

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 23 February 2026 commencing at 2.00 pm and finishing at 3.50 pm

Present:

Voting Members: Councillor Diana Lugova – in the Chair (Items 1-3)
Councillor Tony Worgan - in the Chair (Items 4 and 5)

Councillor Mark Cherry
Councillor Gareth Epps
Councillor Stefan Gawrysiak
Councillor Saj Malik
Councillor Gavin McLauchlan
Councillor Geoff Saul
Councillor Roz Smith

Officers: Jack Ahier (Senior Democratic Services Officer), Jennifer Crouch (Principal Solicitor – Regulatory), Raji Damodaran (Solicitor), Beccy Micklem (Team Leader – Landscape and Nature Recovery), Andrea Newman (Senior Democratic Services Officer), David Periam (Planning Development Manager), Robin Rogers (Director of Economy and Place), Jack Wheeler (Senior Biodiversity Officer).

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with [a schedule of addenda tabled at the meeting][the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional documents], copies of which are attached to the signed Minutes.

26/26 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1/26)

Apologies were received from Cllr Batstone, Cllr Hannaby (substituted by Cllr Epps), Cllr McLean and Cllr Sargent.

27/26 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE BELOW

(Agenda No. 2/26)

The Chair noted that she intended to step down from the Chair for Item 5, Land at Thrupp Farm, Radley, Abingdon, Oxfordshire Grid (Ref: SU 51539 97065) and would not participate in the debate or vote on the application. Item 5 would be chaired by the Deputy Chair.

28/26 MINUTES OF THE PREVIOUS MEETING

(Agenda No. 3/26)

The Planning Development Manager noted that correspondence had been received by members of the Committee after the 19 January meeting and that officers were working on responses.

The minutes of the meeting held on 19 January were approved and signed by the Chair as a correct record.

Cllr Diana Lugova stepped down from the Chair at this stage and viewed the Committee from the public gallery but did not participate in the debate or vote. Cllr Tony Worgan (Deputy Chair) assumed the role of Chair for the remainder of the meeting.

29/26 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4/26)

Nine requests to address the Committee on the following agenda items had been received from:

Land at Thrupp Farm, Radley, Abingdon, Oxfordshire Grid (Ref: SU 15139 97065)

- Andrew Coker
- Roger Thomas
- Craig Woolhouse
- Richard Dudding
- David Tannahill (Radley Parish Council)
- James Lodge (Applicant)
- Nick Dunn (Applicant's Agent)
- Dr James Etienne

30/26 LAND AT THRUPP FARM, RADLEY, ABINGDON, OXFORDSHIRE GRID (REF: SU 51539 97065)

(Agenda No. 5/26)

The Chair introduced the item to the meeting and invited the Planning Development Manager to introduce the application, which was an application for the determination of the conditions to which a planning permission is to be subject (Permission numbers DD1 and DD2).

The Chair noted that the Committee might need to take legal advice during the Committee, which would be legally privileged. In such circumstances, the Chair stated that he would propose for the Committee go into private session to allow legal advice to be sought.

The Planning Development Manager read out the further addendum in full for the benefit of the Committee and for members of the public attending the meeting.

The Planning Development Manager presented maps and photographs of the areas that would be affected by the application.

The Chair then invited speakers to address the Committee and noted that members may ask questions of clarification after they had finished.

Roger Thomas spoke about the legalities over whether the Thrupp Farm ROMP application was still valid, given that the re-application for permissions needed to happen before the first review date (in this case, 31st October 2016) and if not, the permission ceased to exist the following day. It was noted that the ROMP legislation was designed to avoid situations such as this. He asked for the Committee to refer the application back to officers to deal with the detailed points raised in Taylor Wessing's letter.

Andrew Coker spoke as a local resident adjacent to the ROMP area, highlighting that ROMP applications were an issue of national importance and that legislation was designed so permissions could not continually roll over. He spoke of the national importance with regards to the habitat and the issues the ROMP application could cause local residents if it was not decided until 2042.

Craig Woolhouse, representing Radley Lakes Trust, spoke about the Radley Lakes Masterplan, produced in 2021 as part of the Neighbourhood Plan, which therefore held weight in planning decisions. He spoke in favour of the Council's acceptance of some of the conditions proposed by the Trust, but did note there would be significant adverse effects through loss of habitats. Mr Woolhouse argued that recommendation b) should have strengthened conditions to increase the level of mitigation for habitat loss.

Councillor Smith asked for clarification regarding the Section 'C' area totalling 50% of the gravel extraction for the entire site and asked the speaker if he knew that to be correct. Mr Woolhouse stated that the applicant would have their view but that it was his understanding that the 50% figure was correct.

Councillor Gawrysiak noted the speaker's ask for further mitigations and asked what type of mitigations this could involve. Mr Woolhouse focused on shallower areas and potentially islands on the lakes to increase biodiversity, noting that some progress had been made but that there was more to do.

