

A G E N D A

Please address any general enquiries on this agenda to Graham Warrington, County Hall, Oxford OX1 1ND (Tel: Oxford 815321). Press enquiries should be directed to the Media & Communications Manager on Oxford 815266.

**NOTES: A site visit has been arranged for Item 9 - Tubney Wood Sand Pit (Meet on site at 11.30 am)
A buffet lunch will be provided**

1. **Election to Chair** (Liberal Democrat Group)
2. **Apologies for Absence and Temporary Appointments**
3. **Declarations of Pecuniary and Non-Pecuniary Interests**
4. **Minutes**
5. **Matters arising from the Minutes**
6. **Petitions and Public Address**
7. **COUNTY COUNCIL PLANNING APPLICATIONS**

Minutes of the meeting held on 17 May 1999 (**PL4**).

Report by Director of Environmental Services (**PL7**).

The following current applications for County Council development, made under Regulation 3 of the Town and Country Planning General Regulations 1992, are detailed in the schedule appended to the report:-

Application No: C.14/99 (detailed). Renewal of consent for two, two classroom prefabricated buildings Ref. E020 and E197 for a temporary period of five years, Glory Farm Primary School, Hendon Place, Sunderland Drive, Bicester.

Application No: C.15/99 (detailed). Construction of a classroom extension, West Kidlington C.P. School, Oxford Road, Kidlington.

Application No: C.20/99 (detailed). Erection of two, double prefabricated buildings (15.0M x 8.5M) for a temporary period expiring on 28/02/2002 and removal of single prefabricated classroom (Ref. H011), The Warriner School, Banbury Road, Bloxham, Oxon OX15 4CJ.

Application No: O.05/99 (detailed). Erection of a prefabricated building for the 'PEEP' project for a temporary period of five years, 'PEEP' project, Peers School, Sandy Lane West, Littlemore.

Application No: S.09/99 (detailed). Change of use from Resource Base to use as a Satellite Day Service Centre for Adults with Learning Difficulties including construction of access ramp, Social Services Resource Base, Greys Hill, Henley-on-Thames, Oxon.

Application No: S.14/99 (detailed). Relocation of existing prefabricated classroom and erection of a single classroom prefabricated building, both for a temporary period of five years, Great Milton CE School, High Street, Great Milton, Oxon OX9 7NT.

Application No: V.04/99 (detailed). Erection of a single classroom prefabricated building for a temporary period of five years, The Hendreds CE School, Ford Lane, East Hendred, Oxon OX12 8JX

Application No: W.05/99 (detailed). Construction of new sports hall, changing rooms and staff area and alterations to existing changing room facilities, plus associated external works, The Henry Box

School, Church Green, Witney, Oxon. OX8 6AX

Application No: W.06/99 (detailed). Construction of a single storey extension to CDT and Science Blocks to provide additional classrooms and science preparation area, Woodgreen School, Woodstock Road, Witney, Oxon OX8 5DX

It is RECOMMENDED that subject to consideration of any further representations received by the date of the meeting, the applications be determined as recommended in the schedule to this report, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer.

8. **AN APPLICATION BY MR S MACINTOSH AT POPHLEYS FARM, RADNAGE FOR THE TEMPORARY RECYCLING OF SURPLUS CONCRETE BY MOBILE CRUSHER TO USABLE MATERIALS (APPLICATION NO: P99/NO207/CM)**

Report by Director of Environmental Services (PL8).

This application has been made in an attempt to authorise the unauthorised concrete crushing activities at Pophleys Farm, Radnage. The site covers an area of 0.06 hectares and lies within the Chilterns AONB on the border between Oxfordshire and Buckinghamshire. The crushing activities would be temporary for a period of five years and the crusher would be on site and operating for up to 5 days per year. The crushed material would be used to upgrade the farm's tracks, some of which have already been completed. However, the proposal is considered to be inappropriate development in the Chilterns AONB and contrary to Oxfordshire Structure Plan policies, Minerals & Waste Local Plan policies and South Oxfordshire Local Plan policies. The report considers that the applicant should be given three months to incorporate any remaining aggregate stockpiled on the site into farm tracks. In the event that the applicant does not complete this, authority is sought to serve an enforcement notice requiring removal of all stockpiled materials.

It is RECOMMENDED that:

- (a) **planning permission be refused in respect of Application No. P99/NO207/CM for the temporary recycling of surplus concrete by mobile crusher to usable materials on grounds that the proposal is:**
 - (i) **contrary to policies EN4 of the Structure Plan and C2 of South Oxfordshire Local Plan which seek to guard against inappropriate development in AONB;**
 - (ii) **contrary to policies W3, W4 and W5 of the Minerals & Waste Local Plan in that the site is poorly related to the local transport network; no overriding need for the facility has been established and the site is poorly screened from the surrounding area;**
- (b) **in the event that the applicants fail to clear the site of stockpiled aggregate within three months of the date of this refusal, formal enforcement action be authorised.**

9. **AN APPLICATION FOR A TEMPORARY WASTE TRANSFER STATION AND RECYCLING FACILITY AT TUBNEY WOOD SAND PIT APPLICATION NO: FYF/10304/1-CM**

Report by Director of Environmental Services (PL9).

Hills (Minerals & Waste Ltd) have applied for a temporary waste transfer and recycling facility at Tubney Woods Sand Pit. The restoration of the sand pit has been delayed by the lack of availability of inert materials as a result of the landfill tax. Suitable inert materials will be screened out and used to infill the sand pit. Concerns have been raised about the inappropriate location of this development and the potential for environmental nuisance. However, the facility will not be visually intrusive as the maximum height of the stockpile will be 2m below surrounding ground levels. The environmental effects can be controlled by condition.

It is **RECOMMENDED** that planning permission be granted for the development proposed in application number FYF/10304/1-CM subject to the conditions listed in Annex 2 to the report.

10. **PLANNING APPLICATION NO: W98/0207 FOR LANDFILL, WASTE RECYCLING, CLAY EXTRACTION AND RESTORATION, DIX PIT, STANTON HARCOURT - VARIATION OF PREVIOUS COMMITTEE RESOLUTION (MINUTE 87/98)**

The Director of Environmental Services reports as follows:

On 9 November 1998 the Sub-Committee considered a planning application to consolidate permissions for mineral and waste operations at the Controlled Reclamation (Smith and Sons) site, Dix Pit, Stanton Harcourt. The application proposed:

- (a) an extension of the life of the site from 2001 to 2004 to allow landfilling to be completed and
- (b) the introduction of construction waste recycling and skip sorting activities.

Although the application (a consolidation application) also covered clay extraction, the site is largely worked out and the applicants have undertaken not to extract any more clay.

I recommended approval of the application, because this would have secured control over the much needed restoration and tidying up of the site. Developer contributions were not sought (Minerals and Waste Local Plan policies SH2 and SH6) because they were already committed through an agreement dated 3 October 1995, (which tied contributions to clay extraction) although Smith and Sons have not fully paid the contributions and are disputing them.

The Sub-Committee (Minute 87/98) granted conditional planning permission for the application subject to a planning agreement which ensured that:

- (i) permissions W110/82 and 0911/93 would not be implemented;
- (ii) the planning agreement dated 3 October 1995 still applied, related to any new permission granted and the date its obligations ceased to have effect was varied to 2004.

In response to a draft of this new planning agreement Smith's agent has written to say that he is concerned about incorporation of the 3 October 1995 agreement and has proposed that its requirement to make payments should no longer apply.

It would be contrary to policy and inconsistent to waive the requirement for payments to be made. However, to resolve the matter and progress the application, I propose that (ii) of the resolution (Minute 87/98) be rescinded. Approval of the application would still be subject to an agreement, but only one that required no further implementation of existing permissions. The 1995 agreement would remain in force in respect of clay extraction which had already taken place under the earlier permissions. Thus the Council's option to pursue the disputed payments would be preserved, albeit that the date for repayment of unspent money would remain at 2001.

The Sub-Committee are RECOMMENDED to:

- (a) **agree that planning permission be granted for the development proposed in W98/0207 subject to an agreement requiring no further implementation of existing permissions;**
- (b) **rescind sub-paragraph (ii) of their previous resolution on application no W98/0207 as set out in minute 87/98 that permission should be granted subject to a planning agreement which ensured that an earlier planning agreement dated 3 October 1995 still applied, related to any new permission granted and the date its obligations ceased to have effect was varied to 2004.**

11. **PROGRESS ON ENFORCEMENT CASES**

Report by Director of Environmental Services (**PL11**).

The report summarises progress on a number of enforcement cases.

The Sub-Committee are RECOMMENDED to receive the report.

12. **ENVIRONMENTAL IMPACT ASSESSMENT: TO REVISE THE POWERS DELEGATED TO THE DIRECTOR OF ENVIRONMENTAL SERVICES**

Report by Director of Environmental Services (**PL12**).

