

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 17 July 2017 commencing at 2.00 pm and finishing at 3.25 pm

Present:

Voting Members: Councillor Les Sibley – in the Chair

Councillor Jeannette Matelot (Deputy Chairman)
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Mike Fox-Davies
Councillor Stefan Gawrysiak
Councillor Dr Kirsten Johnson
Councillor Bob Johnston
Councillor Mark Lygo
Councillor Glynis Phillips
Councillor G.A. Reynolds
Councillor Judy Roberts
Councillor Dan Sames
Councillor Lawrie Stratford (In place of Councillor Alan Thompson)

Officers:

Whole of meeting G. Warrington & D. Mytton (Law & Governance); C. Kenneford & D. Periam (Planning & Place)

Part of meeting

Agenda Item

	Officer Attending
6	E. Catcheside, C. Kelham and G. Arnold (Planning & Place)
7	K. Broughton (Planning & Place)
8	C. Hodgkinson (Planning & Place)

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.

27/17 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor Alan Thompson	Councillor Lawrie Stratford

28/17 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Construction of a 76 space car park for a period of four years. The car park to be surrounded by weld mesh fence with control gates, and to include surface water drainage into a new petrol interceptor, and lighting. Also the construction of permanent lighting along the school roadway - The Warriner School, Banbury Road, Bloxham - Application R3.0033/17

Councillor George Reynolds expressed a personal interest insofar as 2 of his grandchildren attended the school. He intended to take part in the discussion and voting on the application.

29/17 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 5 June 2017 were approved and signed subject to amending "Councillor Fox-Davis" to read "Councillor Fox-Davies" in paragraph 5 of Minute 27/17.

30/17 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Dee Willow and Jeremy Hurlstone (Agents for the Applicant)	6. Moorend Lane Farm, Moorend Lane, Thame - Application MW.0032/17

31/17 SECTION 73 APPLICATION FOR THE VARIATION OF CONDITION 11 ATTACHED TO PLANNING CONSENT P15/S3167/CM (MW.0124/15) TO ALLOW UP TO FOUR HEAVY GOODS VEHICLES (HGVs) TO LEAVE THE SITE IN BOTH MORNING AND EVENING RUSH HOUR - MOOREND LANE FARM, MOOREND LANE, THAME - APPLICATION MW.0032/17

(Agenda No. 6)

The Committee considered (PN6) an application to vary a condition attached to an existing permission for the mineral extraction and waste management facility at Moorend Lane farm, Thame which restricted HGVs from leaving the site during peak hours and to allow up to 4 movements during those periods.

The Committee also noted comments submitted by Councillor Nick Carter who had been unable to attend. He had asked the Committee to note his objection as set out in paragraph 12 of the report along with that of the Thame Town Council. In his view any increase in traffic to and from the site would inevitably add to existing congestion with safety, therefore, becoming more of an issue, presumably why a restriction had been imposed in the first place. As local member he questioned what had now changed and felt the County Council needed to safeguard road users against any level of impact on highway safety and not just where it was judged as having a severe or significant impact.

Having presented the report Catherine Kelham and other officers responded to questions from:

Councillor Sames – there was no restriction on vehicles entering the site at peak times.

Councillor Gawrysiak - vehicles could enter with landfill during operational hours but not leave at peak times.

Councillor Phillips – Mr Periam explained that the original permission had been a delegated decision by officers and he had been unable to find specific reasons why a restriction had been felt necessary at that time.

Councillor Fox-Davies – there was no limit on vehicle movements during normal hours but a limit was being sought to 4 at peak hours.

Councillor Fitzgerald O'Connor – there were no lorry movement warning signs.

Councillor Stratford – Mr Periam explained that it had not been felt necessary to seek to enforce the voluntary restriction for no right turning traffic. Also the site had good wheel and vehicle wash facilities.

Dee Willow and Jeremy Hurlstone then addressed the Committee pointing out that under the current restriction it was possible for some vehicles to enter the site but not be allowed to leave until the following morning. That was an unnecessary delay and detrimental to efficiency. The site was served by a good road network with a good safety record. They asked the Committee to support the application.

They then responded to questions from:

Councillor Phillips – they accepted the application had been made in the company's own commercial interests but they also felt it would benefit local residents by avoiding a concentration of vehicle movements at other times of the day.

Councillor Stratford – In highway terms the application would not have a significant impact on the road network and the applicant would prefer to keep the no right turn as a voluntary restriction

Councillor Lygo – there would be no impact on air quality.

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Lygo and carried unanimously) that application MW.0032/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out at Annex 2 to the report PN6.

