

For: PLANNING & REGULATION COMMITTEE – 19 October 2020

By: ASSISTANT DIRECTOR FOR STRATEGIC INFRASTRUCTURE AND PLANNING

Development Proposed:

Application A: Retrospective planning application to extend recycled soil and aggregate area to NAP Grab Hire Ltd.'s adjacent site permitted under P11/V0615/CM/ 11/00615/CM (MW.0049/11); and

Application B: Retrospective Section 73 application for change of use from agriculture to site for the import, storage and screening of waste soils to create topsoil, without complying with conditions 5, 10, 13 and 15 of permission P11/V0615/CM/ 11/00615/CM (MW.0049/11).

Division Affected: Kingston and Cumnor

Contact Officer: Emma Bolster **Tel:** 07775 824954

Location: Swannybrook Farm, Kingston Bagpuize, Abingdon, Oxfordshire OX13 5NE

Applicant: NAP Grab Hire Ltd

Application No: MW.0134/19 **District Ref:** P20/V0019/CM
MW.0135/19 P20/V0020/CM

District Council Area: Vale of White Horse

Date Received: 5 December 2019

Consultation Period: 9 January 2020 – 30 January 2020 and
7 April 2020 – 30 April 2020

Recommendation: **Approval**

The report recommends that the applications be approved.

Contents:

- Part 1 – Introduction
- Part 2 – Updated Information
- Part 3 – Analysis and Conclusions

• **Part 1 – Introduction**

Site and Setting

1. Both application sites for the waste soil recycling are to the north-western corner of Swannybrook Farm. The overall site retains a largely agricultural designation in planning terms, though approximately half the site is used for light industrial purposes. These are planning matters for the Vale of White Horse District Council (VoWH DC).

Application Details

2. Application MW.0134/19 is a full planning application an extension to waste soil screening operations, granted permanent permission under MW.0049/11. The application is retrospective to regularise the existing operations. This is for the storage of screened soils, to permit stockpile heights to 5 metres and allow for landscape planting to screen the extension area operations.
3. Application MW.0135/19 is a Section 73 application to vary conditions 5 (Crushing), 10 (Stockpile heights), 13 (Landscape Planting) and condition 15 (HGV movements) of the extant planning permission. The application is retrospective to allow for crushing of waste aggregate on site from the waste soils being processed and stockpile heights to be increased from 3 metres to 5 metres. The application is also to vary condition 13 as planting has not been carried out to replace vegetation that has been removed or died off and to vary condition 15 to allow for 40 HGV movements per day (20 in/ 20 out). Currently, 6 HGV movements per day (3 in/ 3 out) are permitted.
4. The applications were deferred by the Planning & Regulation Committee on 20 July 2020. This was to allow for further information to be provided to the members, which was to include:
 - Noise levels
 - Dust
 - Discussion with VoWH DC enforcement team for their position on the planning status for the rest of the Swannybrook Farm
 - An independent traffic count survey to be carried out to confirm existing lorry movements from the application site
 - Landscaping Scheme details (to be agreed in writing)
 - Height of stockpiles
 - State and condition of roads
 - Width of lorries
 - Clarity of routeing agreement; and
 - Right of way situation.The 20 July report is attached at Annex 4.

Representations

5. Fuller representations in relation to both MW.0134/19 and MW.0135/19 are within the committee report for 20 July (Annex 4). These are briefly summarised below:

Third Party Representations

6. There have been fifty-seven third-party representations received in total, fifty-six prior to Planning and Regulation Committee on 20 July and one following the deferral of these two applications. These were all objections to both applications. These representations included a Transport Note and Acoustic Report, as set out in Part 4 of the committee report for 20 July and summarised in Annex 7 of the same.

