



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

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 1 December 2014 at 2.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

November 2014

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

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 Mrs Catherine Fulljames
Deputy Chairman - Councillor Neil Owen

Councillors

David Bartholomew
Mark Cherry
Patrick Greene
Pete Handley

Bob Johnston
Stewart Lilly
Glynis Phillips
Anne Purse

G.A. Reynolds
John Tanner

Notes:

- **Date of next meeting: 12 January 2015**
- **Site visits are required for Items 6 (Dix Pit) and 7 (Glebe Land, Thame)**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on (01865) 815270 or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

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 - 6)

To approve the minutes of the meeting held on 20 October 2014 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Proposed extension to site area of aggregate recycling facility for processing and stockpiling waste materials and recycled products and variation of conditions 1 and 15 of planning permission MW.0184/12 to provide for revisions to the approved site fencing, landscaping and drainage system at . Sheehans Recycled Aggregates Plant, Dix Pit, Stanton Harcourt - Application No.MW.0003/14. (Pages 7 - 36)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN6**)

The application site has previously been worked (for sand & gravel extraction and subsequent infilling) but is now restored. The application area covers 3.3 ha including the existing permitted site to which variations of conditions are proposed, with the extension area covering 1.8 ha and includes the existing recycled aggregates plant and the field immediately to its north-west which is currently rough grassland. The proposed extension area would be used to provide more space for the crushing and screening operations that are necessary to provide the full range of recycled products required by the applicant's customers and to the high quality demanded. The proposed extension and amendments, including the importation of 20,000 tonnes per annum of road sweepings (5,000 tonnes) and waste asphalt and planings (15,000 tonnes), would not lead to any increase in the overall permitted throughput of 100,000 tonnes of waste imported per annum or vehicle movements. The site would operate between the hours of 7.00 am and 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays as for the existing permitted development. Should planning permission be granted, the applicant would expect it to be time limited in accordance with the existing planning permission i.e. 31st December 2029 for expiration and 31st December 2030 for restoration. 33.The key planning issues are whether the development complies with policy on waste and also with environmental and amenity policies. The application site

is partly a green field site located in the open countryside. I consider that the key planning issues to be considered are whether it is consistent with planning policy with regard to waste development, green field development, the open countryside and local landscape, amenity and traffic impacts.

It is RECOMMENDED that Application MW.0003/14 (14/0142/P/CM) be refused planning permission for the following reasons:

- i) The development would be partly on a restored mineral extraction and landfill site and in the open countryside. It would neither maintain nor enhance the countryside for its own sake, would not be on a currently operational mineral extraction or landfill site and would not be on previously developed land contrary to the provisions of saved policy W4 of the Oxfordshire Minerals and Waste Local Plan 1996, saved policy NE1 of the West Oxfordshire Local Plan 2011, paragraph 4 of the National Planning Policy for Waste and draft policy C6 of the Draft Oxfordshire Minerals and Waste Local Plan Core Strategy.***
- ii) The development would have an adverse impact on the amenity of users of the adjoining fishing lake contrary to saved policies W3 c), PE3 and PE 8 of the Oxfordshire Minerals and Waste Local Plan 1996, saved policy BE2 of the West Oxfordshire Local Plan 2011, paragraph 7 of the National Planning Policy for Waste and draft policy C5 of the Draft Oxfordshire Minerals and Waste Local Plan Core Strategy.***

7. Construction of Residential Children's Home - New Assessment Centre building and associated external recreation areas, car parking and new vehicular entrance off the highway. Change of use from Farmland to Residential care provision at Glebe Land, Thame - Application No - R3.0086/14. (Pages 37 - 50)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN7)

This application is for the construction of a two storey residential children's home on an area of farmland outside of Thame. The building would provide short term accommodation for up to six young people aged between 12 and 17 who are at risk of entering the care system. The development is one of four proposed new children's home to enable more 'looked after' children to be accommodated within the County.

Objections have been received from Thame Town Council and CPRE and South Oxfordshire District Council have expressed significant concern about the location of the development in the countryside outside the built limits of the town.

There is some conflict with development plan policies aimed at protecting the countryside. However, these must be weighed against the need for the development which is proposed to meet a specific need and which is best met by a site outside of a town. The development is considered to be acceptable in terms of design, protection of amenity and highways.

The report describes why the proposals have been put forward and outlines the

relevant planning policies along with the comments and recommendation.

It is RECOMMENDED that planning permission for application no. R3.0086/14 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the matters set out in Annex 1 to the report PN7 and to the submission of a satisfactory landscaping scheme.

8. Progress report Minerals and Waste Site Monitoring & Enforcement (Pages 51 - 84)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN8**)

This report updates members on the regular monitoring of minerals and waste planning permissions and on the progress of enforcement cases for the period 1 April 2014 to 31 October 2014.

All sites with planning permission are regularly visited on a formal basis and a written report produced following a site visit which is shared with the site occupant. Where elements of non-compliance with a consent are identified this can result in subsequent compliance with matters that are outstanding or in a planning application being made to regularise unauthorised activities on site.

Of all the sites, 66 fall within the remit of Government Regulations that allow the council to charge a fee for conditions monitoring, in that they relate directly to the winning and working of mineral permissions or directly to land filling permissions. The remaining non-chargeable sites include scrap yards, recycling operations, waste transfer stations, sewage works and composting operations.

The routine monitoring programme benefits the county's environment by increasing compliance with planning conditions, and in identifying and rectifying matters where conditions are not being complied with on all mineral and waste planning permissions.

It is RECOMMENDED that the Schedule of Compliance Monitoring Visits at Annex 1 and the Schedule of Enforcement Cases at Annex 2 to the report PN8 be noted.

9. Commons Act 2006: In the Matter of an Application to register the Oxpens Meadow, Oxford in Oxfordshire as a Town or Village Green (Pages 85 - 110)

Report by the County Solicitor and Head of Legal Services (**PN9**)

An application was made by the St Ebbes New Development Residents Association for registration of land at Oxpens Meadow in Oxford as a new town or village green under the Commons Act 2006. The landowner objected to this application and further submissions were made by the parties and Counsel's opinions obtained. Before the matter could be comprehensively investigated however, a compromise was reached involving the application land being registered as a Jubilee Field and the parties have by agreement requested that this application is withdrawn. The Council is the Commons Registration Authority and the Planning & Regulation Committee has

delegated authority to determine such applications. The officer recommendation is therefore set out and the Committee requested to determine the application.

The Committee is RECOMMENDED to REJECT the application for registration of the Oxpens Meadow, Oxford as described in the application by Mr Colin Bridger on behalf of the St Ebbes New Development Residents' Association dated 29 September 2008 as a new town or village green pursuant to the Commons Act 2006, by consent of the Applicant and the landowner of the application land.

10. Relevant Development Plan and other Policies (Pages 111 - 126)

Paper by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN10**).

The paper sets out policies referred to in Items 6 and 7 and should be regarded as an Annex to both reports.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday at 12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.