The Regulations with respect to Environmental Assessment have been updated under the Town and Country Planning (Environmental Impact assessment) (England and Wales) Regulations 1999.

The functions under the old regulations were delegated to the Director of Environmental Services and the report seeks authority to do the same with the functions under the new regulations.

It is RECOMMENDED that the planning powers delegated by the County Council to the Director of Environmental Services be revised to delete those under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 and substituted by those under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and set out in part (b) of Annex 1 to the report.

JOHN HARWOOD
Chief Executive

June 1999

NOTE FOR SPOKESPERSONS/GROUP LEADERS AND RELEVANT OFFICERS ONLY

The pre-meeting briefing will be held at County Hall on Wednesday 7 July 1999 at 10.00 am

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL4

PLANNING SUB-COMMITTEE - 17 MAY 1999
MINUTES of the meeting commencing at 2.00 pm and finishing at 3.18 pm

Present:

Voting Members:

Councillors Nils R. Bartleet, Brenda Churchill, A.D. Crabbe, John Dennis (in place of Councillor Harry Wyatt), Mrs C. Fulljames, Dave Green, Steve Hayward, Terry Joslin (in place of Councillor Mackenzie), Anne Purse, G.A. Reynolds, Don Seale and Sylvia Tompkins.

Ex Officio:

Councillor Colin Lamont (in place of Councillor Keith Mitchell).

Officers:

Whole of meeting: G. Warrington (Chief Executive's Office); Chris Cousins, Mrs S. Coyne, Mrs L. Currie and J. Griffin (Environmental Services).

The Sub-Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled by the Chief Executive. Copies of the agenda, reports and schedule of addenda are attached to the signed Minutes, and in relation thereto the Sub-Committee determined as follows:-

25/99 ELECTION TO CHAIR

RESOLVED:that Councillor Churchill (Liberal Democrat) be elected to chair the meeting.

26/99 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence, temporary appointments and a Group Leader substitution were reported as follows:

<u>Apology from</u>	<u>Temporary Appointment/Substitute</u>
Councillor MacKenzie	Councillor Joslin
Councillor Wyatt	Councillor Dennis
Councillor Mitchell	Councillor Lamont

27/99 MINUTES

The Minutes of the meeting of the Sub-Committee held on 12 April 1999 were approved and signed.

28/99 MATTERS ARISING FROM THE MINUTES

Minute 21/99 - Consultation by Railtrack on a Permitted Development Proposal for Use of Hinksey Sidings, Oxford as a Virtual Quarry

Mr Cousins reported that the Government Office for the South East had indicated that an announcement would be likely before the end of May.

Minute 24/99 - Progress on Enforcement Cases

With regard to Waterstock Golf Course, Mrs Coyne reported that the developers had applied for Judicial Review in respect of the Inspector's decision.

With regard to Shipton-on-Cherwell Quarry, Mrs Coyne reported that discussions were still being held with Cherwell District Council but were likely to conclude in the near future.

With regard to New Manor Farm and in response to Councillor Purse, Mrs Coyne reported that the Government Office for the South East had not responded on the availability of Government funding for removal of waste from the site.

29/99 ITEM OF URGENT BUSINESS

Demolition of Sandhills School and Erection of New Residential Development, London Road, Oxford (Application No: 99/265/NO)

The County Council had been consulted as structure plan authority by the City Council on a proposal for the demolition of Sandhills School and for new residential development and associated works. In accordance with Standing Order 19(3) and the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, the Chair declared herself satisfied that this item should be considered as a matter of urgency in order to enable a response to be submitted to the City Council before 26 May 1999.

RESOLVED: that the item be taken immediately after Agenda Item PL10.

30/99 DRAFT LOCAL PLAN POLICIES AND COMPREHENSIVE PLANNING FOR FORMER RAF UPPER HEYFORD (Agenda Item 7)

Cherwell District Council had formally published for public consultation draft local plan policies and a draft comprehensive brief which related to the former RAF Upper Heyford site. The Sub-Committee considered a report (PL7) which commented on the strategic planning issues raised by the brief in the context of Structure Plan policies.

Generally members expressed support for the brief and appreciation of the close cooperation between the County Council and Cherwell District Council. A number of concerns were expressed, particularly in respect of traffic generation. Councillor Mrs Fulljames speaking as a local member, highlighted local concerns regarding the local road network. She specifically referred to the abuse of current routing agreements and whilst accepting the merits of using recycled materials from the airbase in forthcoming roadworks on A43 and M40 the proposal had raised concern for residents of Ardley because of additional traffic movements. She hoped that future routing agreements governing traffic movements generated as a result of any development of the Heyford site would be strengthened.

Mr Cousins replied that although these concerns were adequately covered traffic generation and its control would form an integral part of the consideration of any planning application when submitted.

RESOLVED: (on a motion by Councillor Mrs Churchill duly seconded and carried nem con) that the County Council as Structure Plan authority inform Cherwell District Council that:

- (a) it supported draft local plan policies UH1 and UH2 and the draft comprehensive planning brief relating to former RAF Upper Heyford which were consistent with the principles established in Structure Plan policy H2. In particular the County Council specifically supported the requirements listed in paragraph 13 of this report which it considered essential to the successful implementation of policy H2;
- (b) it considered draft local plan policy UH3 was consistent with Structure Plan policies E3 and T15;
- (c) it considered draft local plan policy UH4 was consistent with Structure Plan policy G2; and

- (d) it offered to continue to work with the District Council in encouraging the use of recycled materials from the airbase in the construction of programmed improvements to M40 Junction 10 and the A43.

31/99 **COUNTY COUNCIL PLANNING APPLICATIONS**

(Agenda Item 8)

The Sub-Committee considered a report (PL8) which detailed the following current application for County Council development.

Application No: V.01/99 (detailed application). Extensions and internal alterations to provide new entrance/reception, school office, staffroom, headteacher's office, library/IT/general purpose space, disabled/staff toilet and associated external works, The Ridgeway CE School, West Street, Childrey, Wantage.

RESOLVED: (on a motion by Councillor Purse, seconded by Councillor Mrs Churchill and carried nem con):

- (a) application no: V.01/99 be determined as recommended in the schedule appended to the report, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer;
- (b) the Chief Planning Officer seek guidance from the TravelWise Officer on measures to promote walking to the school in order to alleviate traffic problems created by the narrowness of the road and the location of the school at a dead end with no turning head.

32/99 **HINKSEY HEIGHTS GOLF COURSE: UNAUTHORISED WASTE DISPOSAL**

(Agenda Item 9)

In September 1998 the County Council served stop and enforcement notices following the import of considerable quantities of waste without planning permission to the Hinksey Heights Golf Course. The Sub-Committee had before it a report (PL9) which considered appropriate action to be taken now to remedy the harm done by the breach of planning control. The report also considered the differing views of the District Council and County Council as to whether the development at Hinksey Heights should be treated as a District or County matter.

In response to members' concerns Mr Cousins confirmed that, if the recommendations were approved, the County Council would only concede that this was not a County matter if the District Council gave the necessary undertaking not to consider plans for the landscaping of the course until the County Council's enforcement proceedings had been completed and complied with.

With regard to the possible existence of contaminated waste he reported that the Environment Agency had taken four bore-hole samples from the site none of which had indicated a particularly high level of contamination.

RESOLVED: (on a motion by Councillor Purse seconded by Councillor Reynolds and carried nem con) to:

- (a) note the action of the Director of Environmental Services in serving enforcement and stop notices as described in the report;
- (b) invite the Vale of White Horse District Council to put forward a proposal that would ensure that the District Council would not consider any landscaping plans or further applications involving the deposit of waste unless and until any enforcement action taken by the County Council had been fully complied with; and
- (c) inform the District Council that if such an assurance could be given, and be shown to be legally binding, the County Council would be prepared to seek the withdrawal of the current injunction.

33/99 **PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO: W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON**
(Agenda Item 10)

The Sub-Committee had before them a report (PL10) which set out a request for planning permission to not comply with existing conditions and for approval of details pursuant to a proposed condition.

RESOLVED: that:

(a) planning permission be granted for application no: W98/1708 to not comply with conditions 1 and 9 of W732/87 subject to the remaining conditions of W732/87 and to the following conditions:

(1) The development shall be carried out solely in accordance with the approved submitted details, and the following conditions and with the approved details of permission no: W732/87, unless otherwise agreed in writing by the local planning authority, except that gravel extracted from the Hardwick Block may be transported by conveyor to the Hardwick processing plant (as shown on plan No: HC/1 attached to this permission).

Reason: To ensure a satisfactory form of development in the interests of local amenity.

(2) No extraction shall take place within any of the areas shown on plan numbers: BF/A, BF/B and BF/C attached to this permission.

Reason: To minimise disturbance and nuisance to local residents.

(b) the Director of Environmental Services be authorised following consultation with the Sub-Committee Spokespersons to determine details submitted pursuant to condition 5 of W732/87 in relation to Gill Mill Fields.

