

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 24 May 2010 commencing at 2.00 pm and finishing at 3.12 pm

Present:

Voting Members: Councillor Steve Hayward – in the Chair

Councillor Alan Armitage
Councillor Tony Crabbe
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Jenny Hannaby
Councillor Ray Jelf
Councillor Stewart Lilly (In place of Councillor Peter Jones)
Councillor Lorraine Lindsay-Gale
Councillor David Nimmo-Smith
Councillor Neil Owen
Councillor G.A. Reynolds
Councillor John Sanders
Councillor Don Seale
Councillor John Tanner
Councillor Melinda Tilley (In place of Councillor Mrs Catherine Fulljames)

Officers:

Whole of meeting G. Warrington & R. Hanson (Corporate Core); R. Dance (Environment & Economy)

Part of meeting

Agenda Item

5 & 6

7

Officer Attending

J. Hamilton and M. Islam

R. Goodlad (Corporate Core)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

1/10 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apology

Councillor Mrs C Fulljames
Councillor Peter Jones

Temporary Appointment

Councillor Melinda Tilley
Councillor Stewart Lilly

2/10 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 12 April 2010 were approved subject to adding the following text to Minute 115/09, paragraph 11:

“i.e. mainly under the playing fields. It was noted therefore that the site plan accompanying the report was not accurate in that respect.”

Mr Dance advised on the following matters:

Stonehenge Farm, Northmoor

The Inquiry had been adjourned until 29 June to allow time for all representations to be heard

Waterstock Golf Course

A High Court hearing into the failure of Wyatt Brothers Ltd to comply with a court Order requiring the removal of over 100,000 cm³ of waste from land adjacent to Waterstock Golf Course had concluded. The outcome had been that the Judge had ordered custodial sentences for both directors suspended for 1 year to allow them time to show compliance with the original Order.

Finmere

Appeals against the four refusals had been withdrawn.

Energy from Waste, Ardley

Viridor had submitted another application which was substantively the same as the previous application which had been refused in October 2009, although the applicants now indicated that they would be willing to accept a condition for removal of buildings and restoration of the site after 35 years. It was anticipated that the application would come before the Planning & Regulation Committee later in the year. The appeal by Viridor against the refusal to allow the original application remained undetermined.

Wallingford Youth Centre

The Head of Sustainable Development had now signed off the development and issued the planning consent.

3/10 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The following request to address the Committee with regard to Items 5 and 6 had been agreed:

Suzi Coyne (Agent for the Applicant)

4/10 CONTINUATION OF EXISTING AGGREGATE RECYCLING FACILITY WITH REVISED SITE AREA AND BUNDING AT NEW WINTLES FARM, EYNSHAM, WITNEY - APPLICATION 10/0066/P/CM

(Agenda No. 5)

The Committee considered (PN5) an application to continue an operation to recycle inert waste material with a revised site area.

Clarifying the site boundary Mrs Coyne confirmed that although the area to be worked would increase overall the applicant would not be using all of the permitted site area. The applicants were also seeking agreement for an alternative method of control based on throughput rather than limiting the number of vehicles into the site. The nature of the operation meant that supplies of material would fluctuate and so therefore would numbers of vehicles into the site. This alternative method of control would be easier to monitor and control than a limit based on vehicle movements. No controls had been imposed on previous temporary consents and the validity of conditions controlling passage over the public highway could be open to challenge.

She responded to questions from –

Councillor Tilley – it would be difficult to be precise about what vehicles could be expected as many small operators used the facility.

Councillor Hannaby – the length of the haul road served to prevent mud on the road and she was not aware that that had been an issue in the past, although she understood that there may have been instances of a film of muddy water on the road surface.

Mr Hamilton confirmed that controls on throughput rather than vehicle numbers would be acceptable and responding to questions from members of the Committee confirmed that although the new workings would be closer to residential properties the proposed conditions would be effective in mitigating against the effects of the operation including noise and dust.

The Chairman moved, and Councillor Hannaby seconded that the officer recommendation as set out in the report be approved subject to an amendment to condition 7 to enable control by throughput.

Councillor Crabbe considered that the original Condition 7 seeking controls on the numbers of vehicles should be retained and asked that operating hours be specified in any permission issued.

