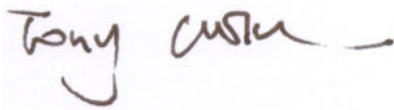


To: Members of the Planning & Regulation Committee

Notice of a Meeting of the Planning & Regulation Committee

Monday, 15 February 2010 at 2.00 pm

County Hall



Tony Cloke
Assistant Head of Legal & Democratic Services

February 2010

Contact Officer: **Graham Warrington**
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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:

- ***Please note revised arrangements (date and time) for the Chairman's briefing which are set out at the foot of this agenda***
- ***Date of next meeting: 12 April 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**

To approve the minutes of the meeting held on 11 January 2010 and to receive for information any matters arising therefrom.

4. **Petitions and Public Address**
5. **Demolition of detached temporary classroom/community resources building and brick store and erection of a single storey building to provide a new children's centre and erection of extensions to the existing school building to provide a replacement classroom/community resource area, reading room and replacement store plus associated external works - Great Milton CE School, The Green, Great Milton - Application R3.0188/09 (Pages 1 - 24)**

Report by Head of Sustainable Development (PN5)

The report outlines a proposal to construct a single storey building in the grounds of Great Milton C of E School to provide a new Children's Centre. The proposal also involves the removal of a temporary classroom building (also used as a community resource area), a detached brick built store and the erection of three extensions to the school to create replacement accommodation for the lost classroom/community resource facility and store, and a reading room. The site lies within the Oxford Green Belt. The application has generated much interest locally and responses received from local residents and the Parish and District Councils are included along with other consultees replies. The comments of the Head of Sustainable Development on the issues raised and the merits of the proposal are also included along with the recommendation on the application.

The Committee is RECOMMENDED to authorise the Head of Sustainable Development to grant permission for Application No. R3.0188/09 (for the demolition of a temporary classroom/community resources building and brick built store and the erection of a single storey building to provide a children's centre, and the erection of extensions to provide replacement classroom and community resources facility, reading room and replacement store, along with associated external works; at Great Milton C of E School) subject to:

- (a) ***the applicant first (before a planning permission is issued) securing and if necessary obtaining planning permission for suitable alternative temporary arrangements for parking for use by the school during the***

period of construction;

(b) conditions to be determined by the Head of Sustainable Development to include the following matters:

- 1. That the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying subject to conditions below.**
- 2. That the development shall commence within 3 years of the date of the permission.**
- 3. That samples of the external materials proposed to be used shall be submitted to and approved in writing by the Head of Sustainable Development prior to the commencement of development.**
- 4. That no development shall take place until the trees on the site which are to be retained and which are adjacent to or within the development area, have been protected during building operations by means of a protective fence around the edge of the canopy of the trees.**
- 5. That the site be landscaped and planted with trees (including replacement trees) and shrubs in accordance with a comprehensive planting and landscaping scheme first approved by the Head of Sustainable Development.**
- 6. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner.**
- 7. The hours of operation of the children's centre for use by the public shall not allow use between 8.00 to 9.15 am and 2.45 to 3.30 pm Monday to Friday during term time.**
- 8. The hours of use of the children's centre at other times (including outside school hours) shall be submitted for agreement by the Head of Sustainable Development before any use of the Centre commences.**
- 9. That the high split level windows on the western elevation of the proposed children's centre building shall be frosted or glazed with obscure glass.**
- 10. That prior to the commencement of the development full details of any additional proposed lighting, shall be submitted to and approved by the Head of Sustainable Development.**
- 11. That prior to the first occupation of the children's centre building the existing school Travel Plan for the site shall be updated and submitted to the Head of Sustainable Development for approval.**
- 12. That prior to the commencement of the development details of a sustainable drainage scheme for the proposed site shall be submitted to and approved in writing by the Head of Sustainable Development.**
- 13. Vegetation removal should not take place during the bird breeding season, which is March-August inclusive. If any trees and/or bushes need to be removed during this time, they will need to be checked over by an ecological consultant immediately prior to removal to ensure there are no nesting birds present. If nesting birds are present, the vegetation cannot be removed until the birds have**