34/99 **DEMOLITION OF SANDHILLS SCHOOL AND ERECTION OF NEW RESIDENTIAL DEVELOPMENT, LONDON ROAD, OXFORD CONSULTATION BY THE CITY COUNCIL**

(Councillor Purse drew the Sub-Committee's attention to her membership of South Oxfordshire District Council. She was advised that such membership did not appear in the present circumstances to constitute an interest requiring to be declared, but that, if it were held to amount to such an interest, Paragraph 12(a) of the National Code of Local Government Conduct sanctioned her participation in the debate and the vote thereon).

Further to Minute 29/99 above the County Council had been consulted as structure plan authority by the City Council on a proposal for the demolition of Sandhills School and for new residential development and associated works. The Sub-Committee considered this matter in the light of a report by the Director of Environmental Services setting out the proposal and the structure plan policies affecting it.

Regarding highway and access concerns, Mr Cousins reported that the County Council as Highway Authority and the Highway Agency, who had been consulted because of access to A40, had raised no objection. He reported that the County Council's regulation 3 application for the erection of a new school would be considered by the Sub-Committee in July and there would be an opportunity at that stage to consider the specific concerns expressed by members in relation to that application .

RESOLVED: (on a motion by Councillor Hayward seconded by Councillor Mrs Churchill and carried by 9 votes to 1, Councillor Purse having been recorded as voting against and Councillor Bartleet and Councillor Reynolds having been recorded as having abstained) that the Oxford City Council be informed that the County Council as Structure Plan authority had no objection to the

development proposed in application no: 99/00265/NO, subject to the provision of replacement playing fields and public open space.

.....in the Chair

Date of signing1999

AGENDA ITEM PL8

AN APPLICATION BY MR S MACINTOSH AT POPHLEYS FARM, RADNAGE FOR THE TEMPORARY RECYCLING OF SURPLUS CONCRETE BY MOBILE CRUSHER TO USABLE MATERIALS (APPLICATION NO: P99/NO207/CM)

Report by the Director of Environmental Services

Division(s) affected: Chinnor

Introduction

1. This application has been made in an attempt to authorise the unauthorised concrete crushing activities taking place at Pophleys Farm, Radnage. The activities were first drawn to the attention of the County Council in August 1997 by the enforcement officer from South Oxfordshire District Council. He became aware of the activities at Pophleys Farm whilst investigating a series of unauthorised uses/developments on the site next door, Colliers Farm.

Site Description and Planning History (refer to plan)

2. The site covers an area of 0.06 hectares and lies within the Chiltern Area of Outstanding Natural Beauty (AONB). Although the site lies within Oxfordshire, access to the farm can only be gained via Grange Farm Road through Radnage Parish in Buckinghamshire. Colliers Farm lies to the north of the farm. Footpath 10, Crowell, crosses the south-east corner of the site.
3. When officers visited the site there were stockpiles of crushed concrete over 4 metres high. To the rear of the farm buildings was a band elevator. Some of the crushed concrete has been used to upgrade the farm tracks and footpaths surrounding the farm.
4. We have explained to Mr Macintosh, the landowner, that the import, storage and crushing of concrete did not fall within his permitted development rights as granted by the Town and Country Planning (General Permitted Development) Order 1995. A Planning Contravention Notice was served on Mr Macintosh on 11 August 1998. Both he and the contractor, Mr Dowdy, were warned by letter dated 15 January 1999 that enforcement action would be taken if they did not either stop the activity and remove the material from the site or immediately incorporate it into the track maintenance works or make a planning application to regularise the activity. A valid planning application was submitted in March 1999 and is the subject of this report.

The Proposed Development

5. The proposed development seeks planning permission for a temporary period of up to 5 years for the recycling of surplus concrete by mobile crusher to usable material. The crusher would be on site and operating for up to 5 days per year. The applicant states that there would be no export of processed material from the site, although local residents have complained that lorries full of processed material have been leaving the site. The applicant states that material would be used to upgrade the tracks on the farm, although some of these have already been completed. There would be a maximum of 250 lorry movements per year.

Consultation Responses and Representations

6. Refer to Annex 1.

Comments of the Director of Environmental Services

7. The main considerations raised by this application are the impact of the proposal on the Chilterns AONB, the suitability of the local road network for additional HGVs and the impact of noise and dust on nearby residents. These issues need to be balanced against the benefits of proposals which seek to minimise waste generated by increased reuse and recycling of materials, thus reducing the amount of waste that has to be disposed of by landfill.

8. Policies WD1 and M4 of the Oxfordshire Structure Plan promote the recycling and reuse of materials above landfill as does guidance in European, Government, Regional and Local Plan Waste hierarchies. However, this proposal in the open countryside of the Chilterns AONB must be assessed against Structure Plan policy EN4 and South Oxfordshire Local Plan policy C2, PPG7, (The Countryside & the Rural Economy) and policies W3, W4 and W5 of the Minerals & Waste Local Plan (MWLP).
9. Objections have been received from local residents, South Oxfordshire District Council and Wycombe District Council about the unsuitability of such a proposal in the Chilterns AONB. The primary objective of AONB designation is conservation of the natural beauty of the landscape, and in my opinion this proposal would conflict with policies which seek to protect the AONB. It is a very tranquil and unspoilt part of the countryside. Policy W4 of the Minerals & Waste Local Plan states that proposals for re-use/recycling and ancillary processes will not normally be permitted in the open countryside unless there is an established overriding need and no other suitable sites are available.
10. This proposal also fails when assessed against the criteria in policy W3 of the Minerals & Waste Local Plan. The site can only be approached by narrow roads which are unsuitable for use by HGVs. There has also been considerable objection from local residents about the use of HGVs on highway safety grounds. There has been local objection to the proposal on the grounds that the activities to date have resulted in unacceptable nuisance in terms of noise and dust. The applicants have submitted no information suggesting how they would seek to mitigate such nuisance.
11. There are anomalies in the information provided by the applicant relating to the volume of material to be recycled and the length of time the operation would continue. The applicant has not provided a satisfactory explanation of these anomalies, nor any convincing justification for overriding development plan policies.
12. In conclusion I consider that the proposal should be refused on grounds that it is contrary to policies in the Structure Plan, South Oxfordshire Local Plan and Minerals & Waste Local Plan. The proposal is inappropriate in the Chilterns AONB, would create unacceptable environmental nuisance and is poorly connected to the local road network. The applicant should be given three months to incorporate any remaining aggregate stockpiled on the site into farm tracks. In the event that this is not completed within this time, this Council should serve an enforcement notice requiring removal of all stockpiled material.

Environmental Implications

13. These are outlined in the report.

Financial and Staff Implications

14. None, unless the applicant appeals against this refusal.

Implications for People Living in Poverty

15. None identified.

RECOMMENDATIONS

16. **It is RECOMMENDED that:**
 - (a) **planning permission be refused in respect of Application No. P99/NO207/CM for the temporary recycling of surplus concrete by mobile crusher to usable materials on grounds that the proposal is:**
 - (i) **contrary to policies EN4 of the Structure Plan and C2 of South Oxfordshire Local Plan which seek to guard against inappropriate**

development in AONB;

(ii) contrary to policies W3, W4 and W5 of the Minerals & Waste Local Plan in that the site is poorly related to the local transport network; no overriding need for the facility has been established and the site is poorly screened from the surrounding area;

(b) in the event that the applicants fail to clear the site of stockpiled aggregate within three months of the date of this refusal, formal enforcement action be authorised.

DAVID YOUNG
Director of Environmental Services

Background papers: File 8.3/7797/1 Temporary Concrete Crushing at Pophley's Farm, Radnage.
Available in the Land Use Section, Environmental Services

Contact Officer: Amanda Ford, Tel : Oxford 815884

15 June 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL8

AN APPLICATION BY MR S MACINTOSH AT POPHLEYS FARM, RADNAGE FOR THE TEMPORARY RECYCLING OF SURPLUS CONCRETE BY MOBILE CRUSHER TO USABLE MATERIALS (APPLICATION NO: P99/NO207/CM)
ANNEX 1 Consultation Responses

APPLICATION NO. P99/NO207/CM

CONSULTATION RESPONSES

Cultural Services - Footpaths

The line of Footpath 10, Crowell must not be blocked by the siting of the crusher or stockpiles of concrete.

South Oxfordshire District Council - Environmental Health

Conditions to control dust emissions should be attached to any permission granted.

South Oxfordshire District Council - Planning

Objects to the proposal on the basis that the use is both inappropriate and intrusive on a site that lies within an AONB.

Radnage Parish Council

Strongly object to the proposal for the following reasons:

- (a) The access is unsuitable for HGVs.
- (b) The amount of concrete to be crushed exceeds the amount they say will be crushed resulting in more HGVs than stated.
- (c) The development causes a significant noise nuisance which is heard throughout the village for at least 2 days a week not 2 days a year.

