. This approach can avoid the necessity to act in a reactive way after problems emerge and can avoid the need for enforcement action. Through our efforts we seek to:
 - I. identify potential problems early and avoid them developing;
 - II. minimise the need to resort to enforcement or other action;
 - III. encourage good practice in the first instance thus reducing the need to apply sanctions against bad practice;
 - IV. review planning decisions and agreements made with the County Council;
 - V. facilitate regular liaison and dialogue between operators, the public/local community representatives and the council officers.

3. All sites with an active planning permission are regularly visited on a formal basis. A written report is produced following a site visit and shared with the site occupant. Where elements of non-compliance with a consent are identified this can result in subsequent compliance with matters that are outstanding or in a planning application being made to regularise unauthorised activities on site.
4. Annex 1 provides a schedule of all the sites we monitor. It includes two columns, one which sets out the target visits for the period. The second column sets out the number of compliance monitoring visits that were carried out.
5. In order to try and achieve good environmental standards countywide, officers have committed to monitoring planning permissions across all of the mineral and waste related sites in Oxfordshire. However, you will see that some sites have a zero target, these are low risk, small scale or dormant sites (such as sewage treatment works) which we record but will only visit every other year.
6. Of all the 114 sites, 47 are within the remit of Government Regulations that allow the council to charge a fee for conditions monitoring, in that they relate directly to the winning and working of mineral permissions or directly to land filling permissions. These 'Chargeable Sites' are shaded grey in Annex 1.
7. The remaining non-chargeable sites include scrap yards, recycling operations, waste transfer stations, sewage works and composting operations.
8. The current charges are £331 for an active site and £110 for a dormant site where activity is not taking place.
9. Officers determine the target number of visits for each site on a "risk assessment" basis for each site drawing on the following points:
 - I. sensitivity of location
 - II. size and type of development
 - III. number and complexity of planning conditions
 - IV. number of issues requiring monitoring input
 - V. the stage and pace of development
 - VI. whether the operator carries ISO 14001 (recognised best practice)
 - VII. breaches of planning control that are or have been observed
 - VIII. complaints received for the site.
10. There is an opportunity for operators to enter into discussions on how the Council has reached its decision for the number of visits scheduled per year. Having set a target for the number of visits per annum, officers keep the frequency of actual visits under review and adjust the frequency particularly taking account of IV, VII and VIII above.

Enforcement

11. Annex 2 to this report sets out alleged breaches of planning control and the progress toward remedying those breaches of substance.
12. All operators are made aware of an allegation of a breach in planning control that has been made against them.
13. Annex 2 includes all cases which are currently being investigated. When a case is closed it will appear on the progress report as 'Case Closed' with a summary of the outcome.
14. A glossary of terms used in Annex 3 is attached. The Senior Planning Enforcement Officer can be contacted for further information in respect of any of these cases if necessary.

Monitoring and Enforcement Service

15. The routine monitoring programme continues to pay dividends by increasing compliance with planning conditions, and in identifying and rectifying matters where conditions are not being complied with on all mineral and waste planning permissions.
16. The service is generally well received by householders, liaison committees, parish and town councils with access to compliance reports providing a basis for discussions with operators on the progress on sites in their locality. It seeks to provide a timely response to local people's concerns and serves to pre-empt issues which are likely to affect the amenities of an area.
17. Officers in the team also provide key support in ensuring that details pursuant to permissions are submitted where these are required by planning conditions before a development starts. They often co-ordinate action between Development Management planners, Highways, Ecology and other County services and the operator. The aim is to ensure pre commencement works are completed in a timely manner and before the main development is started.

RECOMMENDATION

18. **It is RECOMMENDED that the Schedule of Compliance Monitoring Visits in Annex 1 to this report and the Schedule of Enforcement Cases in Annex 2 be noted.**

SUSAN HALLIWELL

Director For Planning And Place
July 2017

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Minerals & Waste Compliance Monitoring Sites in Cherwell District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Alkerton CA & Landfill, Alkerton, Nr. Banbury, Oxon.	Alkerton Landfill	W	Dormant	Full	1	1
	Alkerton CA	W	Active	Nil		
Barford Road Farm, Barford Road, South Newington, Banbury OX15 4JJ		W	Active	Nil	2	2
Bicester Golf Club & Spa, Chesterton, Bicester OX26 1TE	Driving Range Bund	W	Active	Full	2	1
Blackstone Farm, Bicester Road, Blackthorn, Bicester OX25 1HX		W	Active	Nil	1	1
Hornton Grounds, Stratford Road, Hornton, Banbury, OX15 6AH.	Alkerton Quarry	M	Active	Full	2	2
	Hornton Grounds Quarry.	M	Active & Aftercare	Full		
	Wroxton	M	Active	Full		
Ardley Quarry, Ardley, Bicester, Oxon, OX27 7PH.	Ardley Landfill	W	Active & Aftercare (in part)	Full	4	4
	Ardley EfW	W	Active	Nil		
	Ardley Quarry	M	Active	Full		

