

Divisions Affected – Drayton, Sutton Courtenay & Steventon

Section 73 application to continue the development permitted by MW.0088.13 (Waste transfer facility to handle 60 000 tonnes per annum of non-hazardous waste and 200 tpa of clinical waste; and associated operational development including a northern egress to Corridor Road, concrete pad, soil storage bunds, perimeter fencing, transformer pad and transformer, traffic (Armco) barriers and traffic lights at the consented Materials Recycling Facility (MRF)) without complying with conditions 3 and 4, to extend the end date of the existing Waste Transfer Facility from 31st December 2030 to 31st December 2050.

Planning Development Manger

Contact Officer: Mary Hudson **Tel:** 07393 001 257

Location: Sutton Courtenay Waste Management Site, Appleford Sidings, Sutton Courtenay, OX14 4PW

OCC Application No: MW.0167/23
VOWH District Council Application No: P23/V2777/CM

District Council Areas: Vale of White Horse

Applicant: FCC Environment (UK) Limited

Application Received: 11th December 2023

Consultation Period: 28th December 2023 – 19th January 2024

Contents

Part 1- Facts and Background

Part 2 – Other Viewpoints

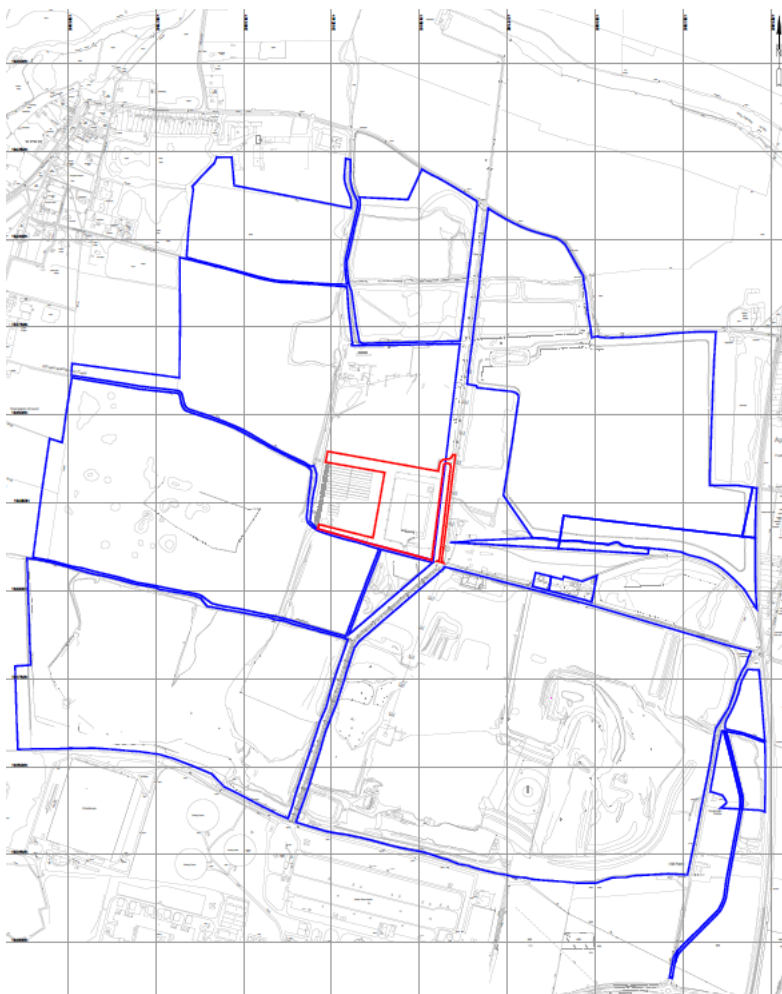
Part 3 – Relevant Planning Documents

Part 4 – Assessment and Conclusions

PART 1- FACTS AND BACKGROUND

Site Location (See Plan 1)

1. The application site is located within the wider Sutton Courtenay Waste Management Complex, which covers 264 hectares of land north of Didcot, east of Sutton Courtenay and west of Appleford, within the Vale of White Horse District Council area. The wider complex is a former area of sand and gravel working which has been restored by landfilling and now includes a variety of waste management uses including ongoing landfill, open windrow composting and the waste transfer station (WTS). There is also an area of ongoing mineral processing and an area with permanent industrial use.
2. The application site covers 5.2 hectares and lies centrally within the wider Sutton Courtenay landfill site, 1km (0.6 mile) east of Sutton Courtenay, 1km west of Appleford, 3km (1.8 miles) south of Abingdon and 1.5km (0.9 mile) north of Didcot.
3. The building containing the WTS also has planning consent for a Materials Recovery Facility (MRF), however the building is currently only used for waste transfer and shredding. Other plant related to the MRF is present within the building but is not used. The building has a maximum height of 12 metres and, as-built to date, covers approximately 4,800 m².
4. An open-windrow green waste composting facility, operated by the applicant, lies immediately to the west of the MRF/WTS building.
5. Access to the building is to the south onto Portway, which is a byway open to all traffic (BOAT) and connects with the A4130 Didcot Perimeter Road to the south of the site.
6. To the west and south is former landfill restored to agricultural land. To the north is a gravel processing plant and block crushing area. To the east is the Corridor Road and beyond that various industrial and mineral developments at Appleford sidings railhead. The active landfill lies to the south east on the other side of Portway.
7. The closest areas of population are Sutton Courtenay and Appleford villages, 1 km distant. Appleford Crossing and properties on Main Road, Appleford are closest to the site at approximately 950 metres from the site boundary.
8. The Oxford to Didcot railway line lies 1km east of the site. Didcot Power Station lies 900 metres to the south of the site.
9. The site is within Flood Zone 1, the area of least flood risk.
10. The application site lies approximately 3km north-west of the North Wessex Downs National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)).
11. The wider site is located both within the Didcot Garden Town Master Plan (DGTMP) Area and within the Didcot Garden Town Area of Influence.



Plan 1: Site Location

Background and Planning History

Application site

12. The WTS currently operates under consent MW.0088/13 (P13/V1523/CM) (Appeal reference no. APP/U3100/A/13/2210018) which was granted on appeal in 2014 by a planning inspector appointed by the Secretary of State following refusal of the application by the County Council as Waste Planning Authority. It is within a building which already had a separate consent for a Materials Recovery Facility (MRF). The site area is 5.2 hectares. It is a temporary permission and the removal of the development and restoration of the site is required by 31st December 2030.
13. The building containing the waste transfer operations had planning permission for recycling operations under a permission (APF/616/57-CM) granted in 2008. The 2008 permission allowed a Materials Recovery Facility (MRF) and In-Vessel Composting (IVC). This was amended in 2012 (P12/V1497/CM) to allow the MRF building to be constructed and operated without the IVC, which was never implemented. The MRF building was constructed in 2012, but it was only two-thirds of the size of that permitted. A further permission

(P12/V2207/CM), issued in 2013, extended the end date of operations to 2030 to tie-in with a recent extension to the end-date of the landfill site, increased the annual throughput and altered the approved elevations. The applicant originally sought consent for use of part of the building for waste transfer as part of this application, however it was not possible to approve new operations as it was a Section 73 application and so the separate application for waste transfer operations (MW.0088/13) was submitted later that year. The MRF building was subject to a further Section 73 application (MW.0090/13) to allow the building to be phased to make the final third of the building an optional phase 2, this application was determined in tandem with MW.0088/13. Both MW.0088/13 and MW.0090/13 were refused by the Planning and Regulation Committee due to traffic impacts, contrary to officer recommendation, but then approved at appeal by an inspector appointed by the Secretary of State who also awarded costs against the County Council. Following the refusal of MW.0088/13 and prior to the outcome of the appeal, the applicant submitted another application (MW.0136/13) for the waste transfer operation which addressed the reasons for refusal by making the waste imported to the WTS part of the total waste permitted to the MRF, rather than it being additional. Permission was granted; however, it was not implemented because the appeal was allowed and MW.0088/13 was implemented instead. The applicant also entered into a Section 106 agreement which includes a waste catchment area, limiting the area from which waste can be imported. This includes Oxfordshire, Reading, Bracknell, Wokingham and West Berkshire.

