

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 16 April 2012 commencing at 2.00 pm and finishing at 5.20 pm

### **Present:**

**Voting Members:** Councillor Mrs Catherine Fulljames – in the Chair

Councillor Alan Armitage  
Councillor Jean Fooks (In place of Councillor Jenny Hannaby)  
Councillor Tim Hallchurch MBE (In place of Councillor Steve Hayward)  
Councillor Ian Hudspeth (In place of Councillor Ray Jelf)  
Councillor Charles Mathew (In place of Councillor Mrs Anda Fitzgerald-O'Connor)  
Councillor David Nimmo-Smith  
Councillor Neil Owen  
Councillor G.A. Reynolds  
Councillor John Sanders  
Councillor Don Seale  
Councillor Lawrie Stratford (In place of Councillor Stewart Lilly)  
Councillor David Wilmshurst (In place of Councillor Tony Crabbe)

### **Other Members in Attendance:**

Councillor Melinda Tilley (for Agenda Item 6)  
Councillor Anne Purse (for Agenda Item 7)  
Councillor Arash Fatemian (for Agenda Item 8)

### **Officers:**

Whole of meeting G. Warrington and J. Crouch (Law & Governance); Rob Dance (Planning Implementation Manager) and David Groves (Transport Development Control Manager)

Part of meeting

### **Agenda Item**

### **Officer Attending**

5 M. Islam (Environment & Economy)  
6 and 7 M. Thompson (Environment & Economy)  
8 D. Flavin (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.*

**17/12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

*Apology*

*Temporary Appointment*

Councillor Tony Crabbe  
 Councillor Mrs Fitzgerald-O'Connor  
 Councillor Jenny Hannaby  
 Councillor Steve Hayward  
 Councillor Ray Jelf  
 Councillor Stewart Lilly  
 Councillor John Tanner

Councillor David Wilmshurst  
 Councillor Charles Mathew  
 Councillor Jean Fooks  
 Councillor Tim Hallchurch  
 Councillor Ian Hudspeth  
 Councillor Lawrie Stratford  
 -

**18/12 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE**

(Agenda No. 2)

Councillor	Item	Nature of Interest
Councillor Hallchurch	7. Woodeaton Quarry – Application MW.0015/12	Personal. Advising the Quarry Action Group made up of local parish council members and residents. He advised that he did not intend to participate in discussion or voting on this item.
Councillor Mrs Fulljames Councillor Reynolds Councillor Stratford	9. Shipton-on-Cherwell Quarry – Applications MW.0119/11 and MW.0120/11	Personal. Members of Cherwell District Council Planning Committee. They advised that they had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting thereon.

**19/12 MINUTES**

(Agenda No. 3)

The minutes of the meeting held on 5 March 2012 were approved and signed.

**20/12 CHAIRMAN'S UPDATES**

(Agenda No. 4)

Mr Dance advised as follows:

**Minerals and Waste Core Strategy**

Council had approved the Minerals and Waste Core Strategy for submission to the Secretary of State moving the policy document on a stage further. The Committee now needed to give significant weight to that when considering applications.

**National Policy Planning Framework** (paper circulated with the addenda sheet)

The Government's National Policy Planning Framework had been published on 27 March setting out a national framework within which Councils should prepare plans and decide planning applications.

Planning law required that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicated otherwise. The Framework needed to be taken into account in the preparation of local and neighbourhood plans, and should be a material consideration when considering planning applications.

The Framework did not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. However, local authorities when preparing waste plans and taking decisions on waste applications should have regard to policies in this Framework so far as was relevant.

Mr. Dance listed a number of key matters contained in the Framework:

- Presumption in favour of sustainable development.
- Core planning principles
- Protecting Green Belt land
- Facilitating the sustainable use of materials
- Decision taking
- Key elements of the National Planning Policy Framework (relevance to decisions to be taken by the Committee).
- Inconsistency in reports regarding the significance of the Minerals & Waste Core Strategy as approved by cabinet and Council.