Minerals & Waste Compliance Monitoring Sites in Cherwell District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Ardley Composting Site, Ashgrove Farm, Upper Heyford Road, Ardley, OX27 7PJ.	In-vessel Composting	W	Active	Nil	1	2
Dewar's Farm, Ardley Road, Middleton Stoney, Oxfordshire, OX25 4AE.			Active	Full	3	2
Horsehay Quarry, Middle Barton Road, Duns Tew, Oxfordshire.			Active	Full	3	2
Ferris Hill Farm, Sibford Road, Hook Norton, Banbury, OX15 5JY.		W	Active	Nil	2	2
Finmere Quarry, Banbury Road, Finmere, Oxfordshire, MK18 4AJ.	Finmere (Landfill)	M & W	Active	Full	3	2
	Widmore	W	Aftercare	Nil		
	MRF	W	Implemented in part	Full		
	Sand & Gravel	M&W	Not Implemented	Full		
Greenhill Farm Quarry, Bletchingdon.		W	Aftercare	Full	1	0

Minerals & Waste Compliance Monitoring Sites in Cherwell District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Heneff Way - Batching, Heneff Way, Banbury, Oxon.		M	Active	Nil	1	1
Heneff Way - Tarmac, Heneff Way, Banbury, Oxon.		M	Active	Nil	1	1
L.C. Hughes Scrap Yard, London Road, Bicester.		W	Active	Nil	1	0
Manor Farm - Biomass Gen, Twyford, Banbury, Oxon, OX17 3JL		W	Active	Nil	1	1
Old Brickworks Farm, Bletchington, Oxon, OX5 3DT.		W	Active	Full	1	2
Overthorpe WTS, Thorpe Road, Overthorpe Industrial Estate, Banbury		W	Active	Nil	3	2
Shipton on Cherwell Quarry, Shipton on Cherwell, Oxfordshire.		W	Active	Full	4	2

Minerals & Waste Compliance Monitoring Sites in Cherwell District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Smiths of Bloxham - WTS. Milton Road, Bloxham, Banbury, OX15 4HD.		W	Active	Nil	2	1
Stratton Audley, Elm Farm Quarry, Stratton Audley.	Landfill	W	Dormant	Low	1	1
	Recycling	W	Dormant	Nil		

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Ambrose Quarry, Ewelme, Oxon.		M	Dormant	Low	1	2
Battle Farm, Crowmarsh, Oxon, OX10 6SL.		W	Active	Nil	2	1
Berinsfield Car Breakers		W	Active	Nil	1	1
Caversham, Sonning Eye, Reading.	Caversham Main	M	In restoration	Full	3	2
	Caversham Triangle	M	In restoration	Full		
	Caversham Extension	M	Active	Full		
Chinnor Quarry.		M	Active	Full	1	1
Culham UKAEA	J30 JET	W	Active	Nil	0	0
Ewelme	Ewelme I (Buildings)	W	Active	Nil	3	2
	Ewelme I WTS	W	Active	Nil		
	Ewelme II MRF	W	Active	Nil		
	Ewelme II Landfill	W	Active	Full		
Eyres Lane Waste Transfer Site, Ewelme.		W	Active	Nil	1	0

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Greenwoods of Garsington, Scrap Yard, Pettiwell, Garsington, Oxford.		W	Active	Nil	1	2
Main Motors		W	Active	Nil	1	1
Hundridge Farm, Waste Transfer, Hundridge Farm, Ipsden, Oxon		W	Active	Nil	1	1
Menlo Industrial Park - Scrap Yard, Roycote Lane, Thame, Oxfordshire, OX9 2JB.		W	Active	Nil	1	1
Moorend Lane, Thame		M & W	Active	Full	3	3
Oakley Wood, Old Icknield Way, Crowmarsh		W	Aftercare	Nil	1	1
Playhatch Quarry - WTS, Dunsden Green Lane, Playhatch, Caversham, Reading.		W	Active	Nil	2	2
Sewage Pumping Station Beckley	Thames Water Sewage Plant	W	Aftercare	Nil	1	0