14. The planning consents allow for the phased development of the MRF/WTS building. At present, only phase 1 has been completed, which is two-thirds of the total permitted building. The permitted phase 2 would allow the construction of the final phase of the building and a new access onto Corridor Road. Planning permission MW.0088/13 is subject to condition 1 which requires that the development be carried out strictly in accordance with the approved plans including those which set out the internal layout and show the specific area permitted for use for the WTS as the lesser area to that permitted for use for the MRF.
15. In 2015 and 2016 the MRF/WTS building was operational as both a MRF and a WTS. From 2017 monitoring inspections noted that the MRF machinery, which takes up the majority of the space inside the building, was not operational, although it was being run empty weekly for maintenance reasons. Use of the MRF machinery has not re-commenced since then and the building has been used only for WTS operations, including within the MRF waste processing hall, although the continued presence of the MRF machinery prevents the WTS use spreading further within the building. The MRF is permitted under the separate consent MW.0090/13 and this use will also expire at the end of 2030. The MRF permission also covers the green waste composting to the west of the building. The current application relates only to MW.0088/13 and so does not seek consent to extend permission for the MRF or green waste composting.

Wider Site

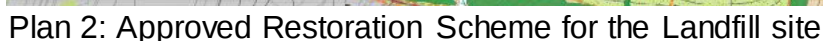
16. Sand and gravel working at the Sutton Courtenay site commenced in the 1930s and landfilling has been ongoing as part of the restoration works since the 1970s. A number of consents have been permitted over the years to alter the duration of the landfilling and to vary the conditions associated with the operations.
17. A planning application was submitted in 1992 to consolidate all earlier permissions and extend mineral extraction and landfilling. This was issued in 1996 (SUT/APF/616/33-CM.) In 2001 a new permission was issued (SUT/APF/616/45 CM) which varied the conditions to allow an increased proportion of waste to be imported by road for a temporary period. In 2009 a permission (APF/616/56-CM) was issued to extend the end date for the landfill from 2012 to 2021.
18. Permission SUT/616/59-CM was issued in 2010. Amongst other changes this further extended the life of the landfill, until 2030. This was the relevant consent for the landfilling operations until 2014. In 2014 permission P14/V0479/CM (OCC reference MW.0009/14) was issued to the mineral operator which amended the condition relating to the timescale for extraction of mineral under the plant site and became the main consent for landfilling operations.
19. In 2015 permission P15/V0530/CM (MW.0039/15) was issued amending some of the conditions on the previous consent to amend the landfill phasing and the restoration proposals for phases 3 and 4. This is the extant landfilling consent covering the wider 264-hectare site, including the application site. It allows landfilling until 2030, with restoration by capping and subsoiling by September 2031 and final top soiling by September 2036. Therefore, aftercare on the final phases of the site could run until 2041. As the application site is land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures, it is by definition in the National Planning Policy Framework (NPPF) not previously developed land i.e. for planning purposes it has greenfield status. The landfill site is also subject to a Section 106 Agreement which, amongst other things, requires the provision of a permissive path through the application area, cutting across its eastern edge.
20. In 2023, application no. MW.0034/23 was made to modify the existing Section 106 Agreement through a deed of variation to remove the existing waste catchment area for the landfill (the waste catchment area for the MRF and WTS is not affected by this application) and amend this permissive path at Sutton Courtenay Landfill Site such that it is required to be provided on completion of landfilling in 2030 rather than September 2023 as currently required. This deed of variation is yet to be completed.
21. In 2021, an application (MW.0069/21) was received for a solar park application on an area of restored landfill 350 metres south west of the application site. This has not yet been determined because a further

22. In June 2025, an application (MW.0052/25) was received for a Battery Energy Storage System (BESS) on an area of restored landfill 150 metres south east of the MRF/WTs building. This has not yet been determined and is currently subject to objections, including from the Environment Agency.

23. Condition 3 of planning permission MW.0088/13 states as follows:

24. Condition 4 of planning permission no. MW.0088/13 states as follows:

25. No submission has yet been made pursuant to condition 4 and so the default position for restoration is the scheme approved pursuant to planning permission no. MW.0039/15 (Plan 2).



26. It is proposed to retain the existing WTS building and waste transfer operations for a further temporary period. The conditions currently require this use to cease by 31st December 2030, to allow the site to be restored along with the wider landfill by 30th September 2031 (capping and subsoiling) with final top soiling by 2036. It is proposed to extend the WTS end date to 31st December 2050, which would extend the life of the facility by 20 years and delay the final restoration of this part of the landfill site by 14 years and four months. No change is proposed to the duration of landfilling.
27. Waste from households across South Oxfordshire and the Vale of White Horse District Council areas is brought to the WTS, where it is bulked for onward transfer to Ardley Energy Recovery Facility (ERF). This allows for more efficient transportation to Ardley, which is approximately 30 miles (48 km) to the north. Transferring waste onto fewer, larger vehicles reduces the overall number of waste related movements, compared to direct delivery by refuse collection vehicles.
28. Condition 6 of the existing consent allows for a total of 60 200 tonnes per annum (tpa) of waste to be imported. This comprises up to 50 000 tpa household waste, 10 000 tpa commercial and industrial waste and up to 200 tpa clinical waste. Waste is permitted from the rest of Oxfordshire and parts of Berkshire and waste data shows that in recent years waste has been brought to the facility from outside Oxfordshire, as well as from South Oxfordshire and Vale of White Horse District Council areas.
29. Waste is not processed or stored on site for long periods. There are no operational linkages with the surrounding landfill or composting operations. The rationale for extending the duration of the facility is because the operator has a contract with the County Council as Waste Disposal Authority until 2039, with an option to extend for up to ten years, for the bulking and haulage of municipal waste bound for Ardley ERF, which has a temporary consent until 2049.
30. There is an existing routeing agreement requiring all HGVs importing waste to the WTS to use the access from the A4130 Didcot Perimeter Road into the wider Sutton Courtenay site. HGVs can travel east or west along the A4130 and north on the A34 from the Milton Interchange. HGVs associated with the development are not permitted to use other local roads, or other accesses to the wider site at Appleford Crossing, or north onto the B4016. No change is proposed to this arrangement; however, a supplemental routeing agreement would be needed to secure the same routeing provisions for any new consent issued. As there would be no change to waste volumes, there would be no change to existing vehicle numbers.
31. The application relates only to the continued use of the WTS. It would not affect the timescales or operation of the landfill site or composting site, or the MRF operations within the same building.
32. In accordance with the restoration scheme approved pursuant to planning permission no. MW.0039/15, the landfill site is required to be restored to

agriculture with biodiversity enhancements no later than 30th September 2036, with the application site to be restored to lowland meadow with oak woodland and shrub planting. No change is proposed to the restoration plan as part of this application; however, the proposed change would delay the restoration of this part of the site and also the immediately adjacent land where the contours would vary from those approved.

