

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 16 January 2012 commencing at 2.00 pm and finishing at 3.20 pm.

Present:

Voting Members:

Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)

Councillor Tony Crabbe

Councillor Mrs Anda Fitzgerald-O'Connor

Councillor Jenny Hannaby

Councillor Ray Jelf

Councillor David Nimmo-Smith

Councillor Neil Owen

Councillor John Sanders

Councillor Don Seale

Councillor John Tanner

Councillor Jean Fooks (In place of Councillor Alan Armitage)

Councillor Patrick Greene (In place of Councillor Peter Jones)

Councillor Lawrie Stratford (In place of Councillor G.A. Reynolds)

Other Members in Attendance:

Councillor Stewart Lilly (for Agenda Item 6)

Officers:

Whole of meeting

G. Warrington and J. Crouch (Law & Governance)

J. Hamilton (Environment & Economy)

Part of meeting

Agenda Item

Officer Attending

6.

J. Duncalfe (Environment & Economy)

7.

N. Woodcock (Environment & Economy)

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

1/12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

The Committee stood in silent tribute in memory of Councillor Roger Belson.

The Committee also wished Councillor Peter Jones a speedy recovery following his recent illness.

The following apologies for absence and temporary appointments were received:

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Alan Armitage	Councillor Jean Fooks
Councillor Peter Jones	Councillor Patrick Greene
Councillor George Reynolds	Councillor Lawrie Stratford

2/12 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Nature of Interest
Councillor Fulljames	Item 3 – Minutes 41/11 and 50/11 – Energy from Waste application, Ardley.	Personal. In the event that the legal process in respect of the application was discussed.
Mrs	Item 7 – Frank Wise school – Application No R3.0144/11.	Personal. Member of Cherwell District Council Planning Committee. She advised that she had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting on that item.

3/12 MINUTES

(Agenda No. 3)

The Minutes of the meeting held on 5 December 2011 were approved and signed by the Chairman

4/12 CHAIRMAN'S UPDATES

(Agenda No. 4)

Waterstock

Mr Hamilton advised that at the hearing in the High Court on 19 December the Wyatt Brothers had been allowed further time until 27 January 2012 to prepare an adequate specification for the removal of waste.

Energy from Waste, Ardley

Mr Hamilton advised that the Liaison Committee had held its inaugural meeting on 10 January 2012. Membership had been extended to include Bucknell Parish Council and Cherwell District Council but proposals to further extend representation to some of the other 19 parishes also affected had been resisted. However, those parish councils would be sent minutes of future meetings and given the opportunity to raise issues if necessary. Representatives of statutory undertakers could also be invited to address specific issues.

Councillor Mrs Fulljames thanked officers for their work in establishing the Liaison Committee.

Ashgrove Farm, Ardley

Mr Hamilton advised that the odour management plan was still with the Environment Agency for agreement. The Agency were monitoring the site and Agrivert were already working to a number of principles set out in the plan, which included a reduction in the size of windrows and levels of waste of 25% and a general improvement in working and management practices.

5/12 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 5)

Speaker	Item
David Hignell (Sutton Courtenay Parish Council))
Dee McDonald (Hansons UK))6. Application No.11/02440/CM
County Councillor Stewart Lilly)

6/12 TO CRUSH, SCREEN, BLEND AND STOCK REJECT BUILDING BLOCKS, FURNACE BOTTOM ASH AND REJECT MATERIALS FROM CONCRETE MAKING TO MAKE MATERIAL FOR BLOCK MAKING AT HANSON'S UK, SUTTON COURTENAY - APPLICATION NO. 11/02440/CM

(Agenda No. 6)

The Committee considered (PN6) an application to import reject building blocks and to crush, screen and blend that material with other locally available materials to produce recycled material for block making for export.

