

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 20 July 2026 commencing at 2.00 pm and finishing at 4.05pm

Present:

Voting Members: Councillor Diana Lugova – in the Chair

Councillor Gavin McLauchlan (Deputy Chair)
Councillor Ron Batstone
Councillor Mark Cherry
Councillor Jenny Hannaby
Councillor Judy Roberts
Councillor Paul-Austin Sargent
Councillor Geoff Saul

Other Members in Attendance: Councillor Stefan Gawrysiak

Officers: Jack Ahier (Senior Democratic Services Officer), Jennifer Crouch (Principal Solicitor – Regulatory), David Mytton (Solicitor) David Periam (Planning Development Manager), Robin Rogers (Director of Economy and Place), Jason Sherwood (Head of Regulatory Planning Enforcement).

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][the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional documents], copies of which are attached to the signed Minutes.

40/26 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS (Agenda No. 1/26)

Apologies were received from Cllr Lesley McLean and Cllr Tony Worgan.

41/26 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE BELOW (Agenda No. 2/26)

There were none.

42/26 MINUTES OF THE PREVIOUS MEETING (Agenda No. 3/26)

The minutes of the meetings held on 13 April 2026 and 12 May 2026 were approved and signed by the Chair as a correct record.

43/26 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4/26)

5. Update on Former Wicklesham Quarry, Faringdon, SN7 7PH

Richard Tamplin

6. Land at Thrupp Farm, Radley, Abingdon, Oxfordshire Grid (Ref: SU 51539 97065)

Roger Thomas

Andrew Coker

Craig Woolhouse

Chris Henderson (Radley Parish Council)

Nick Dunn (Agent)

James Lodge (Applicant)

44/26 UPDATE ON FORMER WICKLESHAM QUARRY, FARINGDON, SN7 7PH

(Agenda No. 5/26)

The Chair introduced the item to the meeting and invited the Planning Development Manager and Solicitor to present a report updating the Committee on matters arising from its previous resolution to approve planning application MW.0151/23 for development at the former Wicklesham Quarry.

Officers reminded the Committee that, at its meeting on 19 January 2026, planning permission had been approved subject to further consideration of highway crossing arrangements on the A420, a 25-metre buffer zone to the Site of Special Scientific Interest (SSSI), and completion of a Section 106 agreement.

Officers explained that further work had since been undertaken regarding the highway arrangements and the implementation of the Committee's previous resolution, with highways officers advising that a Traffic Regulation Order was not required for a crossing across the A420.

Richard Tamplin addressed the Committee and raised concerns regarding the lawfulness of the previous decision-making process and the legal status of the application. He questioned whether the Committee had acted ultra vires when granting planning permission in January 2026 and argued that the development should have been treated as Environmental Impact Assessment (EIA) development, whilst also raising concerns regarding the screening opinion previously issued by the County Council and the wider legal basis for proceeding with the application.

Officers noted that the Council had exercised its delegated powers correctly when issuing the screening opinion and that whilst a third party had sought a screening direction from the Secretary of State, such a direction was not received.

Members discussed the proposed highway crossing arrangements and the relationship between the development and the adjacent SSSI. Members noted that

officers had continued discussions with highways colleagues and the applicant regarding the most appropriate crossing solution.

The Chair proposed that the recommendation to amend the resolution of the Committee as set out below be approved. The Deputy Chair seconded the proposal.

That subject to further consideration of satisfactory highway treatments for crossing the A420 by highways officers, with the applicant and planning officers; which would come back to the Chair for consideration and a 25m buffer zone on the SSSI and subject to a Section 106 agreement to cover the matters outlined in Annex 2, planning permission for MW.0151/23 be approved subject to conditions to be determined by the Director of Economy and Place, to include those set out in Annex 1.

RESOLVED: That subject to further consideration of satisfactory highway treatments for crossing the A420 by highways officers, with the applicant and planning officers; which would come back to the Chair for consideration and a 25m buffer zone on the SSSI and subject to a Section 106 agreement to cover the matters outlined in Annex 2, planning permission for MW.0151/23 be approved subject to conditions to be determined by the Director of Economy and Place, to include those set out in Annex 1, by a majority vote.

