

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 24 October 2011 commencing at 2.00 pm and finishing at 3.50 pm

Present:

Voting Members: Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)
Councillor Alan Armitage
Councillor Roger Belson
Councillor Tony Crabbe
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Jean Fooks (In place of Councillor Jenny Hannaby)
Councillor Ray Jelf
Councillor Peter Jones
Councillor David Nimmo-Smith
Councillor Neil Owen
Councillor G.A. Reynolds
Councillor John Sanders
Councillor Don Seale
Councillor John Tanner

Officers:

Whole of meeting G. Warrington and J. Crouch (Law & Governance); R. Dance and D. Groves (Environment & Economy)

Part of meeting

Agenda Item

Officer Attending

6	N. Woodcock and A. Divall (Environment & Economy)
7	M. Islam (Environment & Economy)
8	J. Hamilton and M. Collins (Environment & Economy)
9	C. Hodgkinson (Environment & Economy)

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

38/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apology from	Temporary Appointment
Councillor Jenny Hannaby	Councillor Jean Fooks

39/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Interest
Mrs C Fulljames	7. Worton Farm, Yarnton – Application MW.0116/11	Personal. Member of Cherwell District Council Planning Committee. She advised that she had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting on that item.
George Reynolds	7. Worton Farm, Yarnton – Application MW.0116/11	Personal. Member of Cherwell District Council Planning Committee. He advised that he had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting on that item.

40/11 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 12 September were approved and signed by the Chairman.

Minute 34/11 – Construction of a household waste and commercial waste recycling centre – Langford Lane, Kidlington – Application R3.0167/10

Following approval at the September meeting this application had been referred to the Secretary of State to consider whether or not the application should be called in.

The period for that had expired on Friday 21 October 2011 but no response had been received. Officers would seek confirmation.

41/11 CHAIRMAN'S UPDATES

(Agenda No. 4)

The Chairman advised that Alan Divall was attending his last meeting before taking up another appointment in the private sector. On behalf of the Committee he wished him well.

With regard to the energy from waste application at Ardley Mr Dance advised that the Secretary of State had granted planning permission on 17 February 2011 following the public inquiry in 2010. That decision had been challenged by The Ardley Against Incineration Group (AAI) but dismissed in the High Court at a hearing on 7 and 8 July 2011. AAI then applied for permission to appeal the High Court decision but that application was again dismissed by an Appeal Court Judge on 9 September. However, because that decision had been based on 'papers' and not in open court AAI had the right to an oral 30 minute hearing which had been set for 1 November in the Court of Appeal. If that proved successful then AAI would be granted permission for a substantive appeal hearing into the High Court Judge's decision. If not then that would be the end of the process and construction of the EfW plant could commence.

42/11 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 5)

Speaker	Item
Steven Malcolm)
Philip Collins)
Ben Lambourne) 6. Relocation of Peppard School
Nick Launders)
Ian Heriott)

43/11 RELOCATION OF PEPPARD CE PRIMARY SCHOOL TO LAND ADJACENT TO THE B481.

(Agenda No. 6)

The Committee considered an application to relocate Peppard CE Primary School.

Steven Malcolm congratulated the governors of the school for preparing a sound application. However, there were serious concerns regarding a number of highway issues and he asked the Committee to consider the levels of safety of the drop off and pick up areas; the major disruption likely to be caused to the B481 with an increased risk of accidents and finally did the village need a school for 100 pupils, the majority of whom did not live in the village and which would be situated on the outskirts of the village itself. He had little confidence in the plans to control traffic and urged the Committee to consider the application very carefully.

Philip Collins was not opposed to the proposed school development but felt the drop off arrangements were fatally flawed. It was unrealistic to expect that parents would park any distance from the school and given any choice they would choose to park nearer, particularly in bad weather. They would also park on the verges. The park and stride route was unsafe and it was unrealistic to expect teaching staff to enforce these arrangements. He also urged the Committee to consider carefully the effects of this application.

Ben Lambourne endorsed the comments made by the previous speakers. He was not opposed to redevelopment of the school but was concerned over implications for child safety. He considered the proposals unrealistic, particularly the expectation that parents would drop their children off within a 3 minute turnaround period. Recent speed tests had shown many vehicles were travelling in excess of 30 mph and Church Lane was particularly dangerous. Safety of children was paramount and he agreed it was unlikely that these arrangements could be effectively enforced by staff. He referred to an alternative development site which had not been considered but which he felt would offer considerable increased benefits for safety.

Responding to Councillor Nimmo-Smith he confirmed that the alternative site was set back from the current application site.