33. The MRF within the same building is permitted to process 179 800 tpa waste, although it is understood that no waste has been processed through the MRF machinery since 2017. Permission for this activity will d cease in 2030 when permission MW.0090/13 expires.
34. The WTS only occupies less than half of the area inside the building, the rest is permitted for use as a MRF, which only has permission until 2030. However, no changes are proposed to the building. So should permission be granted it would also change the permitted use of the building so that it could all be used for waste transfer, rather than materials recovery.

PART 2 – OTHER VIEWPOINTS

35. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0167/23. These are also summarised in Annex 1 to this report.
36. 69 third-party representations were received. The points raised are addressed in Annex 2. The main concerns include the delay to the restoration of this area of the landfill site, conflicts with policy, concern that the site would eventually gain permanent industrial use, concerns about the applicant's record on the site and amenity impacts. Some of the objections appeared to relate to impacts arising from the landfill and composting sites, which are not the subject of this application.
37. Following the consultation period, amendments to the Alternative Sites Assessment was requested, as the first version was not considered to comprehensively consider potential alternative sites. An updated document was submitted and considered. In June 2025 a Viability Review was submitted to respond to officer queries on the alternative sites work. No change to the proposals has been made following the submission of these additional documents .

PART 3 – RELEVANT PLANNING DOCUMENTS

Relevant planning documents and legislation

¹Click here to view application [MW.0167/23](#)

38. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan Documents

39. The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 (Saved Policies) (OMWLP)
 - The Vale of White Horse Local Plan 2031 Part 1 (VLP1)
 - The Vale of White Horse Local Plan 2031 Part 2 (VLP2)
40. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS) was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies.
41. The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) was adopted in July 1996 and covered the period to 2006. Most OMWLP policies were replaced following adoption of the OMWCS in 2017, but 16 policies continue to be saved.
42. Sutton Courtenay has a Neighbourhood Plan, made in May 2024. Therefore, its policies form part of the Development Plan, insofar as they are relevant. Neighbourhood Plans are not permitted to cover minerals and waste development.

Emerging Plans

43. A revised Minerals and Waste Development Scheme was published in July 2025, setting out that a single Oxfordshire Minerals and Waste Local Plan will be produced, which upon adoption would replace the existing Part 1 Plan and include Part 2 site allocations. It states that production of this plan under the current plan making system has ceased as the new plan will be produced under the new system once it is brought into effect. Therefore, there is currently no timetable for the new plan. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy remains in place as part of the Development Plan for Oxfordshire.
44. South Oxfordshire District Council are currently in the process of preparing a Joint Local Plan 2041 (JLP) with the Vale of White Horse District Council. Once adopted, the Joint Local Plan 2041 will replace South Oxfordshire Local Plan 2035. This has been submitted to the Secretary of State and the plan examination hearing was held on 3rd to 5th June 2025. The draft policies have some limited weight.

Other Policy Documents

45. Other documents that are relevant to determining this application include:

- National Planning Policy Framework (NPPF) December 2024
- National Planning Policy for Waste 2014 (NPPW)
- Planning Practice Guidance (PPG)
- Didcot Garden Town Delivery Plan (DGTDP)
- Sutton Courtenay Neighbourhood Plan (SCNP) (Referendum Version)

46. The emerging Oxfordshire's Local Nature Recovery Strategy (OLNRS) is a coordinated strategy to develop a shared ambition to recover nature across the county, help wildlife to flourish, improve air and water quality, and mitigate the impacts of climate change. The strategy is part of a series to cover the whole of England and assist the delivery of the Environment Act 2021. Consultation on the draft OLNRS ran from 18th October – 1st December 2024. The consultation's conclusions and next actions to be taken is expected from Spring 2025 and a report analysing responses was published in March 2025. The final version of the LNRS is expected to be published mid-Autumn 2025. The draft OLNRS policies have limited weight at the current time.

Relevant Development Plan Policies

47. The OMWCS policies most relevant to the consideration of this application are:

- Policy M10: Restoration of Mineral Workings
- Policy W1: Oxfordshire Waste to be Managed
- Policy W2: Oxfordshire Waste Management Targets
- Policy W3: Provision for waste management capacity and facilities required
- Policy W4: Locations for facilities to manage the principal waste streams
- Policy W5: Siting of waste management facilities
- Policy W6: Landfill and other permanent deposit of waste to land
- Policy W7: Management and disposal of hazardous waste
- Policy W11: Safeguarding waste management sites
- Policy C1: Sustainable Development
- Policy C2: Climate Change
- Policy C3: Flooding
- Policy C4: Water Environment
- Policy C5: Local Environment, Amenity & Economy
- Policy C7: Biodiversity and Geodiversity
- Policy C8: Landscape
- Policy C10: Transport
- Policy C11: Rights of Way

48. The VLP1 policies most relevant to the consideration of this application are:

- Core Policy 1 – Presumption in favour of sustainable development
- Core Policy 15 - Spatial Strategy for South East Vale Sub-Area
- Core Policy 16 - Didcot A Power Station
- Core Policy 18 – Safeguarding of Land for Transport Schemes in the South East Vale Sub-Area
- Core Policy 37 – Design
- Core Policy 40 – Sustainable Design and Construction
- Core Policy 42 – Flood risk
- Core Policy 43 – Natural Resources
- Core Policy 44 – Landscape
- Core Policy 45 – Green infrastructure
- Core Policy 46 – Conservation and improvement of biodiversity

49. The VLP2 policies most relevant to the consideration of this application are:

- Core Policy 16b - Didcot Garden Town
- Development Policy 16 – Access
- Development Policy 17 – Transport Assessment and Travel Plans
- Core Policy 18a – Safeguarding of Land for Strategic Highway Improvements
- Development Policy 23 – Impact of development on amenity

50. There is only one OMWLP saved policy relevant to the consideration of this application:

- Policy SC3: Routeing agreements in the Sutton Courtenay Area

51. The most relevant Sutton Courtenay Neighbourhood Plan policy is:

- SC11 (Mineral and Waste Restoration)

52. Draft South Oxfordshire County Council and Vale of White Horse District Council Joint Local Plan (JLP) (Publication Version)

- CE1 – Sustainable Design and Construction
- CE2 – Net zero carbon buildings
- CE3 – Reducing embodied carbon
- CE4 – Sustainable retrofitting
- CE6 – Flood Risk
- CE7 – Water Efficiency
- CE11 – Light pollution
- CE8 – Water Quality
- SP3 – The Strategy for Didcot Garden Town

