

To: **Members of the Planning & Regulation Committee**

Notice of a Meeting of the Planning & Regulation Committee

Monday, 16 April 2012 at 2.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

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County Solicitor

April 2012

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Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Steve Hayward
Deputy Chairman - Councillor Mrs Catherine Fulljames

Councillors

Alan Armitage	Peter Jones	John Sanders
Tony Crabbe	Stewart Lilly	Don Seale
Anda Fitzgerald-O'Connor	David Nimmo-Smith	John Tanner
Jenny Hannaby	Neil Owen	
Ray Jelf	G.A. Reynolds	

Notes:

- ***A site visit is required for Item 7 (Woodeaton Quarry). Members are asked to meet on site at 10 am on Monday 16 April 2012.***
- ***Date of next meeting: 28 May 2012***

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes (Pages 1 - 8)**

To approve the minutes of the meeting held on 5 March 2012 (PN3) and to receive information arising from them.

4. **Chairman's Updates**
5. **Petitions and Public Address**
6. **Extraction of sand, construction of new access to Pinewoods Road, construction of internal access road to stockyard, laying out of conveyor to extraction area, stripping and temporary storage of soils and restoration of land off Pinewoods Road, Longworth - Application No MW.0080/11 (Pages 9 - 36)**

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN6).

This application is for a new soft sand quarry at Pinewoods Road Longworth. It is proposed to dig and process on site 880,000 tonnes of soft sand in five phases over an 11 year period. The site would be progressively restored mostly to agriculture at low land level. Access is proposed from Pinewoods Road and then to the A420 Oxford/Swindon road. The application has been the subject of notable local interest and generated objections both from individuals and local representatives. The report sets out the proposal, response from objectors and the views of formal consultees.

It is RECOMMENDED that Application No. MW.0080/11 be refused for the following reason:

The development proposed is contrary to policy PE2 of the Oxfordshire Minerals & Waste Local Plan. The site is not within an area identified for mineral working as referred to in policy PE2 of the Minerals and Waste Local Plan and there is no urgent need for additional soft sand reserves. The proposed development is inconsistent with Policy M3 of the Oxfordshire Minerals and Waste Core Strategy approved for submission to the Secretary of State. The development would have an unnecessary adverse impact on the environment which the Council's extensions policy M3 seeks to avoid. For the period of extraction the detriment to the environment and landscape of the area including the loss of oak trees on the site protected by a tree preservation order, is unjustified and not consistent with the aims of Vale of White Horse Local Plan policy NE7.

7. Use of imported inert waste in restoration of quarry with some mechanical screening of materials to create topsoil at Woodeaton Quarry - Application No. MW.0015/12 (Pages 37 - 58)

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN7)

This application is for the importation of inert construction waste to restore the disused quarry at Woodeaton. A minor recycling operation is also proposed to produce topsoil for the restoration. The development would take ten years. The application is being reported to this Committee as objections have been received to the proposal.

The report sets out the proposals and outlines objections and other responses to the application. Relevant planning policies are included along with the comments and recommendation of the Deputy Director for Environment & Economy (Growth and Infrastructure) on the proposal.

The proposed development would be beneficial in terms of providing an appropriate restoration scheme for an unrestored quarry, in accordance with planning policy. The site has an extant permission for mineral extraction. The traffic and noise impacts associated with the proposed infilling with inert waste would be no greater than that currently allowed under the mineral permission and could be adequately controlled by condition.

It is RECOMMENDED that subject to:

(a) a Section 106 agreement to cover:

- non implementation of existing minerals consent (M162/49);***
- 15 year long term management of restored site;***
- Appropriate access to the restored site;***

(b) a routeing agreement to ensure that vehicles access the network of A-roads via the northern quarry access, left onto the B4027, Bayswater Road to the A40 roundabout and to ensure that lorries are sheeted;

that Application No. MW.0015/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. Complete accordance with plans***
- 2. Commencement within 2 years***
- 3. Wheel cleaning to prevent mud on highway***
- 4. Deposit of waste shall cease within 10 years of the date of the permission***
- 5. Operating hours (0730-1800 Mondays to Fridays, 0830-1300 Saturdays)***

