

Division(s): Bampton

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**CHANGE OF USE OF PARKING/INDUSTRIAL AREA TO A RECYCLING/DISTRIBUTION AREA FOR PAPER, KITCHEN WASTE, GLASS, PLASTICS, CANS AND CARDBOARD INCLUDING THE SORTING AND BALING OF PLASTICS, CANS AND CARDBOARD. THE CONSTRUCTION OF OPEN BAYS FOR RECYCLABLES, THREE SIDED, OPEN FRONTED STRUCTURE TO HOUSE BALER AND ROOF STRUCTURE FOR KITCHEN WASTE. ERECTION OF LIGHTING COLUMNS. THE ERECTION OF TWO PORTABLE BUILDINGS AND ONE MODULAR BUILDING TO BE USED AS OFFICES, TOILETS AND WELFARE FACILITIES. PROVISION OF PARKING FOR STAFF & VISITORS' VEHICLES AND REFUSE & RECYCLING VEHICLES**

**Report by the Interim Head of Sustainable Development**

<b>Location</b>	Supergas Industrial Estate, Witney
<b>Applicant</b>	May Gurney Ltd.
<b>Application No</b>	10/1451/P/CM
<b>Division</b>	Bampton
<b>District Council Area</b>	West Oxfordshire

**Introduction**

1. This is an application for a recycling depot on an industrial estate in Witney in West Oxfordshire. Recyclable waste collected from households and businesses would be sorted, stored and baled before being sent on for recycling at other facilities.
2. Materials brought to the site would include glass, plastics, cans, cardboard and kitchen waste.

**Location**

3. The development is proposed to be located on the Supergas Industrial Estate, which is off Downs Road, 3 kilometres (1.8 miles) to the west of the centre of Witney.

**The Site and its Setting (Plan 1)**

4. The site is located on an existing industrial estate. The recycling area would be located on a vacant site within the industrial estate and the parking area located in an area currently fenced off and disused.

5. The site is surrounded by general industrial land including tyre and exhaust supply and freight transport, storage and warehousing. The nearest house is approximately 100 metres away to the north west. The next closest properties are located over twice that distance from the site boundary on Burford Road.
6. The existing access onto Downs Road would be used.
7. The Cotswolds AONB lies approximately 1 kilometre (0.6 miles) to the north west of the site.

### **Details of Application**

8. The site covers an area of 0.75 hectares which includes an area proposed for the storage of waste and a separate area for parking and offices. The recycling area would contain bays for the storage of paper, glass, plastics and cardboard. The bays would be constructed with 4 metre high steel walling with an area of netting above. There would be a three sided building containing a baler. Food waste would be stored within a roofed area.
9. The parking and office area would contain two portacabins containing toilet facilities, mess room and storage for use by the recycling and refuse staff. There would also be a modular office building and parking for 32 cars including 1 disabled space, 24 light goods vehicles, 10 motorcycles and 10 cycle spaces.
10. The application originally proposed to operate the site from 07.00-21.00 hours with vehicles entering and exiting the site between 05.00-21.00 hours Monday to Saturday including bank holidays. This is longer than the standard operating hours for waste development and during the consultation process the applicant agreed to amend the hours sought to 07.00-18.00 with vehicles leaving and entering the site between 05.00 and 19.00 Mondays to Fridays only and Saturdays immediately following a bank holiday.
11. Recyclable material would be collected from both municipal collection rounds (on behalf of West Oxfordshire District Council) and commercial waste collection. These materials would be placed in bays and then either baled and sent on for recycling or simply collected and sent on for recycling. Food waste would be collected from the site daily, paper every other day, glass weekly and other inert materials monthly.
12. The site would be used for overnight parking of the 24 waste collection vehicles. Drivers would collect the vehicles at 06.00 and return to the site at 16.00.
13. There would be a maximum annual throughput of approximately 21,000 tonnes of waste.

14. Material would be brought to the site by refuse collection vehicles generating up to 124 movements per day. It would then be collected from the site by articulated lorries and hook lorries creating up to 30 movements per week.
15. A 7 metre steel wall is proposed to act as a noise barrier running along the western boundary of the site.

### **Consultations**

16. The initial consultation period generated a request from the District Environmental Health Officer for further information. A noise survey was conducted which resulted in an amendment to the proposals to alter the site layout and include provision of a noise barrier. At the time of writing the report, a second round of consultation is being held to allow consultees and local people an opportunity to comment on these changes. The results of this second consultation will be available for the Committee as an addendum.