- DE1 – High Quality Design
- DE5 – Neighbouring Amenity
- NH1 - Biodiversity
- NH2 – Nature Recovery
- NH3 – Trees and Hedgerows in the Landscape
- NH6 – Landscape
- NH7 – Tranquillity
- NH8 – Historic Environment
- IN2 – Sustainable Transport and Accessibility
- IN5 – Cycle and Car Parking Standards
- HP6 – Green Infrastructure in New Developments

PART 4 – ASSESSMENT AND CONCLUSIONS

Planning Development Manager

53. The NPPF sets out a presumption in favour of sustainable development, which is supported by VLP1 policy CP1 and OMWCS policy C1. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise.
54. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.
55. The key planning issues are:
 - i. Waste policies
 - ii. The Impact on Site Restoration & Aftercare
 - iii. Site Location
 - iv. Landscape & Visual Impacts
 - v. Biodiversity
 - vi. Rights of Way
 - vii. Transport
 - viii. Amenity
 - ix. Past Compliance with Planning Conditions
 - x. Didcot Garden Town
 - xi. Climate and Natural Resources
 - xii. Sustainable Development

Waste Policies

56. OMWCS policy W1 sets out forecasts of waste to be managed in Oxfordshire, including increasing quantities of both municipal solid waste and commercial and industrial waste over the plan period. It states that provision will be made for waste management facilities to provide capacity that allows Oxfordshire to be net self-sufficient in waste management. The continuation of this facility for the bulking of waste and onward transfer to a treatment facility, would contribute towards the provision of sufficient waste management capacity in Oxfordshire.
57. OWMCS policy W2 sets targets for treatment and recycling of waste to maximise diversion of waste from landfill. This facility supports the treatment of waste in Oxfordshire and therefore the diversion of waste from landfill, in accordance with the policy.
58. OMWCS policy W3 sets out that additional waste management capacity will be required for non-hazardous recycling. It states that permission will normally be granted for proposals for waste management facilities that provide capacity for preparation for re-use, recycling or composting of waste (including waste transfer facilities that help such provision) at other sites that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1 – C12. This existing facility provides capacity for preparation for treatment, rather than re-use, recycling or composting, therefore the policy is not directly relevant. Notwithstanding the limited relevance of the policy, it goes on to state that where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period. This supports the current condition requiring the facility to be removed at the end of landfilling. However, as stated in the policy, a new planning permission may be granted for retention beyond the temporary period, which is what this application seeks.
59. Due to its throughput, the proposal is a 'strategic facility' in terms of OMWCS policy W4, as set out in OMWCS paragraph 5.34. OMWCS policy W4 states that strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, as indicated on the Waste Key Diagram. This site is well located for Didcot and Abingdon and falls within the area identified as suitable for strategic waste management facilities in policy W4. Therefore, the site location is acceptable in terms of OMWCS policy W4.
60. OMWCS policy W7 is relevant in relation to the small amount of clinical waste permitted at the site. This policy supports the provision of facilities for the management and disposal of hazardous waste where they are designed to manage waste produced in Oxfordshire. It is understood that the clinical waste was a requirement of the municipal waste contract, therefore it would be waste

produced in Oxfordshire and the proposal is acceptable in terms of OMWCS policy W7.

61. OMWCS policy W5 states that priority will be given to siting waste management facilities on land that: is already in waste management or industrial use; or is previously developed, derelict or underused; or is at an active mineral working or landfill site; or involves existing agricultural buildings and their curtilages; or is at a wastewater treatment works.
62. Following the expiry of the existing consent in 2030, none of these will apply and therefore, the site is not a priority for the siting of a waste management facility. As a former mineral working and a landfill subject to restoration conditions, following the cessation of minerals and waste development, the site has the same status as greenfield land.
63. It is accepted that there will be a continuing need for a facility to bulk waste from the southern districts in Oxfordshire for transport to Ardley, continuing beyond 2030. Ardley ERF is subject to a condition requiring its use to cease within 35 years of the plant becoming operational. The plant became operational in November 2014, so under the current consent the facility is temporary until 2049, therefore the rationale for the proposed end date of 2050 is understood, albeit it appears to be one year longer than required (It is understood the proposed date reflects the contract between the applicant and the council for supplying waste to the ERF). However, it must be considered whether the application site is an appropriate site to provide the facility after 2030.
64. OMWCS policy W5 goes on to state that waste management facilities may be sited on other land in greenfield locations where this can be shown to be the most suitable and sustainable option. This is the relevant part of the policy.
65. An alternative site assessment has been submitted, to demonstrate the applicant's view that the application site is the most suitable and sustainable option. This is summarised in more detail in Annex 4 to this report. It concludes that it would not be sustainable or economically viable to develop waste management infrastructure on any of the alternative sites. Supporting documentation demonstrates the costs of acquiring and developing new sites. It suggests that the cost would need to be passed on to Oxfordshire County Council as Waste Disposal Authority. It therefore concludes that the application site is the most suitable and sustainable option.
66. There is an element of subjectivity in assessing whether a site is the most suitable and sustainable when compared to potential alternatives. Factors which are considered to weigh in favour of the application site include the sustainability considerations in retaining an existing facility rather than relocating, the low likelihood of amenity and environmental impacts given the distance from settlements (notwithstanding that waste activities undertaken in the open air at the wider site have caused nuisance to local residents), the suitability of the existing road network, and the location of the site within an area identified in the OMWCS as suitable for a strategic waste facility. A

Viability Review was submitted which concludes that relocating the operations would result in significant additional costs being passed on to OCC as Waste Disposal Authority. This is also summarised in Annex 4.

67. These points must be weighed against the principle that former mineral/landfill sites should be fully restored at the end of working in accordance with OMWCS policies M10 and W6 (discussed below), and that they have greenfield status and therefore their previous use as a quarry/landfill does not make them more suitable for further development than any other agricultural or other greenfield land. Minerals can only be worked where they are found, however permissions for mineral working and landfill are temporary and subject to restoration conditions. The fact that this site has been used for temporary waste management uses in the past, whilst the landfill operation restored the minerals site, does not justify its continued use for waste management. The applicant was aware when they invested in the building that it would be a temporary development until the end of the landfill consent and that this was supported by planning policy requiring mineral sites to be appropriately restored.
68. There has been a long-standing expectation amongst local residents that waste activities at the site would all cease by 2030, allowing the whole site to be fully restored. This expectation was in line with planning policy requiring the restoration of mineral sites. When planning application no. MW.0088/13 was made it was set out in the application that the temporary period applied for was so as to tie-in with the requirements for restoration of the wider landfill site within which the development is located.
69. The applicant's justification for retaining the WTS building in its current location rests heavily on it fulfilling a contract with OCC as Waste Disposal Authority for bulking and haulage of residual municipal waste from South Oxfordshire and Vale of White Horse District Council areas to Ardley ERF, and the need for a cost-effective solution for this operation. The existing Section 106 agreement has a waste catchment area ('hinterland') which covers a wider area, including the whole of Oxfordshire and parts of Berkshire. Therefore, the applicant was asked whether they would agree to a new waste catchment area to limit the importation of waste to VOWH and South Oxfordshire District Council areas, to ensure that the development would be carried out as proposed and the economic justification relating to the need for a facility for the OCC contract isn't used to permit a facility that could take commercial waste from further afield. However, the applicant is not willing to agree to limit waste importations to South Oxfordshire and the Vale of White Horse District Councils. Instead, they have confirmed that they would be willing to comply with the existing hinterland for the facility, which covers the whole of Oxfordshire, Reading, Bracknell, Wokingham and West Berkshire.
70. Importation of waste from outside South Oxfordshire and VOWH would not benefit from the justification for this being the most suitable and sustainable site, as set out in the Alternative Sites Assessment (ASA).

