

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 31 March 2025 commencing at 2.00 pm and finishing at 2.28 pm

Present:

Voting Members: Councillor Ian Snowdon – in the Chair
Councillor Stefan Gawrysiak (Deputy Chair)
Councillor Robin Bennett
Councillor Felix Bloomfield
Councillor Imade Edosomwan
Councillor Mohamed Fadlalla
Councillor Bob Johnston
Councillor Geoff Saul

Officers:

Whole of meeting David Mytton, Solicitor, David Periam, Planning Development Manager, Enya Dale, Assistant TDM Officer, Abbie Li, Planning Assistant Apprentice and Shilpa Manek, Committees Officer

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting

1/25 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies for absence were received from Councillors Ted Fenton, David Rouane, Les Sibley and Peter Stevens.

Councillor Fenton attended the meeting virtually but understood this meant he would be unable to vote.

2/25 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE BELOW

(Agenda No. 2)

Councillor Bob Johnston advised the Committee that, in the interests of transparency, he wished to declare that he knew two members of the audience that had joined the meeting for Item 5.

Councillor Felix Bloomfield advised the Committee that, in the interests of transparency, he wished to declare that he was the Ward Member for the neighbouring area, and therefore had good local knowledge of the area.

3/25 MINUTES

(Agenda No. 3)

Resolved: that the Committee approved as the minutes of the meeting held on 25 November 2025 as a true and accurate record and signed by the Chair.

4/25 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The following speakers requested to address the Committee on the following items on the agenda:

Item 5: Application for a Certificate of Lawfulness of Existing Use or Development for retention of a Waste Transfer Station

- Cllr Freddie VanMierlo, Chalgrove & Watlington (a speech was read out)

The Chair used his discretion to allow the following Members of public to speak:

- David Soloman, on behalf of Ewelme Parish Council
- Christopher Stanley, General Manager, Hazell & Jefferies (applicant)

5/25 APPLICATION FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT FOR RETENTION OF A WASTE TRANSFER STATION

(Agenda No. 5)

The Planning Development Manager introduced the application which sought to gain a Certificate of Lawfulness of Existing Use or Development (CLEUD) under Section 191 of the Town & Country Planning Act 1990 as amended. The applicant had claimed that the land had been in use as a waste transfer station for over 10 years at the date of the application (5 December 2023).

The application was originally reported to the Planning and Regulation Committee on 25th November 2024 where the consideration of the application was deferred to allow for further evidence to be submitted.

The Committee were advised that the report should be read in conjunction with the initial report and addenda provided on 25th November 2024.

It was reported to the Committee that the applicant had submitted two statutory declarations on 24th January 2025, to support the claimed uses and operational development to be covered in the certificate and to address the limitations proposed by Officers. These statutory declarations had been consulted on with the local community as set out in the committee report.

Further to the Committee's decision on the 25th November 2024 to defer for the applicant to submit further evidence, the additional evidence submitted has covered matters concerning hours of operation, overnight operations and residential use. Since there was a lack of sufficient and precise evidence to show that the site had been operating overnight continuously for the relevant ten years period. The

overnight operations were not recommended to be included within the scope of the certificate. The operating hours at The Land would be restricted to those set out in the report

Officers had considered comments made by the applicant's agent with regard to the limitation on the tonnage of material and clarification on the numbers of staff resident at the site. To this end, the Recommendation was amended with regard to those points on pages 16 and 17 of the committee report:

- *The amount of waste received on the Land does not exceed 16,406 tonnes per annum was amended to:*

The average amount of waste received on the Land during the period from 2013 to 2022 has been 17,561 tonnes per annum; and

- *Two mobile trailers, used only for residential purposes, are located on the site. The trailers are in the location as shown in Appendix C of this report. A maximum of four members of staff who work at the Land reside in this accommodation at any one time was amended to:*

Two mobile trailers, used only for residential purposes, are located on the site. The trailers are in the location as shown in Appendix C of this report. Four members of staff who work at the Land have consistently resided in this accommodation at any one time during the period from 2013 to 2023.