#### **West Oxfordshire District Council**

17. First response - the site is suitable in principle for the proposed use. However, more information is needed on noise emissions, noise control and management and also on food waste odour control. Detailed drawings should be provided prior to the commencement of development.
18. Following the submission of further information – the Environmental Health Officer suggests conditions to cover noise, insects, lighting and pests.

#### **Witney Town Council**

19. No objection

#### **Curbridge and Lew Parish Council**

20. No objection. Noise and air pollution must be kept at an acceptable level. Vehicles entering and leaving the site must be off the old A40 into Downs Road by Range Road and not through Curbridge village.

#### **Minster Lovell Parish Council**

21. No objection. However, no traffic should be routed through Minster Lovell and a traffic routing order should be created. Lighting should be designed to minimise light pollution.

#### **Environment Agency**

22. No objection subject to the imposition of conditions to cover: 1) submission and approval of a detailed scheme including: identification

of potential contaminants, site investigation, detailed risk assessment, remediation strategy and verification plan including monitoring, maintenance and contingency. 2) submission and approval of a scheme to dispose of surface water. Also advice to the applicant on pollution control.

### **Natural England**

23. No objection. The proposed site is within the setting of an AONB and this should be considered.

### **Transport Development Control**

24. No objection. The proposed use of the site would generate levels of traffic similar to the permitted use of the site. Supporting documentation provides details of approximate arrival and departure times, which suggests the majority of arrivals and departures would be outside of network peak hours and, therefore, unlikely to have any significant impact upon the capacity of the local highway network. Note Curbridge and Minster Lovell Parish Councils have recommended routing agreements to prohibit access to associated vehicles. Given the number and distribution of trips I do not consider vehicles associated with the site would pose any significant harm to highway safety in these settlements. However, the Planning Authority may wish to consider the effects of associated vehicles in terms of nuisance (noise, vibration etc). The site would provide an appropriate level of parking with areas for manoeuvring. The vehicular access to Downs Road is appropriate, in terms of geometry and visibility and does not raise any highway safety concerns.

### **Representations**

25. Four letters of representation have been received regarding this application. These raise the following points:
- Additional traffic would be unacceptable
  - Concern about rodents and odour, especially in relation to kitchen waste
  - Waste facilities should not be located near buildings
  - Nuisance from lighting and noise
  - Noise levels appear to be under-estimated
  - Hours of operation are anti-social
  - Potential health risks
  - Application does not consider the proximity of residential dwellings
  - Dix Pit waste site would be a suitable alternative
  - Site is not adequate to deal with this level of waste

### **Relevant Planning Policies (Item 7)**

26. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan documents are the South East plan, the West Oxfordshire District Local plan and the Oxfordshire Minerals and Waste Local Plan.
27. The key policy areas to consider in this case are waste management policy, specifically OMWLP policies W3, W4 and W5 and PPS10, and

also the impact on the local environment and amenity, specifically OMWLP policy PE18 and traffic, in particular West Oxfordshire policy BE3.

28. The South East Plan was revoked in July 2010. However, this decision has been quashed by a decision of the High Court in November 2010. Therefore, the South East Plan again forms part of the Development Plan. However, the Secretary of State maintains his intention to abolish all Regional Spatial Strategies as part of the Localism Bill. This is a material consideration and therefore weight should be given to SEP policies in that context. Relevant SEP policies are W3, W4, W5, W6 and W17.

### **Comments of the Interim Head of Sustainable Development**

29. The key issues in this instance are waste management policy and the impact on local amenity.

#### Waste Management

30. Facilities to enable the diversion of waste from landfill are supported by PPS10 and SEP policy W5. This development would help waste to be moved up the waste hierarchy by allowing materials to be recycled which would otherwise go to landfill. Also, SEP policy W6 sets targets for recycling, rising to 65% of all waste by 2025. This development would help achieve those targets.
31. The development would provide a facility to deal with waste collected from West Oxfordshire within the district. This is supported by SEP policy W4 requiring waste management authorities to plan for sub regional self sufficiency in waste management and SEP policy W3 which relates to regional self sufficiency.
32. The OMWLP states that recycling facilities will not normally be permitted in the open countryside. This development is not in the open countryside and is located on an established industrial estate. Such a location is supported by PPS10 which gives guidance on the location of new waste management facilities and advises that priority be given to the re-use of previously developed land. Paragraph 20 of PPS10 further advises that when looking for sites for inclusion in the Minerals and Waste Development Framework, planning authorities should consider a broad range of locations including industrial sites. SEP policy W17 also lists industrial land use as a compatible land use for potential new waste sites.
33. OMWLP policy W5 requires that all waste treatment plant should be properly screened. This site and the wider industrial estate are well screened from the surrounding area, in accordance with OMWLP policy W5. Due to the screening and the location within the industrial

estate I consider that there would be no adverse impact on the nearby AONB.