- fledged.*
14. *If any protected species not initially surveyed for are found at any point, all work should cease immediately. Work should not recommence until a full survey has been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.*
 15. *The existing pond shall not be removed until a new pond is created in a position to be agreed by the Head of Sustainable Development.*
 16. *The existing pond shall not be removed except in the months of August, September and October. The pond shall be drained gradually and the plant material removed from it should be stacked by the side of the pond for at least 24 hours to allow any animals trapped to escape before the vegetation is removed.*
 17. *Details of the proposals to create habitats for bats in the new buildings shall be submitted for agreement by the Head of Sustainable Development.*
 18. *If any works are planned to occur later than April 2010, the submitted protected species survey must be updated.*
 19. *Details of proposals for the formation of 3 additional on site parking spaces shall be submitted and agreed by the Head of Sustainable Development before development commences.*
 20. *Details of a construction traffic management plan (to include details of times of delivery of materials) shall be submitted and agreed by the Head of Sustainable Development before development commences.*

Archaeological Informative – if archaeological finds do occur during development the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.

6. **Temporary (for a maximum of 3 years) classroom (portakabin type) sited on existing play pitch at Great Tew School, The Green, Great Tew - Application 09/1608/P/CD3 (Pages 25 - 32)**

Report by Head of Sustainable Development (PN6)

This is a planning application for a temporary classroom at Great Tew School. Permission is sought for it to be in place for up to three years to allow time for a planning application for a permanent extension to be submitted and determined. The development is needed to address overcrowding in the existing classrooms. There have been objections from West Oxfordshire District Council and two local residents due to the impact on the Conservation Area. As it would be an incongruous building in the conservation area, adjacent to a listed building, the development would not be acceptable on a permanent basis. However, the proposed development would be sensitively and unobtrusively sited to ensure that its visual impact is minimal. It is a community facility to meet a local need and report supports a permission for a three year period only.

It is RECOMMENDED that application No. 09/1608/P/CD3 be approved, subject to the following conditions:

- (a) *development in accordance with submitted plans and particulars;*
- (b) *development to commence within 3 years of permission;*
- (c) *temporary consent – 3 years or when a permanent extension/building is provided, whichever is the sooner; and*
- (d) *tree protection during construction works.*

7. Outline application for the demolition of existing transportable office buildings and erection of two storey permanent office building; formalisation of existing parking area to provide 10 dedicated spaces at Deddington Depot, Banbury Road, Deddington - Application R3.0079/09 (Pages 33 - 42)

Report by Head of Sustainable Development (PN7)

This application is for outline planning permission for the demolition of an existing transportable office building and the erection of a replacement two storey permanent office building at Deddington Highways Depot, Deddington. The application also proposes the formalisation of the existing parking area on site to provide 10 dedicated parking spaces. An application for outline permission has been made as the Council's highway contract is the subject of a re-bidding exercise. An outline permission, should it be granted, would enable any approved contractor to decide on the details of any final scheme in relation to their operational needs for the site office. This final scheme would then be subject of a further detailed 'reserved matters' planning application and would need to include details of the scale, design and appearance of the office building. An objection has been received to the application on the grounds that a two storey building would have a detrimental impact on the visual amenities of the area. Details of the objection is summarised in the report, along with the responses from other consultees.

The Committee is RECOMMENDED to approve Application Number R3.0079/09 for outline approval for the demolition of existing transportable office buildings and erection of two storey permanent office building; formalisation of existing parking area to provide 10 dedicated spaces subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

- 1. outline compliance – that the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying with any approval given in respect of any subsequent reserved matters;***
- 2. application for approval of the reserved matters to be made not later than 3 years of the date of the permission;***
- 3. that details of the design, materials and height of the proposed building shall be submitted and approved prior to the commencement of the development;***
- 4. that details of the sustainable features of the proposed building shall be submitted and approved prior to the commencement of the development;***
- 5. that details of the proposed car parking layout and vehicle and pedestrian***

- access points and routes shall be submitted and approved (in consultation with the Local Highway Authority) prior to the commencement of the development. Any details approved shall be implemented before the development is brought into use;*
6. *the development shall not commence until such time as a scheme to a) dispose of surface water and b) install oil and petrol separators has been submitted and approved (in consultation with the Environment Agency). Any details approved shall be implemented before the development is brought into use;*
 7. *the development shall not commence until the final details of a self-contained powered sewerage package plant to serve the proposed building have been submitted and approved (in consultation with the Environment Agency). Any details approved shall be implemented before the development is brought into use;*
 8. *if during development contamination is found to be present on site, then no further development shall be carried out until a method statement detailing how this contamination shall be dealt with, has been submitted and approved (in consultation with the Environment Agency); and*
 9. *that no development shall take place until the trees on the site which are to be retained and which are adjacent to or within the development area, have been protected during building operations by means of a protective fence around the edge of the canopy of the trees.*

Ecological informative – Prior to the submission of any reserved matters application the applicant shall contact the County Ecologist for advice on ecological issues associated with any reserved matters application.