Consultee Responses

7. Kingston Bagpuize with Southmoor Parish Council – Objection to both applications.
8. Charney Bassett Parish Council – Objection to both applications.
9. Marcham Parish Council – Objection to MW.0135/19 (Application B).
10. Vale of White Horse District Council Planning – No objection to either application.
11. Vale of White Horse District Council Environmental Protection – No objection to either application.
12. Environment Agency – No objection.
13. OCC Transport Development Control – No objection subject to condition and a routeing agreement.
14. OCC Minerals and Waste Planning Policy – No overall objection.
15. OCC Countryside Access – Objection.
16. OCC Fire and Rescue Service – No response.
17. OCC Public Health – No objection.
18. OCC Lead Local Flood Authority – No response.
19. OCC Environment Strategy – No response.
20. OCC Ecology Officer – No objection subject to condition.

21. OCC Landscape Specialist – No objection subject to adequate mitigation.

22. County Councillor – Local concerns.

• **Part 2 – Updated Information**

Noise

23. The applicant submitted a noise assessment for the proposed use of the crusher on 17th August. This concluded that there would not be an adverse impact on local amenity, as the worst case scenario would not raise the noise levels at the nearest sensitive receptors above levels set out in national Planning Practice Guidance. This assessment was provided to VoWH DC's Environmental Health Officer (EHO) and OCC Public Health. The response from the VoWH DC's EHO states:

The LF Acoustics report provided by the applicant utilises the background sound levels recorded in historical monitoring carried out in 2011 & 2018 at properties to the north, the Longhouse and North Cottage as a proxy for current baseline monitoring. This indicates that the background sound level is greater than that reported within the noise assessment provided by the objectors (ACA Acoustics, 05 May 2020). The location will principally be influenced by noise from road traffic and as the baseline monitoring utilised within the ACA Acoustics report was carried out whilst traffic movements were reduced due to the government lockdown this background noise level is likely to be lower than under normal conditions and may not be representative.

The comments previously made was based upon the ACA Acoustics report. Utilising the historical background sound levels the LF Acoustics report indicates that the rated noise level will be 1dB below the background at properties to the north; 2dB below the background at the Longhouse; and 4dB below the background at North Cottage if the height of the existing screening bunds along the northern, eastern and southern boundaries are increased to 5m. This report goes on to highlight that this can be reduced by a further 5dB if the crusher is carefully orientated such that the engine cowl did not face towards the properties.

The LF Acoustics report indicates that with utilising 5m bunds the crusher would comply with condition 17 on the current planning permission and would comply with the more stringent condition proposed within the noise assessment provided by the objectors of being at least 5dBA below the background sound level if the crusher was carefully sited.

OCC Public Health have yet to respond. Following email correspondence with the agent regarding the practicalities of maintaining 5-metre high stockpiles, a revised noise assessment, was

submitted on 28 September which is based on the maintenance of 3 metre high bunds and concludes that the impacts on sensitive receptors would still be acceptable. This has been provided to the EHO, who is expected to comment by 15 October and Public Health. If this further revised document does not make any further changes, then there is currently no change to the current response that there is no overall objection to the applications.

Dust

24. The applicant submitted a Dust Management Plan for the waste soil processing and proposed aggregate processing on 6 August. The Dust Management Plan was provided to VoWH DC's Environmental Health Officer and OCC Public Health. Comment was received 9 September from OCC Public Health that aspects of the Dust Management Plan required clarification by the applicant: specific metrics for importing, exporting and processing, which would include what wind speed or other events would trigger actions to ensure mitigation measures were applied. This clarification was received from the applicant on 6 October. Neither Public Health nor the VoWH's EHO have yet responded if the further information would change the current responses that neither has an objection to either application.

District Council position on Swannybrook Farm planning status

25. The VoWH DC enforcement team issued a Planning Contravention Notice (PCN) to the landowner of Swannybrook Farm on 7 August and had correspondence with the landowner with some details and requesting clarification on other matters. The formal response to the PCN has been received by the VoWH DC enforcement team.
26. The planning matters under the control of VoWH DC are therefore currently being actively investigated as to what could or could not be possible to achieve regarding the planning status of the overall non-waste operations at Swannybrook Farm.