Mr Hignell referred to the general concern felt by residents in Sutton Courtenay, which primarily revolved around the laissez faire attitude of the 2 main operators on the landfill site and the general perception locally that due to the character and appearance of the site there seemed to be little support from the regulatory authorities. The cumulative effect of many individual applications now gave the appearance of an industrial and commercial waste land, which conflicted with the provisions of the Vale of White Horse District Council's Adopted Local Plan. Noise, dust, light and odour pollution and infestation of flies from the site continually affected the quality of life and had, over time, gradually eroded local amenities. The parish council acknowledged that not all of these problems were caused by this particular operation and that the application needed to be considered on its merits and against development plan policies. However, the cumulative impact of successive developments should be a material consideration and at very least have warranted an environmental impact analysis. There were questions over the sustainability of the application regarding traffic/vehicle generation, particularly as material was not sourced locally, the amount of material to be stockpiled when crushing would only take place for 6 weeks of the year and its potential effect on surface water drainage. The proposals could also affect the Millennium Common area and local footpath network. The parish council felt that enough was enough and were asking the county council to seriously consider their objection and the further imposition which would be placed on the local community.

Responding to Councillor Crabbe he advised that the concern of the parish council revolved around the cumulative effect of developments and not the retrospective nature of the application itself.

Dee McDonald advised that the site was in the right location and appropriate for this type of operation. It was a designated aggregate stock piling area well screened and some distance from existing settlements. It had good access to the local road network and the company were willing to continue operating within the provisions of the current routeing agreement, which would help protect local communities from traffic. The operation contributed to the local economy realising a £5,500 business rate and if permission was granted the company would make a contribution to the Science Vale UK Strategic Schemes. The proposal also realised the need to divert waste from landfill and by securing production of secondary and recycled aggregate on a site, which was part of an existing mineral extraction and landfill site and close to the market for the recycled material, it conformed with policies W3 and W4 of the Minerals and Waste Local Plan. As far as she was aware there had been no complaints raised at the Millennium Common steering group as a result of this operation and the company were confident that that would continue, particularly as

the crushing operation would only take place for 6 weeks in any one year. She urged the Committee to approve the application by having regard to the responses from statutory consultees, none of whom had objected.

She responded to questions from:

Councillor Tanner – material would be stored in an existing storage area. With regard to the retrospective nature of the application the Company had thought that permission had been given but as soon as it had been realised that that was not the case had immediately sought to regularise the situation.

Councillor Sanders – sites at Thatcham and Coleshill did not have the necessary capacity for this operation.

Councillor Fooks – the 6 week crushing block would not be undertaken in one period but spread over the year. However, when in operation the crusher would be on site for at least a week at a time. It was also dependent on weather conditions.

Councillor Crabbe – the operation had been going for at least 2/3 years.

Councillor Lilly speaking as local member confirmed that he had received no comments from Appleford parish but was aware of the feeling within Sutton Courtenay regarding the cumulative effect of permissions. He chaired the local liaison committee and although there had been a few occasions where conditions on the Sutton Courtenay site as a whole had not been complied with he felt the situation generally was improving. In this case the applicants having realised they were operating without permission had immediately applied for permission and although there had been some anxiety regarding extra vehicle movements he had no concerns with this particular operation. However, restoration was particularly important as was protection of storm water drainage and conditions generally needed to be vigorously enforced, particularly those relating to noise, routing and suppression of dust and he suggested a maximum noise level be set for vehicles operating on site and a specific height limit applied to stockpiles. These measures could help allay local concerns and he assured the Committee and the parish council that the liaison committee would do its bit to help police the operation.

Responding to a question from Councillor Greene he agreed that specific noise level limits would be preferable and would be more than happy to see a larger contribution from the applicants to the Science Vale UK Strategic Schemes.

Mr Duncalfe advised that the level of contribution to the strategic schemes fund had been worked out to a specific formula and could not therefore be arbitrarily increased. However, officers could discuss with the applicants the possibility of a larger contribution. He reminded the Committee that neither the Vale of White Horse District Council or Sutton Courtenay Parish Council had objected to the application on the grounds of noise but a specific figure of 55 dba LAeq could be applied to Condition 11 and a specific height for the stockpiles of say 5 metres to Condition 10. He confirmed that the 16 additional movements were to be added to the current operation but was unable to confirm if it was possible to transport material from other sites by rail.

