



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

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

**Monday, 27 July 2015 at 2.00 pm**

**County Hall, New Road, Oxford**

*Peter G. Clark.*

Peter G. Clark  
County Solicitor

July 2015

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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.*

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**Membership**

Chairman – Councillor Mrs Catherine Fulljames  
Deputy Chairman - Councillor Neil Owen

*Councillors*

David Bartholomew  
Mark Cherry  
Patrick Greene  
Bob Johnston

Stewart Lilly  
James Mills  
Glynis Phillips  
Anne Purse

G.A. Reynolds  
John Tanner

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**Notes:**

- **Site visits are required for Items 8, 9 and 10.**
- **Date of next meeting: 14 September 2015**

## 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](mailto: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 - 8)

To approve the minutes of the meeting held on 22 June 2015 (PN3) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Construction of haul road and widening of existing field entrance for temporary use in restoration of Woodeaton Quarry.** (Pages 9 - 12)

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

The report proposes a modification to one of the conditions which was part of the resolution of this Committee for the granting of planning permission for the construction of a haul road and widening of existing field entrance for temporary use in restoration of Woodeaton Quarry (item PN8 22 June 2015, Minute 35/15). This modification is proposed to ensure that the hours of use for the haul road are the same as the hours of use for the quarry infilling operation that the road would serve.

***It is RECOMMENDED that condition 6 listed in the resolution for item PN8 Planning & Regulation Committee 22 June 2015 (Minute 35/15 refers) is amended to read: Operating hours (0700-1700 Mondays to Fridays, 0800-1300 Saturdays).***

7. **Serving of the Review of Mineral Permissions (ROMP) at Thrupp Lane and Thrupp Farm, Radley** (Pages 13 - 30)

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

This report considers the issue of re-serving the ROMP review. Planning & Regulation Committee had instructed that the previous review should be withdrawn and re-served once the Inspector's Decision had been produced. The Inspector's decision raised some issues as to what area the Review should cover and the report sets out the area over which the review should take place.

***It is RECOMMENDED that a review of the planning permissions for areas DD1 and DD2 at Thrupp Lane and Thrupp Farm, Radley be sought and notice of the review of mineral planning conditions served as soon as possible.***

- 8. Application to continue the development permitted by P14/V0479/CM (for the deposit of non-hazardous waste including surcharging the existing landfill, extending the duration of landfill and clay extraction operations, temporary storage of PFA and ancillary activities to restoration) without complying with conditions 1, 10, 15, 17, 28, 30, 32 and 34, to amend the landfill phasing, restoration plan for phase 3, restored contours of phase 3 and the restoration method for phases 3 and 4 at Sutton Courtenay Landfill, Appleford Sidings - Application MW.0039/15 (Pages 31 - 48)**

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

This application is for amendments to the conditions on the consent for landfilling at Sutton Courtenay. The proposed amendments alter the sequence of filling to allow Phase 3 to be infilled simultaneously with Phase 4, rather than afterwards. Phase 3 would be filled with inert waste rather than biodegradable waste and Phase 3 would be restored to a level 1 metre above original ground levels, rather than 8 metres above as currently approved. The final restoration of Phase 3 would be amended to include biodiversity enhancements. The proposed amendments offer a number of environmental benefits in terms of infilling being completed sooner than it otherwise would, to a lower level and with a waste type less likely to have amenity impacts. An Environment Statement was submitted to consider the potential impacts of simultaneous infilling of Phases 3 and 4. There have been no objections to this application from consultees. Although four letters of representation have been received these are concerned with the principle of amending permissions and with the general amenity issues associated with landfilling and do not object to the specific changes proposed in this application.

***It is RECOMMENDED that Application MW.0039/15 be approved subject to conditions as on existing consent P14/V0479/CM, with the amendments to conditions and additional conditions and informatives to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but in accordance with the details set out in Annex 1 to this report and with any necessary updates to the wording of existing conditions to ensure clarity and reflect changes to policy since the original permission was issued.***

**9. Erection of a mobile concrete batching plant with associated infrastructure, concrete hardstanding and portable toilet Land at Dix Pit adjacent to Workshops, Linch Hill, Stanton Harcourt - Application MW.0150/14 (Pages 49 - 68)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure (PN9)).

This report considers an application for the temporary siting of a concrete batching plant at Dix Pit, a former quarry and current landfill site. The application site is within the area also covered by the landfilling permission and a concrete batching plant was located on the site until 2014. The proposed new plant would occupy the same footprint and is located 180 metres from the Devil's Quoits, a Scheduled Ancient Monument (SAM).

The plant would use aggregate from Bridge Farm quarry in Appleford until Stonehenge Farm quarry in Northmoor became operational.

The application site is in an area to be restored to open countryside following the completion of waste disposal operations in 2028. The proposed development would be sited on an area subject to ongoing waste management activities but would not prevent or delay the restoration of this area following the end date for those activities. As the timescales for the proposed concrete batching operations are shorter than the approved timescales for landfilling, there would be no significant further harm to the landscape character of the area or value of the countryside.

The proposals would not cause significant harm to the setting of the Devil's Quoits SAM and any potential harm that would be caused would be outweighed by the public benefits of the proposal. The development also complies with policy with regard to impacts on amenity, rights of way, traffic and biodiversity.

