

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 5 December 2011 commencing at 2.00 pm and finishing at 3.15 pm

Present:

Voting Members:

Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)

Councillor Alan Armitage

Councillor Roger Belson

Councillor Tony Crabbe

Councillor Mrs Anda Fitzgerald-O'Connor

Councillor Jenny Hannaby

Councillor Ray Jelf

Councillor Peter Jones

Councillor David Nimmo-Smith

Councillor G.A. Reynolds

Councillor John Sanders

Councillor Don Seale

Councillor John Tanner

Councillor Lawrie Stratford (In place of Councillor Neil Owen)

Other Members in Attendance:

Councillor Zoe Patrick (for Agenda Item 7)

Officers:

Whole of meeting

G. Warrington and J. Crouch (Law & Governance); R. Dance and G. Arnold (Environment & Economy)

Part of meeting

Agenda Item

Officer Attending

7.

J. Hamilton (Environment & Economy)

8.

M. Islam (Environment & Economy)

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 and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

47/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Neil Owen	Councillor Lawrie Stratford

48/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Interest
Mrs C Fulljames	Item 3 – Minute 41/11 - Energy from waste application, Ardley.	Personal. In the event that the process in the Court of Appeal in respect of this application was discussed.
Jenny Hannaby	Item 7 – Charlton CP School – Application R3.0127/11	Personal. She advised that she had 2 grandchildren attending this school but intended to participate in discussion and voting on that item.

49/11 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 24 October 2011 were approved and signed by the Chairman.

Minute 43/11 Relocation of Peppard CE Primary School to land Adjacent to the B481

Mr Dance advised that although recorded correctly in the minutes officers had, when presenting this application, incorrectly referred to areas of registered village green when in fact the areas concerned were registered as common land. The Committee noted that a common land registration would still constrain highway works in that area in a similar way as a village green registration would and, therefore, the error would have had no bearing on the decision, ultimately taken by the Committee, to approve the application.

50/11 CHAIRMAN'S UPDATES

(Agenda No. 4)

Waterstock

Mr Dance advised that the High Court had adjourned the hearing until 19 December 2011 to allow the Wyatt Brothers time to finalise an adequate specification by the 12 December 2011 for the removal of waste. Contractors were expected to be on site to begin preparation works by 2 December 2011.

Energy from Waste, Ardley

The Ardley against Incineration Group had not been granted leave to appeal the decision by the Secretary of State to grant planning permission and the planning permission issued by the Secretary of State therefore stood.

Councillor Mrs Fulljames referred to the distress that that ruling had caused to local communities and that it was imperative that a Liaison Committee was established to cover the construction period as soon as possible. Officers undertook to pursue that with Viridor.

Ashgrove Farm, Ardley

Mr Dance advised that consultation was being carried out on a second iteration of an odour management plan submitted by Agrivert. However, progress very much depended on the views of the Environment Agency and County officers would be meeting the Agency's Regional Manager the following day. Further meetings were also scheduled with the Agency at an operational level to discuss joint working to more effectively control waste sites, particularly Ashgrove Farm, where responsibilities overlapped. There was also an internal departmental examination currently underway to review how this particular issue had been dealt with, look at conditions the County Council had applied and the potential for duplication of controls imposed by the County Council and the Agency.

Councillor Mrs Fulljames advised that a Liaison Committee meeting held on 30 November 2011 had been very acrimonious. 75 calls had been made to the Environment Agency in November alone complaining about odour from the site, which she felt illustrated the scale of the problem.

Langford Lane, Kidlington

Mr Dance advised that the Secretary of State had confirmed his intention not to call in this application and the planning consent had been issued.

51/11 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 5)

Speaker	Item
Councillor Zoe Patrick Stephen Wyard) 7. Charlton Primary School -)Application R3.0127/11
Nick Mattingley Martin Clayton) 8. Wicklesham Quarry – Application) MW.0126/10

52/11 DEVELOPMENTS PROPOSED AT FERRIS HILL FARM WASTE TRANSFER STATION AND RECYCLING FACILITY, FERRIS HILL FARM, SIBFORD ROAD, HOOK NORTON

(Agenda No. 6)

Both applications withdrawn by applicant.

53/11 REMOVAL OF A TEMPORARY CLASSROOM BUILDING; DEMOLITION OF OUTDOOR SWIMMING POOL, CHANGING ROOMS AND ASSOCIATED HARD LANDSCAPING AND CONSTRUCTION OF NEW 2 CLASSROOM FOUNDATION STAGE BUILDING AND NEW STUDIO EXTENSION TO EXISTING SCHOOL HALL AT CHARLTON PRIMARY SCHOOL, CHARLTON VILLAGE ROAD, WANTAGE - APPLICATION R3.0127/11

(Agenda No. 7)

The Committee considered (PN7) an application for an infill extension and new two classroom foundation stage building at Charlton CP School.