**21/12 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 5)

Speaker	Item
Mark Baker	)
Adam Ogilvie-Smith	)
Peter Evans	) 6. Pinewoods road, Longworth
Graham Jenkins	) Application No MW.0080/11
County Councillor Melinda Tilley	)

City Councillor Van Coulter John Walsh Phil Garratt Suzi Coyne County Councillor Anne Purse	) ) ) 7. Woodeaton Quarry – Application )No ) MW.0015/12 )
Mark Baker Mike Wilson Dr Basil Crowley County Councillor Arash Fatemian	) ) ) 8. Thrupp Lane, Radley – )Application No. MW.0001/12

**22/12 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**

(Agenda No. 6)

The Committee considered an application (PN6) for a new soft sand quarry at Pinewoods Road, Longworth.

Supporting the recommendation to refuse the application Mark Baker (CPRE – Vale District) emphasised the need to protect and preserve the integrity of the Corallian Ridge. Approval of this application would set a dangerous precedent to that aim and the quarry would be very intrusive in a beautiful landscape. He considered that adequate resources of soft sand already existed and there was no need for this site.

Adam Ogilvie-Smith referred to the concern felt by local residents. The application should certainly be refused on the policy grounds as set out in the recommendation but he also suggested that those grounds for refusal could be extended to include noise, restoration, impact on the adjacent market garden and traffic from slow moving HGVs on a fast stretch of the A420 where concerns regarding visibility had been ignored.

Peter Evans (Hinton Waldrist Parish Council) referred to concerns expressed by the Parish Council in 2004 when this proposal had first been presented. Those concerns still existed 8 years later and had strengthened as the true impact of the work became clear. This was grade 2 arable land not within an area identified for mineral working. There was no identified need for additional soft sand and over provision could lead to the export of material outside the county with more traffic movements. There were concerns regarding the impact of deep excavation on boreholes and dust, both of which could affect the adjacent market garden. Access remained a major concern. The A420/Pinewoods Road junction had a poor accident record including 2 fatalities, no alterations had been proposed to the right turn from the A420 and there would be considerable impact on the A420 itself.

Alan Boyce (Longworth Parish Council) advised that this matter had gone on long enough. It had been a major issue for 8 years which had been recommended for refusal twice, having been withdrawn at the last minute by the applicants on the last occasion when due for consideration by this Committee. Reasons for refusal remained the same – need for material and loss of trees. Council policy now favoured extensions to existing sites rather than new sites and there was no justification to approve this application. There was substantial local concern as evidenced by the number of people in attendance at the meeting.

Graham Jenkins (agent for the applicants) addressed a number of concerns which had been raised by the previous speakers.

Noise – there was a reliance on conventional limits and the site would adhere to those.

Restoration – there had been no objection from Natural England, the County Ecologist or landscape officers.

Market garden – the application had been expressly redesigned to avoid affecting crops and there had been no objection from environmental health officers or the Food Standards Agency.

Traffic – the highway authority had not objected. This suggested that the traffic assessment had been detailed and not, as suggested, superficial.

Area not identified for working – emerging policy M3 had identified principle locations in 3 areas and this site was one of those.

Landbank – figures had been approved but not adopted. Those figures would certainly be challenged and tested independently at an examination in public.

He then added that the current application had been redesigned in order to respond to earlier concerns regarding dust on crops at the market garden and traffic. To that extent that work had been successful as no technical objections had been received from consultees, including environmental health officers and the highway authority. However, Hansons were now faced with different reasons for refusal. Policy M3 of the Core Strategy stated a preference for extensions to existing sites rather than new greenfield sites. However, that should not be interpreted as an embargo on new sites per se as the Strategy had been approved for further consultation but had not yet been adopted. There would certainly be objections to it, which would require examination in public and mean that it might not survive in its current form. Furthermore some existing workings might not be suitable for extended working and each case needed to be considered on its merits. With regard to reasons for refusal – the site not being within an area identified for mineral working had no relevance and there had been no objection from the District Council regarding the loss of four oak trees, with proposals in place for further tree planting. County officers had declined requests for a deferral of the application and for a meeting with the applicants in order to discuss current concerns. He did not accept there were any significant or

demonstrable reasons to refuse the application and he urged the Committee to approve or at the very least defer the application.