***The Planning & Regulation Committee is RECOMMENDED that subject to:***

***i) an agreement to ensure that vehicles associated with the development are routed via the A415 and the A40 to avoid Sutton; and***

***ii) planning permission for MW.0126/12 (P12/V1729/CM) first being issued;***

***that Application MW.0053/15 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but in accordance with those set out in Annex 1 to this report.***

**10. Proposed engineering operations for restoration of former landfill site and temporary provision of an area for topsoil recycling at Controlled Reclamation Landfill site, Dix Pit, Stanton Harcourt - Application No. MW.0150/14 (Pages 69 - 96)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure) (PN10).

The application proposes that existing material in excess of that permitted on a previously consented landfill site should be retained and partly re-graded to achieve revised contours within a 12 month period. The area to be regraded covers approximately 5 ha of the total site area (running north-westwards up from the site boundary with the Blackditch access road). Approximately 52,000 m<sup>3</sup> of waste would be regraded in this area. The rest of the application site would not be subject to any re-grading or any other works and so would remain as existing. Both the pre-settlement and post-settlement contours (no significant settlement is anticipated in this area) would be approximately three metres higher than the pre-settlement contours previously approved (and which are required under the provisions of an enforcement notice) at the highest part of the site, which is towards its centre. Within the area to be regraded, the contours would create a steeper slope, to the lower south-eastern part of the site than previously approved. Should planning permission be granted an additional time period to allow for topsoil manufacture and placement of the soil until end of October 2016 would be required. Following the placement of final restoration soils, the site would be planted and grass-seeded. The whole area would be subject to a five years period of aftercare.

The report considers the application against relevant planning policies and other material considerations.

***Subject to the provision of a Section 106 legal agreement to secure the provision of a £10,000 financial contribution to be used to fund the aims of the Lower Windrush Valley Project it is RECOMMENDED that Application MW.0150/14 (14/02397/CM) be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) including:***

- i) No HGV movements to be generated directly to or from the site other than for the provision and removal of any plant required for the development to be completed;***
- ii) Hours of operation to be not other than 7.00 am to 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays;***
- iii) No topsoil generated through the topsoil recycling area to be removed from the site and to be solely used in the restoration works hereby permitted;***
- iv) Other than planting and grass seeding, final restoration of the site and removal of all plant and machinery to be completed no later than 3 October 2016;***
- v) All landscape planting to be completed no later than 31 March 2017;***
- vi) All grass seeding to be completed no later than 31 May 2017;***
- vii) Five years period of aftercare including replacement planting of any trees or shrubs which die with others of the same size and species.***

**11. Response of Viridor to Review of External Lighting at Ardley Energy from Waste Facility, Ardley (Pages 97 - 104)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure) (PN11).

This application is for the consideration of the review of the external lighting details for the Energy from Waste Facility which has been granted planning permission at Ardley Fields, Ardley Landfill Site, Ardley. The report updates the Committee with regard to correspondence between the County Council and the site operator with regard to the review of the external lighting and also the internal lighting and coloured panels used in the construction of the building. Copies of the relevant correspondence are attached to the report.

***It is RECOMMENDED that the Committee notes the report and advises officers if there are any further comments they would wish to be passed on to Viridor with regard to the Review of the external lighting.***

**12. Relevant Development Plan and other Policies (Pages 105 - 126)**

Paper by the Deputy Director for Environment & Economy (Strategy & Infrastructure) (PN11)

The paper sets out policies in relation to Items 7,8,9 and 10 and should be regarded as an Annex to each report.

**13. Commons Act 2006: Delegation of Decision Making Powers to Officers (Pages 127 - 132)**

Report by the Solicitor to the Council and Director for Environment & Economy (PN13).

Further provisions of the Commons Act 2006 have recently been brought into force, which are expected to result in an increase in routine applications under the Act. Officers are of the view that all routine or uncontroversial decisions under the Act can be made at officer level, with those that are controversial, of strong local or County interest or which require an exercise of judgment still being reported to the Committee. It is therefore considered that a delegation to the Director for Environment & Economy to determine various types of applications under the 2006 Act should be made, subject to the conditions and procedures set out in the report.

***The Committee is RECOMMENDED to delegate to the Director for Environment & Economy the power to determine applications under the Commons Act 2006 as follows and subject to the stated conditions:-***

- a) *the power to grant any application or proposal;*
- b) *the power to refuse any application or proposal;*
- c) *the power to accept or reject any purported withdrawal of application, proposal or objection;*
- d) *the power to accept or reject an amendment to any application or proposal;*
- e) *the power to implement any decision of a Court or the Planning Inspectorate without need for further reference to the Committee;*
- f) *the power to accept or reject any repeated or materially identical application or proposal; and*
- g) *the power to grant or refuse in part any application or proposal.*

*In all cases, the exercise of these delegated powers by officers will be subject to such of the following conditions that apply to the determination in question:-*

- a) *there have been no objections to the application or proposal or all such objections have been withdrawn by the objector;*
- b) *officers are satisfied that all relevant legal requirements are met (to the standard of the balance of probabilities);*
- c) *legal advice is taken from the County Solicitor where necessary;*
- d) *the Chairman of the Committee on his/her own initiative or if requested by any Member may 'call in' any application or proposal to be determined by the Committee;*
- e) *officers may refer any application or proposal to the Committee where, although they are empowered to determine it under delegated powers, they consider that the decision is controversial or there is otherwise good reason for the Committee to consider and determine it; and*
- f) *there is no other relevant decision-making body (e.g the Planning Inspectorate) to whom the decision must (or may where officers consider it necessary or appropriate) be referred for determination.*

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### **Pre-Meeting Briefing**

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