Wycombe District Council

Objects to the proposal:

- (a) Contrary to policies in PPG7 which seek to conserve the natural beauty of the landscape.
- (b) Inappropriate development in the Chilterns AONB visually intrusive and the noise and HGV movements will detract from the character of the area.

Buckinghamshire County Council

Object to the proposal as the local road network is unsuitable for HGVs. The access serving the site is inadequate. The development is contrary to the Buckinghamshire County Structure Plan policy TRIA.

Environment Agency

No objections.

REPRESENTATIONS

Mr M Wilson, Andridge House, Radnage.

Objects to the proposal for the following reasons:

- (a) The application appears to be for commercial sale rather than for upgrading of farm track as a certain amount of the specified farm track has already been upgraded. A substantial pile of recycled material has been made to use it to upgrade the farm track. There appears to be some confusion concerning the amount of material that will be imported and the amount required to upgrade the tracks, the figures given would mean it would take between 13.5 years-20 years to upgrade the tracks in question.
- (b) Lorries filled with processed materials signed as belonging to C Dowdy (Contractor) have been seen leaving the application site.
- (c) The existing stockpiles are way in excess of 3 metres.
- (d) Road are unsuitable for HGVs.
- (e) The development leads to unacceptable levels of noise.

- (f) Inappropriate development in the Chilterns AONB.
- (g) Establishes a dangerous precedent and would lead to a permanent proposal.

Mr & Mrs Hardwicke Davies, Andridge Old Barn, Radnage.

Strongly object to the proposal:

- (a) Detracts from the quality of the Chilterns AONB.
- (b) Roads are unsuitable for HGVs.
- (c) It would lead to a permanent permission in the future.
- (d) The development is waste related and is at risk of being used for quantities well in excess of those applied for under this application.
- (e) The applicant states that the materials will be used to upgrade farm tracks, however the existing stockpiles of material remain unused.
- (f) Information on quantities supplied is inaccurate.

Mrs J Tilbury, Andridge Farm, Radnage.

Objects to the proposal:

- (a) Unacceptable development in the Chilterns AONB which is creating unacceptable levels of dust and noise.
- (b) An increase in HGV movements will increase the risk of accidents or injury to local road users.
- (c) If temporary permission is granted it will lead to a permanent permission.
- (d) The plan submitted is inaccurate as I own some of the land marked as belonging to the applicant.

AN APPLICATION FOR A TEMPORARY WASTE TRANSFER STATION AND RECYCLING FACILITY AT TUBNEY WOOD SAND PIT APPLICATION NO: FYF/10304/1-CM

Report by the Director of Environmental Services

Division(s) affected: Cumnor

Introduction

1. Hills Minerals & Waste Limited have applied for planning permission for a temporary waste transfer and recycling facility at Tubney Wood Sand Pit. The aim of the application is to increase the amount of material that can be separated from waste for recycling and re-use before the remainder is landfilled. The introduction of the landfill tax has greatly reduced the amount of inert waste available for restoration of mineral workings which has resulted in the delayed infilling of the sand pit.

Site description and Planning history (refer to plan)

2. Tubney Wood Sand Pit is situated at Oaksmere, approximately 8 km to the south west of Oxford. It lies within the Oxford Green Belt and an area of High Landscape Value (AHLV). Access to the site is gained from a side road close to the A420, which is a dual carriageway at this point. Approximately half of the permitted area has been worked to a depth of 87m AOD (a depth of approximately 8m). There has been no deposit of waste to date. Fyfield and Tubney Footpath N°2 runs to the north east of the pit. The site for the waste transfer facility covers an area of 1.2 hectares and lies in the south west corner of the sand pit, located on the worked out quarry floor and close to the sand pit entrance.
3. Planning permission for the extraction of sand followed by infilling and restoration to agriculture and forestry was granted at appeal in July 1989; extraction commenced in 1990.

The Proposed Development

4. It is proposed that the facility will be developed in tandem with sand extraction in Phase 2. An estimated 25,000 tonnes of non-putrescible waste will be imported each year, principally from builders, contractors and other commercial operators. Members of the public will not be able to use the facility. Approximately 6,000 tonnes of soils will be screened from the waste which will be used to infill the sand pit. The transfer and sorting area will be constructed at the level of 87m AOD. Material will be stockpiled to less than 5m in height. The transfer area will be surrounded on three sides with concrete L sections to enclose it. The reception area will be fenced on the north western and north eastern boundaries to prevent unauthorised access. The sand pit boundary will form a natural barrier on the other sides of the development.
5. The waste will be brought in skips which will be deposited within the transfer area to form stockpiles of inert materials to be screened or crushed if appropriate. The type of waste in each skip will be checked on arrival to ensure it falls within the waste management licence. It will then be tipped in the transfer area and sorted mechanically using a front-end shovel and where necessary by hand, into its different components, recyclable soils and demolition materials, other recyclable materials such as metals, cardboard, wood, green waste for composting etc, non-inert waste that cannot be recycled and will need landfilling and inert waste that can be used for restoration. A soil screener will be used to create topsoils and subsoils. A concrete crusher will be used to create secondary aggregates from materials that would otherwise be landfilled. The green waste will be sorted out and exported to Hill's composting facility at Compton Bassett near Calne, Wiltshire.
6. The applicant states that the proposal will result in 70 lorry movements a day. The site is currently generating an average of 40 movements per day related to the sand extraction. The existing site staff working at the sand pit will run the activities at the facility. If and when recycling activities increase an additional staff member will be employed.

Consultation Responses and Representations

7. Refer to Annex 1.

Comments of the Director of Environmental Services

8. A waste transfer facility at the sandpit would provide the opportunity for waste materials that are currently landfilled to be reused in accordance with Structure Plan policy WD1 and M4 and Minerals and Waste Local Plan (MWLP) policies W3 and W4(b). European, Government, Regional and Local Plan waste hierarchies promote the reuse and recycling of waste materials above landfill, which is identified as the worst option.
9. In their application Hills have stressed that due to the introduction of the landfill tax they have not been able to attract inert materials to fill the sandpit, as the inert materials have been diverted to site exempted from the landfill tax. Recycling activities are exempt from tax and thus the applicants expect to attract suitable waste.
10. Policy W4(b) of the MWLP states that re-use/recycling facilities will not usually be permitted in the open countryside unless the development is to form part of a mineral extraction/landfill site and will be removed on completion of extraction/landfill. This facility will screen out inert materials which will then be retained on site and used for infilling. In the event of planning permission being granted conditions would be attached to ensure that the waste transfer facility would not extend beyond the life of the site.
11. I have received a number of objections and letters from local residents who are concerned about the inappropriate nature of this proposal in this location in the Oxford Green Belt. Policy G4 of the Oxfordshire Structure Plan sets out the purposes of the Green Belt. As this is a temporary facility I do not consider that it will conflict with these purposes. Local residents objected to the original application for sand extraction and although acknowledging that Hills have been good neighbours they do not wish to have a waste transfer facility at the site. A key concern is that this proposal is a back door way of establishing a permanent waste transfer facility at the site. Many of the materials that will be imported will not be suitable for filling the sandpit and will be sorted and then exported either to landfill or for reuse in the case of the recycled aggregate.
12. Whilst I can appreciate the concerns of local residents and the Tubney Wood Preservation Society about this proposal and the possibility of a precedent being established I am aware that this application must be considered as proposed i.e. as a temporary development. This Authority is not being asked for permanent permission for the development.
13. Although recognising the problems that have resulted from the introduction of the landfill tax I am concerned if the waste transfer facility were granted approval it should not be divorced from the activities at the landfill site. If approved, the life of the facility should be conditioned to end and be removed in 2006 to allow time for infilling the facility area in order to meet the end date for restoration of the sand pit which is 2009. The types of material that will be brought to the facility can be controlled by condition and the waste management licence. Putrescible waste will not be permitted.
14. Concern has also been raised about the unsuitability of this proposal in the Oxford Green Belt and AHLV. The proposal needs to be assessed against policies G4 and EN4 of the Structure Plan and G1 and C5 of the Vale of White Horse District Local Plan. I do not consider that the proposal will be visually intrusive as the maximum height of the stockpile will be 2m below surrounding ground level. Stockpiled materials will be less than 5m in height and a condition has been imposed to that effect. The quarry boundary and existing trees currently screen the site from the surrounding land and the A420.
15. Local residents have raised concerns about the environmental impacts of the proposal such as noise, dust, vermin, litter etc.. The closest houses are Tubney Wood Farm and Keepers House which lie 300m to the north west of the site. Appleton Village is 1 kilometre away. As the site is some distance from residential development, I consider that environmental impacts can be

satisfactorily controlled by condition.

16. I am aware that there is considerable concern about the proposal from local residents but I believe these effects can be controlled by condition. In conclusion I consider that there is merit in permitting this application. The proposal would provide materials to restore the site and would allow materials that are currently landfilled to be reused and recycled. However, the permission should be limited, to ensure that the sand pit can be restored by the authorised restoration date of 2009.