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Wellbarn Farm, Moulsford, OXON.		W	Aftercare	Full	1	0
Woodeaton Quarry, Woodeaton, OXON.		M	Active	Low	3	2

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Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Aasvogel, Waste Transfer Station, Grove Business Park, Grove.		W	Active	Nil	1	1
Bowling Green Farm, Stanford Road, Faringdon, Oxon, SN7 8EZ.		M	Active	Full	3	2
Childrey Quarry, Childrey, Wantage, Oxon.		W	Active	Full	1	1
Prospect Farm, Chilton, Didcot, Oxfordshire, OX11 0ST.		W	Active	Full	2	2
Drayton CA Site, Drayton, Oxon.		W	Active	Nil	1	1
Composting Facility, Church Lane, Coleshill, Swindon, SN6 7PR.		W	Active	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Glebe Farm Composting, Glebe Farm, Hinton Waldrist, Oxfordshire.		W	Active	Nil	1	2
Haynes of Challow, East Challow, Wantage, Oxon, OX12 9TB.		W	Active	Nil	1	0
Hatford Quarry, Sandy Lane, Hatford, Oxon, SN7 8JH.		M	Active	Full	4	3
Hill Farm - Woodchipping, Nr Didcot, Oxfordshire.		W	Active	Nil	2	2
Quelchs Orchard, Scrap Yard, Charlton, Wantage.		W	Active	Nil	1	0
Redbridge CA, Old Abingdon Road, Oxford.		W	Active	Nil	1	0
Radley Sand and Gravel Plant, Thrupp Lane, Radley.	Curtis Yard & Tuckwell's Plant	M & W	Dormant	Nil	1	0

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Harwell, UKAE, Harwell, Didcot, OX11 0RA.					0	3
	Business Park		Active	Nil		
	Catapult Pit		Active	Nil		
	Southern Storage		Active	Nil		
	Waste Management Complex (B462)	W	Active	Nil		
	Western Storage		Active	Nil		
Radley Ash Disposal Scheme	Lake E	W	Not Implemented	Nil	1	1
	Phase I	W	Aftercare	Full		
	Phase II	W	Aftercare	Full		
	ROMP area	M	ROMP	Full		
Sandhill Quarry, Sands Hill, Faringdon, Oxon, SN7 7PQ.		M	Dormant	Low	1	1
Shellingford Quarry, Shellingford Crossroads, Stanford In The Vale, Faringdon, Oxon, SN7 8HE.		W	Active	Full	4	3

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Stanford in the Vale Waste Disposal and Civic Amenity Site		W	Active	Nil	1	1
Sutton Courtenay (Hanson), Appleford Sidings, Abingdon, Oxfordshire, OX14 4PW.	Batching Plant	W	Active	Nil	4	3
	Bridge Farm	W	Active	Full		
	Rail Head	W	Active	Nil		
	Tarmac plant	W	Active	Nil		
Sutton Courtenay (FCC), Appleford Sidings, Abingdon, Oxfordshire, OX14 4PW.	Composting	W	Active	Nil	4	2
	Landfill	W	Active	Full		
Sutton Wick Landfill, Bassett Lane, Oday Hill, Abingdon.		W	In Restoration	Full	1	1
Sutton Wick Sand and Gravel, Peep-O-Day Lane, Abingdon, Oxon.	Sutton Wick Gravel	M	In Rectoration	Full	4	5
	Sutton Wick Plant	M	Active	Nil		
	Lake J	M	Aftercare	Full		

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Swannybrook Farm, Kingston Bagpuize		W	Active	Nil	1	0
Tubney Woods Sand Quarry and Landfill Site, Besselsleigh, Oxfordshire.		M	Restoration	Full	1	2
Upwood Park Sand Quarry and Landfill Site, Besselsleigh, Oxfordshire.		M	Active	Full	3	3
Whitecross Metals, Whitecross, Abingdon, Oxon.		W	Active	Nil	1	0
Wicklesham Quarry, Faringdon, Oxfordshire.		M	Active	Full	3	4

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Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
B & E Skips, 115 Brize Norton Road, Minster Lovell, Oxon, OX29 0SQ.	Minster Lovell	W	Active	Nil	1	2
Burford Quarry, Burford Road, Brize Norton, Oxfordshire.	Quarrying	M	Active	Full	3	3
	Manufacturing					
Castle Barn Quarry, Sarsden		M	Active	Full	2	1
City Farm, Eynsham.	City Farm I	W	Aftercare	Full	1	3
	New Wintle Farm	W	Active	Nil		
	City Farm II	W	Aftercare	Nil		
Controlled Reclamation, Dix Pit, Stanton Harcourt, Oxon.		W	Active	Full	3	4
Sheehan Recycled Aggregates, Dix Pit, Stanton Harcourt, Oxon.	Wash Plant	W	Active	Nil	2	2
Cornbury Park, (Quarrying) Charlbury, Oxon.		M	Active	Full	1	1

