



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

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

Monday, 10 December 2018 at 2.00 pm

County Hall, New Road, Oxford

Yvonne Rees
Chief Executive

November 2018

Committee Officer: **Graham Warrington**
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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 Les Sibley
Deputy Chairman - Councillor Jeannette Matelot

Councillors

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

Glynis Phillips
G.A. Reynolds
Judy Roberts
Dan Sames

John Sanders
Alan Thompson
Richard Webber

Notes:

- **Site visits are required for Items 6 (Shipton-on-Cherwell) and 7 (Ewelme)**
- **Date of next meeting: 21 January 2019**

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 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 29 October 2018 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Proposed extraction of mineral and restoration by infilling with imported inert materials to agriculture on land to the south east of Shipton on Cherwell Quarry - Application No. MW.0046/18** (Pages 7 - 38)

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

This is a planning application to allow extraction of limestone as an extension to the existing Quarry at Shipton on Cherwell. The site would be restored to agriculture and biodiversity use.

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 are need for the mineral extraction, the case for Very Special Circumstances for inappropriate development in the Green Belt, the effect on local amenity, and the effect on the local landscape.

It is RECOMMENDED that planning permission for application no. MW.00046/18 be refused on the grounds that:-

- 1 ***The site is situated neither within the principal locations for aggregates minerals extraction nor the mineral safeguarding areas. The development is therefore contrary to policies M3 and M5 of the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy;***
- 2 ***The development would constitute inappropriate development in the Green Belt for which Very Special Circumstances have not been demonstrated. It is therefore contrary to policy C12 of the Oxfordshire Minerals and Waste***

Local Plan Part 1: Core Strategy and policy ESD14 of the Cherwell Local Plan 2031; and

- 3 The development would cause harm to the local amenity of residents on Jerome Way through noise, dust and visual intrusion contrary to policy C5 of the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy.**

- 7. Open storage area for empty containers, bins and packaging equipment, including the retention of the old Lab Smalls building for the storage of equipment - Application No. MW.0025/18 (Pages 39 - 52)**

Report by the Director for Planning & Place (PN7)

This application is retrospective and seeks the permanent retention of the former Hazardous Waste Transfer Station for use as an open storage area for empty containers, bins and packaging equipment. It also seeks the retention of the old lab smalls building for the storage of equipment.

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

The main issues for the site are: landscape, local amenity, biodiversity, rights of way, economic development and design.

It is RECOMMENDED that planning permission for application no. MW.0025/18 be approved subject to conditions to be determined by the Director for Planning and Place but to include the following:

- 1) The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application (and letters/e-mails of amendment) except as modified by conditions of this permission. The approved plans and particulars comprise:***
 - Application form dated 16/03/2018***
 - Planning application supporting statement dated March 2018.***
 - Drawing no 3A 9740 – Lab Smalls Building plan and elevations.***
 - Drawing no DG/Est/EWE1/HWTS/Ext/01 – Location Plan***
 - Drawing DG/Est/EWE1/HWTS/Ext/02 – Application and Ownership Plan***
 - Drawing no DG/Est/EWE1/HWTS/Ext/03 – Site Plan.***
- 2) The site shall be used only for storage related to the adjoining hazardous waste transfer station.***
- 3) Operations authorised by this permission, including vehicles entering or leaving the site, shall only take place:***

07: 00 to 18.00 Mondays to Fridays

07:00 to 13:00 Saturdays.

No operations shall take place on Sundays, Bank or Public Holidays.