Supporting the expansion Councillor Patrick considered it would be a huge asset to the school and help alleviate pressure on school placement levels. There were concerns regarding the loss of the swimming pool but the school faced increasing maintenance costs for that facility but there were alternative swimming facilities available in Wantage. She urged the Committee to approve the application.

Responding to Councillor Armitage she advised that the development would help to address current pressures on school placements.

Mr Hamilton confirmed that the Vale of White Horse District Council had not objected but no response had yet been received from Wantage Town Council.

RESOLVED: that Application No. R3.0127/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. Detailed compliance.
2. Detailed duration – to commence within 3 years.
3. Schedule of external materials to be agreed.
4. Landscaping (to include replacement tree planting).
5. Implementation of approved landscaping scheme.
6. Tree protection measures during construction work.
7. Construction Traffic Management Plan (to include details of site compound, working hours, times of delivery of materials etc).
8. Car parking area to be laid out to Oxfordshire County Council specification.
9. Surface water drainage details (to incorporate SUDS).
10. Details of cycle parking to be submitted and agreed.
11. Updated school travel plan to be submitted and approved prior to new classrooms being occupied.

54/11 EXTENSION OF EXISTING QUARRY WORKINGS WITH RESTORATION TO AGRICULTURE; CONSTRUCTION OF A NEW SITE ACCESS, OFFICES, WEIGHBRIDGE AND AGGREGATE STORAGE BAYS; IMPORTATION OF AGGREGATES AND COMPOST RE-SALE AT WICKLESHAM QUARRY, FARINGDON - APPLICATION MW.0126/10

(Agenda No. 8)

The Committee considered (PN8) an application to extend an existing quarry to extract mineral over a period of 15 years at Wicklesham Quarry.

Mr Mattingley advised that although little objection had been expressed at a public meeting in March 2010 to proposals to extend the quarry there had, however, been unanimous objection to proposals for a new access off Fernham Road. Those objections still existed on road safety grounds. The A420 was a busy road with fast traffic at the point of the proposed new access, whereas the existing entrance, off the Faringdon roundabout was at a point where traffic was travelling very slowly. Turning on or off the A420 at the Fernham Road junction was a slow and hazardous manouvere, particularly at peak times. Pedestrians walking to and from Faringdon frequently crossed at this point and a fatality had occurred last year. There were also pressures on dog walkers, horse riders and cyclists. The Parish Council were of the view that permission should only be granted if the existing entrance was retained, a view shared by the local county councillor Judith Heathcoat. The Deputy Director for Environment & Economy had also stated in his report that it would be preferable to retain the existing access. The Parish Council understood that the landowner would be happy for the existing access to be retained subject to agreement of suitable terms. Failing that a second and safer option could be provided at the existing turning off the A420 opposite Rogers Concrete, which could be improved to comply with road safety legislation. That option boasted several benefits over the Fernham Road junction namely that it would serve the quarry exclusively and therefore separate quarry vehicles from other traffic and pedestrians; allow for a no right turn condition to be imposed from the Swindon direction; vehicles travelling from Oxford

generally travelled less quickly than was the case at the Fernham Road junction and there was good visibility in both directions. The Parish Council had also objected on rural amenity grounds as it was quite clearly in open countryside. Little Coxwell was a conservation area and whilst the quarry lay outside that area locating the entrance to it on the approach to the village would do little to preserve or enhance the area. The Parish Council therefore requested that permission should only be granted subject to the existing entrance being retained or a more satisfactory alternative to the proposed access off Fernham Road being found.

Councillor Seale endorsed the comments of the Chairman of Little Coxwell Parish Council. He used this road frequently and in his experience it was both a difficult and dangerous junction with vehicles travelling at speeds of 60 mph in both directions.

Councillor Fitzgerald-O'Connor endorsed the comments made by Councillor Seale and asked why the current access could not be retained.

The Chairman invited Mr Martin Clayton, agent for the applicant to come to the table to take questions from members.

Responding to Councillor Fitzgerald-O'Connor Mr Clayton advised that his clients had spent 2/3 months in discussion with the owner of the existing quarry and access. Unfortunately, the owner had development aspirations of his own, which he was unable to discuss with the Committee, but which would conflict with continued use of the access by quarry vehicles. He added that the proposal was for a relatively low key operation of only 60,000 tonnes per annum with typical vehicle movements of 2 or 3 vehicles per hour, the majority of which were likely to take place during the early part of the day. The average size of vehicles would in the main be between 8/9 tonnes, although there would inevitably be some larger vehicles. In all technical aspects this was considered a safe junction, a view shared by county officers.

