

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 12 July 2010 commencing at 2.00 pm and finishing at 4.00 pm.

### **Present:**

**Voting Members:** Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames  
Councillor Alan Armitage  
Councillor Tim Hallchurch MBE (In place of Councillor G.A. Reynolds)  
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 John Sanders  
Councillor Bill Service (In place of Councillor Don Seale)  
Councillor John Tanner

**Other Members in Attendance:** Councillor David Turner (for Agenda Item 5)  
Councillor Carol Viney (for Agenda Item 6)

### **Officers:**

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

Part of meeting

### **Agenda Item**

### **Officer Attending**

5. J. Hamilton (Environment & Economy)  
6. J. Irvine (Environment & Economy)  
7. N. Woodcock (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.*

**1/09 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

*Apology*

*Temporary Appointment*

Councillor Don Seale  
Councillor Peter Jones  
Councillor George Reynolds  
Councillor Anda Fitzgerald O'Connor  
Councillor Tony Crabbe

Councillor Bill Service  
Councillor Stewart Lilly  
Councillor Tim Hallchurch  
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**2/09 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE**

(Agenda No. 2)

Councillor Alan Armitage declared a personal interest in Item 5 (Coombe Farm, Milton) insofar as he was acquainted with one of the public speakers addressing the Committee under that item. He advised that he had not discussed the terms of the application with that person and intended to participate in any discussion and voting on that item.

**3/09 MINUTES**

(Agenda No. 3)

The minutes of the meeting held on 24 May 2010 were approved and signed.

*Minute 2/10 – Minutes*

Mr Dance advised on the following matters:

Stonehenge Farm, Northmoor – the public inquiry had now concluded and the Inspector's decision was awaited.

Ardley, Energy from Waste – the public inquiry had commenced and was due to start its second week of the scheduled three.

Dix Pit, Stanton Harcourt – an inquiry into refusal of permission for an aggregate recycling facility was scheduled to start on 21 September 2010.

Mr Dance also advised that the south east plan had now been revoked. Officers had assessed the implications for each application and adjusted their recommendations accordingly as described in addendas to each report.

**4/09 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 4)

The following requests to address the meeting had been agreed:

<i>Speaker</i>	<i>Item</i>
Nicky Brodie	)
Sue Mathews	) 5. Coombe Farm, Great Milton
Councillor David Turner	)
David Hammond	)
Ben Payne	) 6. Manor Farm, Peppard Common
Councillor Carol Viney	)
Dr Fred Wright	) 7. Eynsham Primary School
Angela Cox	)

**5/09 CHANGE OF USE FROM PASTURE TO PARKING AREA FOR USE BY GREAT MILTON PRIMARY SCHOOL FOR A TEMPORARY PERIOD UNTIL 31 JANUARY 2012; LAND AT COOMBE FARM, CHILWORTH ROAD, GREAT MILTON - APPLICATION NO R3.0035/10**

(Agenda No. 5)

The Committee considered (PN5) an application for a change of use of an area of land at Coombe Farm, Great Milton from pasture to temporary parking in order to meet a pre-condition imposed on a permission resolved to be granted by the Planning & Regulation Committee in February 2010 for provision of a children's centre at and 3 extensions to the existing Great Milton Primary School.

Nicky Brodie reiterated the strong support of the County Council's Children, Young People & Families Directorate and the school governors for the redevelopment at the school. It was vital that the redevelopment took place and funding secured as soon as possible. The current proposal for temporary parking would enable that to happen and she urged the Committee to approve the application.

Sue Mathews, the headteacher at Great Milton school read out a statement on behalf of James Cunningham (Chairman of Great Milton School Governors) who was unable to attend. The statement thanked the owners of Coombe Farm for their support but referred to concerns regarding pressure which had been brought to bear on them by some residents. The school continued to experience real difficulties and staff had been willing to accept the inconvenience of walking from the temporary car park to the school in order to help provide for the future of the school. It was vital that these developments went ahead and he asked the Committee to approve the application.

Councillor Turner expressed some surprise that the application was being considered as the offer of the use of the land had been withdrawn. He had been unsuccessful in trying to negotiate the release of space at the recreation field car park but remained supportive of the children's centre and school development and hoped the scheme would proceed as soon as possible.

Responding to Councillor Lilly he accepted that the Parish Council although recognising the need for a children's centre were opposed to siting it in Great Milton but added that there was a parking problem in the village.

Councillor Tanner moved that Application R3.0035/10 be approved as set out in the officer report. The motion was seconded by Councillor Lilly and carried unanimously.