- 4) *No mud or dust shall be deposited on the public highway.*
- 5) *No external lighting shall be erected on the site unless first approved in writing by the Waste Planning Authority. The lighting shall be implemented in accordance with the approved scheme.*
- 6) *All vehicles, plant and machinery operated within the site shall be fitted with and use effective silencers.*
- 7) *The noise levels arising from the development shall not exceed 55 dB (LAeq) (1 hour), freefield at The Cottage and Goulds Grove Farm.*
- 8) *No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle owned or leased by the operator of the site, other than those which use white noise.*

8. **Sutton Wick Quarry (Pages 53 - 116)**

Application MW.0098/18: Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to continue the development permitted by permission no P16/V3191/CM (MW.0139/16) (for the progressive extraction of sand and gravel, importation of inert waste material with restoration to nature conservation and an agricultural reservoir) varying conditions 1, 20 & 23 and removing condition 21 to allow the development to be accessed via a temporary haul road in place of the existing required vehicle access route

Application MW.0099/18: Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to continue the development permitted by permission no P13/V2763/CM (MW.0124/13) (to retain and operate the processing plant and ancillary operations) without complying with by varying conditions 11, 12, 16 & 18 and removing conditions 17, 19 and 20 of to allow the development to be accessed via a temporary haul road in place of the existing required vehicle access route

Report by the Director for Planning & Place (PN8)

These two applications are Section 73 applications to amend the conditions on existing consents. Planning permission (MW.0010/18) was granted in August 2018 for a new haul road to access the mineral extraction and processing areas at Sutton Wick Quarry. The new haul road would provide a more direct route from the highway network to these areas and remove HGVs from the existing route which is also used by cyclists and pedestrians. The existing permissions for the mineral extraction area and the

processing area are subject to conditions setting out that the longer route must be used, as the new haul road had not been proposed at the time that those applications were determined. Therefore, these conditions must be updated if the new haul road is to be used.

The original application for the haul road was approved under delegated powers as there were no objections. There have been objections to these applications from the owner and occupier of a property in close proximity to the new haul road. They are concerned that the use of the new road would have amenity impacts including noise, pollution, dust and odour. However, there have been no objections from the Environmental Protection team and it is considered that conditions could be used to adequately mitigate the impact on nearby properties. There would also be amenity benefits from HGVs not using the long route at the front

It is RECOMMENDED that planning permission for:

- (a) application MW.0098/18 be approved subject to the existing conditions on consent MW.0139/18, amended as set out in Annex 1 to this report;***
- (b) application MW.0099/18 be approved subject to the existing conditions on consent MW.0124/13, amended as set out in Annex 2 to this report.***

9. Progress Report on Minerals and Waste Site Monitoring and Enforcement (Pages 117 - 146)

Report by Director for Planning & Place (PN9).

The report updates members on the regular monitoring of minerals and waste planning permissions for the financial year and on the progress of enforcement cases.

It is RECOMMENDED that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 to the report PN10 be noted.

10. New single storey three classroom teaching block, including withdrawal room, toilets, stores, ancillary rooms together with minor modifications to hard and soft landscaping and modified parking arrangements. - Application No. R3.0114/18 (Pages 147 - 164)

Report by the Director for Planning & Place (PN10)

The application proposes a new single storey three classroom teaching block, including withdrawal room, toilets, stores, ancillary rooms together with minor modifications to hard and soft landscaping and modified parking arrangements. The site lies in a conservation area and there would be a loss of school playing field. Various objections have been received including on these issues but also including the impact on the local highway network of additional associated vehicle movements. The application is considered against development plan policies and other material considerations and

recommended for the grant of conditional planning permission subject to the completion first of a unilateral undertaking to secure the payment of a School Travel Plan monitoring fee.

Subject to the applicant first providing a Unilateral Undertaking for the payment of the School Travel Plan monitoring fee of £1240 it is RECOMMENDED that planning permission for R3.0114/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include the following:

- i. Detailed compliance;***
- ii. Permission to be implemented within three years;***
- iii. Provision of a School Travel Plan prior to the first occupation of the development;***
- iv. Provision of additional scooter and cycle parking;***
- v. Submission, approval and implementation of a Construction Management Plan;***
- vi. Provision of external lighting scheme;***
- vii. Provision of bird boxes.***

11. Relevant Development Plan and Other Policies (Pages 165 - 190)

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

The paper sets out policies in relation to Items 6, 7, 8 and 10 and should be regarded as an Annex to each report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 10 December 2018** at **12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.