Nick Launders advised that these proposals had been discussed at great length over the past year and that Rotherfield Peppard Parish Council fully supported the school redevelopment and the traffic arrangements associated with it. Arrangements for access to Dog Lane would need to be considered but on the whole it was felt that the advantages of the scheme more than outweighed the disadvantages. There had been wide consultation and it was felt that the plan was a good one. The need for the school was not in doubt continuing to play a vital role in promoting community life.

Ian Herriot considered it a well worked out project supported by the Diocese, Local Education Authority, local community and parents and governors of the school. There was a recognised need for a new school on what was an optimum size site. It would be more secure, closer to the centre of the village, was well screened and with a low impact design would he felt enhance the area when completed. It was the only affordable site available and as it was not possible to upgrade the existing site presented a unique opportunity. The importance of child safety to school governors was paramount and the proposed drop off arrangements, which had been fully evaluated by Atkins, had been found to be robust under all traffic conditions and considered safer than current arrangements.

He responded to questions from:

Councillor Owen – a consultation outlining the vision for the school had been undertaken with over 1,000 residences in the area with a general invitation to all to an exhibition. There had been 2 formal consultations when support had substantially outweighed opposition. With regard to traffic proposals there had been 44 submissions in support and 6 opposed.

Councillor Fitzgerald-O'Connor – he confirmed the minibus would continue and that the 3 minute was not an allocation but more of a guide. The layby was seen as an advantage not a problem.

Councillor Seale – if no education facility existed at Peppard then the nearest alternative was Sonning Common (2 miles) or Henley.

Councillor Belson – there were currently 82 on roll but that was expected to rise.

Councillor Sanders – he confirmed that the existing site included the Old School House premises, which had been sold. The area of the new site was significantly greater than the existing site. The Scottish and South eastern electricity board had confirmed that there were a number of options to relocate the electricity transformer but it was likely that it would be relocated on the periphery of the site.

Councillor Sanders emphasised the need to discourage cars parking on the verges.

Mr Dance confirmed the public footpath adjacent to the site would be unaffected.

Mr Groves confirmed that the highway proposals contained a number of aspirations such as provision of lower kerbing but there were significant areas of registered village green in the vicinity, which would need to be taken into account. With regard to concerns expressed regarding traffic exiting the turning centre and turning right he considered that could be a matter best left to the school to consider as part of its travel plan arrangements. However, for traffic turning right out of the site and travelling north there would be safer egress onto the main road from the layby.

RESOLVED: (on a motion by Councillor Jones, seconded by Councillor Sanders and carried by 14 votes to 0) that Application No. R3.0065/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth and Infrastructure) to include the following matters:

1. The development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying.
2. Commencement of the development within 3 years.
3. Submission and agreement of the external materials.
4. Retained trees and hedges to be protected during construction works.
5. Submission and agreement of a landscaping scheme - to include species mix, plant size, planting layout and spacing.
6. Landscaping scheme to be implemented within first planting season following the completion of the development.
7. Removal of hedgerow to be carried out outside of the bird breeding season.
8. Submission and agreement of external lighting details and hours of use.

9. Submission and agreement of land contamination assessment. Should contamination be found on site the submission and agreement of remedial strategy.
10. Relocation of electricity transformer before the proposed development is brought into use.
11. Submission and agreement of full details of proposed renewable energy technologies within the development.
12. Submission and agreement of fencing details.
13. External play areas and sports pitches to be used during school hours only.
14. The school's existing Travel Plan to be updated to take account of the proposed new location.
15. Submission and agreement of the detailed design of the scheme of highways safety mitigation measures, including the submission of a Road Safety Audit which shall be used to inform the final detailed design of such measures.
16. Scheme of final highways safety mitigation measures to be implemented before use of the school.
17. Submission and agreement of the final details of parking, drop-off and turning areas. Such areas shall be implemented before use of the school.
18. Submission and agreement of cycle parking facilities.
19. Submission and agreement of construction traffic management plan.
20. Submission and agreement of a drainage scheme, including the use of SUDS.
21. Submission and agreement of final details of footways surfacing.

Informatives:

Archaeological informative – If archaeological finds do occur during development, the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.

Contaminated land informative – If contamination is found to be present on site the applicant is requested to liaise with South Oxfordshire District Council's Environmental Health team prior to the submission of a remedial strategy.

44/11 CONSTRUCTION OF STORAGE BAYS AND LORRY WASH DOWN AREA, EXTENSION OF CONCRETE PAD AND RELOCATION OF FUEL TANKS AT WORTON FARM, YARNTON - APPLICATION NO

(Agenda No. 7)

The Committee considered an application for a covered storage building, extension of existing concrete pad, provision of lorry wash down facility and relocation of existing

fuel tanks from southern to the northern part of the site at Worton Farm noting an amended officer recommendation as set out in the addenda sheet and also the need for this application to be referred to the Secretary of State to consider whether or not to call in the application.