Cllr Diana Lugova stepped down from the Chair at this stage and viewed the Committee from the public gallery but did not participate in the debate or vote. Cllr Gavin McLauchlan (Deputy Chair) assumed the role of Chair for the remainder of the meeting.

45/26 LAND AT THRUPP FARM, RADLEY, ABINGDON, OXFORDSHIRE GRID (REF: SU 51539 97065)

(Agenda No. 6/26)

The Chair introduced the item to the meeting and invited the Planning Development Manager to introduce the application for the determination of the conditions to which a planning permission is to be subject (Permission numbers DD1 and DD2).

The Chair noted that the Committee might need to take legal advice during the Committee, which would be legally privileged. In such circumstances, the Chair stated that he would propose for the Committee go into private session to allow legal advice to be sought.

The Planning Development Manager advised that the central issue for the Committee was whether the proposed conditions should include a restriction preventing development within areas of irreplaceable and priority habitat. Members were reminded that the Committee had previously received Counsel's advice indicating that the conditions could lawfully be determined and that the legal advice provided to the Council remained unchanged.

Officers noted that following the resolution of the Committee in February 2026, the Secretary of State had declined to call-in the application and therefore, the decision had been referred back to the Committee for determination.

Officers reported that additional correspondence had been received from Gregory Jones KC, submitted on behalf of a local resident through solicitors. Members were advised that they were entitled to consider that opinion but should note that it had been prepared for a party opposed to the proposal. Officers advised that, while the Committee could choose to defer determination to obtain a further Counsel's opinion, any additional legal advice would represent another opinion rather than a definitive resolution of the legal issues. Officers therefore continued to advise that the Committee could lawfully determine the application on the basis of the advice already before it.

The Planning Development Manager presented maps and photographs of the areas that would be affected by the application.

The Chair then invited speakers to address the Committee and noted that members may ask questions of clarification after they had finished.

Roger Thomas addressed the Committee on behalf of local objectors. He argued that Members were being presented with an unacceptable choice between allowing the loss of priority and irreplaceable habitat or risking significant compensation liability. He referred to the legal opinion of Gregory Jones KC, which, in his view, provided a strong basis for concluding that the mineral permissions had expired in 2016. He urged the Committee either to reject the application or defer consideration to allow officers to provide a full response to the KC's opinion before a decision was made.

Andrew Coker spoke on behalf of residents of Thrupp Lane and others who used and valued the local landscape. He criticised the handling of the matter over a prolonged period and argued that the original purpose of the ROMP legislation had been to provide certainty rather than extend long-standing uncertainty. He supported obtaining further independent legal advice in light of the Gregory Jones KC opinion and urged the Committee to seek a definitive resolution to the matter.

Craig Woolhouse, speaking on behalf of the Radley Lakes Trust, outlined the Trust's concerns regarding the ecological impacts of the proposal. He welcomed a number of the proposed planning conditions, which he considered addressed several of the Trust's objections, but maintained concerns regarding habitat loss. He highlighted the significance of Orchard Lake and the wider Radley Lakes area for wildlife and public recreation and argued that these environmental and community benefits should be afforded substantial weight.

Chris Henderson, on behalf of Radley Parish Council, stated that the Parish Council considered the legal opinion of Gregory Jones KC to be the more persuasive interpretation of the relevant legislation. He supported the proposed condition protecting irreplaceable habitats should permission be granted and requested amendments to restoration provisions relating to the former processing plant area, including a fixed deadline for the submission and implementation of restoration proposals

Nick Dunn, acting as planning agent for the applicant, supported the officer recommendation and advised Members that the planning permissions remained extant. He cautioned against placing undue reliance on the Gregory Jones KC opinion, noting that it had been prepared for objectors and was subject to qualifications regarding the information available to counsel. He outlined the planning history of the site and argued that the applicant had complied with agreed timetables for submitting the ROMP application.