Independent Traffic Count

27. An independent traffic count was requested to confirm the number of HGVs connected to the application sites and those to the wider site. Queries were raised over the traffic movements provided by the applicant's traffic consultant. This was due to a seeming difference between the counted vehicles and the filmed vehicles at two locations on the road running through Fyfield Wick. There was also concern raised over cumulative traffic impacts on local residences.
28. The traffic count was organised to be carried out at three locations at Swannybrook Farm, similar to those used by the applicant's traffic consultant. This was arranged to be carried out as soon as was

practicable following the committee meeting and the survey occurred between 21 – 27 August.

29. The count on the road running through Fyfield Wick and the entrance to the main yard area to Swannybrook Farm was carried out using automatic count road strips. The count for HGVs related solely to the application areas was a manual count with two enumerators, due to the uneven ground of the haul road which would not enable an accurate automatic count. The results of the survey carried out by the County Council was provided 2 and 8 September. This count demonstrated that the applicant's HGV movements related to the application sites account for approximately half of all HGV movements connected to Swannybrook Farm and along the road running through Fyfield Wick between 8am and 6pm.

Landscaping Scheme details

30. A landscape mitigation and enhancement scheme was submitted on 24 August to address the visual impacts of the extension area (MW.0134/19) by the applicant. This was provided to the county ecologist and landscape specialist. The county ecologist had no objection to the proposals, other than that elm should be removed from the species list and another species specified, as elm is susceptible to disease. The landscape specialist believes the scheme should be reasonably effective in mitigating views from the South, West and East, but there is no additional planting proposed to screen views from the northern boundary and it should be explored how screening to the north could be improved. In addition, the tree and hedgerow planting was broadly welcomed, with some changes to species mix for various reasons, including the removal of elm as echoed in the ecology comments. There is also a requirement for a consistent approach on landscape notes on the plans, and there is limited reference to maintenance, which is essential to ensure the establishment of the planting. Additional information is required on how the scheme will be managed in the short-term and long-term.
31. A landscape mitigation and enhancement scheme was submitted on 28 September. This scheme is to address the trees removed from the western boundary of the permitted waste soil operations for the access to the extension area and the vegetation that has not been replaced to the site entrance, which was in place previously and has subsequently died off. This was provided to the county ecologist and landscape specialist. The county ecologist had no objection to the proposals, other than that elm should be removed from the species list and another species specified, as elm is susceptible to disease. The landscape specialist believes the scheme should be reasonably effective in mitigating views from the South, West and East, but there is no additional planting proposed to screen views from the northern boundary and it should be explored how screening to the north could be improved. In addition, the additional planting along the southern and

eastern boundaries is welcomed, with some changes to species mix for various reasons, including the removal of elm as echoed in the ecology comments. The question is also raised of how high the 'new topsoil bund' along the eastern boundary of the site will be. There is also a requirement for a consistent approach on landscape notes on the plans, and there is limited reference to maintenance, which is essential to ensure the establishment of the planting. Additional information is required on how the scheme will be managed in the short-term and long-term.

Stockpile heights

32. There was concern over the stockpile heights, which should not be higher than 3 metres in the permitted soil storage area. At the time of the committee site visit on 15 July there were no significant stockpiled material on site, in either the permitted area or the extension area. The stockpiles noted on site during the spot check visit on 4 August were all below 3 metres, therefore in compliance with the existing condition in the permitted operating area.

State and condition of roads

33. There have been no further changes to the state/ condition of the road since the repairs carried out on Fyfield Wick between the Swannybrook Farm Entrance and the A415. Road measurements were provided by a Transport objection note by a local resident. The road was also surveyed by the Transport officer as there were differing opinions on the state of the road between the applicant and local residents. The Transport officer's measurements were provided on 26th May and included in the committee report. This information is covered in more detail in Part 3.