The Committee then discussed the likelihood of meeting the pre-condition regarding parking which had been agreed by the Committee in February. In view of the difficulties experienced so far it seemed equitable that the Committee should have an opportunity to reconsider the merits of allowing the proposed development in Application R3.0188/09 for redevelopment at the school without the pre-condition attached. It was agreed to convene an extraordinary meeting of the Planning & Regulation Committee.

**RESOLVED:**

- (a) to authorise the Head of Sustainable Development to grant permission for Application R3.0035/10 for the change of use of land from pasture to parking area for use by Great Milton Primary School for a temporary period until 31 January 2012 at Coombe Farm, Chilworth Road, Great Milton subject to conditions to be determined by the Head of Sustainable Development to include the following:
1. Development to be carried out strictly in accordance with details submitted with the application.
  2. Temporary permission – permission to cease by 31 January 2012, or completion of the building works for the Children’s centre and school extensions submitted under application No. R3.0188/09, whichever was the sooner.
  3. Site to be restored to pasture on completion of the development.
  4. Details of specification for construction of site entrance and surface of the car park to be submitted and agreed. Works to be implemented prior to building works commencing on school site.
  5. Hedge protection measures to be submitted and agreed prior to any works commencing on site.
  6. Details of any lighting provision to be submitted and agreed prior to any works commencing on site.
  7. Details of a car park management plan to be submitted and agreed prior to any works commencing on site. Any approved plan should be implemented for the duration of the development.
  8. Details of any signage proposed (both at the school and the temporary car park) to be submitted and agreed prior to commencement of the development.
- (b) to convene a special meeting of the Planning & Regulation Committee on 27 July 2010 at 9 am to reconsider Application R3.0188/09 (approved in February 2010) for the erection of a detached single storey building to provide a children’s centre on the school site together with three extensions to the existing school in the light of difficulties experienced in resolving the temporary parking pre-condition to the original approval.

**6/09 CHANGE OF USE AND ALTERATION OF LAND AND BUILDING AT MANOR FARM, PEPPARD COMMON TO A SMALL SCALE INERT MATERIALS RECOVERY FACILITY FOR THE PRODUCTION OF RECYCLED AGGREGATES AT MANOR FARM, PEPPARD COMMON, HENLEY-ON-THAMES, RG9 5LA - APPLICATION MW.0070/10**

(Agenda No. 6)

The Committee considered (PN6) an application for an inert waste recycling facility and conversion of an existing agricultural building at Manor Farm Industrial Estate, Rotherfield Peppard.

Mr Hammond thanked officers for their diligent work in investigating unauthorised activity at this site. The Rotherfield Peppard Parish Council supported the recommendation to refuse and referred to concerns regarding noise and dust. There had been considerable expansion at this site over the years with 30 planning applications many of them retrospective. With regard to this particular operation there had been 3 enforcement investigations and 2 breaches of conditions were currently being investigated. He urged the Committee to refuse the application.

Responding to Councillor Hayward he confirmed that there had been 30 applications over a number of years and that some had been approved.

Mr Payne agreed that although some local residents had been opposed to the application there was also some local support for the operation, which had been in existence for 5 years. There had been 30 applications on the site but this was because of the number of separate operations on the site. His application was for a small scale inert facility importing locally sourced material and he was not looking to expand the operation. Traffic would not increase above current levels and he did not consider noise would be an issue as the nearest neighbour was 250 metres away. He asked the Committee to approve the application.

Responding to:

Councillor Hannaby - he advised that if the application were refused he would look for an alternative site but in the meantime would have to transfer material to a site in Reading.

Councillor Armitage - he confirmed that it would not be financially viable to import material to this site from markets further afield.

Councillor Viney opposed the application. It was a rural site in the AONB and was not classified as an industrial estate. This particular operation had started without permission. South Oxfordshire District Council also had concerns and were currently investigating other breaches and she urged the Committee to refuse the application.

Responding to Councillor Tanner Mr Irvine confirmed that the recommendation for refusal had been based on the fact that the bunding proposals were contrary to planning policies. A balance needed to be drawn between need for the facility and harm to the AONB and in this case the officer view was that harm outweighed need.

**RESOLVED:** (on a motion by Councillor Tanner, seconded by Councillor Mrs Fulljames and carried unanimously) that Application P10/E0675/CM be refused for the following reasons:

- (1) The proposal was contrary to PPS 10 and MWLP policy W3 in that it had not been demonstrated that the need for the site in the proposed location would outweigh the permanent visual harm to the Chilterns AONB and to local residential amenity;
- (2) The proposal was contrary to SOLP policy E8 in that the level of development required to convert the agricultural building to an industrial use was inappropriate within the Chilterns AONB.

