



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

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

**Monday, 15 April 2019 at 2.00 pm**

**Committee Rooms 1 & 2, County Hall, New Road, Oxford**

Yvonne Rees  
Chief Executive

April 2019

Committee Officer: **Graham Warrington**  
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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

Glynis Phillips  
G.A. Reynolds  
Judy Roberts  
Dan Sames

John Sanders  
Alan Thompson  
Richard Webber

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**Notes:**

- ***A site visit is required for Item 6 (Dewars Farm)***
- ***Date of next meeting: 3 June 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](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 - 6)

To approve the minutes of the meeting held on 4 March 2019 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Section 73 application for the continuation of development permitted under 15/01660/CM (MW.0123/15) (for the winning and working of limestone and clay at Dewars Farm as an extension to Ardley Quarry) without complying with conditions 1 and 2, to allow the quarry to continue operating beyond 2020, to permit working until 2028 and restoration by 2029. - Application No. MW.0102/18 (Pages 7 - 30)**

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

This application is for continuation of winning and working of limestone and clay at Dewars Farm without complying with conditions 1 and 2 to allow the quarry to continue operating beyond 2020, to permit working until 2028 and for restoration by 2029. No additional vehicular movements to that originally envisaged are being proposed. There is no routeing agreement associated with the existing permission. The application is being reported to this Committee as objections have been received from the Local Member and Middleton Stoney Parish Council.

The proposal is considered to accord generally with development plan policies.

***It is RECOMMENDED that planning permission for Application MW.0102/18 be approved subject to conditions to be determined by the Director for Planning and Place but to include matters set out in Annex 2 to the report PN6.***

7. **Application to continue the development permitted by CHN.45/90 (permanent consent for coated Roadstone) without complying with conditions 2, 3, 4, 5, 8, 12, 13 and 16 (to remove hours of working for asphalt plant to allow operations at any time of day or night and to update plans to relocate existing office, canteen and WC) - Application No. MW.0117/18 (Pages 31 - 64)**

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

This is a Section 73 application to amend certain conditions on an existing consent. The site is an asphalt plant located adjacent to the railway, north of Banbury. Aggregate is imported mainly by rail and used to produce asphalt which is exported by road. These operations currently take place from 4am until 7pm, with overnight working only permitted with the prior approval of the Minerals Planning Authority. The applicant has applied to remove this restriction so that the plant could be operated through the night on any night, without needing to seek additional consent. They have provided a noise assessment to demonstrate that this would not cause unacceptable noise impacts and have proposed an additional noise barrier. It is proposed that overnight working would take place occasionally, rather than every night.

It is also proposed to relocate the existing office and associated buildings within the site. The current consent dates from 2003 and therefore there are some further conditions which are no longer relevant and which the applicant has applied to be removed.

There have been objections from 11 members of the public as well as the County Councillor, Banbury Town Council and Cherwell District Council. The main concern raised is noise. There were also some concerns about HGV movements and trains. However, the applicant has confirmed that there would be no increase in HGV movements and no change to the timing or number of trains.

***Subject to a new routeing agreement first being entered into to secure the existing routeing provisions with additional restrictions to the route for night time HGV movements, it is RECOMMENDED that planning permission for Application MW.0117/18 be approved subject to conditions as set out in Annex 1 as amended by Annex 2 to the report PN7.***

8. **New single storey four-classroom teaching block, including withdrawal room, toilets, store rooms, canopy entrance link to existing school building and minor modifications to hard and soft landscaping at Cholsey Primary School - Application No. R3.0105/18 (Pages 65 - 78)**

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

This is a planning application for a new single storey four classroom teaching block at Cholsey Primary School to be located on an existing hardstanding to the rear of the main school building. The development would help facilitate the expansion of the school from 1.5 form entry to 2 form entry from September 2019. Therefore, it would result in

an increase in pupil and staff numbers.

There have been no objections to the location or design of the new block. However, objections have been received from two local residents concerned about the impact of additional staff and pupils on parking outside the school gates. Transport Development Control have also expressed concern.

The applicant is not proposing any additional staff parking within the school site and have stated that there is insufficient space to provide this. Instead it is proposed to formalise an area which is currently unmarked but used informally for parking. The applicant has also stated that the church car park can be used by parents at school pick up and drop off, to alleviate congestion and parking problems directly outside the school gates.

The proposal seeks to expand an existing village school in one of the larger villages in South Oxfordshire where future growth is anticipated. It is in accordance with the NPPF requirement to give great weight to the need to expand schools.

***Subject to the applicant first providing a Unilateral Undertaking for the payment of the School Travel monitoring fee of £1240, it is RECOMMENDED that planning permission for R3.0105/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include the following:***

- i) Detailed compliance with approved plans, including drainage strategy***
- ii) Permission to be implemented within three years***
- iii) Submission, approval and implementation of a Construction Traffic Management Plan***
- iv) Submission, approval and implementation of details of additional cycle parking***
- v) Submission, approval and implementation of details of formalisation of staff parking within school site***
- vi) Submission, approval and implementation of details of off-site (church car park) parking arrangements for school pick up and drop off***
- vii) Submission, approval and implementation of details of school travel plan***

**9. Commons Act 2006: In the Matter of an Application to Register Harcourt Hill Field, Harcourt Hill, Oxford as a Town or Village Green (Pages 79 - 120)**

Report by Director of Law and Governance **(PN9)**.

To consider an application on behalf of the Harcourt Hill Residents' Association made to the County Council as commons registration authority under Section 15 of the Commons Act 2006 to register land known as Harcourt Hill field, Harcourt Hill ("the Application Land") as a town or village green.

***Having received the opinion of the Inspector set out at Annex 3 to the report PN9 the Committee is recommended to refuse the application for registration as a new town or village green of the plot of land known as Harcourt Hill Field Oxford.***

## **10. Relevant Development Plan and Other Policies (Pages 121 - 136)**

Paper by the Director for Planning & Policy (**PN10**).

The paper sets out policies in relation to items 6, 7 & 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 15 April 2019 at 12 midday for the Chairman, Deputy Chairman and Opposition Group Spokesman.