71. The cost of developing land can be given weight in the planning process and the economic viability of relocating to alternative sites is a material consideration to be weighed in the planning balance.
72. The NPPW paragraph 4 states that in preparing plans, waste planning authorities should plan for the disposal of waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant. This is not directly relevant to making a decision on a proposal for a WTS, however it confirms that economic viability of waste development can be a relevant consideration. Similarly, the NPPF at paragraph 72 confirms that planning policies for housing should take into account the likely economic viability. Again, this is not directly relevant but confirms the principle of giving weight to the cost of delivering development. However, caution is required regarding the applicant's statement that additional costs would be passed on to OCC as Waste Disposal Authority if an alternative site were to be required in order to deliver the contract referenced above. OCC's functions as Waste Planning Authority and Waste Disposal Authority must be kept separate, and the decision on this application should not be influenced by any OCC involvement on the applicant side due to its separate role as Waste Disposal Authority.
73. The importance of waste management infrastructure to facilitate Oxfordshire being self-sufficient in its waste management, is noted. However, it is not considered that this site can be the most suitable and sustainable site within the search area to provide the WTS after 2030. This is because it has greenfield status and it is not considered that the ASA demonstrates that there is no possible brownfield site available for the relocated facility. Whilst the cost of developing an alternative site can be a material consideration to which members will need to decide what weight to attach in the planning balance, I consider it should be given limited weight in this case. The applicant was aware when they applied for and were granted planning permission that the facility would need to be removed by the end of 2030 at the end of landfilling and to facilitate the completion of restoration of the site as part of the wider landfill site in which it lies. The contract with the council as Waste Disposal Authority was already in place at that time; it is not new information. There has been no change to the overall requirement that the wider landfill site be restored by 30th September 2036 which is facilitated through the requirement to remove the facility by 31st December 2030. The national Planning Practice Guidance advises as follows:

"It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently."

If relocating the site in 2030 is considered to be too costly in terms of the contract which already existed, it is reasonable to conclude that a site suitable for the time period required to deliver the contract could have been sought

initially. If there is harm arising from the proposed retention of the WTS after 2030, this should carry significant weight in the planning balance.

74. The proposals are in accordance with waste policies relating to provision of waste management capacity, diversion of waste from landfill, location of waste management facilities and clinical waste, including OMWCS policies W1, W2 W4 and W7.
75. However, the proposal is considered to be contrary to OMWCS policy W5 related to the siting of waste management facilities, because it is a greenfield site and it has not been demonstrated that it is the most suitable and sustainable option. Whilst the planning inspector who granted planning permission on appeal to the development previously found the development as permitted to be sustainable development, this was on the basis that it was temporary development in line with the 2030 end date for the landfill. As discussed below its retention for an additional 20 years would cause additional harm over a prolonged period through the continued industrialisation of the area long after the landfill site should have been fully restored. This would also be contrary to the requirements for such facilities to not conflict with the restoration requirements of mineral and waste sites as discussed further below.

Impact on Landfill Restoration and Aftercare

76. Policy M10 of the OMWCS expects mineral sites to be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. It lists the considerations that must be taken into account, including the character of the surrounding landscape and the enhancement of local landscape character, and the amenities of local communities. This policy also applies to landfill sites as set out in policy W6 of the OMWCS.
77. This is supported by NPPF paragraph 23 (h) which states that planning policies should ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place. It is also reflected in NPPF paragraph 24 (e) which states that when determining planning applications, minerals planning authorities should provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.
78. The National Planning Policy for Waste (NPPW) paragraph 7 states that Waste Planning Authorities should ensure that landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards.
79. The OMWLP 1996 policy which set out the approved afteruses for the Sutton Courtenay area has not been saved. However, there is a restoration masterplan approved under the landfill consent which requires the application site to be restored to lowland meadow with oak woodland and shrub planting.

80. OMWCS policy W11 states that the sites listed in Appendix 2 to the OMWCS will be safeguarded for waste management use for the duration of their planning permissions. Proposals which would prevent or prejudice the use of a safeguarded site for waste management use will not be permitted. Appendix 2 includes Sutton Courtenay Landfill Site including the WTS. However, this safeguarding expires with the expiry of the current permissions.
81. Sutton Courtenay Neighbourhood Plan policy SC11 covers afteruses on minerals and waste sites and supports development proposals for nature conservation and/or recreation following restoration. Criteria are then listed. Therefore, this policy only applies following the end of minerals and waste development and restoration of the site and is not (and cannot be) directly relevant to an application to extend the duration of a waste use, as minerals and waste developments are 'excluded development' which cannot be covered in Neighbourhood Plans.
82. The application site covers an area of 5.2 ha. Whilst a delay to its restoration would not prevent the restoration of the majority of the wider landfill site after other operations cease in 2030, it is not a small area of land and the continued presence of the WTS/MRF building and its curtilage including hardstanding and other structures within the wider landfill site would delay the full implementation of the approved restoration scheme for the landfill site. This would impact on the character of the area through the retention of a large waste management building in an area that would otherwise initially be undergoing restoration and then be restored.
83. The currently approved internal layout plan for the building as so far constructed, shows that less than half of the internal area is taken up with the WTS, which has a lower permitted throughput than the MRF within the same building as set out above and which is limited by planning condition. The MRF is only permitted until 2030 and no application has been made to extend this. The MRF plant is currently inside the building but has been mothballed for a number of years. Therefore, the building which is proposed to be retained appears to be much larger than needed to accommodate the proposed continuation of the waste transfer operations alone. The applicant was asked to provide an updated internal layout plan to replace the existing one, and to explain why the entire space is still needed. They have provided an illustrative plan, which is not to scale and labelled not suitable for planning. This plan does not demonstrate why such a large building is required for the continued waste transfer use. Discussions with the applicant have confirmed that it is proposed to retain the entire building for pragmatic reasons; the building design and construction would not allow the size to be reduced.
84. The applicant has provided a legal opinion setting out that although there is an approved plan showing which areas within the building are for the WTS use and which are for the MRF operations, the conditions do not regulate the extent or relative floor space associated with each use within the building following construction. Therefore, until 2030 the entire building could be used for the WTS use, subject to the throughput limit and the practical constraints

currently posed by the continued presence of MRF machinery. However, this application is for the use of the entire building for the WTS after 2030, after which the MRF machinery must be removed. No justification has been provided for why a building of this size is needed for the continued WTS use after 2030, given that until now it has operated in less than half of the building. Therefore, the application proposes retaining a much larger building than is necessary for the development. The application is not considered to comply with OMWCS policy M10, and therefore OMWCS policy W6 as it would effectively delay the restoration of the application site without justification, therefore failing to provide timely restoration.