Width of Lorries

34. The width of HGVs as stated in a letter from Bluestone Planning 26 May that the applicant's HGVs measure 3m wide and can be reduced to 2.55m by retracting the mirrors. This measurement is disputed by local residents, who state that the technical data for 6 wheeler HGVs, being those typically used by the applicant as 3.2m wide.
35. An email response from the agent for the applicant received 24 August states that the applicant's grab/ concrete lorry widths are in fact 2.4m.

Clarity on the proposed Routeing Agreement

36. The routeing agreement which the Highway Authority has said would be required for the HGVs connected to the waste soil operations would prohibit use of the A415 at Marcham, to protect the Air Quality Management Area (AQMA). HGVs that would need to access the A34

would be required to use the A338 (Oxford Road) at Frilford crossroads to join the A420 at Tubney Wood Roundabout.

37. It would not be acceptable for HGVs to access the A34 by alternative routes via Marcham or the A420 at Kingston Bagpuize with Southmoor and this would be prohibited if the routeing agreement were to be entered into. These alternative routes are not suitable for an increase in traffic (see Annex 6) that would be associated with the applications.

Right of Way situation

38. The applicant provided topographical and composite maps to address how the red line of the original permitted area impacts on the legal route of the right of way. The applicant maintains that the proposed development as part of these applications does not impact on the legal route.

39. OCC Countryside Access does not agree that the redline and operations do not impact on the legal route. The council's position is that the bunds that form the south-east corner of the permitted development intrude onto the legal route and that a safe, permanent diversion is required.

• Part 3 – Analysis and Conclusions

Comments of the Assistant Director for Strategic Infrastructure and Planning

40. Consideration of the application was deferred at the 20 July meeting of the Planning and Regulation committee to allow for additional information to be provided, as set out above. Due to the time available, some of this information and comments from consultees were still awaited by the 7 September meeting of this committee, so both an addendum and verbal update were not possible to this committee. There is still some comment from technical consultees outstanding at the time of writing this report, so an addendum will be provided once this information has been received.

Noise

41. The noise assessment now submitted relates principally to the proposal for a concrete crusher to be located and used at the site as a variation to condition 5 of the existing planning permission. The noise assessment submitted concludes that with additional boundary noise mitigation measures the operation of the crusher would generate levels of noise at surrounding properties that would not exceed existing background noise levels.
42. The opinion of the Environmental Health Officer (EHO), received 08 September and set out in paragraph 23 of this report, notes that the

background noise levels provided relating to the proposed crushing activities is greater in the LF Acoustics report submitted by the applicant (dated August 2020) than the background noise assessment provided by ACA Acoustics, provided by the objectors (dated 05 May 2020). The EHO states that this differential between May and August could be partly due to restrictions brought about by the COVID-19 lockdown, so the lower baseline (05 May 2020) may not be a true representation. The monitoring points for the LF Acoustics report were carried out near to Race Court Farm, a previously identified sensitive receptor, to the north of the application sites. The second monitoring point was on the Road running through Fyfield Wick, between 'North Cottage' on the north of the Road and 'The Longhouse' to the south of the road. The EHO's comments also state that the LF Acoustics report indicates that utilising 5 metre bunds would mitigate the impact of the crusher being operated on the local residential properties and comply with the existing condition 17 (MW.0049/11) and orientating the crusher so that its engine cowl did not face towards sensitive properties

43. The existing attenuation bunds to the permitted site are 3 metres in height, not 5 metres. The stockpiles of material are within these bunds, and would not provide adequate noise mitigation, as the heights of the stockpiles would change due to operational needs, which would not be sufficient to provide noise mitigation when the crusher would be in operation. The applicant's agent has stated via email (10 September 2020) that the stockpiles would be kept at 5 metres to enable mitigation of the noise of the crusher, in line with the LF Acoustics report. However, it is recorded in the report for a spot check carried out on the site by this authority on 17 August 2020 that the applicant operates a 'just in time' service. Therefore, it is not clear how it would be possible to maintain the stockpiles to 5 metres, which is 2 metres higher than what is currently approved. The applicant has now provided a further survey based on the existing 3 metre high bunds, that are existing and being retained around the site.
44. The further comments from the Environmental Health Officer and any comments from the Public Health Officer are awaited and the committee will be updated on their responses in an addendum.

