

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 28 July 2014 commencing at 2.00 pm and finishing at 3.00 pm

**Present:**

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

Councillor Neil Owen (Deputy Chairman)  
Councillor David Bartholomew  
Councillor Mark Cherry  
Councillor Patrick Greene  
Councillor Pete Handley  
Councillor Glynis Phillips  
Councillor Anne Purse  
Councillor G.A. Reynolds  
Councillor John Tanner

**Officers:**

Whole of meeting J. Dean and D. Mytton (Chief Executive's Office); C. Kenneford, C. Flavin and D. Periam (Environment & Economy)

Part of meeting

**Agenda Item**

8

**Officer Attending**

R. Goodlad (Chief Executive's Office)

*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.*

### **25/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

Councillor Zoe Patrick attended for Councillor Bob Johnston and Councillor Ian Hudspeth for Councillor Stewart Lilly.

### **26/14 MINUTES**

(Agenda No. 3)

The Minutes of the meeting held on 23 June 2014 were approved and signed.

With regard to Minute 23/14 – Chairman’s Updates – Sutton Courtenay Waste Management Site – Mr Periam advised that a response from the Secretary of State had now been received to the effect that he did not wish to intervene in this matter.

**27/14 REVISED RESTORATION TO NATURE CONSERVATION RATHER THAN AGRICULTURE, RETENTION OF SANDY OVERBURDEN MATERIAL MOUND (NORTH OF AREA I), RETENTION OF THE MAJORITY OF THE BUNDS AND RETENTION OF SOME OF THE ASSOCIATED CONCRETE STRUCTURES TO THE REMAINING UNRESTORED ASH LAGOONS (AREAS G & H/I) AND THE SETTLING AND DISCHARGE POND AREA EAST OF THE OXFORD TO DIDCOT RAILWAY LINE, WITHOUT COMPLYING WITH CONDITIONS A11, A17 & A18 OF PLANNING PERMISSION SUT/RAD/5948/12-CM AT RADLEY ASH DISPOSAL SITE, THRUPP LANE, RADLEY - APPLICATION NO. MW.0056/13**

(Agenda No. 6)

The Committee considered a report (PN6) describing a proposed development which was a Section 73 planning application, to make changes to the existing planning permission SUT/RAD/5948/12-CM (filling of gravel extraction areas at Radley with Pulverised Fuel Ash conveyed by pipeline from Didcot Power Station).

Mr Flavin corrected the conditions listed on page 25 of the Agenda by the deletion of condition 13 on the grounds of repetition.

Mr Flavin addressed the concerns put forward by Councillor Bob Johnston (who was unable to attend the meeting) and which had been included on an Addenda for the meeting. He stated that the current security fencing for lakes H and I and J and G (of height 2 – 3m) would be replaced with new, high security fencing which would be lower in height (ie. 1.2 – 1.3m). This would be in line with the current permission which required the removal of all security fencing and its replacement with that of green belt fencing and, in several locations with agricultural designed gates. With reference to Councillor Johnston’s concern about the unstable nature of the ground in lakes H and I, he commented that the applicant, in response to these concerns, had advised that the filled PFA areas were safe to walk across. However, if heavy plant machinery was to be placed on the ground there could be a slight risk. He added that there had been no mention from the applicant of any concerns about the stability of the ground and there had even been suggestions of animal grazing on the site.

Cllr Zoe Patrick added her concern regarding the condition of the ground likening it to quick sand in places where the pulverised ash had dried out, which could potentially be the cause of danger to children. Mr Flavin responded that the applicant had advised that the ash surface has over time set quite hard and is compacted resembling concrete. He added that the replacement fences would surround the areas where the ash was, together with the erection of an additional fence to the north of the site. Moreover, the need for people carrying out the after - care maintenance to have access to the site would necessitate a continued focus on health and safety.

Councillor Patrick directed the Committee’s attention to Councillor Johnston’s view that the present fences excluded foxes, cats and feral dogs which were a threat to the

numerous ground nesting birds' and roe deer. Mr Flavin responded that the agricultural style replacement fencing would be of a stock proof and sheep proof variety and that Natural England, when consulted, had supported its use.

In response to questions about the governance and review of the site following the five year period of aftercare, in light of various concerns about safety and maintenance of the site, Mr Flavin explained that the Council could govern the site's maintenance during the five year period of aftercare, but after this time it would be out of the Council's control and under the stewardship of the landowner or potentially, if the landowner is able to make arrangements, under the stewardship of a charity or voluntary organisation or body who would continue the ongoing maintenance. Any extension of a period of aftercare would usually be the subject of negotiation. Discussions had taken place about whether the applicant would be willing to enter into an agreement for a longer period of time but this had been declined.

In response to concerns about the nature of the replacement fencing, Mr Flavin undertook to bring the details of the replacement fencing back to Committee, explaining that these were part of the requirement for detailed pursuant conditions which were subject to consultation.

**RESOLVED:** (on a motion by Councillor Tanner, seconded by Councillor Owen, as amended by Councillor Phillips, seconded by Cllr Cherry, and carried by 11 votes to 0 and 1 abstention) that planning permission be approved for application MW.0056/13 subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but to include the following:

1. Development to be built in accordance with the plans and details of the development.
2. Hours of operation 07.00 to 18.00 Mon-Fri and 07.00- 13.00 Sat and no operations Sundays or Bank or Public Holidays.
3. Remove derelict materials, buildings, plant/machinery within 12 months.
4. Restoration of the site shall be completed by December 31<sup>st</sup> 2015 (other than the removal of the existing security fencing)
5. No access to the site shall be used other than Routes 1 to 4 shown on Drawing No. UKP/DCD/0139/A.
6. No further additional import or disposal of Pulverised Fuel Ash (PFA) shall take place at the site.
7. No extraction or export of PFA from the site shall take place.
8. Submission, approval and implementation of a revised habitat management plan.
9. Annual aftercare site meeting to be arranged each year for a period of five years by the occupier of the land
10. Detailed written annual aftercare review and programme to be submitted, approved and implemented.
11. Detailed security fence removal scheme to be submitted, approved and implemented (to include method of dismantling and measures to mitigate adverse impacts on the biodiversity of the site)
12. Security fence replacement scheme to be submitted, approved and implemented.