32/17 CONSTRUCTION OF A 76 SPACE CAR PARK FOR A PERIOD OF FOUR YEARS. THE CAR PARK TO BE SURROUNDED BY WELD MESH FENCE WITH CONTROL GATES, AND TO INCLUDE SURFACE WATER DRAINAGE INTO A NEW PETROL INTERCEPTOR, AND LIGHTING. ALSO THE CONSTRUCTION OF PERMANENT LIGHTING ALONG THE SCHOOL ROADWAY - THE WARRINER SCHOOL, BANBURY ROAD, BLOXHAM - APPLICATION R3.0033/17

(Agenda No. 7)

The Committee considered (PN7) a planning application to provide additional car parking spaces and lighting at Warriner School while the school underwent infrastructure improvements and future expansion. The car park would be removed and restored after four years. Lighting would be provided for the car park and the access road with the latter permanent. However, lighting for the car park would be removed along with the car park after 4 years.

Mr Broughton presented the report and asked the Committee to note corrections to:

Paragraph 12 – to delete “and would replace the existing sodium lighting that is attached to the school buildings”

Paragraph 37 – to delete “and would replace higher energy lighting which is poorly located on the existing school buildings.”

Those corrections did not materially affect the recommendation. However, he was recommending two additional conditions as follows:

- “v. After four years from the date of this permission the car park and its ancillary works shall be removed and the land reinstated to its current condition.
- vi. The lighting to the car park and access road shall only be used between the hours:

9.00 am – 9.00 pm Monday to Friday; and
9.00 am – 4.00 pm Saturday and Sunday.”

He then responded to questions from:

Councillor Reynolds – the 9 pm lighting had been suggested in order to tie in with the hours of operation for the MUGA.

Councillor Phillips – it would not be possible to condition flexibility for the school to keep the tarmacked area after 4 years but an informative could be attached stating that the school could, if it wished, make a separate application for its retention.

Councillor Matelot – the MUGA would be available for community use.

Councillor Fitzgerald-O’Connor – a condition was being proposed requiring the access road to be 4.8 m wide and tarmacked.

Councillor Gawrysiak – the need for permanent lighting was not a strong one but not weak enough to override the MPPF guidance. It was not expected that spillage from the 5m low energy LED light columns would significantly impact surrounding buildings.

Councillor Fox-Davies – the Committee could if it wished amend the proposed condition for lighting to be switched on earlier than 9 am.

Councillor Kirsten Johnson suggested a cross or white side lines be considered as part of the approved details for the access road.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Johnston and carried unanimously) that planning permission for application R3.0033/17 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:

- I. Detailed compliance.
- II. Permission to be implemented within 3 years.
- III. Prior to commencement of the development, details of improvements to the access road to be submitted and approved. Approved details to be implemented.
- IV. Prior to commencement of the development, drainage details to be submitted and approved. Approved details to be implemented.
- V. After four years from the date of this permission the car park and its ancillary works should be removed and the land reinstated to its current condition.
- VI. The lighting to the car park and access road should only be used between the hours:
7.00 am – 9.00pm Monday to Friday; and
9.00am – 4.00pm Saturday and Sunday.

Informative:

The planning permission enures only for the County Council. If at any time during the life of the car park, the Warriner School Academy wished to retain the car park for the same use, or for a different use, they would be free to apply to Cherwell District Council.

33/17 PROGRESS REPORT ON MINERALS AND WASTE SITE MONITORING AND ENFORCEMENT

(Agenda No. 8)

The Committee considered (PN8) a report updating members on the regular monitoring of minerals and waste planning permissions for the financial year 1 April 2016 to 31 March 2017 and progress on enforcement cases for the period 1 November 2016 to 30 June 2017.

Having presented the report Mr Hodgkinson responded to questions from:

Councillor Phillips – At the start of the financial year the team had been 2 fte down but had since made one appointment. The remaining post was currently frozen. Mr Periam added that it was intended to resubmit a request to use income gained from planning fees to increase staffing resources.

The Committee expressed unanimous support that representations be made via the Service & Resource process for the vacant Planning Officer (Monitoring, Compliance and Enforcement) post in the Development Management team to be filled as a matter of priority.

Councillor Matelot – some sites had been restored and could be monitored after restoration had been completed for 5 years in accordance with aftercare management plans.

Councillor Anda Fitzgerald-O'Connor – Hatford Quarry did not include the Shellingford site on the other side of the A417.

Councillor Reynolds drew attention to the inordinate delays in securing compliance with the S278 agreement for the Barford Road site. He continued to receive constant representations from residents and the parish council for these matters to be resolved.

With regard to the restoration of Stratton Audley quarry Councillor Stratford asked what the position would be with regard to responsibility and accountability if no progress had been made within the 10 years from 31 December 2008. Officers undertook to speak with Councillor Stratford outside the meeting.

RESOLVED: (unanimously):

- (a) to note the Schedule of Compliance Monitoring Visits in Annex 1 to the report PN8 and the Schedule of Enforcement Cases in Annex 2 to the same report;
- (b) that representations be made via the Service & Resource process for the vacant Planning Officer (Monitoring, Compliance and Enforcement) post in the Development Management team to be filled as a matter of priority.

..... in the Chair

Date of signing