Dust

45. The Dust Management Plan now submitted sets out the following proposed measures:
- i) Material importing and exporting - Working with imported materials near the site boundary will be minimised in very dry, windy conditions. Drop heights will be minimised at material transfer points (e.g. during loading and tipping). Operations will be suspended when wind conditions would be likely to result in visible dust being carried towards off-site receptors. Additional measures such as the use of water sprays or wetting down with a bowser will

be considered where there is a risk of wind-blow across the site boundary.

- ii) Material processing (screening and concrete crushing) - Dust emissions from material processing such as screening and crushing will be undertaken within the site and away from site boundaries and receptors. Additional measures such as the use of water sprays will be considered where there is a risk of wind-blow across the site boundary. All plant will be maintained appropriately, and any dust emission controls such as water sprays will be operational during dry conditions.
- iii) Mobile plant (on-site and off-site vehicle movement) - To avoid dust generation relating to vehicle movements, mobile plant with upward or sideways exhausts will be used where possible. Site haulage will keep to designated haul routes. Unmade access roads will be kept in good repair and wetted as required with a water bowser or sprinkler system. Vehicle speed limits will be kept to a minimum (ideally 10 mph) but will be determined according to the site and weather conditions pertaining at the time. HGVs leaving the site will be sheeted and cleaned when necessary before leaving the site. Vehicles will also be checked for loose deposits that might fall onto the public highway and spillages will be cleared as quickly as possible to reduce track-out.
- iv) Wind scouring of exposed surfaces and stockpiles - Dust emissions from exposed surfaces will be minimised by wetting down with a water bowser as necessary, especially in periods of dry, windy weather. Stockpiles will be managed in accordance with the Quarries Regulations 1999 and, where practicable, formed to maintain a smooth profile to minimise the spreading of loose materials. No stockpile shall exceed 5 m in height. Stockpiles will be covered with sheeted plastic where appropriate and may be wetted down to reduce the risk of wind-blow from exposed surfaces. Water sprays or wetting down of exposed surfaces using a bowser will be considered.

46. Subject to any comments from the Environmental Health Officer and Public Health Officer, it is therefore concluded that the development in this respect would not have an adverse impact on local amenity.

District Council position on Swannybrook Farm planning status

47. As set out above, the VoWH DC has been carrying out its own investigation of the planning status of the other developments at the Swannybrook Farm site, as the Local Planning Authority for non-waste development. The enforcement officer's evaluation is that the majority of the commercial, non-agricultural operations on site are immune from enforcement action, as there is evidence of these having been in place for over 10 years. The extant legal agreement and those smaller parts of the site that do not have either planning permission or immunity to enforcement action may be sufficient to request a planning application to regularise.

48. This would enable any relevant conditions that may be required to limit the impact of these non-waste developments to date, including traffic generation and ensure any future development or expansion are subject to the relevant controls. The consideration of any such application, should it be submitted by the landowner is not expected to be received for at least another month and would be a matter for the District Council to determine, if submitted.

Independent Traffic Count

49. As set out above, an independent traffic count was commissioned by the County Council. This count was carried out between 21 and 27 August, not including 23 August, being a Sunday and the applicant not operating on that day. The results of the enumerator count, which was HGV traffic associated with the two application sites is the most appropriate comparable data to that which has already been collected by the applicant (see Annex 9). This shows weekday HGV movements of between 32 (16 in, 16 out) and 36 (18 in, 18 out) per day. There were 2 HGV movements (1 in, 1 out) on the Saturday. Of the manually recorded movements, 4% of HGVs were not NAP Grab liveried vehicles.