13. Security fence to be removed no later than 12 months after the surrender of the EA Environmental Permit for the site or by 31/12/2017 whichever is the earlier.
14. Fencing replacement implementation to be completed no later than one month from the date of the completion of the removal of the existing security fencing.
15. SOM Mound Landscaping and Protection Scheme to be submitted, approved and implemented (with details of terracing, planting, fencing and drainage).
16. Construction Phase Traffic Management Plan scheme to be submitted, approved and implemented.
17. Ecology survey update to be submitted, approved and any works implemented if works do not commence within 12 months of the date of consent.

**28/14 EXPANSION FROM ONE FORM ENTRY TO 1.5 FORM ENTRY THROUGH DEMOLITION OF HORSAS, EXTERNAL STORE AND TEMPORARY CLASSROOM. EXTENSION OF THE EXISTING BUILDING TO PROVIDE KEY STAGE 1 AND FOUNDATION STAGE CLASSROOMS AND EXTERNAL WORKS TO PROVIDE ASSOCIATED PLAY AREAS AND MUGA. TEMPORARY CLASSROOM INSTALLATION TO FACILITATE DECANT DURING CONSTRUCTION AT WOLVERCOTE PRIMARY SCHOOL, FIRST TURN, WOLVERCOTE - APPLICATION R3.0053/14**

(Agenda No. 7)

The Committee considered (PN7) an application for expansion from one form entry to 1.5 form entry through various building works at Wolvercote Primary School, Oxford.

Prior to the discussion, Mr Periam made an addition to recommendation (c) below as indicated in bold and italics.

Councillor Hudspeth referred to the objection submitted by Sports England and enquired whether the sports facilities currently offered by the School would reduce as a result of the proposals. Mr Periam confirmed that the proposals would serve to enhance the School's ability to provide multi sports activities for use 365 days of the year. Councillor Reynolds expressed his concern that the proposal would not enhance team playing, only individual play.

Councillor Phillips spoke in support of the inclusion of a condition, as referred to in paragraph 18 of the report, requiring a detailed landscaping scheme to be submitted for approval prior to commencement of the development, if agreed.

Councillor Cherry referred to the comments (included on the Addenda) made by local member, Cllr Jean Fooks with regard to the reduction of car parking spaces as a result of the proposal. Mr Periam accepted the point but confirmed that there would be no available area in which to include them, adding that this would therefore necessitate an update to the School Travel Plan.

**RESOLVED:** (on a motion moved and seconded and carried unanimously) that:

- (a) the Planning & Regulation Committee indicates support for application no. R3.0053/14;
- (b) resolves that the application be forwarded to the Secretary of State in accordance with the provisions of the Town and Country Planning (Consultation) (England) Direction 2009;
- (c) that in the event of the Secretary of State not intervening and subject to the withdrawal of the holding objection by Network Rail the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) be authorised to approve application no. R3.0053/14 subject to the applicant first providing a Unilateral Undertaking to provide the sum of £1,240 for the monitoring of the Travel Plan and subject to conditions to be determined by the Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out below; and
- (d) the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) be instructed to write to Sports England to advise that the Committee was of the view that the proposals would enhance the school's ability to provide multi – sports activity rather than reduce it.

#### Heads of Conditions

1. Complete accordance with plans;
2. Commencement within 3 years;
3. Submission of details of materials for approval prior to commencement;
4. Provision of an updated Travel Plan three months after the
5. Submission of a Sustainable Surface Water Drainage Scheme for approval prior to commencement;
6. Submission of a written scheme of investigation and a staged programme of archaeological investigation prior to commencement;
7. Submission of details of additional cycle parking provision prior to commencement.
8. Landscaping scheme including replacement tree planting.

### **29/14 COMMONS ACT 2006: IN THE MATTER OF AN APPLICATION TO REGISTER COWAN'S CAMP FIELD, STAR LANE, WATCHFIELD AS A TOWN OR VILLAGE GREEN**

(Agenda No. 8)

The Committee considered an application submitted by Dr Susan Nodder under the Commons Act 2006 to register Cowan's Camp Field, Star Lane, Watchfield as a town or village green.

Richard Goodlad introduced the report (PN8) explaining that the application had been considered initially by Legal Services and it had been subsequently 'duly made' and publicised in accordance with statutory requirements. One substantive objection had been received during the statutory six week objection period from CCS Developments Ltd. It had raised several factual and legal issues in relation to the

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application and so an independent public inquiry had been held in February of this year. A copy of the Inspector's report was set out at Annex 2 to the report which had recommended that the application be rejected for the reasons as set out in the report.

Mr Goodlad reported that the local member, Cllr Yvonne Constance, had raised no objection to the officer recommendation.

**RESOLVED:** (unanimously) having received the Opinion of the Inspector set out in Annex 2 to this report, to reject the application for registration as a new Town or Village Green that plot of land known as Cowan's Camp Field, Star Lane, Watchfield in Oxfordshire that site being indicated clearly on "Application Map C" of the application submitted by Dr Susan Nodder and dated 29 November 2012.

..... in the Chair

Date of signing