The motion was then put to the Committee and –

RESOLVED: (by 14 votes to 1) that planning permission be granted for the development set out in Application 10/0066/P/CM subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

1. Complete compliance
2. Commencement date – 3 years
3. Standard operating hours
4. Noise limits and controls to be submitted and agreed
5. Control of reversing beepers
6. No mud on the public highway
7. Restriction on the annual throughput of the material.
8. No other access points other than those approved.
9. Inert wastes only into the site
10. Dust suppression measures to be agreed
11. Footpath shall not be obstructed
12. Signage for routing of HGVs off site to turn right towards the A40
13. Bunds to be raised around the soil screening area.
14. Bunds to be protected and maintained.
15. Additional planting along the entire north-western boundary.
16. The level of soil screening area to be lowered.
17. Height of plant or machinery to be restricted
18. Surface water drainage scheme to be submitted.

5/10 NON-COMPLIANCE WITH CONDITION 1 OF PERMISSION NO W2002/1337 (FOR DEPOSIT OF INERT WASTE MATERIAL TO RESTORE ORIGINAL LAND LEVELS AND IMPROVE AGRICULTURAL PRODUCTIVITY) TO EXTEND THE TIME FOR THE DEVELOPMENT TO BE COMPLETED) AT CITY FARM LANDFILL SITE, EYNHAM, OXFORDSHIRE - APPLICATION 10/0069/P/CM

(Agenda No. 6)

The Committee considered an application to continue the existing landfill operation for a further 3 years to December 2012 in order to achieve approved final levels and improve the agricultural quality of land at City Farm, Eynsham.

Mrs Coyne asked that Condition 8 be relaxed to allow source screening to help restoration and apologized on behalf of the applicants for previous noise issues which had been attributed to another operator. The applicant had given assurances that that would not happen again and no source screening would be undertaken when the wind was in a northerly direction. She also advised that Conditions 13 and 22 were superfluous as these works had already been undertaken.

Mr Hamilton confirmed that he was happy to recommend that Condition 22 be withdrawn and 8 amended to allow for soil screening but would prefer that 13 was retained to ensure that the access road was properly maintained.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Seale and carried unanimously) that subject to continuation of S106 provisions for diversion and subsequent reinstatement of the public footpath through the site that Application 10/0069/P/CM be approved subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

1. Complete compliance
2. Commencement date
3. Completion date - December 2012
4. Standard operating hours
5. Noise limits and controls
6. Control of reversing beepers
7. No mud on the public highway
8. No recycling on the site apart from soil screening necessary to restore the site
9. Limitation on number of HGV movements per day (24 Movements)
10. No other access points other than that approved
11. Inert wastes only
12. Dust suppression measures
13. Treatment and layout of access road
14. Signage for routeing of HGVs off site to ensure they turn right towards the A40
15. Protection of ditches.
16. Visibility splays and continued maintenance of access
17. Level crossing and signage along public footpath
18. Treatment of footpath during diversion
19. Signage relating to diversion of footpath
20. Restoration and aftercare of the site
21. Details of landscaping to be submitted
22. Uniform soil profile should be restored across the site
23. Soil and soil-forming material should only be handled when in a dry and friable condition.
24. Fill material that may interfere with deep cultivations or under-drainage should not be within 1.2 metres of the settled land surface
25. Details of design of the drainage scheme to be agreed.

6/10 COMMONS ACT 2006: IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT FRITWELL IN OXFORDSHIRE AS A TOWN OR VILLAGE GREEN

(Agenda No. 7)

The Committee considered (PN7) an application to register land at Fritwell in Oxfordshire as a town or village green under the Commons Act 2006 having noted an amendment to paragraph 24 of the report namely to remove the indented (i) and the bold text in that paragraph and that the application site was in the Deddington division.

Responding to Councillor Seale Mr Goodlad confirmed he was not aware of any reasons why the Committee should not accept the Inspector's findings.

RESOLVED: (on a motion by the Chairman, seconded by Councillor Hannaby and carried by 14 votes to 1) to REJECT the application for registration as a new Town or Village Green pursuant to the Commons Act 2006 of the land at Fritwell, Oxfordshire as described in the application by Mrs Helen Metcalfe dated 25 September 2007, for the reasons given in the Inspector's Report dated 23 August 2009 and his Further Report dated 17 March 2010.

..... in the Chair

Date of signing