34. The site is well located to serve West Oxfordshire generally and is located on the edge of Witney, which is the largest single source of waste in the district. It is well related to the highway network, with direct access onto a good road. There is good accessibility from urban areas and good transport connections. Therefore, subject to the impact on the local environment the proposal accords with OMWLP policy W3 and SEP policy W17 which seek to ensure that waste sites are well related to appropriate parts of the transport network, located where the number and length of motorised journeys is likely to be minimised, have good accessibility to existing urban areas and good transport connections.

#### Local Environment and Amenity

35. There is the potential for a development such as this to cause a nuisance in terms of noise and odour. Although the site is located on an existing industrial estate, it is relatively close to residential properties. Further information on noise and odour has been submitted at the request of the Environmental Health Officer and the application has been amended to include a 7 metre steel wall noise barrier along the western boundary and changes to the site layout to mitigate noise.
36. The Environmental Health Officer has not objected to the revised application but has recommended conditions. The noise report submitted with the application suggests that there would be an impact on amenity at the nearest property. The noise from the baler could be reduced because it would be contained within a three sided building. However, the noise from glass handling would be in the open and could have an impact. Therefore, it is now proposed to erect a 7 metre steel wall and conduct glass tipping operations at the base of that wall, to minimise noise. I consider that subject to assessing any additional comments received in response to consultation, these measures should adequately mitigate against potential nuisance.
37. The steel wall would be a significant structure and would have a visual impact. However, given the setting on an industrial estate and the need to reduce noise resulting from this development, I consider the wall acceptable.
38. The application was originally made for longer hours than those in the OMWLP Code of Practice. The EHO has suggested a condition to shorten those hours to ensure that waste operations only continue until 19.00. I consider that it is important that the hours are controlled and that the hours for waste operations should be further shortened to 07.00 -18.00 to be consistent with the Minerals and Waste Local Plan and offer some protection for local residents. Vehicles need to be able to leave and enter the site between 05.00 and 19.00. This is longer than the standard hours but a routeing agreement can be put in place

to protect amenity and the EHO has not objected to the longer hours. The longer weekday hours for HGVs is also offset by the fact that there is no intention to work most Saturdays, which will ensure that there is no disturbance at the weekends. The applicant has agreed to these revised hours.

39. There is the potential for nuisance from a development of this nature as it could cause noise, smell and visual intrusion and would generate HGV movements early in the mornings. This is reflected in objections from local residents and occupiers of other industrial units. However, I consider that the mitigation proposals in the application should be adequate to ensure that there will be no undue significant impacts on neighbouring amenity and therefore I consider that the development accords with OMWLP policy W3 (c).

#### Traffic

40. There has been no objection from transport development control and this proposal generally accords with WOLP policy BE3 as the access arrangements and parking are adequate for the development proposed.
41. There has been some concern among local Parish Councils about the consequences of lorries through settlements. I agree that there might be an adverse affect on amenity if vehicles associated with this development were to use the B4477 through the village of Minster Lovell to access the A40. A more suitable road would be the B4047 west to the A40, as this passes to the north of the centre of Minster Lovell. Therefore, if permission is granted for this development, I recommend that a routeing agreement is secured to ensure that vehicles do not use the B4477 to access the A40 and that lorries collecting material from the site turn left out of the site and left onto the B4047 to access the A40. This would also prevent the large vehicles taking material from the site from travelling through Curbridge village. More flexibility is needed for collection vehicles delivering the waste to the site as they would be coming from all over the district. However, I recommend that there should still be a clause preventing the use of the B4477 through Minster Lovell. The applicant has indicated acceptance to such an agreement.

#### Representations

42. On the basis of the representations so far received, the revisions made to the scheme to reduce noise and the views of the Environmental Health Officer, I consider that the impacts in terms of pests, odour, lighting, noise, potential health risks can be adequately mitigated and controlled sufficiently to minimise harm to the immediate neighbours and closest residents. I am also satisfied that the highway network can accommodate the level of traffic proposed and that the impact on amenity of additional HGVs can be appropriately controlled by a routeing agreement. Dix Pit has been suggested as a possible



alternative location for this development. However, there is no application for the development at that site. Planning policy confirms that industrial estates are suitable locations for waste management facilities and I consider that this site is suitable for the use proposed and adequate to deal with the quantities of waste anticipated.