He responded to questions from:

Councillor Fooks – the NPPF did not stipulate an upper limit for a landbank only a minimum of 7 years. The report highlighted 2 possible means of measurement one of which set the bank at 7 years whilst the other 12 years. This added 3 years and therefore was inherently acceptable.

Councillor Armitage – the applicants were confident that this represented a local source of material for a local market and there was adequate demand for the material within Oxfordshire.

Councillor Seale – he accepted that Policy M3 had been approved by the Council and had no difficulty with the wording regarding a preference for extensions as such. However, that wording seemed bland and straightforward and could explain the lack of objections which had been received to it. His concern was that it was now being interpreted as an embargo on greenfield sites

He confirmed he was a regular user of the A420.

Councillor Tilley referred to the length of time this application had been affecting local residents. There were two other local quarries at Shellingford and Hatford which had applied for extensions. Both enjoyed good relations with residents and no objections had been received to either. This application however was in the wrong place. The Food Standards Agency had expressed some concern over the effect of the development on the market garden because of the cultivation of brassicas. There were concerns regarding noise and wind pollution, the effects on hydrology and local aquifers had not been properly addressed and there were properties in close proximity to the quarry. However, her main concern remained the A420 and the junction with Pinewoods Road. There was a huge difference of opinion between highway officers and other surveys which had been carried out but the fact remained that fully laden lorries trying to join a fast road, with only a short slip road, presented a massive danger to road users and there had been fatalities recently at this junction. To allow the countryside to be dug up when there were doubts over the need for the material was wrong and this development should be resisted.

Mr Dance set out the application in a policy context within the terms of the NPPF. He confirmed the minimum figure for soft sand was being exceeded and if this application were approved that would increase by 3 years to 2028. Council policy preferred extensions to existing sites and further made clear that new quarries would only be permitted if sufficient provision could not be found through such extensions. He accepted that the applicants had worked with local people to overcome concerns. He made clear that officers had met with a Hanson representative some 3 weeks previously in order to make them aware that their proposal was likely to be recommended for refusal. It was inevitable that mineral working needed to take place in the countryside and that mineral working caused a degree of harm but in this case it was felt that that harm was unwarranted and should be avoided.

Councillor Hudspeth accepted the concerns expressed regarding traffic but that it was not possible to include a traffic objection as that would be contrary to officer advice.

**RESOLVED:** (on a motion by Councillor Hudspeth, seconded by Councillor Stratford and carried by 13 votes to 0) that Application No. MW.0080/11 be refused for the following reason:

The development proposed was contrary to policy PE2 of the Oxfordshire Minerals & Waste Local Plan. The site was not within an area identified for mineral working as referred to in policy PE2 of the Minerals and Waste Local Plan and there was no urgent need for additional soft sand reserves. The proposed development was 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 sought 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, was unjustified and not consistent with the aims of Vale of White Horse Local Plan policy NE7.

**23/12 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**

(Agenda No. 7)

The Committee considered (PN7) an application for the importation of inert construction waste to restore the disused quarry at Woodeaton.

Councillor Hallchurch withdrew from the Committee table.

City Councillor Van Coulter referred to the impact of this proposal on residents of Bayswater Road who did not want an intensification of traffic. Many properties along this road were prefabricated structures dating from the 1940s and were less resilient to vibration. There were also a number of residential homes for the elderly and vulnerable people. There were a number of speed bumps along this road which were needed but would amplify noise from HGVs. This road also accessed the crematorium. He urged the Committee to take into account the needs of local residents and refuse the application.

John Walsh questioned the need for this operation, which had increased from the existing extraction permission of 150,000 tonnes to infilling with 520,000 tonnes of waste. Sufficient capacity at Tubney Wood and 2 other sites nearby meant there was no justification for this site. Local roads were not suitable for this type of traffic and the B4027 was a narrow country road used by walkers, cyclists and horseriders.