Archaeological informative – If archaeological finds do occur during development, the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.

Environment Agency Informative - Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. These areas should drain to the sealed tanks.

Environment Agency Informative - Any above ground oil storage tank(s) should be sited on impervious base and surrounded by a suitable liquid tight bunded. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipes should be directed downwards into the bund. Guidelines are available from the Environment Agency.

8. **Change of use of building from use Class B1 (offices) to Class D1 (adult learning centre) - The Corner House, Victoria Road, Bicester - Application R3.0203/09 (Pages 43 - 50)**

Report by Head of Sustainable Development (PN8)

This application is for the change of use of an existing building (known as the Corner

House) located adjacent to Bicester town centre. The building currently has planning permission for office use, the application proposes this to be changed to use as an adult learning training centre. The application does not propose any external changes to the building. An objection has been received in relation to an increase in traffic on roads surrounding the building as a result of the change of use and on the grounds that visitors to the adult learning centre would park in unauthorised locations in its vicinity. This objection is summarised in the report, along with the responses from other consultees.

The Committee is RECOMMENDED to approve Application Number R3.0203/09 for the change of use of building from use class B1 (offices) to class D1 (adult learning training centre), subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

- 1. that the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying subject to conditions covering matters below;***
 - 2. that the development shall commence within 3 years of the date of the permission;***
 - 3. the hours of use of the building shall be restricted to between 8:30am and 5:30pm Monday to Friday;***
 - 4. that prior to the commencement of the development a scheme for the provision of signage on the building and in its vicinity to deter unauthorised parking shall be submitted and approved. All erected signs shall be maintained for the duration of the use of the building as an Adult Learning Training Centre; and***
 - 5. within 6 months of the first occupation of the building a Travel Plan for the site shall be prepared and submitted for approval and shall be implemented and updated appropriately.***
- 9. To extend mineral extraction and alter scheme of working and restoration at Great Tew Brown Ironstone Quarry. Proposed development includes the installation of a stone saw shed, modification and retention of a scheming landform and extension of the farm site at the quarry farm site. Approval is also sought for minor changes to the built grain store development and to consolidate historic permission - Great Tew Quarry, Great Tew (Pages 51 - 70)**

Report by Head of Sustainable Development (**PN9**)

This is an application to extend a phase of mineral extraction and erect a stone saw shed. At the same time the proposals seeks to erect two new agricultural buildings to re-locate livestock farming operations from elsewhere on the Great Tew Estate to Great Tew Quarry. The application site is approximately 10.7Ha. The area for mineral extraction is 4.13Ha of which 0.68 Ha is a proposed extension to one of the phases that lies in the centre of mineral extraction. The site boundary is therefore not proposed to be changed. There is also a stone saw shed proposed to enable hand processing of stone to take place. The main issues are the impact of the agricultural development on the local landscape, the impact of the quarry proposals, ecological considerations, restoration and impact on local amenity. The applicant has shown that there is sufficient

need for the new buildings and that their siting and design would not be greatly out of character to other such developments in the District and would be identical to those already present on the site. It has also been demonstrated that the impact of the new buildings can be adequately mitigated by existing and proposed screening and by lowering the development platform by extending the mineral extraction area. The potential for noise and dust from the stone saw shed to affect local amenity have shown to be negligible subject to the imposition of conditions. There would be no impact on protected species or biodiversity in the area. A Section 106 Agreement is already in place to secure long term management of the site and this would be extended to include any new permissions.