The Committee were addressed by the following speakers:

- Councillor Freddie VanMierlo addressed the Committee as Councillor for the Chalgrove & Watlington Division with a written representation. The speech read: *Please accept my apologies for not being able to attend this meeting today in person or online. I'd like to express my thanks to the members of this committee for their engagement on this matter of great importance to residents of Ewelme village and the wider area. I'd like to thank also both Benson and Ewelme Parish Councils for their further engagement in this process. As we discussed at the previous meeting, resident of Ewelme are badly impacted by the operations at Rumbolt's Pitt by the applicant. It is therefore welcome that the applicant's operations should be regularised through the approval of a new certificate of lawfulness of existing use, placing guardrails that the applicant can be held accountable for and giving residents greater certainty, in particular on the number of HGV movements. I am of the view that further development of this site, beyond the officers recommendations today should only come about through a full planning application. It is right and proper that the planning system is respected, allowing for a full examination of the impact of any development.*
- David Soloman, Chair of Ewelme Parish Council thanked the Committee for allowing them the opportunity to express their views. He advised that the both Benson Parish Council and Ewelme Parish Council agreed with the recommendation submitted within the report and asked that the Committee to approve the recommendations.
- Christopher Stanley, General Manager of Hazell & Jefferies addressed the Committee and commented that he had been disappointed that no meeting had been arranged with the applicant, parish Councils and OCC to discuss the issues from the first meeting. He asked if it could be made clear in the recommendations that under the general limitations it was clear that there were not planning conditions but was also surprised that the statutory declarations had not been included.

Members made the following comments:

- There seem to be no issues in not currently using the trommel.
- Could something be added that the list in the report were limitations and not planning conditions. Officers suggested that an informative could be added. This would be noted in the minutes too.
- Overnight operations were not recommended to be included within the scope of the certificate. If these were to take place, this would be a change of use and character of site so a new planning application would be required to be submitted.

Councillor Gawrysiak proposed the recommendations as in the report on page 15 taking into account the amendments by officers as set out above. This was seconded by Councillor Johnston. They were as follows:

- It is RECOMMENDED that a Certificate of Lawful Existing Use or Development is GRANTED for the MW.0171/23 application site (as shown edged red on the Location Plan within Appendix 1 and described in the Certificate as “the Land”), for the uses indicatively set out in the First Schedule below. Final wording of the Certificate to be delegated to the Planning Development Manager in consultation with the Director of Law and Governance.
- The claimed uses, as set out in Schedule 1, are considered lawful within the meaning of Section 191(2) of the 1990 Act. Oxfordshire County Council considers that there is, on the balance of probabilities, sufficient evidence that the claimed use has been carried out on the Land for the past 10 years. The issue of a Certificate of Lawful Existing Use and Development on the terms set out below is accordingly justified.

Resolved: that the Committee unanimously approved the recommendations as stated above.

6/25 UPDATE TO THE LOCAL LIST OF VALIDATION REQUIREMENTS FOR COUNTY MATTERS (MINERALS & WASTE) AND COUNTY DEVELOPMENT (REGULATION 3) PLANNING APPLICATIONS SUBMITTED TO THE COUNTY COUNCIL

(Agenda No. 6)

The report was presented to the Committee by the Planning Assistant Apprentice. Members were informed that no objections had been received to the amendments.

it was a statutory requirement to update the Local List of Validation Requirements for County Matters and County Development Planning Applications, hereby referred to the as the Local List, at least every two years. If the list had not been revised within two years, then it could not be used for the purposes of validating planning applications.

Resolved: that the Committee unanimously approve the recommendation that the proposed Local List of Validation Requirements 2025, as set out in Annex 1 of the report, be adopted to replace the Local List of Validation Requirements 2023, in order to meet the statutory requirement of updating the List.

PN3

..... in the Chair

Date of signing