Phil Garrett advised that Woodeaton Parish Council did not oppose restoration of the site but considered this proposal unacceptable. He focused on 2 issues – noise and access (after completion). With regard to noise the analysis had seemed okay but the data did not reflect how the site would operate. Machinery had not been working for the whole day and had not been sited in the correct place. Noise levels would be

higher when machinery was operating and there was no noise reduction fencing proposed. Access to the SSSI had not been considered in a practical way and the narrow access drive to the site was in constant use by other properties.

Responding to Councillor Owen he advised that the Parish Council had not specifically employed a noise consultant but had sought a second opinion on the data provided and had been advised that it did not appear to be representative.

Suzi Coyne for the applicant advised that this was an application to restore an unsafe quarry. It would benefit the SSSI and the applicants had been working closely with Natural England to secure access. Restoration would be completed within 10 years, which gave an end date to working, whereas if the current mineral permission was invoked that would not be the case. With regard to noise it was not normal practice to have machinery running when carrying out a noise test. The assessment had been thorough and the applicants were confident that noise would not be as bad as objectors feared. There was a need for the facility as there was a shortfall of 100,000 tonnes. With regard to traffic the applicants were considerate operators and vehicle movements would be 10 per day averaging one every 30 minutes, each with a maximum 20 tonne load. Acoustic fencing would be provided around the southern perimeter. With regard to access there would be ample parking bearing in mind that it was expected that a limited number of people would require access to the SSSI site.

She responded to questions from:

Councillor Sanders – there would be a routing agreement specifying acceptable routes. That would prevent use of inappropriate roads and the applicant would be using his own vehicles so the agreement would be easier to enforce.

Councillor Reynolds – it would be rare for a vehicle to arrive before 8.00 am but there would be occasions when the applicant would want to start machinery. They did not want to be in breach of condition and felt it only fair to be given the same operating hours as other operators. Access would be required for after care and long term management of the SSSI.

Councillor Hudspeth – the applicants' vehicles did have GPS tracking.

Councillor Fooks – she would pass on concerns regarding adequacy of fencing, which had been vandalised.

Councillor Mathew – she did not think the applicants had been aware of the parlous state of the quarry, which was continuing to disintegrate.

Councillor Purse advised that the headteacher of Woodeaton school was at the meeting and available to answer questions if required. There were 52 pupils at the school, which could shortly rise to 58, with emotional problems but who were bright and inquisitive and likely to react to noise. Everything at the school was about reducing these sorts of effects. Each pupil had a place of tranquillity within the school and its grounds which would inevitably be affected by this operation. Currently they were, by and large, unaware that there was a quarry there but that could change

once permission had been granted and there were grave fears that noise from the quarry could provide an irresistible attraction to pupils and draw them to the quarry to investigate. Fencing around the quarry was inadequate. The Committee needed to consider carefully whether this development should go ahead and she did not consider the Committee had enough information before it to make a decision and should at the very least defer the application. The school had a high national reputation for excellence and represented a last stop placement before out of county placement. Anything which might jeopardise the role of the should be resisted.

Responding to Councillor Seale she did not consider that invoking the current permission for continuation of quarrying would be viable.

The Committee noted that the word "left" in line 2 of paragraph 58(b) should have read "right".

Councillor Fooks welcomed proposals to infill and the establishment of an SSSI but felt greater reassurances were required regarding the potential effects of noise on children at Woodeaton Manor school. Better fencing was required and possibly establishment of a Liaison Committee. She also asked if badgers were present on the site.

Councillor Armitage agreed that the quarry needed filling and proposals to do that should not be delayed. With regard to noise the Committee needed to accept officer advice. The school was a long way from the quarry and there was no evidence to suggest that this development would affect them directly. With regard to traffic 20 vehicles a day would result in a 4% increase which was negligible. He moved the officer recommendations as amended in the addenda sheet. Councillor Stratford seconding.