RESOLVED: (on a motion by Councillor Mrs Fulljames, seconded by Councillor Jelf and carried by 15 votes to 0) that planning permission for application no. MW.0116/11 be granted subject to conditions to be determined by the Deputy Director for Growth and Infrastructure dealing with matters outlined below:

1. Detailed compliance condition
2. Commencement date – within 3 years
3. Standard operating hours.
4. Existing vegetation to be retained and protected
5. Effective silencers on vehicles, plant and equipment to be implemented
6. External building materials to be agreed
7. Site signage on A40 to be kept to a minimum
8. Sweeping of access road and adjacent site to be carried out at regular intervals as required.
9. Existing dust control measures to be maintained

45/11 CONSTRUCTION OF TEMPORARY WORKS COMPOUND (FOR A PERIOD OF 2 YEARS) IN ASSOCIATION WITH THE REDEVELOPMENT OF DIDCOT PARKWAY STATION FORECOURT - LAND AT STATION ROAD, DIDCOT - APPLICATION NO. R3.0103/11

(Agenda No. 8)

The Committee considered an application for the construction of a temporary works compound in association with the redevelopment of Didcot Parkway Station.

Officers confirmed that there were no proposals for the site after the 2 year permission had lapsed and outlined arrangements, which had been put in place to manage the site during the permission period itself. One of those was to address a particular issue of concern for local residents, regarding parking on Station Road. In order not to impact on current arrangements for residents, parking facilities would be provided for staff within the site itself and to further protect that facility it was agreed that Condition 9 should be amended to stipulate no staff parking on Station Road.

RESOLVED: (on a motion by Councillor Mrs Fulljames, seconded by Councillor Tanner and carried unanimously) that Application No. R3.0103/11 (for the construction of a temporary works compound (for a temporary period of 2 years) in association with the redevelopment of the Didcot Parkway Station forecourt) be approved subject to conditions to be determined by the Deputy Director for

Environment & Economy (Growth and Infrastructure) but to include the following matters:

1. Detailed compliance.
2. Temporary permission – 2 years only.
3. All activities relating to the compound shall be carried out in accordance with the submitted Construction Environmental Management Plan and Site Waste Management Plan.
4. No screening or crushing of aggregate in the compound.
5. No maintenance of vehicles or heavy machinery to take place within the compound.
6. Site entrance/exit gates to open inwards only.
7. Details of works to site entrance/exit points (e.g. provision of dropped kerbs) to be submitted, agreed and implemented before site brought into use.
8. Measures to be implemented to ensure there is no mud/debris brought onto the highway.
9. No parking of staff vehicles on Station Road particularly opposite the site entrance.
10. Existing shrubs/trees on site perimeter to be retained.
11. Working hours be restricted to 08.00-18.00 hours Monday-Friday, 08.00-13.00 hours Saturdays. No Sunday or Bank Holiday working.
12. Existing boundary fence to be repainted and repaired where necessary.
13. Surface water drainage details to be submitted and agreed.
14. Any stockpiles of materials shall not exceed 3m in height.
15. Lighting details to be submitted and agreed before site is brought into use.

Archaeological Informative.

46/11 MINERALS & WASTE SITE MONITORING AND ENFORCEMENT

(Agenda No. 9)

The Committee considered an update on regular monitoring of minerals and waste planning permissions and progress on enforcement cases.

Mr Dance advised of progress achieved in joint working with District Councils on monitoring issues. However, officers were aware that there were major issues with regard to the Ardley in vessel composting operation at Ashgrove Farm, which involved close working and co-operation between 3 agencies.

Councillor Mrs Fulljames reported the contents of an email she had received a few days before regarding the stench emanating from the site. The local authority had a responsibility to protect people's environment but the problems seemed far from being resolved.

Mr Dance advised that on the issue of odour control the Environment Agency who were the lead authority were yet to approve an odour control management scheme, which had been submitted to them and the County Council by Agrivert. Agreement of that scheme would provide a mechanism to improve control of the site. He undertook

to contact the Agency at a high level to inform them of the Committee's concerns and its desire to progress this situation.

With regard to Finmere Mr Hodgkinson confirmed that compliance was good and that the Environment Agency were content with the current situation.

With regard to Waterstock Mr Dance advised that the matter was due back to Court on 15 November but there had been little sign of intention to comply so far with the recent Court order.

RESOLVED:

- (a) that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 to the report (PN9) be noted;
- (b) high level representations be made to the Environment Agency to progress agreement of the odour control management plan for the Ardley composting site at Ashgrove Farm as a matter of urgency

..... in the Chair

Date of signing