Councillor Hannaby understood the concerns of the parish council. However the site was well established and welcoming the opportunity that the application presented to divert waste building material from landfill she moved and Councillor Greene seconded that the officer recommendation be approved subject to amending Condition 10 to include a 5 metre height limit for stockpiles of material, Condition 11 to include a maximum noise level of 55dbaLAeq for vehicles operating within the site and an additional condition securing a surface water drainage scheme to protect the adjacent stream from pollution. The motion was put to the Committee and -

RESOLVED: (by 13 votes to 1) that subject to compliance with the current site routing agreement and a contribution of £7,804.84 (index linked) to Science Vale UK Strategic Schemes that planning permission be granted subject to conditions to be drawn up by the Deputy Director for Environment & Economy (Growth & Infrastructure) but to include those matters set out below:

1. Detailed compliance condition.
2. Operating hours – Mon – Fri 0700-1800 and Saturdays 0700-1300.
3. No operation on Sunday and Bank Holidays.
4. Operation to cease by end of 2030 with restoration to be completed by 2032.
5. Crushing of blocks for only 6 weeks a year.
6. Details of mobile plant to be submitted and agreed.
7. Restoration and aftercare to take place in accordance with landfill permission restoration and aftercare.
8. Steps to be taken to prevent any solid matter, reject block material, concrete waste of furnace bottom ash or excess amounts of suspended matter from passing into any water course.
9. No oil storage tanks to be sited.
10. All stock piles not to exceed the height of the trees or a height of 5 metres whichever was lower to the west of the site.
11. Effective silencers to be provided on plant, machineries and vehicles operating within the site in order that noise did not exceed 55 dba LAeq.
12. Reversing vehicles shall not emit warning noise that may have adverse impacts on neighbours or properties.
13. No buildings, plant and machineries to be erected without consent.
14. No imported material to be deposited on the land except reject blocks from Coleshill, Thatcham and Milton, concrete waste from Concrete batching plants at Sutton Courtenay landfill site and furnace bottom ash from Didcot Power Station.
15. No material shall be exported except to Milton.
16. Existing hedges/trees on the site boundary to be retained and maintained.
17. Written notice to be given to MPA of the completion of this development.
18. No access to be used by HGVs other than on to the existing access onto the Didcot Perimeter road.
19. No vehicles to enter public highway unless its wheels have been sufficiently cleaned.
20. Working areas and stockpiles to be sprayed with water to suppress dust.
21. Surface water drainage scheme to protect the adjacent stream from pollution.

7/12 RETENTION AND CONTINUED USE OF A TRIPLE RELOCATABLE BUILDING, UNIT REF E241 (T2) FOR A FURTHER PERIOD OF 5 YEARS AT FRANK WISE SCHOOL, BANBURY - APPLICATION R3.0144/11

(Agenda No. 7)

The Committee considered (PN7) an application for the retention and continued use of a temporary building for a further period of five years at Frank Wise School, Banbury.

Councillor Stratford referred to the good reputation enjoyed by the school and moved the officer recommendation.

Councillor Tanner however felt the school needed a permanent building and that a permission granted for 5 years would not exert enough pressure for that to happen. He moved an amendment that planning permission be granted for a period of 2 years and not 5. The amendment seconded by Councillor Sanders was put to the Committee and lost by 12 votes to 2.

The original motion was then put to the Committee and carried by 13 votes to 1.

RESOLVED: that Application No. R3.0144/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. The development must be carried out strictly in accordance with the particulars contained in the application and the plans.
2. Temporary building to be removed by 31 January 2017.
3. School travel plan to be revisited within 3 months with a view to reducing local congestion around the school site. Revised travel plan to be implemented within 6 months.
4. Reinstatement of the playing field within 3 months of the removal of the building.
5. Restoration of netball court to its original position once the temporary building had been removed on 31 January 2017.
6. Submission of a landscaping scheme.
7. Implementation of the approved landscaping scheme.

..... in the Chair

Date of signing