Environmental Implications

17. These have been outlined in the report.

Financial & Staff Implications

18. There are none unless the applicants appeal against a refusal.

Implications for People Living in Poverty

19. There are none arising from this report.

RECOMMENDATION

20. **It is RECOMMENDED that planning permission be granted for the development proposed in application number FYF/10304/1-CM subject to the conditions listed in Annex 2 to this report.**

DAVID YOUNG
Director of Environmental Services

Background Papers: File No 8.4/4400/1.1 Tubney Wood Sand Pit. Waste Transfer Station and Recycling Facility

Contact Officer: Amanda Ford Tel: Oxford 815884

18 June 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL9

AN APPLICATION FOR A TEMPORARY WASTE TRANSFER STATION AND RECYCLING FACILITY AT TUBNEY WOOD SAND PIT APPLICATION NO: FYF/10304/1-CM
ANNEX 1 Consultation Responses

APPLICATION NO FYF/10304/1-CM

CONSULTATION RESPONSES

Oxfordshire County Council - Department of Cultural Services

The public's right to use Fyfield and Tubney Footpath No 2 should be protected.

Vale of White Horse District Council - Environmental Health

No objections although conditions should be attached to permission concerning hours of operation and the applicant must obtain the necessary waste management licence from the Environment Agency prior to operation of the facility.

Vale of White Horse District Council - Planning

No objection subject to the implementation of appropriate noise measures. The site should be infilled and restored by 2009.

Highways Agency

No objection subject to the following conditions:

All vehicles leaving the site should be netted or sheeted and wheels should be cleaned before entering the public highway.

Environment Agency

No objection subject to conditions to be attached to any permission relating to drainage, bunding around fuel storage facilities and details of an impervious base on which materials are to be sorted.

Fyfield and Tubney Parish Council

No objection to the site being in-filled with inert waste but are concerned by the plans which may mean the site is used as a processing area and the waste not actually being used for infill.

Appleton with Eaton Parish Council

The parish council considers that this is an unacceptable escalation of the current use at the sandpit and objects to the proposal. In the event that the development is granted it should be carefully controlled, the waste should be quickly sorted, littering screens should be erected to control wind blown litter and the operations should be carefully monitored to ensure compliance with conditions.

REPRESENTATIONS

District Councillor John Woodford

Expresses concerns about the proposal, as it could be a bad neighbour for local residents. Also Hills have shown no commitment to completing infilling and restoration by 2009, details as to how they propose to recover the slippage in time should be provided.

Tubney Woods Preservation Group

Recommends that the application is rejected on the following grounds:

Inappropriate development in the Oxford Green Belt;

It was never anticipated that a waste transfer facility would be established at Tubney when the Inspector made his decision to grant permission for the landfill site.

The County Council should ensure that restoration will be completed by July 2009.

Mr & Mrs Hancock & Family Spinney View, Appleton

Object to the proposal for the following reasons:

- Conditions were attached to the permission stating that extraction would be completed by 2007 and the pit filled in and landscaped by 2009. This application conflicts with what has been said by Hills to date.
- Hills claim they need the waste transfer facility to facilitate infilling, however, if the inert materials are exported then infilling will not occur.
- The site will become littered with paper and there will be an increase in HGV traffic.
- Stockpiling of materials may lead to vermin problems.
- Appleton is an area of outstanding natural beauty and it should not have its approach blighted with such an offensive scheme. If a waste transfer facility was permitted it should be operated within a building.

Professor AJ & Professor SM Kingsman The Keepers House, Appleton

Although there may be short term benefits to accelerating the landfill at the sand pit, it would not be desirable to see this type of industrial scale process given long term approval. We would like reassurance that Hills will complete the works by 2007. We are concerned that the present site has lost some of its wooded appearance. We would like reassurance that the proposal will not lead to pollution i.e. dust, noise, smell, toxic fumes etc. The site should be kept clear of rubbish and any plant should be well hidden. There should be no change in the type of waste that can be used for the infill and no change to the bund and forest zones. If the application is approved it is hoped it would not detract from our family's enjoyment of living in the countryside.

AN APPLICATION FOR A TEMPORARY WASTE TRANSFER STATION AND RECYCLING FACILITY AT TUBNEY WOOD SAND PIT APPLICATION NO: FYF/10304/1-CM
ANNEX 2 Schedule of Conditions

Schedule of Conditions - Application No FYF/10304/1-CM

1. The development hereby permitted shall commence within five years from the date of this permission and the permission shall cease on 31 December 2006. All structures and plant related to the waste transfer facility must be dismantled and removed from site by this date.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990 and to ensure that the site and adjoining land is suitably restored.

2. The development shall be carried out strictly in accordance with the description of the development, plans and specifications contained in the application unless otherwise altered by conditions of this permission.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. No waste other than those waste materials defined in the application shall enter the site.

Reason: Waste materials outside these categories raise environmental and amenity issues that would require consideration afresh.

4. No lorries shall enter or leave the site and no plant or machinery shall be operated, except between 0700 hours and 1800 hours Mondays to Fridays and between 0700 hours and 1300 hours on Saturdays. No work shall take place at the site on Sundays or recognised public holidays or Saturdays following bank holiday Fridays.

Reason: In the interests of the amenities of the local area.

5. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and dust being carried on to the highway. In the event of complaints being received concerning mud on the road details of measures to be taken to prevent mud from vehicles leaving the site being deposited on the public highway shall be submitted to the local planning authority for approval within one month of the local planning authority informing the site operator in writing that mud derived from the development is being deposited on the highway in unacceptable amounts. The approved measures shall be implemented within one month of the local planning authority approving them in writing.

Reason: In the interests of highway safety and to prevent mud and dust getting onto the highway.

6. All internal site haul roads shall be maintained in a condition free from potholes while in use and shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

Reason: To ensure that the site is satisfactorily restored and to minimise noise disturbance to local inhabitants.

7. In periods of dry weather internal haul roads shall be sprayed with water sufficient to prevent dust becoming airborne.

Reason: In the interest of the amenities of local residents.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, building, structures and erections, or private ways shall be erected within the curtilage of the site without the prior approval of the local planning authority in writing.

Reason: To protect the amenities of the area.

9. No reversing beepers or other means of audible warning system should be attached to plant unless the details are first agreed in writing by the local planning authority.

Reason: To protect the occupiers of nearby premises from unreasonable noise intrusion.

10. All loaded lorries entering or leaving the site shall be sheeted.

Reason: In the interests of highway safety and safeguarding the local environment.

11. The construction of the drainage system shall not be carried out except in accordance with details submitted to and approved in writing by the local planning authority and shall be completed prior to the development commencing.

Reason: To prevent pollution of the water environment.

12. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls.

Reason: To prevent pollution of the water environment.

13. The construction of the impervious concrete base shall not be carried out except in accordance with details submitted to and approved in writing by the local planning authority and shall be completed prior to the development commencing.

Reason: To prevent pollution of the water environment.

14. Details of dust suppression measures shall be submitted to the local planning authority within one month of the local planning authority informing the site operator in writing that dust derived from the development is causing nuisance to local residents. The approved measures shall be implemented within one month of the local planning authority approving them in writing.

Reason: In the interests of the amenities of local residents.

15. Noise levels attributable to the operations subject to this permission when measured 3.5 metres from the façade of The Keeper's House or Tubney Manor Farm shall not exceed an absolute limit of 55dB(A) Laeq (1 hour) freefield.

Reason: In the interest of the amenities of local residents.

16. No lighting shall be erected on site unless otherwise agreed by the local planning authority.

Reason: In the interests of the amenity of the area and nearby residents.

17. No stockpiled materials shall exceed 5 metres in height measured from the storage area.

Reason: In the interests of the amenity and character of the Green Belt and Area of High Landscape Value (AHLV).

18. No storage of waste material other than inert material to be landfilled shall take place outside the permitted area.

Reason: In the interest of the amenity of the area and the proper functioning of the site.

19. No retail sales to members of the public shall be made from the site.

Reason: In the interests of highway safety.

20. There shall be no export of inert materials which can be used for restoration of the sandpit except to that sandpit which is the subject of planning permission FYF/10304.

Reason: In order to expedite the restoration of the sandpit.

ENVIRONMENTAL IMPACT ASSESSMENT: TO REVISE THE POWERS DELEGATED TO THE DIRECTOR OF ENVIRONMENTAL SERVICES

Report by the Director of Environmental Services

Introduction

1. One of the planning functions delegated to me by the County Council relates to action under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988. These regulations have now been superseded by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. What was previously called Environmental Assessment is now termed Environmental Impact Assessment.

Comments of the Director

2. The new regulations require local planning authorities to give written opinions as to whether development needs to be accompanied by an Environmental Statement (ES) (a screening opinion) and as to what needs to be in an ES (a scoping opinion). They require the publicising of opinions and of decisions and that these be made available for inspection. Local planning authorities are required to apply the regulations to unauthorised development, particularly with respect to enforcement notices. Detailed procedures for County Council development are also set out. Time limits are imposed for the giving of opinions.
3. Annex 1 sets out existing delegated powers in relation to the 1988 Regulations together with the delegated powers I am recommending under the new regulations.