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Crawley Scrap Yard		W	Active	Nil	1	1
Deans Pit CA Site, Chadlington.		W	Closed	Nil	1	1
Dix Pit, Stanton Harcourt, Oxon.	Conblock	W	Dormant	Nil	3	2
	Dix Pit CA	W	Active	Nil		
	Dix Pit Landfill Site	W	Active	Full		
	North Shore	M	Complete	Full		
	Premix - Hanson	M		Nil		
Duns Tew Quarry		M	Active	Full	3	2
Elmwood Farm, Burford Road, Black Bourton, Oxon, OX18 2PL		W	No longer receiving waste	Nil	1	0
Enstone Airfield Waste Transfer. Unit 1, Enstone Airfield, Enstone, Oxon.	Waste Transfer (Unit 1)	W	Active	Nil	1	2
	Sound Attenuation Bunds	W	Active	Full		
Ethos Waste Transfer Lakeside Industrial Estate, Standlake, Oxon		W	Dormant	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Fraser Evans & Sons, Worsham Quarry, Minster Lovell, Oxon.	Tyre Recycling	W	Active	Nil	1	3
	Landfill	W	Aftercare	Full		
Gill Mill, Tar Farm, Gill Mill Complex, Ducklington, Oxfordshire.	Rushey Common	M	Aftercare	Full	4	4
	Gill Mill Quarry	M	Active	Full		
Great Tew Quarry, Butchers Hill, Great Tew, Oxon.		M	Active	Full	6	3
Hardwick Batching Plant, Adj. B4449, Hardwick, Oxon.	CEMEX	M	Active	Nil	1	1
Hardwick Recycling, Adj. B4449, Hardwick, Oxon.	Fergal Yard	W	Active	Nil	1	1
Hickman Bros Landscapes, Burford		W	Active	Nil	1	0
Alder & Allen, Lakeside Industrial Estate, Standlake		W	Active	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
Tel: 07899 065518

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Manor Farm - Waste Transfer, Kelmscott, GL7 3HJ.		W	Active	Nil	1	1
May Gurney, Downs Road WTS, Witney, Oxon.		W	Active	Nil	2	2
Mick's Skips (Hackett's Yard), Lakeside Industrial Estate, Standlake, Oxon.		W	Active	Nil	1	0
Sandfields Farm, Over Norton, Oxfordshire.		W	Active	Nil	1	1
Rollright Quarry, Chipping Norton.	Phase 1	M	Active	Full	2	2
	Phase 2	M	Active	Full		
Showell Farm, Chipping Norton, Oxon OX7 5TH.		W	Active	Nil	1	2
Slope Hill Quarry, Glympton.		W	Active	Nil	2	1
Old Railway Halt, Grt Rollright		W	Active	Nil	1	0
Old Quarry, Hatching Lane, Leafield		W	Active	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.
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Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/16 to 31/03/17.	Visits completed for the period 01/04/16 to 31/03/17.
Hardwick IDO		M	ROMP	Low	0	0
Steve Claridge Motor Salvage, Carterton		W	Active	Nil	1	0
Sturt Farm, Units 2A, 4 Sturt Farm Ind, Burford.		W	Active	Nil	1	1
Watkins Farm, Linch Hill, Stanton Harcourt, OXON. OX29 5BJ.	ROMP area	M	Aftercare	Full	1	3
	Stonehenge Farm	M	Dormant – Small Scale Start	Full		
	Ireland Land	M	Dormant	Full		
Whitehill Quarry, Adj. A40, Burford, OXON.		M	Active	Low	1	1
Whitehill Quarry, Tackley, OXON.		M	Dormant	Low	1	0
Worton Rectory Farm, Cassington, OXON. OX29 4SU.	Cassington Quarry	M	Active	Full	4	6
	Worton Composting	W	Active	Nil		
	M&M WTS	W	Active	Nil		