### **Conclusion**

43. This development is supported by waste management policy and guidance, which encourages the recycling of waste in order to divert it from landfill. In principle the location on an industrial site is appropriate and there appear to be measures that can be taken to minimise the impact of the development on surrounding neighbours. However, I will withhold from making a recommendation on this application until the consultation period on the amended scheme has been concluded so that any additional comments from local people can be properly considered. Therefore, final conclusions and a recommendation will follow in an addendum.

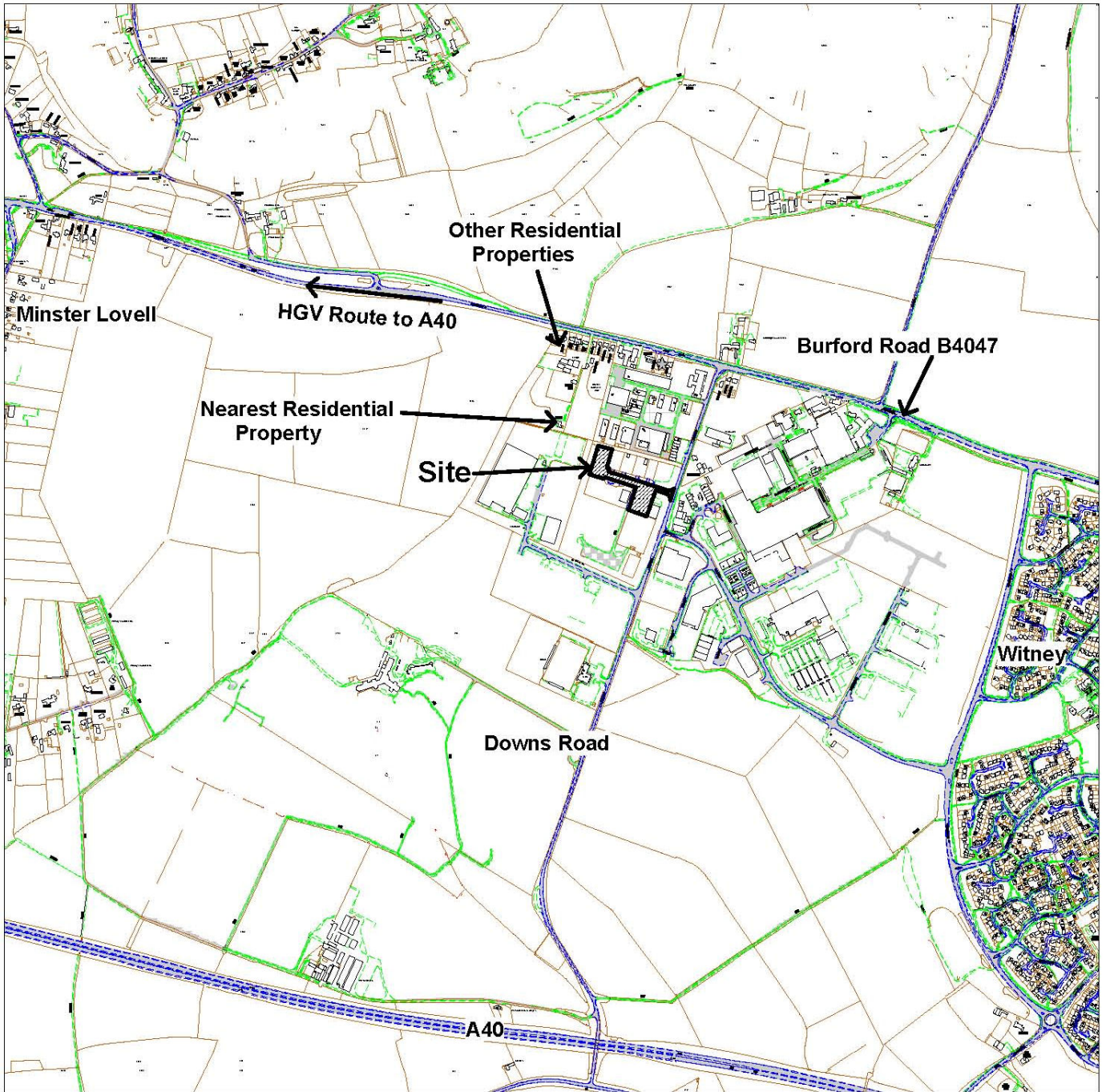
MARTIN TUGWELL

Interim Head of Sustainable Development

Background papers: Planning application documents and consultation responses – <http://myeplanning.oxfordshire.gov.uk>  
search for reference MW.0125/10

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# Plan 1



# Plan 2