Councillor Sanders had a number of reservations. He was not satisfied with the noise investigation and had concerns regarding inadequate fencing, traffic on Bayswater Road and the need for more liaison with Woodeaton Manor school. He moved an amendment that Application MW.0015/12 be deferred. There was no seconder and the amendment fell.

Councillor Owen supported the proposal but also had concerns regarding impact on the school and felt everything should be done to lessen the perceived impact of noise.

Councillor Mathew felt it important to rationalise the lives of children at the school and not make it more difficult for the school to operate. He was sceptical regarding the effectiveness of the routing agreements and felt the applicants should be asked to fund biennial enforcement tests without prior notice.

Councillor Hudspeth felt that the school could be offered protection under Conditions 22 and 25 and suggested that as the applicant had GPS tracking in its vehicles that information could be submitted on a regular basis thereby obviating the need for enforcement tests.

Councillor Nimmo-Smith considered the quarry needed to be filled in as quickly as possible and as much acoustic fencing as possible provided.

Mr Dance confirmed that proposals for a noise barrier could be pursued and supported suggestions to monitor company records with regard to vehicle movement. Badgers were the concern of Natural England but he understood from the agent for the applicant that there were badgers outside the site, although they were known to forage within the quarry.

Mr Groves confirmed that over the past 5 years there had been 8 serious and 24 slight injury accidents reported on the B4027 to Headington roundabout. There had been no fatalities.

The motion by Councillor Armitage, amended with his and his seconder's agreement to include an amendment from Councillor Mrs Fulljames for an additional condition to provide "concealed entrance" signing at the entrance to the site was put to the Committee and carried by 10 votes to 1.

**RESOLVED:** that subject to:

(a) a Section 106 agreement to cover:

- (i) non implementation of existing minerals consent (M162/49);
- (ii) 15 year long term management of restored site;
- (iii) appropriate access to the restored site;

(b) a routing agreement to ensure that vehicles accessed the network of A-roads via the northern quarry access, turned right out of the site onto the B4027, Bayswater Road to the A40 roundabout and that lorries were 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 3 years
3. Wheel cleaning to prevent mud on highway
4. Deposit of waste should cease within 10 years of the date of the permission
5. Operating hours (0700-1700 Mondays to Fridays, 0800-1300 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. Trees planted in accordance with restoration scheme to be maintained and replaced if necessary
17. Submission and implementation of a detailed restoration scheme with completion within 1 year of the cessation of waste deposit
18. No material stockpiled higher than 3 metres above the nearest rim of the quarry
19. Topsoil, subsoil and overburden to be stored and respread separately and not removed from the site
20. Scheme for the protection of geology
21. Submission of full details and erection of noise barrier as proposed
22. Drainage – submission of a surface water drainage scheme
23. Soils should only be handled when dry and friable
24. Submission and implementation of fencing details, maintenance of fence
25. Visibility splays – as per submitted plan and kept clear from obstruction
26. Waste imported to the site should not exceed 92,500 tonnes (61,670 cubic metres) per annum
27. Waste exported from the site should not exceed 7,500 tonnes (5,000 cubic metres) per annum
28. Records should be kept of waste import and export and made available on request.
29. Submission of a detailed restoration, aftercare and ecological management plan.
30. Implementation of restoration proposals and mitigation as set out in submission.
31. Additional “concealed entrance” signing to be provided at the northern access to the quarry.

Informatives:

- Development to be subject to Environment Agency Permitting Process
- 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 had 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 were found work should cease immediately and not recommence until a fully survey had been undertaken and licence obtained.
- Participation in liaison committee
- Loads brought onto the site were suitable for landfilling or for topsoil manufacture and therefore the recycling operations are kept minimal.

**24/12 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**

(Agenda No. 8)

The Committee considered an application (PN8) for the use of a sand and gravel processing plant to wash and grade material extracted from a nearby area which had planning consent for mineral extraction.

Mark Baker advised that the CPRE did not object to the recommendation to approve but did feel that an opportunity was being missed to rationalise access. Thrupp Lane was a country lane and wholly unsuited to this sort of traffic with a more appropriate access available via Barton Lane. Expected revenue from the operation justified development of that route and any approval should recognise that.