James Lodge, the applicant, informed the Committee that the Secretary of State had declined to call in the application. He stated that the officer recommendation remained unchanged and was supported by legal advice obtained by the Council. He argued that the proposed ecological condition would render the quarry uneconomic to operate and therefore could not appropriately be imposed through the ROMP process. He also highlighted the mitigation measures proposed for Orchard Lake and the applicant's commitment to ongoing partnership working in the Radley Lakes area

Members questioned the applicant regarding the quantity and quality of minerals available at the site, the contribution the quarry would make to Oxfordshire's mineral landbank, the reasons for the delay in submitting the ROMP application, the practical effect of the proposed biodiversity condition, the applicant's intentions to work the site if permission were granted, arrangements for engagement with local residents, and matters relating to the site's historic operation and restoration responsibilities. The applicant responded that the quarry remained an important future source of local aggregate, that the disputed biodiversity condition would render extraction uneconomic, and that the applicant remained committed to working with local stakeholders and progressing the site following the cessation of operations at Sutton Wick.

Councillor Hannaby highlighted the importance of maintaining Oxfordshire's mineral landbank and sought assurances that the site would be worked if permission were granted. She also emphasised the need for continued engagement with local residents

The Chair thanked all speakers for their contributions.

The Chair noted that the Committee was now likely to need to take privileged legal advice. Councillor Sargent proposed and Councillor Hannaby seconded the following resolution:

RESOLVED: that the public be excluded for the part of item 5 since it is likely that if they were present during those items there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to those items and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Committee unanimously resolved the resolution as stated above and went into private session.

After taking legally privileged advice in private session, the Committee resumed in public session. The Chair thanked members of the public for their patience.

The Planning Development Manager read out correspondence that the Council had received for the benefit of the Committee and those attending.

During debate, Members acknowledged the complexity of the application and the significant legal issues that had been raised through the opinion of Gregory Jones KC. Several Members expressed concern that the Committee had received differing legal views and questioned whether they had sufficient certainty to proceed to determination.

Councillor Sargent noted the Gregory Jones KC opinion persuasive and considered that obtaining independent Counsel's advice would provide greater clarity. He noted that Members were not planning law specialists and argued that a short deferral would enable the Committee to reach a more informed and robust decision.

Councillor Roberts referred to previous legal advice provided to the Committee and observed that the recent correspondence appeared to contradict earlier advice. She stated that she found this position confusing and believed that further independent legal advice would assist Members in understanding the competing legal interpretations before making a final decision.

Councillor Cherry supported obtaining further legal advice, noting the complexity of the case and the extensive legal correspondence received. He considered that the matter should return to a future meeting once Members had the benefit of additional Counsel's opinion.

Councillor Saul acknowledged his reluctance to defer a matter that had already been under consideration for a considerable period but noted that the Committee owed it to all interested parties to ensure that any decision was taken on the strongest possible legal and evidential basis and therefore supported a short deferral to obtain further legal advice.

The Chair noted that, whilst some Members believed a decision could potentially have been reached on the day, there was merit in ensuring that the Committee had fully considered the legal issues before proceeding. The Chair also noted the frustrations associated with repeated delays but accepted that Members had a responsibility to ensure that any eventual decision was soundly based.

Councillor Batstone supported deferral but cautioned against imposing an unnecessarily restrictive timetable on officers. He considered it more important that any further legal opinion was properly prepared than obtained quickly and urged officers to proceed in a timely but thorough manner.

Members also discussed potential timescales for obtaining further legal advice. Officers advised that appropriately qualified Counsel would need sufficient time to review the considerable volume of material associated with the application and that the priority should be obtaining a fully reasoned opinion rather than seeking the

quickest possible response. Members further noted that the Committee's Constitution allowed for additional meetings to be arranged if necessary.

Councillor Sargent proposed that determination of the application be deferred to obtain further independent legal advice. This was seconded by Councillor Cherry.

RESOLVED: that the Committee unanimously deferred determination of the application to obtain further independent legal advice.

..... in the Chair

Date of signing