It is RECOMMENDED that:

- (a) subject to a legal agreement requiring:**
- (i) public access to the geological feature,**
 - (ii) a management plan including a programme of monitoring to operate for 20 years over and above the 5 year after care period;**
 - (iii) funding for the implementation of the management plan;**
 - (iv) the applicant not to further implement any quarry operations approved under previous planning permissions;**

that planning permission be granted for the development proposed in Application 09/1328/P/CM subject to conditions to be determined by the Head of Sustainable Development but to cover matters included in Annex 1 to this report;

- (b) if the legal agreement referred to in (a) above is not completed within 10 weeks of the date of this meeting the Head of Sustainable Development be authorised to refuse the application on the grounds that it would not comply with South East Plan policy NRM5 in that there would be no satisfactory provision for the long term management of the restored site.**

10. Re-use of an existing building for a waste tyre and caterpillar track recycling facility, handling approximately 3500 tonnes of waste tyres per year - Culham No 4 Site - Application No P07/W0631/CM (Pages 71 - 86)

Report by Head of Sustainable Development (PN10)

On 16 July 2007 Planning & Regulation Committee authorised the Head of Sustainable Development to grant permission for the above development, subject to conditions and/or legal agreements as he might consider appropriate. A section 106 agreement for the removal of the buildings and hardstandings at the end of the permission, or sooner if the development ceases, was considered necessary to make the proposal acceptable because the site is in the Green Belt. However, there has been no progress on the legal agreement and so it has not been possible to issue the permission for this development. Therefore it is now being recommended that permission be refused, because without the agreement to remove the buildings at the end of the life of the

permission the development would be unacceptable as it would cause harm to the Green Belt and its visual amenities.

It is RECOMMENDED that planning permission for application P07/W0631/CM be refused for the following reason:

That the proposed development is inappropriate development that would not preserve the openness of the Green Belt, is contrary to the purposes of the green belt in this location and would harm its visual amenities, contrary to South East Plan policy C04

11. Processing plant for recycled aggregates - Gill Mill Quarry, Ducklington - Application 09/0047/P/CM (Pages 87 - 98)

Report by Head of Sustainable Development (PN11)

This is an application for the erection and use of a washing plant to recycle suitable inert waste materials for use as aggregate on a site within Gill Mill Quarry for the life of the quarry. There is already a dry recycling operation producing aggregate at the Quarry which would be relocated next to the washing plant. Both would be located to the east of the Quarry's sand and gravel processing plant. The main issues are compatibility with recycling policies, amenity effects and the impact on the water environment. No objections have been sustained by any consultee although two objections have been received from people with a local interest on amenity and traffic grounds. The development would increase the amount and quality of recycled materials without adversely affecting the amenities of local people, the closest property being 400 metres away, or affecting the water environment, provided conditions recommended by the Environment Agency were adhered to.

It is RECOMMENDED that subject to a routeing agreement to prevent heavy goods vehicles from travelling to and from the south on the A415 that planning permission be granted for the development outlined in application 09/0047/P/CM subject to conditions to be determined by the Head of Sustainable Development to cover matters including those set out below:

- 1. complete compliance;***
- 2. commencement date;***
- 3. completion and restoration by 2021;***
- 4. restoration as per existing quarry permission;***
- 5. surface water drainage scheme to be submitted and agreed;***
- 6. compliance with submitted flood risk assessment and mitigation measures;***
- 7. opening hours to be agreed;***
- 8. existing vegetation to be retained;***
- 9. noise mitigation as for existing quarry;***
- 10. details of a lighting scheme to be submitted and agreed;***
- 11. use of existing access only;***
- 12. details of bund construction and their maintenance to be submitted and agreed;***
- 13. external elevations of plant to be painted a dark green colour.***

Thames Water informative: take account of Thames Water water pressures.

12. Public Right of Way Diversion - Objected to Order (Bodicote Footpath No8 and Bloxham Footpath No 2. (Pages 99 - 112)

Report by Head of Sustainable Development (**PN12**).

Objections have been received to the diversion order for part of Bodicote Fp 8 and part of Bloxham Fp 2. The effect of the order, if confirmed, would be to re-route the footpaths from their current line along the front of Bodicote Mill, onto a route along the eastern boundary of the site. Having received objections to the order the Committee cannot confirm it, but has the option of either submitting it to the Planning Inspectorate for the Secretary of State to make a determination or withdrawing the order in the light of the objections received.

The Committee is RECOMMENDED to submit the objected to order for Bodicote Footpath 8 and Bloxham 2 to the Secretary of State for Environment, Food and Rural Affairs for determination.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 15 February at 11.30 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.