85. If permission were granted, a supplemental Section 106 agreement would be required to ensure that the 20-year long term management secured for the landfill will still be delivered on this site, although the timescales for this part of the landfill site would be significantly delayed.

The Site Location

86. The site is subject to a number of area specific policies in VLP1 and VLP2.
87. VLP1 policy CP15 sets out the spatial strategy for the south-east Vale sub-area, which the application site falls within. It states that the overarching priority in this area is to secure the aligned delivery of housing and employment growth, together with the infrastructure needed to achieve sustainable development. It is considered that this development would contribute towards the policy requirement for infrastructure to achieve sustainable development, as it would facilitate management of household waste. Although the priority for this area is housing and employment growth, the application site is highly unlikely to be allocated for these uses in the near future as even after 2030, the surrounding landfill site will still be settling and being restored.
88. VLP1 policy CP16 states that the redevelopment of the site of Didcot A power station to provide a high-quality mixed-use development, is supported. Any development will need to be appropriate to the site's location adjacent to Didcot B power station. The site will be reserved for a range of uses, particularly employment. Other acceptable uses include residential, ancillary retail and community uses. This application site lies approximately 1.5 km from the Didcot A site allocation boundary, which is considered to be a sufficient distance to ensure that there is no conflict between the continued use of the WTS and the aims of VLP1 policy CP16.
89. VLP2 policy CP16b states that proposals for development within the Didcot Garden Town Masterplan Area will be expected to demonstrate how they positively contribute to the achievement of the Didcot Garden Town Masterplan Principles. The Masterplan Principles include reference to high quality design, prioritisation of green spaces, the establishment of a unique identity, accessible green space, conservation of heritage assets, enhancement of cycle and pedestrian links between the Garden Town and surrounding areas, enhancement of the natural environment, effective use of

natural resources and the creation of a strong town centre. The application site is just outside of the Masterplan area and the principles have limited relevance to an application of this type. The application site lies immediately north of an area identified on the Masterplan as Appleford Nature Park which is the southern part of the restored landfill. Although some representations have expressed concern that the proposal is not compatible with the Garden Town principles, there has been no objection from the Vale of White Horse District Council as Planning Authority.

90. Draft JLP policy SP3 sets out a strategy for Didcot Garden Town, which includes f) maintain green gaps between villages including those identified and protected through neighbourhood plans, to preserve the character of the distinct areas and prevent future coalescence. The proposal would retain built development in an area between Appleford, Sutton Courtenay and Didcot that would otherwise be restored to agricultural land.
91. VLP1 policy CP18 safeguards land for transport schemes and states that planning permission will not be granted for development which would prejudice the construction or effective operation of the schemes listed. VLP1 policy CP17 lists a new strategic road connection and River Thames crossing between the A415 and the A4130 north of Didcot. VLP2 policy CP18a safeguards land to support the delivery of a new Thames River road crossing between Culham and Didcot. It updates the area safeguarded and safeguards additional schemes further to VLP1 policy CP18. The area safeguarded includes a corridor of land through the eastern part of the landfill site, including the access onto the A4130. It does not include land in the application site. Application R3.0138/21 for the road scheme (known as HIF1) has been approved by the Secretary of State. Should this application be granted planning permission, the retention of the WTS would not prejudice the delivery of the HIF1 road scheme. However, if permitted, once complete the new road would require amendments to routeing agreements associated with the Sutton Courtenay complex as the access arrangements from the A4130 would change. There would be no change to the principle of the agreement to route traffic away from local villages and onto the A34.
92. As set out above, the proposal is considered to be consistent with the area specific policies including VLP1 policies CP15, CP16, CP17 and CP18, and VLP2 policies CP16b and CP18a.

Landscape Impact

93. Policy C8 of the OMWCS states that proposals for mineral and waste development shall demonstrate they respect and where possible enhance local landscape character.
94. VLP1 policy CP 37 states that all development must be of high-quality design that responds positively to the site and the surroundings, incorporates or links to high quality green infrastructure and landscaping to enhance biodiversity

and meet recreational needs including rights of way and is sustainable and resilient to climate change.

95. VLP1 policy CP 44 states that the key features which contribute to the nature and quality of the landscape will be protected from harmful development. High priority will be given to the North Wessex Downs AONB (now called North Wessex Downs National Landscape) and planning decisions will have regard to the setting. Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.
96. The Oxfordshire Wildlife & Landscape Study (OWLS) shows the site to be located in the Landscape Type 'Lowland Village Farmland' and the Local Character Area 'Sutton Courtenay' (WH/20). Landscape guidelines seek amongst other things the environmentally sensitive maintenance and management of hedgerows, and the use of judicious planting of characteristic trees and shrubs to help screen and integrate large developments into the surrounding countryside.
97. The VOWH Landscape Character Assessment (LCA) identifies the site to be part of the Landscape Character Area 'Lower Vale Farmland' and more specifically the 'North Didcot Lower Vale Farmland' (VL6) area.
98. The proposal would retain a building which is over twice the size required for the waste transfer operations as permitted, because over half the floorspace of the building is currently permitted for a MRF use which it is not proposed to continue. The building is therefore considered unnecessarily large, and it would therefore have an unjustified visual impact.
99. Although the landscape impact would not be significant initially, as it would be the continuation of the existing situation, the impact of the retained building is likely to become greater after 2030 when the landfill closes and the surrounding context changes as the rest of the site is restored to countryside. In my view the continued presence of a large building of this size and its curtilage in the restored landscape is not justified and would have a continued industrialising influence and so visual impact in a landscape in the process of restoration and then once it had been restored. There has though been no objection from the OCC Landscape Officer; should planning permission be granted, she has recommended a condition for mitigation planting on the southern site boundary to screen the development from the BOAT. Although there would be an adverse visual impact which contributes to other considerations against policy set out in this report, in the absence of objection from the OCC Landscape Officer it is not considered that a specific objection to the application in the context of OMWCS policy C8 could be sustained.

Biodiversity

100. Policies C7 and M10 of the OMWCS taken together expect mineral and waste development, including the restoration of mineral workings, to deliver biodiversity net gain. OMWCS policy C7 also states that long term

management arrangements for restored sites shall be clearly set out and included in proposals, which should include a commitment to ecological monitoring and remediation.

101. VLP1 policy CP46 states that development that will conserve, restore and enhance biodiversity will be permitted. Opportunities for biodiversity gain will be sought. The level of protection and mitigation should be proportionate to the status of the habitat or species, however non-designated habitats and non-priority species can still have a significant biodiversity value within their local contexts and will be given due weight.
102. VLP1 policy CP45 states that a net gain in green infrastructure, including biodiversity, will be sought. Proposals for new development must include adequate green infrastructure.
103. The OCC ecologist has no objection to the proposal. The proposal would delay the delivery of the biodiversity benefit of restoration of this part of the landfill site, but it would still be delivered following the end of the temporary permission, subject to a legal agreement to secure this.
104. The proposal is considered to be acceptable in terms of impacts on biodiversity, and in accordance with OMWCS policies C7 and M10 and VLP1 policies CP45 and CP46.

