

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 17 April 2023 commencing at 2.00 pm and finishing at 2.25pm

**Present:**

**Voting Members:** Councillor Geoff Saul – in the Chair

Councillor Richard Webber (Deputy Chair)

Councillor Robin Bennett

Councillor Felix Bloomfield

Councillor Yvonne Constance

Councillor Imade Edosomwan

Councillor Mohamed Fadlalla

Councillor Stefan Gawrysiak

Councillor Judy Roberts

Councillor David Rouane

Councillor Ian Snowdon

**Officers:** David Periam, Development Management Team Leader

Mary Hudson, Principal Planning Officer,

David Mytton, Solicitor

Bryony Crossland Davies, Interim Committee Officer

### 1. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillor Les Sibley.

### 2. DECLARATIONS OF INTEREST-SEE GUIDANCE NOTE BELOW

There were none.

### 3. MINUTES

*(Pages 1 - 6)*

It was **RESOLVED** that the minutes of the meeting on 18 July 2022 be confirmed as a true record and signed by the Chair.

The Development Management Team leader, David Periam, provided an update on the following resolution from the 18 July 2022 meeting:

- a) The Planning and Regulation Committee's previous conclusion from its meeting on 9<sup>th</sup> September 2019 (Minute 39/19) that mineral working on the Radley ROMP site has permanently ceased be rescinded and that the Prohibition Order of that date but not yet served is revoked; and,

- b) Officers seek to agree a date with H. Tuckwell and Sons Ltd. by which a ROMP Application will be submitted."

The 28<sup>th</sup> of February had been agreed in relation to b) and a review of the Mineral Planning Permission (ROMP) Application had been submitted within the deadline. The application was out for consultation and would be presented to the Committee for consideration in due course.

#### **4. PETITIONS AND PUBLIC ADDRESS**

Bal Tiwana, Associate Planner, Stantec, attended the meeting to speak on behalf of the Applicant at Item 5.

Cllr Nicky Brooks, Chair of the South Leigh and High Cogges Parish Council and Cllr Dan Levy, local Member, were also in attendance to address the meeting at item 5.

A decision on item 5 was deferred thus speakers did not address the meeting.

#### **5. A40 / B4022 SHORES GREEN JUNCTION, WITNEY**

*(Pages 7 - 74)*

The report presented a planning application for the construction of two new west-facing slip roads at the Shores Green junction of the A40; an off-slip to allow eastbound vehicles to exit the A40 onto the B4022 towards Witney and an on-slip to allow westbound vehicles to enter the A40 from the B4022 at this junction. Two existing lay-bys to the west of the A40 overbridge would be removed to accommodate the construction of the slip roads.

Prior to the meeting, correspondence was received from the South Leigh and High Cogges Parish Council and the local Member in which serious concerns were raised.

Previously, the Parish Council did not object to the application subject to certain measures being in place. Due to non-delivery of those items the Parish Council's position was now one of very clear objection. This significant change in position was a matter of concern to Councillors and officers.

The Chair proposed deferral of this item to give officers time to fully review the issues raised in the submissions.

A Member requested that a carbon impact statement be provided when the item came back to the Committee.

Councillor Webber seconded the proposed deferral.

The Chair called for a vote on the proposed deferral. The votes cast were as follows:

For: 11

Against: 0

Abstentions: 0

## **RESOLVED:**

That a decision on the A40/B4022 Shores Green Junction, Witney be **DEFERRED** to a future meeting of the Committee.

### **6. D & M PLANT HIRE LTD, DIX PIT, LINCH HILL, STANTON HARCOURT**

*(Pages 75 -114)*

Mary Hudson, Principal Planning Officer, introduced the item.

The Principal Planning Officer updated the Committee on progress of planning application MW.0059/19.

This was a retrospective application for the use of land for manufacturing recycled aggregates from construction, demolition and excavation waste materials.

Application MW.0059/19 was approved by the Planning and Regulation Committee on 9<sup>th</sup> September 2019, subject to a routeing agreement first being entered into.

The routeing agreement had not been completed thus the decision notice was not issued. The applicant advised that they would prefer to complete the routeing agreement but, if this was not possible, they would be prepared to accept an additional condition on the consent limiting annual throughput to 20,000 tonnes. The application originally proposed 40,000 tpa.

The Committee was asked to consider whether the application should be determined on the basis that no routeing agreement was forthcoming but that additional conditions could be used to achieve the same purpose.

Cllr Bennett queried how the Council would measure this difference given the development had been operating for three years without an agreement.

The Principal Planning Officer stated that there was a condition on the waste limit which would be provided on a quarterly basis.

Cllr Constance asked by whom an agreement or condition would be enforced.

The Principal Planning Officer explained that it would be a condition that records of HGVs travelling from and to the site be provided by the operator. If there was a specific reason for concern a member of the Monitoring and Enforcement team would visit the site to count.

Cllr Bennett asked how figures provided by the operator could be verified.

The Principal Planning Officer responded that any specific reasons for concern could result in a site visit.

Members were reminded that a weight restriction on individual vehicles could not be enforced, rather an overall vehicle tonnage would be set. The Council would receive a quarterly report of waste tonnage imported to the site.

Members of the Committee stressed the importance of protecting residents from a high volume of through traffic by heavy commercial vehicles. They felt that by approving this application at least some restrictions on the number of journeys travelled between 7:30-09:00 and 16:30-18:00 along the B4449 would be in place.

Cllr Gawrysiak proposed that the Committee accept the proposal. This was seconded by Cllr Bennett.

The Committee **AGREED** unanimously that planning permission for application MW.0059/19 be approved subject to conditions to be determined by the Director of Planning, Environment and Climate Change including the matters set out in Annex 1 to this report.

## **7. POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)** *(Pages 115 - 128)*

**RESOLVED:** that the report, which presented the full text of the planning policies referred to in the other application reports on the agenda, be noted.

*Meeting closed at 2:25pm*