Financial and Staff Implications

4. There are no financial and staffing implications although I will be able to react quickly to requests made under the provisions of the regulations and have the ability to more easily meet the deadlines set by the regulations.

Environmental Implications

5. There are no environmental implications directly as a result of this report. Environmental Impact Assessment is intended to provide a systematic evaluation of the environmental effects of development and of potential mitigating measures.

Implications for People Living in Poverty

6. There are none arising from this report.

RECOMMENDATION

7. **It is RECOMMENDED that the planning powers delegated by the County Council to the Director of Environmental Services be revised to delete those under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 and substituted by those under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and set out in part (b) of annex 1 to this report.**

DAVID YOUNG
Director of Environmental Services

Background papers: The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 S.I. 1999 No.293

Contact Officer: John Duncalfe Tel: Oxford 815356

24 June 1999

**ENVIRONMENTAL IMPACT ASSESSMENT: TO REVISE THE POWERS DELEGATED TO THE
DIRECTOR OF ENVIRONMENTAL SERVICES
ANNEX 1**

(a)

Current Delegated Power

Action under the Town & Country Planning (Assessment of Environmental Effects) Regulations 1988 on the following;

- * requests for an opinion as to whether an Environmental Assessment (ES) is required (regulation 5);
- * notifying an applicant for planning permission that an ES is required (regulation 5);
- * requiring applicants to provide further information or evidence in connection with an ES (regulation 21);
- * deciding whether the County Council has any non-confidential information relevant to the preparation of an ES (regulation 22);
- * asking the Secretary of State whether a County Council application requires an ES (regulation 17).

(b)

Recommended Delegated Powers

Powers under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 to exercise the planning authority's functions of:-

- * adopting a screening opinion to the effect that development is or is not EIA (Environmental Impact Assessment) development (regulations 4 and 5);
- * notifying an applicant that an ES is required (regulation 7);
- * giving a scoping opinion (regulation 10);
- * providing relevant information necessary for the preparation of an ES (regulation 12);
- * carrying out information and consultation functions with respect to an ES (regulation 13);
- * requiring applicants to provide further information in connection with an ES and the publicising of its submission (regulation 19);
- * ensuring that information under the regulations relating to a planning application is placed on the planning register (regulation 20);
- * ensuring that information relating to screening and scoping is made available for inspection (regulation 20);
- * publicising and making available for inspection decisions on EIA development (regulation 21);
- * carrying out the functions under the regulations with respect to development applications made by the County Council (regulation 22);
- * carrying out the functions under the regulations with respect to unauthorised development (regulation 25).

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL11

PROGRESS ON ENFORCEMENT CASES

Report by the Director of Environmental Services

Division(s) affected: Previously Notified except for Yarnton and Otmoor; Shrivenham

Introduction

1. This attached schedule covers only those cases where various notices under the Town and Country Planning Act 1990 (as amended) have been issued. Many more cases are currently being investigated that have either not reached this stage or where resolution has been achieved/is being sought by alternative means. Sites where notices have been served and the Sub-Committee informed that the breaches have been rectified are not included in the list.

Environmental Implications

2. These are identified as appropriate in the Schedule. Effective enforcement of planning control is essential to protect the environment.

Staff Implications

3. Enforcement action takes a considerable amount of staff time; this is met from existing resources.

Financial Implications

4. There are none which can be identified at this stage.

Implications for People Living in Poverty

5. There are none arising from this report.

RECOMMENDATION

6. **The Sub-Committee are RECOMMENDED to receive the report.**

DAVID YOUNG
Director of Environmental Services

Background Papers: Nil

Contact Officer: Suzi Coyne Tel: Oxford 815871

21 June 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL11

PROGRESS ON ENFORCEMENT CASES

Schedule

SITE AND DEVELOPER	SUSPECTED BREACH OF CONTROL	NOTICE AND DATE OF SERVICE	PROGRESS
<u>SCHEDULE</u>			
SITE AND DEVELOPER	SUSPECTED BREACH OF CONTROL	NOTICE AND DATE OF SERVICE	PROGRESS
1. Grundon #1 Site, Ewelme. S Grundon (Ewelme) Ltd	Unauthorised lateral and vertical extension of landfill site.	PCN - 14/7/98	Current planning application to regularise the use is being dealt with through delegated powers.
2. Land at Manor Farm, Frilford. Mr T Healy	Unauthorised use of land for the deposit of inert waste materials.	PCN - 11/8/98	Evidence of additional tipping inconclusive. Continue to monitor.
3. Pophleys Farm, Bennet End, Radnage. Mr S MacIntosh	Unauthorised use of land for the deposit, processing and storage of inert waste materials.	PCN - 11/8/98	Planning application to be considered by this Sub-Committee. Refusal recommended. Formal enforcement action to be taken if site not cleared within 3 months.
4. Childrey Quarry, Childrey. Mr D Lewis	a) Unauthorised use of land for the transfer of waste materials b) Failure to comply with condition 11 of WCH/5048/1-CM (aftercare scheme)	a) PCN - 18/12/98 b) BCN - 18/12/98	a) No planning application received, but site is closed. Monitor activity. Continue to monitor. b) Aftercare scheme received and out to consultation.

Note: PCN: Planning Contravention Notice
 BCN: Breach of Contravention Notice

SITE AND DEVELOPER	SUSPECTED BREACH OF CONTROL	NOTICE AND DATE OF SERVICE	PROGRESS
5. Shipton on Cherwell Quarry, Shipton on Cherwell. Earthline Ltd	Unauthorised use of land for the deposit of waste materials	PCN - 11/12/98	Permission No: 98/0205 issued 10/6/99 for further stabilisation works involving deposit of waste. Conditions require import to stop until further necessary details have been submitted and approved. Some submission of details time of writing reports but insufficient and not yet approved. BCNs are therefore to be

served. Oral update at the meeting. Cherwell DC has taken the approach and must take parallel action.

- | | | | |
|----|--|--|--|
| 6. | Barford Road Farm
South Newington

Mr Hambridge | Unauthorised use of land for the deposit of waste materials

PCN - 05/02/99 | Response received. No action taken that waste disposal. Cherwell DC to serve enforcement notice requiring site to be restored within 3 months. |
| 7. | Disused Quarry
Blowing Stone Hill
Kingston Lisle

Mr Nash | Unauthorised use of land for the deposit of waste materials

PCN - 8/4/99 | At meeting of 20/4/99 landowner agreed to remove waste, regrade and fence during summer to regularise and prevent further breach. Monitor and take formal action if no progress. |
| 8. | Farm Quarry, Stratton Audley

Mr Barfoot
Stratton Audley Quarry Ltd | Failure to comply with condition 10 of permission for development ref. 97/01501/CM (<i>no mud on road</i>).

BCN - 17/2/99 | New wheelwash and road sweeper installed. Site monitored to ensure equipment is used. |

SITE AND DEVELOPER	SUSPECTED BREACH OF CONTROL	NOTICE AND DATE OF SERVICE	PROGRESS
9. Mr J Barney	New Manor Farm, Marston (Elsfield Parish)	Unauthorised deposit of waste. Enforcement - 23 April 1991. Upheld - 3 August 1992. Convicted for non-compliance 27 January 1994.	Further unhelpful response. GOSE. Now pursuing grant from English Heritage.
10. Mr G. Parker	Hundridge Farm, Ipsden Heath	Unauthorised deposit of waste and recycling activities. Enforcement - June 1997.	Enforcement notice served because Lawful Development Certificate with minor limitations granted in 1998. Site inspected. Mr Parker is attempting to regularise. Continue monitoring. Enforcement notice served in event of failure to regularise. Incomplete compliance was recently successfully prosecuted by the Environment Agency for not having a waste management licence.
11.	Pound Close, Great Milton James Bull Plant Hire	Unauthorised storage of waste. Enforcement - 19 March 1996. Convicted for non-compliance 14/4/97.	Site still needs to be regularised. Required to be done by 14/4/97.

SITE AND DEVELOPER	SUSPECTED BREACH OF CONTROL	NOTICE AND DATE OF SERVICE	PROGRESS
12. Mr A P Gresswell	Hinksey Heights Golf Course	Unauthorised import and deposit of inert waste. PCN - 15 August 1996. Enforcement and Stop - 2 September 1998.	S.330 notice served in 1999 requiring further information as per S.330. Serving further enforcement notice.

notice requiring re
 waste to level of s
 landscape consul
 Bate. Landowner
 requested site vis
 scope for compro
 Arranged for 16 J
 without prejudice
 enforcement actio
 may take.

