



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

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

**Monday, 8 January 2018 at 2.00 pm**

**Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND**

Peter G. Clark  
Chief Executive

December 2017

*Committee Officer:* **Graham Warrington**  
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*graham.warrington@oxfordshire.gov.uk*

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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 Les Sibley  
Deputy Chairman - Councillor Jeannette Matelot

*Councillors*

Mrs Anda Fitzgerald-  
O'Connor  
Mike Fox-Davies  
Stefan Gawrysiak  
Bob Johnston

Mark Lygo  
Glynis Phillips  
G.A. Reynolds  
Judy Roberts

Dan Sames  
Alan Thompson  
Richard Webber

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**Notes:**

- **Date of next meeting: 19 February 2018**

## 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 **07776 997946** 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 - 12)

To approve the minutes of the meeting held on 27 November 2017 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Continuation of the development permitted by MW.0044/08 (the construction and operation of an energy from waste and combined heat and power facility together with associated office, visitor centre and bottom ash recycling facilities, new access road and weighbridge facilities and the continuation of landfill operations and landfill gas utilisation with consequent amendments to the phasing and final restoration landform of the landfill surface, water attenuation features and improvements to the existing household waste recycling centre) without complying with conditions 1 and 3, in order to allow an import of 326,300 tonnes per annum to the Ardley Energy Recovery Facility - Application MW.0085/17 (Pages 13 - 42)**

Report by the Director for Planning & Place (**PN6**).

This application seeks to increase the maximum tonnage permitted to be imported to Ardley Energy Recovery Facility from 300,000 tonnes per year to 326,300 tonnes per year and is being reported to the Planning & Regulation committee because it is accompanied by an Environmental Impact Assessment and there has been an objection from Bucknell Parish Council who object to the principle of changing conditions on the consent and the fact that an increased tonnage would exacerbate existing impacts from the plant.

There have been no objections from other parish councils or consultees and no third-party representations received.

The proposed increase to the tonnage is considered to accord with development plan policy and other material considerations. Impacts arising from the development are controlled by conditions on the consent.

***It is RECOMMENDED that subject to a supplementary legal agreement to ensure that the provisions of the existing Section 106 and routeing agreements are carried forward that planning permission for Application MW.0085/17 be approved subject to conditions as on consent MW.0044/08 amended as set out in Annex 1 to the report PN5.***

- 7. Section 73 application to continue the operation of Dix Pit Recycled Aggregate Facility permitted by planning permission no. 16/04166/CM (MW.0140/16) without complying with condition 6 thereby allowing an increase in the maximum tonnage of waste material imported to site to 175,000 tonnes per annum at Sheehan Recycled Aggregates Plant, Dix Pit, Stanton Harcourt, Witney, OX29 5BB - Application No. MW.0073/17 (Pages 43 - 46)**

Report by the Director for Planning & Place (PN7).

This application is to increase the amount of waste imported to the existing Dix Pit Recycled Aggregates Facility from 100,000 to 175,000 tonnes per calendar year through a variation of condition 6 of planning permission no. 16/04166/CM (MW.0140/16). No other changes to the existing conditions are proposed.

The update report to this Committee follows deferral of the application at its meeting on 27 November 2017 to allow for further negotiation with the applicant.

The development accords with the Development Plan as a whole and with individual policies within it, as well as with the NPPF. It is considered to be sustainable development in terms of environmental, social and economic terms. The proposed development would be beneficial in terms of contributing towards Oxfordshire's supply of secondary aggregate and it is considered that any potential impacts can be adequately addressed through planning conditions and the routeing agreement which prohibits HGVs associated with the site passing along the B4449 through Sutton during peak hours which will continue to apply.

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

***(a) Application MW.0073/13 be approved subject to:***

- (i) the existing conditions including the amendment made under Non-material amendment application no. MW.00889/1 to condition 6 reading as follows:***

***No more than 175,000 tonnes of waste shall be imported to the site in any calendar year. Records of imports, sufficient to be monitored by the Waste Planning Authority shall be kept on site and made available to the Waste Planning Authority's officers on request. Separate records shall be kept on site of any topsoil or other soil materials imported solely for use in the restoration of the Controlled Reclamation Site permitted subject to planning permission no. MW.0141/16 (16/04159/CM); and***

**(ii) an additional condition requiring that the operator's records of heavy goods vehicle movements to and from the site including daily traffic numbers and tracking details for those vehicles controlled by the operator be provided to the Waste Planning Authority on a quarterly basis.**

**(b) that the Chairman of the Planning & Regulation Committee write to the Cabinet Member for Environment advising that provision of the Sutton Bypass has been raised by Councillor Mathew in commenting on this application and advising of the applicant's expression of interest in working with other parties to help secure it.**

## **8. M&M Skips at Worton Farm:**

**1. Section 73 application for non-compliance with conditions 1 and 4 of permission no: 09/00585/CM (MW.0108/09) for waste recycling and transfer facility, to allow re-shaping of site bunding to enable additional car parking provision – Application MW.0091/17.**

**2. Use of land for storage of empty skips – Application MW.0090/17 (Pages 47 - 76)**

Report by the Director for Planning & Place (**PN8**).

This is for two planning applications at and near to existing waste operations in the Green Belt at Worton, near Yarnton and Cassington. One proposal (MW.0091/17) seeks to remove part of a bund on land within the existing waste recycling permission to create car parking. The second proposes the permanent retention of a temporary skip storage operation.

Both applications are in the Green Belt and therefore have to be reported to this committee because they are departures from the development plan.

The report outlines the relevant planning policies along with the comments and recommendation of the Director for Planning and Place.

The main issue with the applications are their Green Belt location. In the case of MW.0091/17 it is considered that very special circumstances exist for the application and therefore the recommendation is to approve. However, in the case of MW.0090/17 it is not considered that very special circumstances have been shown and the recommendation is to refuse.

***It is RECOMMENDED that:***

- (a) planning permission for application no. MW.0091/17 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:**
- ***Detailed Compliance***
  - ***Development to be carried out within 3 years.***

- *Details of landscaping to be approved.*
- *Details and location of at least two bat and bird boxes to be approved.*
- *Drainage details to be approved.*
- *Permitted development rights removed.*

**(b)** *planning permission for application no MW.0090/17 be refused. It would be inappropriate development in the Oxford Green Belt and no very special circumstances to justify making an exception had been demonstrated. The application would therefore be contrary to policy C12 of the Oxfordshire Minerals and Waste Core Strategy, policy ESD 14 of the Cherwell Local Plan 2031 and National Planning Policy Framework paragraphs 87, 88 and 90.*

## **9. Relevant Development Plan & other Policies (Pages 77 - 94)**

Paper by the Director for Planning & Place (**PN9**).

The papers sets out policies in relation to Items 6, 7 and 8 and should be regarded as an Annex to each report.

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### **Pre-Meeting Briefing**

There will be a pre-meeting briefing at County Hall on **Monday 8 January 2018** at **12.30 pm** for the Chairman, Deputy Chairman and Opposition Group Spokesman.