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Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
South Oxfordshire District Council		
Grundons Ewelme #1	Unauthorised development of Welfare Facilities in HGV car-parking area.	Routine compliance monitoring established that a 'porta-cabin' type welfare building was being developed adjacent to the Hazardous Waste Transfer Station outside of the consented area and without planning permission. Operator invited to submit retrospective planning permission. A planning permission was granted in February 2017 to extend and improve the existing office and welfare building on site. The porta-cabin welfare building is retained on site whilst the new facilities are being built. Continue with watching brief.
Land adj. Sewage Works, Chilton Hampden	Unauthorised deposit of waste	Large amount of waste soils; construction and demolition waste and wood deposited on hardstanding adjacent to the Culham Science Park. Planning Contravention Notice (PCN) has been served. Enforcement proceedings continuing.
Former Chinnor Cement Works, Hill Road, Chinnor, Oxfordshire,	Breach of Planning Conditions - Failure to restore the site to plan.	Condition 5 of planning permission no. P14/S3925/CM requires the site to be restored in an orderly manner to a condition capable of beneficial afteruse and in the interests of the amenity of local residents by 31st March 2016. Works had not been completed to a satisfactory standard and there were no proposals to complete restoration. A Breach of Condition Notice (BCN) was served in November 2016 requiring the land to be restored by 31 st May 2017. Good progress has been made in completing the required works however some residual wastes are still to be removed and information boards are still to be installed. The operator is now working with OCC to properly restore the site. Continue with watching brief
Land on the north side of Oxford Road, Tetsworth, Thame, Oxon OX9 7AT	Unauthorised deposit of waste	Large amount of chalk type waste material tipped in field. PCN was served on 2nd November 2016. The origins of the material could not be established and the owner asserts that it is necessary for the permitted development on site. The material was incorporated into the land and in accordance with a planning permission for a ménage granted by SODC. Various lorry containers and building materials remain on site which gives the site an 'industrial' appearance. However, this is not associated with a waste operation and has been referred to SODC. Case closed.

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

	Alleged Breach of Planning Control	Progress
South Oxfordshire District Council (Continued)		
Priors Wood, Christmas Common, Watlington	Unauthorised deposit of waste	An allegation that green wastes were being deposited in woodland by householder or in association with business practice. Investigation established that whilst some material was being stored on private land it did not amount to a material change of use in the land. No breach of planning control. Case closed.
Lower Icknield Way, Chinnor.	Unauthorised deposit of waste	An amount of waste soils arising from the implementation of a housing development are being stored in an adjacent paddock under the control of the owner/developer. The soils are to be used in the completion of permitted landscaping works and the owner has requested an extended period of time to allow for the housing development to be completed. Continue with watching brief.

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer. Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
Vale of White Horse District Council		
Sutton Courtenay Quarry	Unauthorised deposit of recycled asphalt in the aggregate storage/processing area.	Compliance monitoring has identified a continuing breach of planning control. A retrospective planning application has been submitted (MW.0005/16). Enforcement proceedings are held in abeyance pending planning decision. Maintain watching brief.
CAMAS Land, Peep-o-day Lane, Drayton	Unauthorised winning and working of mineral	Planning permission was issued in March 2016 for the progressive extraction of sand & gravel from the land. In May 2016 it was established that works had commenced on the land without the necessary approval of various detailed pursuant planning conditions and working outside the permitted extraction area (within a 100 metres buffer zone to the nearest property and closer to the northern Oday Hill Ditch than the required 16 metre standoff). An Enforcement Notice and associated Stop Notice were served in June 2016 requiring works to cease and the land returned to its previous state. Works on the site stopped and the operators entered into negotiations to remedy the breach by means of s.73 planning application and a s.106 agreement to mitigate for ecological damage caused by the early start. Some works to mitigate the unauthorised development have been carried out including re-instatement of buffer zones. Unfortunately, the EN was subsequently withdrawn because an incorrect date was given in the text of the notice and less than 28 days were given from the service of the notice and the effective date. It was not considered expedient to re-serve the EN whilst progress was being made in finding a negotiated solution to remedy the breach of planning control. Retrospective planning permission (MW.0139/16) was granted in February 2017 to remedy the breach and the site is now operating in accordance with the conditions of the new planning permission. Case Closed.
Wicklesham Quarry, Sandhill, Faringdon, Oxon, SN7 7PQ	Breach of Planning Conditions - Failure to restore the site to plan.	Condition 3 of planning permission no. P15/V2384/CM (MW.0134/15) requires that the site shall be completely restored by 30 September 2016 in accordance with the approved restoration scheme. Whilst soils had been imported to the land, the works to restore the quarry were not being progressed. A BCN was served requiring that the restoration works be completed by 30 June 2017. Considerable progress has been made in the restoration of the site and officers are to visit the site to assess whether the works have now been completed as required.