- | | | | |
|-----|-------------------------------|---|---|
| 13. | Waterbridge Farm
Adderbury | Unauthorised deposit of waste. PCN - 13 May 1997. | Retrospective app |
| | Mr & Mrs Reed | Enforcement and Stop - 10
February 1998. | golf course subm
Cherwell DC. Mr |
| | Lumar Developments Ltd | Upheld - 24 November 1998. | leave to appeal ag
Inspector's decisi
Negotiations with
agree landscaping
waste ongoing. M
scheduled for 28
Oral update at me |
| | | | |
| 14. | Waterstock Golf
Course | Unauthorised deposit of waste PCN - 4 July 1997. | Wyatt Bros have |
| | Wyatt Bros
(Oxford) Ltd | Enforcement - 23 September
1997. | leave to appeal ag
Inspector's decisi |
| | | Stop - 23 October 1997. | |
| | | Enforcement - 31 October 1997 | |
| | | Enforcement and Stop
- 12 November 1997 | |
| | | Upheld - 7 April 1999. | |

COUNTY COUNCIL PLANNING APPLICATIONS

Report by the Director of Environmental Services

Division(s) affected: Previously notified

1. The Schedule annexed to this report considers 9 current planning applications for County Council development, made under Regulation 3 of the Town and Country Planning Regulations 1992.

Application No: C.14/99 (detailed)

Renewal of consent for two, two classroom prefabricated buildings Ref. E020 and E197 for a temporary period of five years, Glory Farm Primary School, Hendon Place, Sunderland Drive, Bicester

Application No: C.15/99 (detailed)

Application No: C.15/99 (detailed)

Construction of a classroom extension, West Kidlington C.P. School, Oxford Road, Kidlington.

Application No: C.20/99 (detailed)

Erection of two, double prefabricated buildings (15.0M x 8.5M) for a temporary period expiring on 28/02/2002 and removal of single prefabricated classroom (Ref. H011), The Warriner School, Banbury Road, Bloxham, Oxon OX15 4CJ

Application No: O.05/99 (detailed)

Erection of a prefabricated building for the 'PEEP' project for a temporary period of five years, 'PEEP' project, Peers School, Sandy Lane West, Littlemore.

Application No: S.09/99 (detailed)

Change of use from Resource Base to use as a Satellite Day Service Centre for Adults with Learning Difficulties including construction of access ramp, Social Services Resource Base, Greys Hill, Henley-on-Thames, Oxon.

Application No: S.14/99 (detailed)

Relocation of existing prefabricated classroom and erection of a single classroom prefabricated building, both for a temporary period of five years, Great Milton CE School, High Street, Great Milton, Oxon OX9 7NT

Application No: V.04/99 (detailed)

Erection of a single classroom prefabricated building for a temporary period of five years, The Hendreds CE School, Ford Lane, East Hendred, Oxon OX12 8JX

Application No: W.05/99 (detailed)

Construction of new sports hall, changing rooms and staff area and alterations to existing changing room facilities, plus associated external works, The Henry Box School, Church Green, Witney, Oxon OX8 6AX

Application No: W.06/99 (detailed)

Construction of a single storey extension to CDT and Science Blocks to provide additional classrooms and science preparation area, Woodgreen School, Woodstock Road, Witney, Oxon OX8 5DX

2. The applications and any letters of objection which may be received are available for inspection in the Land Use Planning Section of Environmental Services (refer to Contact Officer).

Environmental Implications

3. These are identified as appropriate in the application schedule.

Staff and Financial Implications

4. The Sub-Committee are asked to determine the applications. The finance for and staff implications of the scheme are a matter for the promoting Committee.

Implications for People Living in Poverty

5. There are none arising from this report.

RECOMMENDATION

6. **It is RECOMMENDED that subject to consideration of any further representations received by the date of the meeting, the applications be determined as recommended in the schedules appended to this report, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer.**

DAVID YOUNG
Director of Environmental Services

Background papers: Nil

Contact Officer: John Griffin, Tel. Oxford 815723

July 1999

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: C.15/99 (detailed) - West Kidlington C.P. School, Oxford Road, Kidlington.

Application No: C.15/99 (detailed)

Construction of a classroom extension, West Kidlington C.P. School, Oxford Road, Kidlington.

Development and Site (see plan):

This application is for the construction of a permanent classroom extension. The proposal is funded by the Government and is being provided to reduce class sizes as required by the 1998 School Standard and Framework Act.

The extension is planned to be to the rear of the school where it will not be prominent, have a flat roof and be constructed in matching materials.

The Cherwell Local Plan has a policy C28 which sets out criteria for the layout, design and appearance of new development.

Results of Consultations:

Cherwell District Council Ä raise objection for the following reason: that the classroom fails to relate in architectural terms to the building to which it is to be attached. As such the proposal does not comply with Policy C28 in the adopted Cherwell Local Plan which seeks to ensure, inter alia, that the design and external appearance of extensions are sympathetic to the character of the area.

Kidlington Parish Council Ä no objection.

Environment Agency Ä no objection.

Director's Comments:

This classroom is required if the County Council is to meet the statutory requirement of the DfEE that all 5 to 8 year old pupils are in classes of 30 or fewer by 2001.

Cherwell District Council have objected as they consider the proposal conflicts with Policy C28 of their Local Plan. The District Council refer to the school as "a miscellany of buildings of different styles resulting in an uncoordinated appearance." Based on this description I do not see that the design of the classroom extension conflicts with the existing character of the school.

No objections were received from the neighbours consulted in Oxford Road.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED to approve the application subject to the following conditions:-

- 1. detailed compliance;**
- 2. detailed duration limit Ä 5 years;**
- 3. approve schedule of materials and finishes.**

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: C.14/99 (detailed) - Glory Farm Primary School, Hendon Place, Sunderland Drive, Bicester.

Application No: C.14/99 (detailed)

Renewal of consent for two, two classroom prefabricated buildings Ref. E020 and E197 for a temporary period of five years, Glory Farm Primary School, Hendon Place, Sunderland Drive, Bicester.

Development and Site (see plan):

This application is for the renewal of planning consent for two prefabricated classroom buildings which are needed for pupil numbers on roll.

The application is acceptable in relation to planning policies.

Results of Consultations:

Cherwell District Council – no objection subject to 5 years temporary permission.

Bicester Town Council – object to the proposal to renew the consent for the temporary classrooms for a period of five years, but would not object to it being renewed for a period of two years, provided action is taken during that time to construct permanent classrooms at the school.

Director's Comments:

These prefabricated classrooms are located in a group of other prefabricated classrooms and are not near any residential properties. The classrooms provide 120 places and are required for future forecast figures through to 2004.

RECOMMENDATION:

The Sub-Committee are **RECOMMENDED** to approve the application subject to the following conditions:

1. detailed compliance;
2. temporary permission – 5 years;
3. building colour not to be changed.

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL7

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: C.20/99 (detailed), The Warriner School, Banbury Road, Bloxham, Oxon OX15 4CJ

Application No: C.20/99 (detailed)

Erection of two, double prefabricated buildings (15.0M x 8.5M) for a temporary period expiring on 28/02/2002 and removal of single prefabricated classroom (Ref. H011), The Warriner School, Banbury Road, Bloxham, Oxon OX15 4CJ

Development and Site (see plan):

This application is for the erection of two, two classroom prefabricated buildings to accommodate numbers on roll from September 1999.

The buildings are on a part of the site where prefabricated buildings have been placed in the recent past. They are not prominently located but will be obvious to the adjoining houses.

There are no planning policy issues.

Results of Consultations:

None so far.

Director's Comments:

These four classrooms are urgently needed by next September to accommodate an increase in numbers on roll.

To achieve this deadline, work to provide the buildings needs to start as soon as possible after the end of the summer term.

However, the application was only submitted in June and would normally be reported to the Committee on 6 September. This would of course be too late to provide the classrooms in time.

In view of the urgent need for the buildings, I understand that it is likely that they may be erected before planning permission is granted. I think it is important that the Sub-Committee informs the CEO and WSA that a) it will not be prepared to consider such late applications in future unless there is overriding need and it is unavoidable (e.g. because of fire) and b) that if planning permission is refused the buildings will need to be removed from the site.

I can foresee no planning difficulties with the application.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED:

- (a) **subject to first consulting the Sub-Committee Spokespersons on any objections that cannot be overcome by conditions or agreement to authorise the Chief Planning Officer to approve the application at the end of the consultation period, subject to the following conditions:**
1. **detailed compliance;**
 2. **temporary permission Å 5 years;**
- (b) **to inform the Chief Education Officer and W S Atkins that the Sub-Committee would not be prepared to consider such late applications in future unless there was an overriding need and was unavoidable (e.g. because of fire) and that in the event of planning permission being refused the buildings would need to be removed from the site.**

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: O.05/99 (detailed) - PEEP' project, Peers School, Sandy Lane West, Littlemore.

Application No: O.05/99 (detailed)

Erection of a prefabricated building for the 'PEEP' project for a temporary period of five years, 'PEEP' project, Peers School, Sandy Lane West, Littlemore.