50. The level of HGV movements recorded is higher than the average of 28 movements (14 in, 14 out) stated by the applicant in the original Transport Statement, dated October 2019. The daily movements recorded 21 – 27 August are in line with the Transport Assessment carried out by Helix Transport Consultants, dated 13 March 2020, which averaged 34 HGV movements (17 in/ 17 out) per day. The enumerator count is also within the lower range of stripped out HGV movements (NAP Grab Hire only) recorded by local residents via CCTV between January and June 2020. Operations would appear to have increased since the original traffic survey in August/ September 2019.

51. An automatic traffic count was carried out at the entrance to Swannybrook Farm (ATC site 2, see Annex 8). This took account of all HGV movements to and from Swannybrook Farm as a whole site, which includes the applicant's operations. On the days that the enumerator count was carried out, HGVs connected to the application sites made up the majority of the movements of all HGV traffic entering and leaving Swannybrook Farm. This was all HGV movements between 8am – 6pm, the permitted operating hours for the current permitted waste soil screening operations.

52. During the same timescale, HGVs connected to the application sites made up between 40% and 59% of movements during the week and 5% of movements on Saturday along the Road running thorough Fyfield Wick. This was all HGV movements between 8am and 6pm, the

permitted operating hours for the current permitted waste soil screening operations.

53. The HGV movements were considered between 8am and 6pm as the enumerators confirmed that there were no HGV movements connected to the application sites before 8am. There were HGV movements prior to 8 am to and from Swannybrook Farm, but these were not connected to these application sites.
54. In the context of HGVs relating to the overall site and outside of these applications, there have been vehicle operating licences granted to at least 8 companies, including the applicant, from 2002 at Swannybrook Farm. These are granted by the Traffic Commissioner and Oxfordshire County Council as Highways Authority has limited capacity to comment on applications, restricted to the suitability of the site access to the highways network.

Landscaping Scheme details

55. A detailed landscaping scheme has been provided for the proposed extension area to the site (MW.0134/19) and landscaping and mitigation measures for the permitted area (MW.0135/19). The schemes should be read in conjunction with each other. The scheme for MW.0134/19 sets out additional planting along the western and southern boundaries of the application site including native hedgerow and shelter belt planting along with standard trees. The proposals for the existing permitted area include a new and renewed bunds, native planting and hedgerow planting, fencing to the north-east corner and 6 standard trees to be planted as compensation for the trees removed to create the access to the extension area.
56. The county ecologist has no objection to the landscaping schemes, other than elm should not be used within the planting mix, due to the elm's susceptibility to disease. This was also commented on by the landscape specialist, who also raised the point that care should be taken when sourcing oak, due to current susceptibility to various pests. The landscape specialist also raised the point that the height of the 'topsoil' bund to the eastern perimeter of the permitted site is not noted, which should be provided. There is also a requirement for a consistent approach on landscape notes on the plans, and there is limited reference to maintenance, which is essential to ensure the establishment of the planting. Additional information is required on how the scheme will be managed in the short-term and long-term. The variation of condition 13 related to the maintenance of existing planting forms part of application no. MW.0135/19 and could be re-worded to take into account the proposed scheme and outstanding information, and the same for a condition to be applied to the extension area.

Stockpile heights

57. The application sites have been visited by officers since the previous committee meeting. The stockpile heights within the existing permitted area were found to be in accordance with the existing height limitation of 3 metres at the time of the visit.