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
Vale of White Horse District Council (Continued)		
Land adj to A417, opposite Goosey Lane, Challow	Unauthorised deposit of waste	Construction and demolition wastes deposited in field and incorporated to create a yard area as per permitted development rights. However, approx. 30 cubic metres remains piled adjacent to the highway hedge and represents a breach of planning control. Negotiations have stalled and waste remains in situ. PCN required before considering expediency of more formal enforcement proceedings.
The Gables Abington Road Steventon	Unauthorised deposit of waste	Miller Homes developments have completed housing developments in both Drayton and Steventon. An amount of soils have been transferred from the Drayton site to the Steventon site to raise levels in landscaping and flood prevention works. Whilst the soils are a clean usable material they are technically a waste required to be discarded and the incorporation to land at Steventon would require a planning permission from OCC. Negotiations are continuing.
Oak Tree Farm, Hanney Road, Steventon.	Unauthorised deposit of waste	Large amount of construction and demolition wastes deposited in field. Preliminary investigations continuing.

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
West Oxfordshire District Council		
Great Tew Ironstone Quarry, Butchers Hill, Great Tew, Oxfordshire	Unauthorised winning and working of mineral.	Planning & Regulation Committee resolved to grant a conditional planning permission for the 'extension of ironstone extraction, revocation of existing consented mineral extraction, export of clay, construction of temporary and permanent landforms, retention of an existing overburden store, relocation of consented stone saw shed, replacement quarry, farm and estate office building, erection of a new shoot store and multi-purpose building' on 23rd May 2016 - planning application No: MW.0078/15. During a routine compliance monitoring visit to the site in September 2016 it was apparent that soils had been stripped and clay extracted from part of the site. The resolution to grant of planning permission was subject to a Section 106 legal agreement and so it had not been issued due to the necessary legal negotiations and so the early start of development was without planning permission and a breach of planning control. A temporary stop notice (TSN) was served on 19 th September 2016 to bring the unauthorised development to a halt. The TSN was followed by an EN to remedy the breach of planning control, which was formally served on 7 th November 2016. Planning permission was granted on 1 st February 2017 to remedy the breach of planning control and the EN withdrawn. Case closed.
Fergals Yard, Adj. to B4449, Hardwick	Unauthorised waste transfer.	Skip and plant storage on the site had extended beyond the main complex and rendered the operator liable to enforcement action. The operator has taken action to remove the skips and block access to the extended area. Case Closed.

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
Cherwell District Council		
<p>Ferris Hill Farm Barford Road Hook Norton Oxfordshire OX15 5JY</p>	<p>Unauthorised picking station plant fixed to the land.</p>	<p>Site monitoring visit in July 2016 established that a waste transfer picking station has been erected on the land but not in accordance with the most recent planning permission - 15/01829/CM (MW.0132/15). The operator has advised that this is a temporary arrangement whilst the ground works to implement the approved planning permission are completed. Maintain a watching brief.</p>
<p>Barford Road Farm, Barford Road, South Newington, Oxfordshire, OX15 4JJ</p>	<p>Breach of Planning Conditions – Condition 9 requires that Highway Works are to be completed.</p>	<p>Conditional planning permission was granted in July 2016 for the change of use of agricultural barns to allow the import of waste topsoil to include storage and screening for a topsoil business. Condition 9 required that certain highway works be completed. The obligation of this condition is in two parts. Firstly, that the barn extension shall not take place until the highway works at the existing site entrance have taken place in accordance with a Section 278 of the Highways Act 1980 agreement (s.278 agreement). The second requirement of Condition 9 is that; should the works not be carried out in accordance with the s.278 agreement within six months of the date of the planning permission, the use of the access shall cease until such time as the works have been completed as approved. There have been a number of delays in securing a financial bond necessary for the competition of the s.278 agreement with the County Council before the necessary works to the highway can be carried out. It is now apparent that the delays are attributable to the operators own action and as such a breach of Condition 9 has occurred. A Breach of Condition Notice (BCN) is recommended formally requiring the access works to be completed within 3 months. Enforcement proceedings continuing.</p>

Progress of Enforcement Cases**(Covers period from 1st November 2016 to 30th June 2017)****Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Mobile Tel: 07899 065518**