Development and Site (see plan):

This application is for the erection of a building for the Peers Early Education Partnership (PEEP) which aims to bring about a significant improvement in educational achievement especially in literacy, by a whole community of children.

The building is proposed to be sited on an underused tarmac area at the rear of the school and adjacent to permanent buildings also used by PEEP. The building will not be prominent.

There is a City Council Policy EN93 relating to prefabricated buildings. The application does not materially conflict with this.

Results of Consultations:

Littlemore Parish Council Ä objects because of insufficient time to respond.

Environment Agency Ä no objection.

The consultation period has not yet expired. Any further representations will be reported at the meeting.

Director's Comments:

The Parish Council were consulted on 17 May and replied on 8 June. All Parish Councils are usually given a 21 day consultation period.

The pedestrian access to the school is combined with the vehicular access and is not satisfactory especially for increased use by parents and children. However, the building is desperately needed for this summer and as a result I recommend a temporary consent of one year to allow the investigation of a proper pedestrian access or improvements to the existing access.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED subject to the consideration of any objections received before the date of the meeting, to approve the application subject to the following conditions:-

1. detailed compliance;
2. temporary permission Ä 1 year.

Informative:- Pedestrian access to be improved.

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL7

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: S.09/99 (detailed) Social Services Resource Base, Greys Hill, Henley-on-Thames, Oxon.

Application No: S.09/99 (detailed)

Change of use from Resource Base to use as a Satellite Day Service Centre for Adults with Learning Difficulties including construction of access ramp, Social Services Resource Base, Greys Hill, Henley-on-Thames, Oxon.

Development and Site (see plan):

As a result of a new strategy the Grey's Hill office/resource base is no longer needed by Social Services and they wish to use the building as a town base for adults with learning disabilities.

The base would be located in a building which has adequate car parking and which is close to the town centre. It would operate from 8.45-16.30 hours Monday to Friday. The site is located in a quiet residential part of the Henley Conservation Area.

There are no planning policy considerations.

Results of Consultations:

South Oxfordshire District Council Ä recommend approval.

Henley Town Council Ä no objection.

Mrs S Soutter, Fairy Cottage, Greys Hill Ä strongly objects Ä additional traffic Ä great expense and disruption Ä spare money should be used to keep children's centre in West Street open.

Director's Comments:

The traffic requirements of the proposed use will be less than those of the existing use.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED to approve the application subject to the following conditions:

1. detailed compliance;
2. detailed duration limit Ä 5 years;
3. access ramp to be provided before consent implemented.

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL7

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: S.14/99 (detailed) Great Milton CE School, High Street, Great Milton, Oxon OX9 7NT

Application No: S.14/99 (detailed)

Relocation of existing prefabricated classroom and erection of a single classroom prefabricated building, both for a temporary period of five years, Great Milton CE School, High Street, Great Milton, Oxon OX9 7NT

Development and Site (see plan):

This application is for the relocation of a small prefabricated building and the erection of a single classroom building to accommodate numbers on roll from September 1999.

The buildings are at the back of the school and beside a hedged boundary to adjacent allotments. The siting is not prominent and there are no environmental issues so long as an adjacent tree is protected during the work.

There are no planning policy issues.

Results of Consultations:

None so far.

Director's Comments:

These two classrooms are urgently needed by next September to accommodate an increase in numbers on roll.

To achieve this deadline, work to provide the buildings needs to start as soon as possible after the end of the summer term.

However, the application was only submitted in June and would normally be reported to the Committee on 6 September. This would of course be too late to provide the classrooms in time.

In view of the urgent need for the buildings, I understand that it is likely that they may be erected before planning permission is granted. I think it is important that the Sub-Committee informs the CEO and WSA that a) it will not be prepared to consider such late applications in future unless there is overriding need and it is unavoidable (e.g. because of fire) and b) that if planning permission is refused the buildings will need to be removed from the site.

I can foresee no planning difficulties with the application.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED:

- (a) **subject to first consulting the spokespersons on any objections that cannot be overcome by conditions or agreement to authorise the Chief Planning Officer to approve the application at the end of the consultation period, subject to the following conditions:**
 - 1. **detailed compliance;**
 - 2. **temporary permission for 5 years;**
- (b) **to inform the Chief Education Officer and W S Atkins that the Sub-Committee would not be prepared to consider such late applications in future unless there was overriding need and**

was unavoidable (e.g. because of fire) and that in the event of planning permission being refused the building would need to be removed from site.

Environmental Committee
PLANNING SUB-COMMITTEE - 12 JULY 1999
AGENDA ITEM PL7

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: V.04/99 (detailed) The Hendreds CE School, Ford Lane, East Hendred, Oxon OX12 8JX

Application No: V.04/99 (detailed)
Erection of a single classroom prefabricated building for a temporary period of five years, The Hendreds CE School, Ford Lane, East Hendred, Oxon OX12 8JX
Development and Site (see plan):

This application is for the erection of a prefabricated classroom to accommodate numbers on roll from September 1999.

The building is located on a part of the site which has had a planning consent for a similar size building for a local play group.

From some directions the site is prominent, but the building has been sunk in the ground and a hedge is proposed to be thickened to reduce its impact.

There are no planning policy issues.

Results of Consultations:

None so far.

Director's comments:

The building is urgently needed by next September to accommodate an increase in numbers on roll.

To achieve this deadline, work to provide the building needs to start as soon as possible after the end of the summer term.

However, the application was only submitted in June and would normally be reported to the Committee on 6 September. This would of course be too late to provide the classroom in time.

In view of the urgent need for the buildings, I understand that it is likely that they may be erected before planning permission is granted. I think it is important that the Sub-Committee informs the CEO and WSA that a) it will not be prepared to consider such late applications in future unless there is overriding need and it is unavoidable (e.g. because of fire) and b) that if planning permission is refused the buildings will need to be removed from the site.

I can foresee no planning difficulties with the application.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED:

- (a) **subject to first consulting the spokespersons on any objections that cannot be overcome by conditions or agreement to authorise the Chief Planning Officer to approve the application at the end of the consultation period, subject to the following conditions:**
1. **detailed compliance;**
 2. **temporary permission for 5 years;**
- (b) **to inform the Chief Education Officer and W S Atkins that the Sub-Committee would not be prepared to consider such late applications in future unless there was overriding need and**

was unavoidable (e.g. because of fire) and that in the event of planning permission being refused the building would need to be removed from site.

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: W.05/99 (detailed) The Henry Box School, Church Green, Witney, Oxon OX8 6AX

Application No: W.05/99 (detailed)

Construction of new sports hall, changing rooms and staff area and alterations to existing changing room facilities, plus associated external works, The Henry Box School, Church Green, Witney, Oxon OX8 6AX

Development and Site (see plan):

This application is for the demolition of the existing inadequate sports hall and its replacement with improved facilities.

The site, which is in the centre of the school, is in the Witney Conservation Area and within the curtilage of several listed buildings.

The building will not be readily visible from outside the site and has been designed to respect the special character of the surrounding buildings and to preserve and enhance the character of the Conservation Area.

The proposal does not conflict with planning policies.

Results of Consultations:

Witney Town Council – no objection.

County Archaeologist – requests archaeological informative.

The consultation period has not yet expired. Any further representations will be reported at the meeting.

Director's Comments:

The proposed sports hall will replace an inadequate and utilitarian building which does nothing to help the special architectural character of the area.

Sports Halls are particularly difficult to design in small scale environments because of their bulk. However this one has in my view been successfully handled and I recommend approval.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED subject to the consideration of any objections received before the date of the meeting, to approve the application subject to the following conditions:-

1. detailed compliance;
2. detailed duration limit – 5 years;
3. landscaping scheme;
4. materials to be approved;
5. sample panels to be provided;
6. trees to be protected during works;
7. listed wall adjacent to be protected during works.

Archaeological informative.

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: W.06/99 (detailed) Woodgreen School, Woodstock Road, Witney, Oxon OX8 5DX

Application No: W.06/99 (detailed)

Construction of a single storey extension to CDT and Science Blocks to provide additional classrooms and science preparation area, Woodgreen School, Woodstock Road, Witney, Oxon OX8 5DX

Development and Site (see plan):

This application is for the erection of extensions to the Construction, Design and Technology and the Science Departments. The new buildings are at the front of the school and the CDT extension which is proposed to be in a prominent position requires the removal of three flowering cherry trees and 3 whitebeam trees and their replacement elsewhere on the site. This extension has been designed so as to provide a feature which will enhance the group of uninspiring buildings at the front of the school.

There are no planning policy issues.

Results of Consultations:

Witney Town Council Ä no objection.

The consultation period has not yet expired. Any further representations will be reported at the meeting.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED subject to the consideration of any objections received before the date of the meeting, to approve the application subject to the following conditions:-

- 1. detailed compliance;**
- 2. detailed duration limit Ä 5 years;**
- 3. landscaping scheme to include replacement trees;**
- 4. sample materials to be approved.**