Richard Dudding noted that the conditions proposed by the applicant were almost entirely for the site they proposed to extract, but not the wider ROMP site. He asked for the ROMP conditions to be amended to specify the land to which each applies and relating to the land in the northwest, that restoration was pursued vigorously so that the legacy of early extraction was cleared up.

David Tannahill, Chair of Radley Parish Council, spoke in favour of the position that the ROMP application ceased to have effect in 2016. If the permissions were to be upheld, a definite deadline of June 2028 to present a plan to restore Curtis Yard industrial estate, rather than one being dependent on the start of extraction.

The applicant, James Lodge, spoke in favour of the application and stated that it was not about whether a quarry could exist, but about determining reasonable and lawful conditions on a permitted site. The conditions on the ROMP sought to complement and enhance the Radley Lakes site, including that Area 'C' would only be worked if detailed mitigation including species translocation schemes and restoration was agreed. Mr Lodge asked for the conditions to be agreed today, rather than elongate the process.

Councillor Gawrysiak and Councillor Epps asked if Area 'C' was part of the application. It was confirmed that Area 'C' was part of the fourth and last phase of excavation, which could be up to five years in the future. Mr Lodge confirmed that surveys would have to be undertaken at that time to see if the area was still deemed as beneficial for excavation. It was stated that based upon the information today, Area 'C' would be able to be excavated, but that situations change.

Councillor McLauchlan asked how the decision would be made and who would make the decision as to whether Area 'C' was able to be excavated. Mr Lodge replied that it would be based on two factors; firstly, if the area was able to be excavated and secondly, if the mitigation to be put in place would make it unviable. It would have to be addressed at the time.

Nick Dunn, the applicant's agent, spoke in favour of the application and noted that the concerns raised over several years had been dealt with in the environmental statement accompanying the application. He noted that the application included extensive areas of grassland and wildlife boxes were only some of the benefits being secured by long term management plans. He asked the Committee to approve the officer recommendations but also to determine the conditions, with the exception of the one relating to the avoidance of the loss of grasslands.

Councillor Gawrysiak asked if the land referenced in the northwest of the area would be restored. Mr Dunn confirmed that there was a specific condition relating to that point.

Dr James Etienne spoke in favour of the application, noting the archaeological and scientific importance of the site, highlighting several fossils that had been found on the site that were scientifically valuable across the world. Dr Etienne suggested that the development at Thrupp Lane would be likely to find further evidence of fossils that would be critical to scientific development and history, which the applicants supported.

The Chair thanked all speakers for their contributions to the meeting.

The Chair noted that the Committee was now likely to need to take privileged legal advice. The Chair proposed and Councillor Cherry seconded the following resolution:

RESOLVED: that the public be excluded for the part of item 5 since it is likely that if they were present during those items there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to those items and since it is considered that, in all the circumstances of the case, the

public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Committee unanimously resolved the resolution as stated above and went into private session.

After taking legally privileged advice in private session, the Committee resumed in public session. The Chair thanked members of the public for their patience.

The Chair proposed an amendment to the recommendation b) to add **'for them to determine'** at the end of the sentence to make it clear that if the decision was referred back to the Council by the Secretary of State, that it would be for the Committee to decide upon.

During debate, Members considered the national importance of the ROMP application that was before them; the obscurity of the law in this particular area meaning that further legal opinions were only opinions; as well as how Area 'C' would be managed into the future if it proved that it would not be able to be excavated. It was commented that the Council found itself in a difficult situation and referring the application to the Secretary of State seemed sensible to provide clarity on ROMP issues.

Councillor Smith asked officers if monitoring of the site would continue regardless of the decision to refer the application to the Secretary of State or not. Officers confirmed that the site was not currently being worked and stated that the Committee could ask for monitoring to continue if it wanted officers to do so.

Officers confirmed, if the Committee was minded to refer the application to the Secretary of State, that there was no indication on the timeframe on if it was to be determined, but that the Committee would continue to be updated.

The Chair proposed the recommendations as set out on page 5 and 6 of the Addenda, as amended to include 'for them to determine' at the end of recommendation b). This was seconded by Councillor McLauchlan.

- a) That in the absence of there being a clear position in law to refuse the application to determine the conditions to which planning permission numbers DD1 and DD2 are to be subject due to an absence of authority on the effect of Schedule 14 paragraph 7 of the Environment Act 1995 and despite the significant adverse effect identified through the loss of irreplaceable and priority habitats, refer the application to the Secretary of State to consider whether to call the application in for their own determination;**
- b) Should the Secretary of State decline to call the application in for their own determination, authorise the Director of Economy and Place to consider how to proceed with the determination of the application including as appropriate consideration of the conditions set out in Annex 4 and provide a further report to the committee for them to determine.**

RESOLVED: that the Committee unanimously approved the recommendations as set out above.

..... in the Chair

Date of signing