**7/09 CONSTRUCTION OF A NEW SYNTHETIC MULTI USE GAMES AREA (MUGA) WITH 3M HIGH PERIMETER FENCING AND 4 FLOODLIGHT COLUMNS (6.7M HIGH) AT EYNHAM PRIMARY SCHOOL, BEECH ROAD, EYNHAM, WITNEY OX29 4LJ - APPLICATION R3.0037/10**

(Agenda No. 7)

The Committee considered (PN7) an application for the construction of a new synthetic multi use games area at Eynsham Primary School.

Dr Wright claimed that there were inaccuracies in the report. The boundary of the conservation area as shown on the plan was incorrect; the right of way was a bridleway and not a footpath and the pumping station had been removed in 1980. Residents of Cassington Road had been concerned regarding hours of operation and lighting although they were now reasonably happy with the amended hours being proposed. He hoped that consideration could be given to resiting the area slightly to the north. Concerns over the line of drains were unfounded and such a move would take the facility further away from neighbouring properties and afford extra protection for three trees in the corner of the site. He also advised that safeguards for archaeological finds needed to be incorporated and work was required to the boundary fence along the line of the bridleway.

Responding to Councillor Service he accepted that similar facilities elsewhere operated to longer hours but generally they were more isolated than this site.

Angela Cox challenged the accusations that there had been a lack of consultation for this proposal and confirmed that there had been a consultation evening and letters delivered personally by the school secretary. There had been objections from people who neither lived nearby to the site or could even see it. These were not proposals for a stadium but for a small facility to enable children to play throughout the year and provide a small local facility for out of school. A compromise had been reached regarding hours, lighting concerns would be met through modern lighting systems and there was adequate parking. Resiting of the site to the north would limit the space available to accommodate other facilities and the school had already compromised on hours of use. She did not expect any archaeological finds and in any event preparatory work would not be to any great depth.

Responding to:

Councillor Hayward – she advised that the suggested site represented the best option if only for convenience of access.

Councillor Service – there would be minimal spillage from the lights.

Councillor Lilly –use on Sundays would be preferable but the school had tried to reach a compromise on the issue of hours of use.

During discussion on the application some members of the Committee felt that the school should be given the option of utilising the facility as much as possible, although others expressed some concern regarding noise.

Councillor Hallchurch moved and Councillor Hannaby seconded that Application R3.0037/10 be approved in the terms of the recommendation as set out in the report.

Councillor Tanner then moved an amendment to increase the hours of operation by allowing use on Sundays between 9.30 am – 1.00 pm.

Officers advised that that amendment could be considered as the original application had sought hours of use on a Sunday between 9.00 am and 6.00pm.

A further amendment was then moved by Councillor Service to include an additional condition seeking submission of final details of the siting of the MUGA to be considered.

Both amendments were duly seconded and accepted by the mover and seconder of the original motion.

The substantive motion was then put to the Committee and -

**RESOLVED:** (by 7 votes to 6) that Application No. R3.0037/10 be approved subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

1. The development must be carried out strictly in accordance with the particulars contained in the application and the plans.
2. Commencement of the development within 3 years.
3. Submission of further details to indicate layout of pitches within the MUGA.
4. Floodlights to be compliant with the Institute of Lighting Engineers Guidance Note.
5. Submission of full details of proposed floodlighting, cowling and predicted overspill levels of light.
6. Site assessment of lighting levels from floodlights and implementation of any remedial action that might be required.
7. That the hours of use for community purposes should be restricted to 4.00pm – 9.00pm (Monday – Friday), 9.00am – 5.00pm (Saturday) and 9.30 am – 1 pm (Sundays) during term time and 9.00am – 9.00 (Monday – Friday), 9.00am

– 5.00pm (Saturday) and 9.30 am – 1 pm (Sundays) during the school holidays.

8. Submission, agreement and implementation of a community use management agreement plan.
9. Submission and agreement of contractors working hours, delivery times of materials and site compound.
10. Submission of final details of the siting of the MUGA.
11. Submission of full details (including the location) of the proposed footpath between the car park and the MUGA.
12. Tree and hedgerow protection measures.

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

Ecological informative - If any protected species not initially surveyed for were found at any point, all work should cease immediately. Work should not recommence until a full survey had been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

..... in the Chair

Date of signing .....