State and condition of roads and widths of lorries

58. Repair works were carried out in May 2020 to parts of the carriageway of the road running through Fyfield Wick, between the main entrance to Swannybrook Farm and the A415. It is acknowledged that the road has differing widths along its length by the applicant, objectors to these applications and the Highway Authority. The Transport officer's measurements of the road between the Swannybrook Farm access and the A415 are below:

Chainage from Swannybrook Farm telegraph pole	0m	5.7m
	10m	5.3m
	20m	5.8m
	30m	5.9m
	40m	5.1m
	60m	5.0m
	80m	5.0m
	100m	5.1m
	125m	5.3m
Fyfield Wick Sign	0m	4.8m
	10m	4.9m
	20m	5.1m
	30m	5.3m
	50m	5.3m
From LongHouse	0m	5.2m
	10m	5.0m
North Cottage	0m	5.4m
Pickwick	0m	5.0m
	20m	4.9m
	40m	5.1m
Passing space	0m	7.8m
	20m	5.0m
	40m	5.0m

59. These were carried out following the Transport objection note provided, and the Highway Authority consultee conclusion is that the carriageway is seen to be acceptable in highways terms from the entrance of Swannybrook Farm to the A415 relating to the HGVs connected to the soil screening operations. The applicant has advised that the applicants HGVs are 2.4 metres wide.

Clarity on the proposed Routeing Agreement

60. The vehicle routing proposed by the council's Highways officer is that vehicles would access and egress the site via the minor road to Fyfield Wick, the A415 to the Frilford Crossroads, the A338 to the A420 and the A420 to its junction with the A34 at Botley. Thus vehicles would be required not to pass through either Marcham or Kingston Bagpuize with Southmoor (shown in Annex 6)

Right of Way situation

61. As set out above, the applicant provided topographical and composite maps to address how the red line of the original permitted area impacts on the legal route of the right of way. The applicant maintains that the proposed development as part of these applications does not impact on the legal route.

62. OCC Countryside Access does not agree that the red line and operations do not impact on the legal route. The council's position is that the bunds that form the south-west corner of the permitted development intrude onto the legal route and that a safe, permanent diversion is required. This is the same position prior to consideration of the applications at committee on 20 July. The council's legal advice is that as the existing permission was granted when this same situation pertained, there is no basis for refusing permission on the grounds of interference with the use of a public right of way to the section 73 application now made. However, the officer advice is that an informative be attached to any permission granted to application no. MW.0135/19 to this effect:

Due to the partial obstruction of the recorded line of the public right of way (byway 268/3) an application for a permanent diversion of the restricted byway onto a suitable route and to a suitable specification needs to be made. This would require the landowner and all occupiers that have impacted on the public right of way to be involved and a suitable alternative route provided. Alternatively, the partial obstruction can be resolved by removal of material.

This is agreeable to the applicant.

Financial and Staffing Implications

63. None identified.

Equalities Implications

64. None identified.

Conclusion

65. Additional information has been provided to address the reasons for deferral of determination of these planning applications at the meeting

of the Planning and Regulation Committee on 20 July 2020. Comments from technical consultees are still awaited and an addendum will be provided to the committee meeting. Subject to any issues or amendments arising from these, it remains the officer advice that the application nos. MW.0134/19 and MW.0135/19 should be approved as set out in the recommendation to the committee meeting of 20 July 2020.

Recommendation

66. It is RECOMMENDED that subject to the applicant entering into a routing agreement to require all vehicles to be routed to and from the A34 via the A338 and the A420, to avoid the A415 between Frilford Junction and the Marcham Interchange and the junction of the A415 and the A420 at Kingston Bagpuize, the Assistant Director for Strategic Infrastructure and Planning be authorised to:

- i) APPROVE application no. MW.0134/19 subject to conditions the detailed wording of which to be determined by the Assistant Director for Strategic Infrastructure and Planning including the conditions set out in Annex 2; and**
- ii) APPROVE application MW.0135/19 subject to conditions the detailed wording of which to be determined by the Assistant Director for Strategic Infrastructure and Planning including the conditions set out in Annex 3.**

**Rachel Wileman
Assistant Director for Strategic Infrastructure and Planning**

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service. In this case, there was dialogue with the applicant and the relevant officers to seek resolution of issues that were raised during the consultation period.