6. ***No use of southern access***
7. ***Dust monitoring as proposed***
8. ***Dust suppression measures implemented should dust monitoring show it is necessary***
9. ***Noise monitoring and submission of records***
10. ***Maximum noise levels at noise sensitive properties***
11. ***White noise on reversing vehicles***
12. ***Mobile plant fitted with silencers***
13. ***No fixed plant or machinery***
14. ***No external lighting***
15. ***Oil storage on impervious bases***
16. ***Development to be subject to Environment Agency Permitting Process***
17. ***Trees planted in accordance with restoration scheme to be maintained and replaced if necessary***
18. ***Submission and implementation of a detailed restoration scheme with completion within 1 year of the cessation of waste deposit***
19. ***No material stockpiled higher than 3 metres above the nearest rim of the quarry***
20. ***Topsoil, subsoil and overburden to be stored and respread separately and not removed from the site***
21. ***Scheme for the protection of geology***
22. ***Submission of full details and erection of noise barrier as proposed***
23. ***Drainage – submission of a surface water drainage scheme***
24. ***Soils should only be handled when dry and friable***
25. ***Submission and implementation of fencing details, maintenance of fence***
26. ***Visibility splays – as per submitted plan and kept clear from obstruction***
27. ***Records should be kept of waste import and export and made available on request. Waste brought into and leaving the site shall not exceed 100,000 tonnes per annum Submission of a detailed restoration, aftercare and ecological management plan***
28. ***Implementation of restoration proposals and mitigation as set out in***

submission

Informatives – waste brought onto the site should only be clean, inert materials. Control of Pollution (Oil Storage) (England) Regulations 2001 requirements for oil storage tanks.

Developers have a duty of care to deal with waste responsibly; records should be kept to demonstrate that this has been adhered to.

No sewage or trade effluent to be disposed of into surface water system.

If protected species are found work should cease immediately and not recommence until a fully survey has been undertaken and licence obtained.

Participation in liaison committee.

Loads brought onto the site are suitable for landfilling or for topsoil manufacture and therefore the recycling operations are kept minimal.

- 8. Planning application for the use of a processing plant site to process sand and gravel extracted from 94 acres of land at Radley (ref P/369/71) and the installation of a field conveyor system to the site boundary and ancillary facilities for the transportation, storage and processing of sand and gravel at Thrupp Lane Quarry, Radley - Application No. MW.0001/12 (Pages 59 - 78)**

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN8)

This application is for the use of a sand and gravel processing plant site to wash and grade material extracted from a nearby area which has planning consent for mineral extraction. The application is being reported to Committee as objections have been received to the proposal. The report sets out why the proposals and outlines objections and other responses to the application. Relevant planning policies are included along with the comments and recommendation of the Deputy Director for Environment & Economy (Growth and Infrastructure) on the proposal which conclude that the proposed development could be beneficial in providing a locally situated processing facility for a mineral reserve, which already has permission to be worked. It provides a way for the ongoing processing activities to be brought under planning control through the use of conditions and removal of the existing plant. Replacement with new temporary plant will result in less visual impact. There would be no increase to HGV traffic on Thrupp Lane and there would be the potential for a reduction in lorry movements.

It is RECOMMENDED that subject to:

- (a) prior completion of an agreement under s106 of the Town and Country Planning Act 1990 in terms to be agreed by the County Solicitor to secure removal of the existing processing plant by 30 September 2012;***
- (b) the Applicant withdrawing his CLEUD application for existing processing plant before this planning permission is issued;***

that Application No. MW.0001/12 be approved subject to conditions to be determined by the Deputy Director (Growth & Infrastructure) to include the

following matters:

1. **Development carried out in complete accordance with approved plans.**
2. **Commencement within 5 years.**
3. **No new fixed plant, machinery or structures to be erected on the land.**
4. **Stockpiles within the flood plain shall be sited so as not to impede flow of flood water.**
5. **Sheeting of any lorries leaving the site except those carrying stone in excess of 500mm.**
6. **Reversing beepers shall use white noise.**
7. **Control of external lighting.**
8. **Standard operating hours (0700-1800 Mondays to Fridays, 0700-1300 Saturdays and additionally 1300-1800 Saturdays for plant maintenance only).**
9. **Retention and maintenance of trees.**
10. **Dust control measures.**
11. **Submission of a detailed restoration plan, supported by a full ecological and photographic survey.**
12. **Removal of material, buildings and plant when no longer required, or before the completion of restoration.**
13. **Implementation of restoration including permissive right of way.**
14. **Timescales for restoration – within 5 years from the date of consent or within 1 year of the completion of gravel extraction on the ROMP site.**
15. **5 year aftercare of restored site in accordance with a detailed management plan to be submitted and approved.**
16. **Submission of details of the conveyor across the site and receiving hopper.**
17. **No material to be imported by road to processing plant for processing, only material from the ROMP site to be processed, to be brought by conveyor.**
18. **Submission of details and implementation of landscape planting, there should be no impact on visibility splays.**
19. **Submission of details of the new processing plant and implementation in accordance with approved details.**