Responding to Councillor Sanders Mr Arnold (Transport Development Control) advised that a no right turn would have minimal benefit and also be difficult to enforce unless some form of physical measure were installed, which would impact on and require consultation with all other road users.

Responding to Councillor Tanner Mr Clayton advised the alternative access as proposed by the Parish Council would be less desirable than the proposed access. Direct access onto main roads was not usually encouraged and in any event would need substantial work for instance to achieve vision splays.

Mr Arnold added that the design of the Fernham Road and A420 option allowed for and could accommodate right turning traffic, whereas another access directly onto the A420 would mean 2 right turns in quick succession conflicting with the current layout. The new access would also impact on screening making the site more visually intrusive.

The Committee noted the views put forward by Councillor Heathcoat which had been tabled with the addenda.

A motion by Councillor Seale, seconded by Councillor Jelf, to refuse Application MW.0126/10 on grounds of road safety and access onto A420 was put to the Committee and lost by 12 votes to 3.

A number of Committee members felt that arrangements for the proposed access were reasonable and noted that it was one which was supported by officers. The number of vehicles would also be limited to a maximum of 66 per day and it was noted that as 60% of those would be turning left there would be few vehicles actually needing to make a right turn.

RESOLVED: (on a motion by the Chairman, seconded by Councillor Hannaby and carried by 11 votes to 0) that subject to a routeing agreement ensuring that HGVs were restricted to accessing the site via the A420 that planning permission for application no. MW.0126/10 be granted subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the matters outlined below:

1. Complete compliance-detailed plans.
2. Commencement date- 3 years.
3. Extraction to cease by December 2026 with restoration by December 2027.
4. All buildings, plant, machinery or structures together with any hardstandings to be removed from the site by September 2027.
5. Operating hours – Mon-Fri 0700-1800 and Saturdays 0700-1300.
6. No operation on Sundays and Bank Holidays.
7. No blasting to be carried out on the site.
8. No reversing beepers or other means of warning of reversing vehicles to be fixed or used on site.
9. No vehicles to enter public highway unless its wheels had been sufficiently cleaned.
10. Internal site haul roads to be kept free from pot holes while in use and haul roads to be removed when no longer required.
11. Archaeological watching brief to be carried out during the period of construction and groundwork.
12. All works to be carried out in accordance with the approved mitigation and enhancement scheme for protected species.
13. No trees to be felled or coppiced and no vegetation to be cleared from the land except between 1 September and 28 February (inclusive) as this was outside the bird breeding season.
14. The scheme of great crested newt mitigation to be followed.
15. All deep excavations to be suitably ramped and any pipe-work associated with the development covered overnight to minimise the risk of badgers being inadvertently killed and injured within the active quarry after dark.
16. A recent badger survey to be submitted and approved.
17. A landscaping planting scheme to be submitted and approved.
18. A scheme for protection of existing vegetation to be submitted and approved.
19. An aftercare scheme to be submitted and approved.
20. No floodlighting to be erected.
21. Noise limits to be agreed and implemented.
22. Any excavations on the site to be made available for inspection by bona fide geologists or geology students throughout the working life.

23. Adequate vision splays to be provided for proposed access on the Fernham Road.
24. A roadside ditch to be culverted in accordance with County Council standards.
25. The site access road to have a gradient of no more than 1:12 at the junction with Fernham Road.
26. A SUDS compliant drainage scheme to be submitted and approved.
27. A Construction Traffic Management Plan(CTMP) consistent with the Transport Development Control guidance to be submitted and approved.
28. New road signs to be installed and maintained.
29. Existing access to the quarry to be closed off for quarry related vehicles.
30. All works within the site to be carried out above groundwater level.
31. No discharge of water from the site.
32. Any fuel and oil on site to be kept in double skinned tanks and stored on an impervious base.
33. Sewer pipe running along the eastern and southern boundary of the site to be protected.
34. Provision of adequate standoff around the retained electricity pole within the site.
35. Advance planting to be carried out at the southern boundary of the site to mitigate any impact on nearby bridleway users.
36. Soil storage bunds to be maintained by cutting or mowing and weeds controlled to prevent seeding.
37. Soil handling to be carried out in accordance with approved scheme.
38. Topsoil, subsoil, overburden and quarry waste to be used for site restoration only.

..... in the Chair

Date of signing