Rights of Way

105. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and, if possible, retained in situ. Diversions should be safe, attractive and convenient and improvements and enhancements to the rights of way network will be encouraged. Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration and aftercare scheme.
106. VLP1 policy CP37 states that development should incorporate or link to high quality Green Infrastructure including Public Rights of Way, to meet recreational needs.
107. The retention of the WTS would significantly prolong HGV traffic along the access road, which is also a BOAT. This is likely to deter walkers, cyclists and horse riders and decrease the amenity value of the route. There is no objection from OCC Rights of Way team, subject to a condition requiring the submission of details of mitigation measures to make the Rights of Way safer and more attractive for users, for example in terms of surface, dust, noise, planting and signage. A condition could be added to any permission granted, requiring details of such mitigation to be submitted for approval and implemented. It would though also mean that it remained in place after 2030

when the permissive path referenced above, which would pass through the application site, is provided which would provide an additional link north from the BOAT to the wider Rights of Way network and other permissive paths. The provision of these permissive paths would be additional green infrastructure providing wider public access to the restored site. The retention of the WTS for a further 20 years would run contrary to the aims of OMWCS policy C11 and VLP1 policy CP37.

Transport

108. Policy C5 of the OMWCS expects proposals for minerals and waste development to demonstrate that they will not have an unacceptable adverse impact on the local environment, amenity, and economy including through traffic effects and mud on the road amongst other things. OMWCS policy C10 states that minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps.
109. Saved policy SC3 of the OMWLP 1996 states that planning permission will not be granted unless there is a routeing agreement to encourage HGVs to use the Didcot Perimeter Road, prevent HGVs from entering local villages and limit HGV use of Culham Bridge.
110. No change is proposed to the existing routeing arrangements; however a supplemental routeing agreement would be required to ensure that the existing routeing provisions would apply to a new permission, in accordance with OMWLP 1996 policy SC3. Should the HIF1 road scheme be implemented, there would be a need for a new routeing agreement to reflect the amended road layout. However, it would still be possible to ensure that HGVs associated with the development do not travel through villages, as at present.
111. There has been no objection from OCC Transport Development Management, as there would be no changes to vehicle movements, tonnage or access arrangements. Subject to a legal agreement to secure the existing routeing provisions, the proposal is considered to be acceptable from a technical transport perspective. However, as set out below, there would continue to be HGV movements using the BOAT associated with the development continuing long after the wider landfill site had been restored which would be likely to deter walkers, cyclists and horse riders and decrease the amenity value of the route contrary to OMWCS policy C5 (with regards to traffic impacts) and C10.

Amenity

112. OMWCS policy C5 states that proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on the local environment, health and safety, residential amenity or the local economy, including from noise, dust, visual intrusion, light pollution, traffic, air quality, contamination or cumulative effects.

113. VLP2 policy DP23 states that proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, taking into account factors including loss of privacy, visual intrusion, noise, dust, heat, odour, pollution, contamination and external lighting.
114. A large number of representations express concern about odour arising from the site. The Environment Agency report to the January 2024 meeting of the local liaison group confirmed that there was a spike in the number of complaints in September 2023, when 107 complaints were received. This coincided with weather conditions that would have exacerbated odour issues, however odour complaints continued into the autumn with 37 received in October, 26 in December and 10 in December. However, none of these complaints have been attributed to the Waste Transfer Facility. Odour surveys conducted by the Environment Agency found a landfill gas odour and a compost odour. It appears most likely that the odours detected by the local community came from the landfill and the compost site, rather than the waste transfer station. Some representations express concern that permitting this application would set a precedent for allowing the extension of time for the adjacent composting or landfill facilities, however no such applications have been submitted to date, and if they were they would be considered on their merits.
115. The WTS at present, in the context of it being temporary and conditioned to be removed such as not to conflict with the wider landfill site's restoration, is not considered to have any significant impacts on local amenity. The presence of an industrial-type activity does create the potential for noise, dust and pollution both from the operations and the associated HGVs. However, these have been adequately controlled by condition in the past. However, this application seeks consent for the operation to continue after 2030. After this date, the WTS would be operating in a different context, as other surrounding waste management uses will cease, the wider landfill site will be in the process of being restored and will then be restored. There will be increased public access provided through permissive paths including the one which passes through the application site. Whilst the BOAT is open to all traffic, its use by HGVs is likely to be otherwise reduced with no waste being imported to the landfill site and other time limited developments within the area of the wider landfill site also ceasing.
116. Although the waste transfer operations would take place within a building which significantly decreases the significance of potential noise and air quality impacts and increases the potential for mitigation, the presence of the building set against the context of the wider restored site would have a greater visual impact on the amenity of those using the area than it does at present set against the ongoing landfill operations and other industrial type developments. This would make the impacts of this development more noticeable and impact more greatly on the amenity of those seeking to use the area for recreation.
117. Overall, it is considered that due to the change in the character of the surrounding area through the wider restoration of the landfill site, the development would have an unacceptable impact in terms of impacts on

amenity and is considered contrary to OMWCS policy C5 and VLP2 policy DP23.

Past Compliance with Planning Conditions

118. Representations received in response to the consultation have made the point that the operator has repeatedly failed to comply with conditions and legal agreements, and this should not be rewarded by allowing their operations to continue for a further 20 years. It is the case that the monitoring team have identified some breaches of conditions and legal agreements at the wider Sutton Courtenay waste management site. However, planning permission runs with the land rather than the operator and in this case it is not considered that the identified breaches were so significant as to become a material consideration in the determination of further applications at the site.

Section 106 Agreement

119. The existing consent for the WTS is subject to a Section 106 agreement which includes a waste catchment area, limiting the area from which waste can be imported. This includes Oxfordshire, Reading, Bracknell, Wokingham and West Berkshire. The applicant has indicated that they would be willing to commit to the same waste catchment area for any consent allowing the facility to continue beyond 2030. Therefore, if permission is granted, it is recommended that this should be subject to a supplemental agreement to ensure the hinterland provisions continue to apply.
120. The application states that waste would come from South Oxfordshire and Vale of White Horse District Council areas only, as the facility is used to fulfil a contract for waste bulking and transfer from these districts to Ardley ERF. However, the applicant is not willing to accept a Section 106 agreement limiting the source of waste to these areas. The most recent waste data from the Environment Agency shows that in 2022 waste was imported to the facility from Oxfordshire, Berkshire, Buckinghamshire, Worcestershire and Wales.
121. The existing Section 106 agreement also secured highways contributions. Transport Development Management have confirmed that no further contributions are necessary in relation to the continuation of the facility after 2030.
122. The existing Section 106 also requires the long-term management of the site following restoration. Therefore, if permission is granted, it is recommended that a supplemental agreement should ensure that this application site is subject to long term management following the end of the extended temporary period.

Climate Change

123. VLP1 policy CP40 encourages developers to incorporate climate change adaption and design measures. VLP 1 policy CP43 encourages developers to make provision for the effective use of natural resources, including minimising waste and protecting water quality.
124. The proposal to retain the development in its existing location would have some sustainability benefits over relocating the facilities to an alternative site in another location, although relocation would provide an opportunity to develop facilities with modern climate change adaption and design measures. Overall, the proposal is considered to be in accordance with VLP1 policies CP40 and CP41.