Responding to Councillor Hudspeth it was not for him to speculate on whether provision of an alternative route via Barton Lane might encourage further development as that would ultimately be within the control of the local authority.

Mike Wilson advised that the Thrupp Lane Residents Association objected to the number and size of HGVs on Thrupp Lane and urged the County Council to regularise activity. Estimates of current levels were low. However, the retail and haulage activities on the site, which had no planning permission, added to increased movements on Thrupp Lane and these should be brought to an end. There was a need for an accurate assessment of traffic movements and a reduction in traffic levels sought.

Dr Basil Crowley for Radley Parish Council expressed support for the application, which, with conditions, offered significant benefits. However, the Parish Council had significant concerns regarding uncertainty over the future use of Thrupp Lane and felt that in reality, and in the absence of reliable data, the view that traffic levels would not increase was both unsupported and unverifiable. The Parish Council had asked for a condition effectively limiting lorry traffic resulting from the ROMP to at least current levels attributed to the existing business but that had been declined. The ROMP determination could restrict extraction rates but it would not necessarily control traffic, although an option could be for the ROMP to proceed as quickly as possible with material stockpiled and exported at a slower rate by condition under this permission. The County Council needed to consider traffic impacts carefully to prevent the situation becoming worse than it already was.

Responding to Councillor Mathew he confirmed that Thrupp Lane was part of a national cycle route.

Councillor Fatemian endorsed earlier comments and supported the principles of the application. The site was a mess in planning terms and this presented an opportunity to move things forward. However, he felt that information in the report regarding

vehicle movements and Section 106 finance was a little misleading and 38,000 to 75,000 represented a considerable increase. Thrupp Lane was in a desperate state of repair and an independent assessment of traffic numbers was needed in order to get a clear view of the current situation. Implementation should be suspended pending determination of the ROMP.

Responding to Councillor Mathew he confirmed that the Liaison Committee had discussed the option of Barton Lane as an alternative access but discussions were at a very early stage. There was a further meeting next week. With regard to whether the application was premature or not there was an opportunity here to move things forward and rationalise the situation at this site.

Mr Dance advised that the Company had chosen not to rationalise some activities on the site and those would therefore remain to be resolved. The impact of lorries on Thrupp Lane was, however, the bigger issue and vehicle levels from a range of different activities using Thrupp Lane were currently not controlled by planning condition. This meant that lorry traffic levels along the lane were liable to fluctuate. If this permission was granted there would be a number of benefits namely the dismantling of the large processing plant and the concrete plant being supplied by processed rather than unprocessed materials which would reduce lorry levels marginally per tonne of concrete produced. There was likely to be a modest reduction in lorry movements but no control could be exercised over the concrete batching plant. If the ROMP was agreed and processed through the Tuckwells site there would be notable reductions in lorry movements per tonne but it needed to be remembered that there was around a million tonnes of material permitted to be removed from the ROMP site. If a contract could not be secured with Curtis then the situation would be less favourable but there were clear benefits to be gained if this permission could be secured correctly with the processing plant under planning control and agreed restoration. He was sympathetic to local concerns to see a reduction as soon as possible and the new condition proposed (Condition 21) sought to go some way to doing that.

Councillor Hudspeth agreed that Thrupp lane was in a disgraceful state and supported calls for access to be taken via Barton Lane and for an independent audit of actual traffic movements.

Mr Dance confirmed that an audit could be carried out but stressed that Tuckwells formed only a small component on the site and any independent audit at this time would not reflect permitted traffic levels because of the present economic climate. When the review of the ROMP commenced work could then begin on agreeing acceptable levels of lorry traffic for that development.

