



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

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

Monday, 27 January 2020 at 2.00 pm

County Hall, New Road, Oxford

Yvonne Rees
Chief Executive

January 2020

Committee Officer: **Graham Warrington**
Tel: 07393 001211; E-Mail:
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 Jeannette Matelot
Deputy Chairman - Councillor Stefan Gawrysiak

Councillors

Mrs Anda Fitzgerald-
O'Connor
Mike Fox-Davies
Pete Handley
Damian Haywood

Bob Johnston
G.A. Reynolds
Judy Roberts
Dan Sames

John Sanders
Alan Thompson
Richard Webber

Notes:

- **A site visit is required for Item 6 (Faringdon Quarry)**
- **Date of next meeting: 9 March 2020**

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 9 December 2019 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) to Vary Condition 2 of the Prior Approval Letter (under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Part 17 Class B) for the Installation and Use of a Concrete Batching Plant to produce Ready-mixed Concrete for sale (OCC ref MW.0068/19), to amend HGV movements from 22 to 44 per day - Land at Faringdon Quarry, Fernham Road, Faringdon, Oxfordshire SN7 7LG - MW.0107/19** (Pages 7 - 28)

Report by Director for Planning & Place (PN6).

The report considers whether permission should be granted to vary condition 2 relating to permitted HGV movements in connection with planning permission MW.0068/19, for a concrete batching plant to produce ready-mixed concrete at Faringdon Quarry. This is a section 73 application to amend a Prior Approval letter, issued 07 October 2019.

The application is being reported to committee because the local County Councillor, Little Coxwell Parish Council and sixteen third party objections to the application have been received. The objections are to the number of HGV movements per day to be permitted and the need to increase this, the impacts of slow-moving vehicles on an already busy road network, increased risk to other users of Fernham Road and the safety implications of traffic turning onto the A420, including against the traffic flow.

The report outlines further comments received and the recommendation of the Director for Planning and Place.

The development accords with the Development Plan as a whole and with individual policies within it, as well as with the NPPF. The proposal would not increase the overall number of HGVs associated with the existing quarry site when at full operation where

the batching plant is located. The parity in movements between the quarry and concrete production operations will contribute to the processing of the extracted minerals, which will ensure the quarry is worked out and restored in a timely manner.

It is RECOMMENDED that subject to a routeing agreement being signed to require all HGVs to turn right onto Fernham Road and then left onto the A420 and the amendment of condition 2 of the Prior Approval (MW.0068/19) as set out in Annex 2 to this report that Application no. MW.0107/19 be approved.

7. Proposed retention and continued use of prefabricated units T1 and T3 for a further temporary period of five years - Church Cowley St James CE Primary School, Bartholomew Road, Cowley, Oxford - R3.0105/19 (Pages 29 - 44)

Report by Director for Planning & Place (PN7).

This report considers whether permission should be given to allow for the retention and continued re-use of temporary, prefabricated units T1 and T3 at Church Cowley St James CE Primary School, Oxford for a further period of five years. This is a renewal of temporary permission for the buildings, which was last granted 17 December 2012.

The application is being reported to committee because Oxford City Council has objected to the application. The objection is due to the application being contrary to policy CP25 of the Oxford Local Plan (2000-2016). This policy applies to temporary buildings, defined as 'short-term' of up to five years. As this is an application to renew a planning permission for a further temporary, five-year period, this cannot be supported by Oxford City Council.

The report outlines further comments received and the recommendation of the Director for Planning and Place.

The development accords with the Development Plan as a whole and with individual policies within it, as well as with the NPPF. It is in line with the Letter from the Communities and Local Government (CLG) to the Chief Planning Officers dated 15th August 2011, to support the development of state funded schools via the planning system. There would not be an increase in the number of pupils and staff as a result of this application, above the projected pupil figures to 2025 and this application is based on policy and need.

It is RECOMMENDED that Application R3.0105/19 be approved subject to conditions to be determined by the Director of Planning and Place, to include the following:

- i. Detailed compliance;***
- ii. Temporary 5 year consent.***

8. Commons Act 2006: In the Matter of an Application to Register Land at Wilding Park Road, Wallingford as a Town or Village Green (Pages 45 - 90)

Report by the Interim Director for Community Operations (PN8).

This report concerns an application to register land at Wilding Park Road, Wallingford as a Town or Village Green (TVG) under section 15 of the Commons Act 2006. The County Council is required to process applications to register land as a TVG acting in its capacity as the Commons Registration Authority and must apply the legislative tests contained in section 15 (2) (a) and (b) of the Commons Act 2006. The Application was made by Mr Anthony Hurford of 1 Sinodun Road, Wallingford. The Application was accompanied by a supporting statement and 8 evidence questionnaires that had been completed by users of the Application Land.

The application was received in February 2018 and advertised in June 2019 in accordance with the applicable Regulations. One objection was received during the consultation period from the landowner, South Oxfordshire District Council. The report considers the evidence provided by both the applicant and the landowner in light of the legislative tests that have to be applied. Counsel's opinion was also obtained on some of the matters raised in this case. The Council's Scheme of Delegation requires that decisions on applications where there is an outstanding objection are referred to the Planning and Regulation Committee for a decision.

The complete background papers are available for inspection on request.

The Planning & Regulation Committee is RECOMMENDED to reject the Application, for the reasons outlined in Counsel's Opinion dated 29 November 2019 and included at Annex 3 to this report.

9. Relevant Development Plan and Other Policies (Pages 91 - 102)

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

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

Pre-Meeting Briefing

There will be a pre-meeting briefing in the Members' Boardroom at County Hall on **Monday 27 January 2020 at 12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.