Location	Alleged Breach of Planning Control	Progress
Cherwell District Council (Continued)		
Stratton Audley Quarry.	Unauthorised deposit of waste and on-going breach of planning conditions – failure to restore.	The site was required to be restored by 31st December 2008. OCC has ten years from that date in which to bring enforcement proceedings for the on-going breach of planning control and a PCN is required before proceeding to more formal enforcement proceedings.
Langford Park Farm, London Road, Bicester	Unauthorised deposit of waste	Large deposit of soil and subsoil being deposited in field. The deposit is spoil from housing development in Bicester. Owner acknowledged breach of planning control and advised temporary storage. An amount of material has been removed. However, breach is continuing. An EN is recommended formally requiring that the material is removed. Enforcement proceedings continuing.
Belle Isle Farm, Sibford Road, Hook Norton	Unauthorised deposit of waste	The owner of the land had soil stripped and commenced work on surcharging an old Banbury Rural District Council refuse tip by importing waste soils from a neighbouring farm (and waste operator). A PCN was served in February 2016. Work on site has ceased and the owner has entered into pre-application discussions with a view to a retrospective planning application. Enforcement proceedings are held in abeyance pending the completion of the planning application process. Maintaining a watching brief.
Bicester Golf Club and Spa, Chesterton	Breach of Conditions – Condition 2 works to be completed and site restored by 31 st August 2014.	In September 2013 planning permission was granted for the formation of a 3m high bund using surplus soils excavated from the creation of a new lake and from the retention of previously imported waste to the land. Whilst works have ceased the land has not been properly restored. The works to the lake did not produce sufficient material to complete the bund as intended and the owner has been invited to submit a planning application to revise the restoration scheme. The site remains unrestored. A Breach of Condition Notice (BCN) is recommended formally requiring the site to be restored within 3 months. Enforcement proceedings continuing.

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Planning Enforcement - Glossary of Terms

Awaiting DP	-	Details pursuant to a planning condition must be approved by OCC prior to commencement of development.
BCN	-	Breach of Condition Notice – A summary procedure for the enforcement of planning conditions. Where there has been a failure to comply with a condition attached to a current planning permission the Local Planning Authority may serve such a notice.
CDC	-	Cherwell District Council
CLEUD	-	Certificate of lawful use / development. A procedure to allow a person to ascertain whether; (a) the existing use of land or buildings is lawful; (b) any operations carried out in, on, over or under land are lawful; or (c) any other matter constituting a failure to comply with a condition of a planning permission is lawful.
COU	-	Change of Use
EA	-	Environment Agency
EN	-	Enforcement Notice
Expediency	-	A judgment of the merits of an activity against planning policy.
LBA	-	Letter before action - a formal letter which sets out the alleged breach in planning control and suggested remedy.
OCC	-	Oxfordshire County Council
PCN	-	Planning Contravention Notice – A formal notice requiring a recipient to provide information about development on land so far as they are able.
Pd	-	permitted development
Pp	-	planning permission
SODC	-	South Oxfordshire District Council
VoWH	-	Vale of White Horse District Council
WODC	-	West Oxfordshire District Council

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PLANNING & REGULATION COMMITTEE – 17 JULY 2017

POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)

Oxfordshire Minerals and Waste Local Plan 1996 – Saved Policies (OMWLP):

POLICY PE11: RIGHTS OF WAY AND PUBLIC ACCESS

The rights of way network should be maintained and individual rights of way retained in situ. Diversions should be temporary, safe and convenient and should be reinstated as soon as possible. Any proposal for permanent diversion should fulfil the functions of recreational and communications use of the right of way. Improvements to the rights of way network will be encouraged.

Oxfordshire Minerals and Waste Core Strategy (proposed modifications February 2017)

POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
 - human health and safety;
 - residential amenity and other sensitive receptors; and
 - the local economy;
- including from:
- noise;
 - dust;
 - visual intrusion;
 - light pollution;
 - traffic;
 - air quality;
 - odour;
 - vermin;
 - birds;
 - litter;
 - mud on the road;
 - vibration;
 - surface or ground contamination;
 - tip and quarry-slope stability;
 - differential settlement of quarry backfill;
 - subsidence; and
 - the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other

sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

POLICY C10: TRANSPORT

Minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain and, if possible, lead to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network; and
- residential and environmental amenity, including air quality.

Where development leads to a need for improvement to the transport network to achieve this, developers will be expected to provide such improvement or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

Proposals for minerals and waste development that would generate significant amounts of traffic will be expected to be supported by a transport assessment or transport statement, as appropriate, including mitigation measures where applicable.

POLICY C11: RIGHTS OF WAY

The integrity and amenity value of the rights of way network shall be maintained and if possible it shall be retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. If permanent diversions are required, these should seek to enhance and improve the public rights of way network.

Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration and aftercare scheme.