**RESOLVED:** (on a motion by Councillor Hudspeth, seconded by Councillor Nimmo-Smith and carried by 11 votes to 0, Councillor Mathew recorded as an abstention) that Application MW.0001/2 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth and Infrastructure) to include the matters set out below; but before any consent was issued there should first be:

### PN3

1. The written withdrawal of the CLEUD application by not later than 23 April 2012
2. The completion of the dismantling of the existing processing plant structure and the storage of any resulting materials which were to be retained for subsequent sale by not later than 16 July 2012
3. The precise location of storage of materials to be agreed in writing with the Local Planning Authority by the 1 July 2012
4. The commencement of the dismantling of the existing processing plant by not later than 16 June 2012.

In the event that any of the matters listed in 1-4 above were not complied with by the dates specified then delegated authority be granted to officers to refuse the application (No MW.0001/2) for the following reason:

Without removal of the existing processing plant the development proposed would conflict with Green Belt policy.

#### Conditions:

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 and no re-erection of the plant required to be dismantled as part of this consent
4. Stockpiles within the flood plain should 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 should 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. completion of gravel extraction on the ROMP site

12. 5 year aftercare of restored site in accordance with a detailed management plan to be submitted and approved
13. Submission of details of the conveyor across the site and receiving hopper
14. 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
15. Submission of details and implementation of landscape planting, there should be no impact on visibility splays
16. Submission of details of the proposed new mobile processing plant and implementation in accordance with approved details
17. All plant and machinery including the conveyor to be maintained in good order and in a manner that would keep noise and dust to acceptable levels.
21. Installation of the new processing plant should not commence unless and until an annual production limit for the plant had first been agreed in writing by the local planning authority.

#### Reason

To enable a limit that (a) would be compatible with the agreed extraction rate of the ROMP mineral that the plant was intended to serve, and (b) would limit so far as is reasonable the number of HGV's accessing via Thrupp Lane in the interests of the amenity and environment of users and residents of Thrupp Lane.

#### **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 required a discharge licence issued by the Environment Agency.

**25/12 SHIPTON-ON-CHERWELL QUARRY**

(Agenda No. 9)

**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.**

The Committee considered two applications (PN9). The first sought 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.

Councillor Hallchurch had no objection to the applications and welcomed proposals to restore the site. He enquired as to the status of proposals for the provision of the railhead and the footpath around the wildlife area.

Mr Flavin confirmed all conditions from the previously agreed permission would be carried forward and the railhead would be constructed where the old works were currently sited.

Councillor Armitage was concerned that it appeared that the Company were being given another 7 years in which to provide a railhead while in the meantime there would be 320 vehicles a day accessing the site. He sought confirmation as to whether one application could be approved and not the other and, in the terms set out in the addenda sheet, whether the applicants were being allowed 5 years in which to demolish the buildings.

Mr Flavin confirmed that it would be possible to approve one application without the other but failure to agree both could limit the movement of waste by road after 3 years. Work to commence demolishing the old buildings would need to commence within one year with completion in 5.

**RESOLVED:** (on a motion by Councillor Hudspeth, seconded by Councillor Hallchurch and carried by 10 votes to 1) 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) amendments to the existing routeing agreement to take account of the aggregate recycling facility;

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. Restriction on vehicle movements.
5. Operating hours (0700-1800 Mondays to Fridays; 0700-1300 Saturdays; no working on Sundays, Bank or Public Holidays)
6. Noise from aggregate recycling not to exceed permitted levels.
7. Dust management plan to be submitted and agreed.
8. Details of surface and foul water drainage to be submitted and agreed.
9. No damage to designated rock faces.
10. No waste processing or storage directly in front of designated rock faces.
11. Submission of an Ecological Management Plan.
12. Updated reptile surveys to be undertaken prior to works commencing;
13. Wheel cleaning to prevent mud on highway
14. Sheeting of vehicles

Informatives

- Development to be subject to Environment Agency permitting.
- 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) retention of the existing 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.
5. Demolition of derelict cement works buildings (including the chimney) to commence within one year of the date of the permission and to be completed within 5 years from the date of this permission.
6. Submission of a scheme to show how demolition of derelict cement works buildings (including the chimney) would be carried out.

Informatives

- Development to be subject to Environment Agency permitting.
- 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.

..... in the Chair

Date of signing