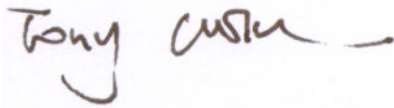


To: Members of the Planning & Regulation Committee

Notice of a Meeting of the Planning & Regulation Committee

Monday, 23 November 2009 at 2.00 pm

County Hall



Tony Cloke
Assistant Head of Legal & Democratic Services

November 2009

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

Membership

Chairman – Councillor Steve Hayward
Deputy Chairman - Councillor Mrs Catherine Fulljames

Councillors

Alan Armitage
Anda Fitzgerald-O'Connor
Tim Hallchurch MBE
Jenny Hannaby
Ray Jelf

Peter Jones
Lorraine Lindsay-Gale
David Nimmo-Smith
Neil Owen
G.A. Reynolds

John Sanders
Don Seale
John Tanner

Notes:

- ***A site visit is required for Item 5 (Longworth) and members are asked to meet on site at 1030 am. Lunch will be available on return to County Hall at 12.30 pm.***
- ***Date of next meeting: 11 January 2010***

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Section DD of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

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 - 20)**

To approve the minutes of the meeting held on 16 October 2009 and 12 November (to follow) and to receive for information any matters arising therefrom.

4. **Extraction of sand from 28.6 hectares of land off Pinewoods Road, Longworth and restoration to agriculture at low level - Application No LWO/20319-CM (Pages 21 - 68)**

Report by Head of Sustainable Development (**PN5**)

This report considers an application to extract 1.1 million tonnes (mt) of soft sand from land off Pinewoods Road, Longworth. The restoration of the site is proposed to be to agriculture at a low level. The application site covers an area of approximately 28.6 hectares. The application site is currently in use as intensive arable agricultural land. The anticipated duration of extraction is 9 years and restoration is proposed to be fully completed within 12 months of extraction being completed.

The main issues are whether there is a need for sand extraction and the extent of that need, whether the impacts on local people and business would be acceptable, whether the transport impacts can be dealt with satisfactorily, and the impact of the proposal on local landscape and biodiversity. There have been objections at the first consultation from Longworth Parish Council, Hinton Waldrist Parish Council, Environment Agency, Food Standard Agency, OCC Transport DC team and a number of local residents although the Environment Agency and OCC Transport DC team removed their objections following the latest consultation after receiving revised schemes from the applicant. There is no pressing need for additional reserves in the short term in Oxfordshire. Although transport impacts from this development can be dealt with satisfactorily through conditions and agreements, the risk of windblown sand onto the market garden and the consequent impact that this could have on that business is a very serious concern.

It is RECOMMENDED that, planning permission for Application 07/02098/CM is refused for the following reasons:

- (a) ***The development proposed is not within an area identified for mineral working as referred to in policy PE2 of the Oxfordshire Mineral & Waste Local Plan. In addition the apportionment for soft sand identified for Oxfordshire in the South East Plan can be met from the existing permitted and resolved to be permitted sites.***

- (b) ***Policies PE3 of the Oxfordshire Mineral and Waste Local Plan requires that appropriate buffer zone should be established around the mineral extraction sites to protect nearby sensitive features from the damaging effects of mineral working. This development is proposed to be located immediately alongside a market garden. The Council, as a Local Planning Authority considers that the measures proposed to minimise the impact on the market garden are not sufficiently robust to ensure that the produce of the market garden is not contaminated. As a result it is considered that the proposal is not consistent with the aims of the policy PE3 of OMWLP.***

The Council, as a Local Planning Authority, thereby is not persuaded that the need for this development in this locality is sufficient to warrant a departure from policy PE2.

5. **Proposal to temporarily allow the use of the existing haul road running to the south and east of the site for the transport of minerals and waste materials to and from the site without disturbing schedule 1 protected species currently present on the site for a period of up to 12 months or until the little plovers have left the site and the construction of the new haul road through the centre of the site is completed, whichever is soonest - Shipton-on-Cherwell Quarry, Oxfordshire (Pages 69 - 82)**

Report by Head of Sustainable Development (PN6)

This application flows from development permitted by Planning & Regulation Committee in January 2008 to allow comprehensive redevelopment of the site at Shipton-on-Cherwell Quarry. The application seeks to allow the temporary use of an existing haul road at Shipton-on-Cherwell Quarry. The use of this haul road is currently precluded by an existing condition attached to an existing planning permission. The applicant wishes to use this haul road on a temporary basis since Little Ringed Plovers (Schedule 1 protect species) have delayed construction of a new haul road. The applicant has proposed reduced working hours to alleviate the impact of the existing haul road on the residents of Shipton-on-Cherwell village which is in close proximity to this haul road.

There would be no increase in the existing permitted vehicle movements to and from the site of 318 per day. The use of the existing haul road would cease when either the new haul road is completed, the Little Ringed Plovers are no longer present, or after the period of 12 months from the date of any permission given, whichever is the sooner.

The main issues are development in the Green Belt, ecological impacts and impacts on residential amenity. The development is not considered to be major development that would harm the openness of the Green Belt and is therefore consistent with Green Belt policies. The development would prevent harm to Schedule 1 protected species. This proposal is likely to have an impact on residential amenity due to the close proximity of Shipton on Cherwell village. However, the proposal includes reduced working hours and no working at weekends and is temporary in nature. No objections have been

received at the time of writing this report.

It is RECOMMENDED that planning permission for the development outlined in Application 09/01180/CM be approved subject to conditions to be determined by the Head of Sustainable Development but to include those matters set out in Annex 1 to this report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Thursday 19 November 2009** at **10.00 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.