South Oxfordshire Local Plan 2011 (saved policies)

POLICY EP1: PREVENTION OF POLLUTING EMISSIONS

Proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented. In addition, development will not be permitted near to an existing or proposed polluting use, unless effective mitigation measures will be implemented to ensure that there would be no adverse effect on the health and amenity of future occupiers.

POLICY EP2: NOISE AND VIBRATIONS

Proposals which would by reason of noise or vibrations have an adverse effect on existing or proposed occupiers will not be permitted, unless effective mitigation measures will be implemented. In addition, noise sensitive development will not be permitted close to existing or proposed sources of significant noise or vibrations.

POLICY R8: PUBLIC RIGHTS-OF-WAY

The retention and protection of the existing public rights-of-way network will be sought and where appropriate proposals to improve it will be supported.

POLICY T1: TRANSPORT REQUIREMENTS FOR NEW DEVELOPMENTS

Proposals for all types of development will, where appropriate:

- (i) provide for a safe and convenient access to the highway network;
- (ii) provide safe and convenient routes for cyclists and pedestrians;
- (iii) be accessible by public transport and have a safe walking route to nearby bus stops or new bus stops and appropriate infrastructure should be provided;
- (iv) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;
- (v) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, be constructed to adoptable standards and be completed as soon as they are required to serve the development; and
- (vi) make adequate provision for those whose mobility is impaired.

POLICY T10: LORRIES ON UNSUITABLE ROADS

Development which would significantly increase the number of lorries on unsuitable roads or where there would be serious and adverse effects on the environmental quality of the rural areas, towns and villages within the district will not be permitted.

South Oxfordshire Core Strategy 2012

POLICY CSM1: TRANSPORT

The Council will work with Oxfordshire County Council and others to:

- (i) in partnership with the Vale of White Horse District Council, actively seek to deliver the transport infrastructure and measures which improve movement in Didcot and within the Didcot/Wantage and Grove corridor, in particular linking Didcot with the major employment sites at Harwell and Milton Park as identified in the County Council's LTP3 SVUK area Strategy and Southern Central Oxfordshire Transport Study;
- (ii) actively seek to ensure that the impact of new development on the strategic and local road network, in particular the Milton, Chilton and Marcham junctions of the A34 and the road links and junctions identified in the Council's Evaluation of Transport Impact and County Council's Southern Central Oxfordshire Transport Study is adequately mitigated (see Policy CSM2);
- (iii) support improvements for accessing Oxford;
- (iv) work with the authorities affected by cross Thames travel in the Reading area to ensure that traffic and environmental conditions in South Oxfordshire are improved by the implementation of measures which also improve access to Reading;
- (v) support measures which enable modal shift to public transport, cycling and walking particularly where these support the network of settlements in the district;
- (vi) promote and support traffic management measures and environmental improvements which increase safety, improve air quality, encourage the use of sustainable modes of transport and/or make our towns and villages more attractive;
- (vii) adopt a comprehensive approach to car parking aimed at improving the attraction of our town and village centres;
- (viii) encourage the use of sustainable modes of transport;
- (ix) promote electronic communications allowing businesses to operate throughout the district and to provide services and information which reduce the need to travel and encourage sustainable modes of transport; and
- (x) cater for the needs of all users.

Thame Neighbourhood Plan

POLICY ESDQ24: PEDESTRIAN AND CYCLE ROUTES MUST LINK TOGETHER POTENTIAL DESTINATIONS, SUCH AS NEW HOUSING AND THE TOWN CENTRE

Routes must follow desire lines and clearly link potential destinations. Routes must keep road crossings and changes in level to a minimum. Road crossings must form a natural part of the route, avoiding detours that make the crossing inconvenient for users.

Cherwell Local Plan 2011

POLICY ENV1: POLLUTION CONTROL

Development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

Cherwell Local Plan 2031

POLICY PSD 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

POLICY BSC 7: MEETING EDUCATION NEEDS

The Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New schools buildings should be located in sustainable locations. The co-location of other services and facilities with schools should be considered to create community hubs.

POLICY ESD 2: ENERGY HIERARCHY AND ALLOWABLE SOLUTIONS

In seeking to achieve carbon emissions reductions, we will promote an 'energy hierarchy' as follows:

- Reducing energy use, in particular by the use of sustainable design and construction measures
- Supplying energy efficiently and giving priority to decentralised energy supply
- Making use of renewable energy
- Making use of allowable solutions.

POLICY ESD 7: SUSTAINABLE DRAINAGE SYSTEMS (SuDS)

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

POLICY ESD 13: LOCAL LANDSCAPE PROTECTION AND ENHANCEMENT

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

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