



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

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

**Monday, 19 February 2018 at 2.00 pm**

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

Peter G. Clark  
Chief Executive

February 2018

*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: 26 March 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 - 10)

To approve the minutes of the meeting held on 8 January 2018 (PN3) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Application to modify or discharge Section 106 Planning Obligations at Finmere Quarry, Fibmere - Application No. MW.0110/17** (Pages 11 - 26)

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

This is an application to discharge obligations set out in existing Section 106 legal agreements linked to minerals and waste development at Finmere Quarry. There are seven relevant planning agreements. The applicant wishes to be released from obligations related to restrictions on the geographical source of waste (the hinterland) and the restoration bond.

This is not a planning application and the relevant consideration is whether the provisions continue to serve a useful purpose. In this case, it is considered that the bond does continue to serve a useful planning purpose to ensure the satisfactory restoration of the site and therefore these provisions should remain in place and so the legal agreements should continue to have effect without modification. It is considered that the waste catchment area is no longer necessary to achieve its purpose and therefore the provisions relating to this can separately be discharged through agreement with the applicant and any other parties to the legal agreements.

***It is RECOMMENDED that:***

1. ***Oxfordshire County Council do not enter into a deed of variation to amend the existing Section106 legal agreements with regards to the bond provisions, as applied for in application MW.0110/17 and that the S106 legal agreements continue to have effect without modification.***
2. ***The committee supports the removal of the hinterland provision from the S106 legal agreements and authorises the Director for Planning and Place to***

*enter into negotiations with the applicant and any other parties to the legal agreements with regard to entering into a deed of variation to remove this requirement.*

7. **Continuation of the development permitted by P17/V0138 (MW.0005/17) (the demolition of existing asphalt plant and construction and operation of a replacement asphalt plant with ancillary plant and machinery, a new weighbridge and portable office) without according with condition 3, in order to allow extended hours of operation at Appleford Depot, Appleford Sidings, Appleford Road, Sutton Courtenay - Application No. MW.0109/17 (Pages 27 - 40)**

Report by Director for Planning & Place (PN7).

This is an application to amend a condition on an existing planning consent for an asphalt plant at Appleford Depot. The condition states that operations should take place between 6am and 6pm Mondays to Sundays and operations outside of these hours must be subject to prior notification and approval from the Minerals Planning Authority. The applicant has applied to amend the condition so that 24 hour working can take place on 180 days each calendar year with no need to obtain advance approval. The applicant has stated that the current condition wording is not practical because working outside of core hours is often required at short notice to supply asphalt for overnight road works.

There has been no objection from the District Council or the Environmental Health Officer. The site is located some distance from the nearest residential dwellings and a noise report submitted with the application concludes that noise limits will be within acceptable levels. However, there has been an objection from Sutton Courtenay Parish Council.

The report concludes that the proposed amended condition would be in accordance with development plan policy, subject to acceptable details of external lighting being provided.

***Subject to consideration of the further information with regard to the detailed external lighting proposals, it is RECOMMENDED that planning permission for application MW.0109/17 be approved subject to the conditions set out in Annex 2 to the report PN7 as amended by Annex 1 also to that report.***

8. **Continuation of development without complying with Condition 2 (mineral extraction cessation date) of Planning Permission no. 16/02109/CM (MW.0125/16) in order to extend the period permitted for the extraction of mineral from 31st December 2017 to 31st December 2018 at Shipton-on-Cherwell Quarry, Bunkers Hill, Kidlington - Application No. MW.0001/18 (Pages 41 - 64)**

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

This is a planning application to allow a further period of time, up to 31 December

2018, year for the extraction of the mineral. The application area is within the overall permission for Shipton on Cherwell Quarry which had a range of uses on the site and currently includes waste recycling, land filling and restoration. The report outlines the relevant planning policies, along with the comments and recommendations of the Director for Planning and Place.

The main issues with the application is the effect on the local amenity and the need to extract the mineral. It is felt that the effect on the local amenity can be controlled by conditions and that there is a need to remove the reserve rather than have it sterilised.

***It is RECOMMENDED that planning permission for application No. MW.0001/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the Conditions set out in Annex 1 to the report PN8.***

**9. 7 number 6m high external lighting columns installed around the area of new car parking at William Fletcher School, Rutten Lane, Yarnton - Application No. R3.0065/17 (Pages 65 - 72)**

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

This is a retrospective planning application to allow 7 lighting columns of 6m in height at a school car parking area. The application area is within an existing primary school site.

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

The main issues with the application is the effect on the local amenity, and the local land scape. It is felt that the effect on the local amenity and local landscape is unacceptable and has not been justified.

***It is RECOMMENDED that planning permission for application no. R3.0065/17 be refused on the grounds that:***

- 1. It would cause light pollution detrimental to the local amenity contrary to saved policy ENV1 of the Cherwell Local Plan 1996; and***
- 2. It would have a detrimental effect on the local landscape contrary to policy ESD13 of the Cherwell Local Plan 2031.***

**10. Report on proposed planning enforcement action at Elm Farm Quarry, Stratton Audley (Pages 73 - 86)**

Report by the Director for Planning & Place (**PN10**).

The report updates members on an enforcement strategy for Elm Farm Quarry, Stratton Audley to secure the best long term restoration at minimum cost to the public purse that differs from the planning consent.

*It is RECOMMENDED that the Committee:*

*(a) note the report; and*

*(b) endorse the carrying out of further ecological surveys to support the officers' consideration of the expediency of taking enforcement action and the steps to be specified as required in a planning enforcement notice to be served no later than 31 December 2018.*

## **11. Relevant Development Plan and other Policies (Pages 87 - 100)**

Paper by the Director for Planning & Place (**PN11**).

The paper sets out policies in relation to Items 6., 7, 8 and 9 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 19 February 2018** at **12.00 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.