Informatives

1. **Participation in liaison committee.**
2. **Clarification of development not covered by the consent (workshop, lorry yard, stone sales).**
3. **Oil storage tanks should be located on an impervious base.**
4. **Silt ponds require a permit issued by the Environment Agency.**
5. **Discharge of water into a watercourse requires a discharge licence issued by the Environment Agency.**

9. Shipton-on-Cherwell Quarry (Pages 79 - 96)

Importation, storage and processing of inert construction and demolition waste, and operation of an aggregate recycling facility on land at Shipton-on-Cherwell Quarry, Shipton-on-Cherwell, Oxfordshire. Retention of the existing weighbridge, site office and wheelwash to facilitate the operation of the proposed recycling facility – Application No. MW.0119/11.

Continuation of development without complying with condition 6 (importation of waste by road) and with the variance of conditions 1 (Time Limits) and 7 (volume of waste imported) of planning permission 10/00360/CM (comprehensive restoration and redevelopment of Shipton-on-Cherwell Quarry), dated 17 June 2010 – Application No, MW.0120/11.

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (**PN9**)

This report describes 2 planning applications relating to Shipton-on-Cherwell Quarry north of Kidlington. The quarry is located within the Oxford Green Belt. One application seeks consent to establish an aggregate recycling facility in the quarry for a period of 10 years and the second to vary conditions attached to an existing planning permission to undertake a comprehensive redevelopment and restoration of the quarry. The main variations proposed relate to a change to the phasing plans (to take account of the recycling facility), variation of a condition to allow road imports of waste for a period of 10 years (the existing permission allows road imports for 3 years), and variation of a condition removing the restriction on the total volume of imports to the site by road. The applications have generated a number of objections from local residents which are outlined in the report along with responses from both statutory and non-statutory consultees along with relevant Development Plan policies and government guidance.

It is RECOMMENDED that:

(A) subject to:

- (a) *the Secretary of State deciding not to call in the application (as a departure from the Development Plan);***
- (b) *amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;***
- (c) *a routeing agreement;***

that planning permission be granted for Application No. MW.0119/11 (aggregate recycling facility) subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. *Detailed compliance – as per approved plans.*
2. *Temporary consent – recycling facilities and road imports limited to 10 years.*
3. *Details of working plan to show stockpiles and location of plant as landfill progresses.*
4. *Demolition of derelict cement buildings within one year of aggregate recycling.*
5. *Restriction on vehicle movements.*
6. *Working hours to be agreed.*
7. *Noise from aggregate recycling not to exceed permitted levels.*
8. *Noise restrictions during site preparation for final restoration.*
9. *Dust management plan to be submitted and agreed.*
10. *Details of surface and foul water drainage to be submitted and agreed.*
11. *No damage to designated rock faces.*
12. *No waste processing or storage directly in front of designated rock faces.*
13. *Submission of an Ecological Management Plan.*
14. *Updated reptile surveys to be undertaken prior to works commencing;*

Informatives

- *Environment Agency and Thames Water advice relating to oil storage bunding.*
- *Network Rail advice relating to the safe operation of the railway.*
- *Ecological informative relating to breeding birds and reptiles.*

and

(B) subject to:

- (a) amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;*
- (b) a routeing agreement;*

that planning permission be granted for Application No. MW.0120/11 subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. All conditions (excluding those to be varied below by this application) to be carried over from existing planning permission (ref: 10/00360/CM).*
- 2. Condition 1 of Permission No. 10/00360/CM to be amended to include revisions to Phasing Plans 1 and 2.*
- 3. Condition 6 of Permission No. 10/00360/CM to be amended to limit road imports to 10 years.*
- 4. Condition 7 of permission No. 10/00360/CM to be amended to allow limit of waste to be imported by road to be 250,000 tonnes per annum.*

Informatives

- *Environment Agency and Thames Water advice relating to oil storage bunding.*
- *Network Rail advice relating to the safe operation of the railway.*
- *Ecological informative relating to breeding birds and reptiles.*

10. Relevant Development Plan and other Policies (Pages 97 - 122)

This paper sets out the policies referred to in Items 6, 7 8 and 9 and should be regarded as an Annex to each.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Thursday 12 April 2012 at 10.00 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.