Sustainable Development

125. OMWCS policy C1 reflects the presumption in favour of sustainable development contained in the NPPF. It states that applications in accordance with policies in the plan will be approved unless material considerations indicate otherwise.
126. As set out above, this proposal is not considered to be in accordance with OMWCS policies W5, M10, W6, C5, C10 and C11, VLP1 policy CP37 and VLP2 policy DP23. Therefore, it does not benefit from the presumption in favour of sustainable development.

Financial Implications

127. The applicant has stated in the Viability Review that the cost of acquiring an alternative site and developing a new facility to replace the existing WTS is estimated at approximately £10 million. That additional cost could be passed on to the County Council, following a period of negotiation and challenge, by the Waste Disposal Authority. Additional cost to the County Council is considered to be a material consideration, as the cost is presently unfunded and would have to go through the authority's budget planning process, at a later date, to determine an affordable solution.
- Rob Finlayson, Strategic Finance Business Partner,
rob.finlayson@oxfordshire.gov.uk

Legal Implications

128. An assessment of legal considerations has been incorporated into the report.

Equality & Inclusion Implications

129. In accordance with Section 149 of the Equality Act 2010, in considering this proposal, due regard has been had to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

130. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Conclusions

131. There is a need to provide facilities to bulk residual waste in the south of Oxfordshire prior to onward transfer to Ardley ERF for treatment. This allows waste to be transferred onto larger vehicles, reducing the total number of movements. There will still be a need for a facility providing this service after the permission for the existing WTS at Sutton Courtenay expires in 2030. The cost of relocating to an alternative site is a material consideration which it is advised should carry limited weight although it is for members to decide what weight should be given to it in the planning balance.
132. The current permission for the facility is linked to the life of the surrounding landfill site and is subject to restoration conditions. The application site has the status of a greenfield site. There would be identified harms arising from the proposal to extend the time period on the existing facility beyond the life of the landfill site which is not supported by development plan policy. It has not therefore been demonstrated that this site is the most suitable and sustainable option for continued waste management use beyond 2030. Even if it were to be concluded that the retention of the WTS at this location was justified, the proposal also involves the retention of a building much larger than is required for the intended continued use, thus also delaying restoration of that part of the site not needed for the waste transfer operation and so affecting adversely the restoration of the wider landfill site. It is advised that considerable weight should be given in the planning balance to these considerations.
133. On balance it is considered that the conflict with development plan policies C5, C10 and C11, VLP1 policy CP37 and VLP2 policy DP23 leads to the development being contrary to OMWCS policy W5. This is added to by the harm that would be caused through the retention of the building in which the WTS is located in terms of delaying the site's restoration contrary to OMWCS policies M10 and W6. The harms are considered to outweigh the benefits, including the cost that would be incurred in relocating to an alternative site and planning permission should be refused.

RECOMMENDATION

It is RECOMMENDED that planning permission for planning application no. MW.0167/23 be refused for the following reasons:

- 1. The proposed development would retain a large waste management building and associated curtilage which is significantly larger than is needed for the proposed waste transfer use. This would result in the continued industrialisation of the area for a prolonged period after which the surrounding landfill site would otherwise be restored. Due to the change in the character of the surrounding area through the wider restoration of the landfill site, the development would have unacceptable impacts on amenity including through visual and traffic impacts on the amenity of other users of the Rights of Way network and the permissive paths which are required to be provided in association with the restoration of the landfill site contrary to OMWCS policies C5, C10 and C11, VLP1 policy CP37 and VLP policy DP23. It has not been demonstrated that this greenfield site is the most suitable and sustainable option for a waste management facility after the completion of landfilling in 2030, and therefore the proposal is contrary to OMWCS policy W5.**
- 2. The proposed retention of a large waste management building and associated curtilage for 20 years beyond the end date on the existing planning permission, would mean that both the application site and the landfill site in which it is located would not be restored in a timely and phased manner contrary to OMWCS policy M10 and OMWCS policy W6.**

**David Periam
Planning Development Manager**

Annexes:

**Annex 1: Consultation Responses
Annex 2: Representations
Annex 3: European Protected Species
Annex 4: Alternative Site Assessment - Summary**

Annex 1 - Consultation Responses Summary

Vale of White Horse District Council - Planning

1. No objection. It is recognised that there is a rationale for continuing the existing use, while there is still an ongoing need for the facility, if there are no adverse impacts on the surrounding area. Cessation of the use in 2030 would otherwise require a new site to be found and relocation of the waste transfer facility. Therefore, subject to the 20-year extension being achievable without adverse impact to local communities in terms of noise, odour or traffic movements, the local planning authority does not object to the proposal.

Vale of White Horse District Council – Environmental Protection

2. No objections.

Sutton Courtenay Parish Council

3. Second Response – Object. Granting an extension of the WTS to 2050 would effectively be granting an extension to the whole landfill. Residents are cynical about planning conditions with closure dates as the landfill site has been extended multiple times. Waste activities at the wider site were originally supposed to cease in 2006. Concern about extension to the life of the adjacent composting site, which blights the village with odours. FCC is seeking to gradually secure permanent industrial use. This is a fundamental change to the original planning permission and not a ‘minor material change.’
4. Lack of detailed examination of the options in concluding that there are not other suitable sites. There has been an increase in the amount of housing near the site since permission was granted in 2014. The traffic assessment does not take into account the removal of the landfill hinterland restriction, or the increase in traffic as a result of new housing developments along the A4130.
5. First Response - Object. Will be providing a detailed response addressing its concerns regarding the movement of vehicles in and out of the site; odour issues which have increased in recent months; increase in volume of waste on site and impact on adjacent paths and sightlines; and proximity to new housing.

Appleford Parish Council

6. Object. This should be a full application not a Section 73. Application is an unfair long-term burden on residents of Appleford and Sutton Courtenay. The

use of Section 73 bypasses the need to conduct a Health Impact Assessment and piggybacks on legacy applications which are not compliant with modern standards. FCC failed to inform local communities of the intention to make this application. The consideration of alternatives is not meaningful. It is not accepted that there are no other feasible options. The life of the WTS was extended in 2006 to 2012 and in 2012 to 2030. The operation could be conducted closer to Ardley. Although this application relates only to the WTS, it sets a precedent for the landfill and compost site which are also due to cease in 2030. If granted, the application would prevent the site being restored.

7. Appleford Sidings is a source of noise, dust and odours which has a negative impact on local residents. The noise assessment claims noise readings are below background noise levels, but noise conditions at the site are complex and problematic. The Noise Important Area identified by DEFRA has been ignored in the assessment and no site noise management plan has been provided. The permitted hours are too long.
8. The Traffic Assessment does not take account of new housing developments and growth in traffic volume. The volume of HGVs on the BOAT discourages locals from using these routes. HGV impacts are considered to be severe. No consideration is made of how the WTS would operate should HIF1 be approved, changing access to the site.

Didcot Town Council

9. No response received.

County Councillor (at time of initial consultation) – Cllr Webber

10. Would like the application to be determined by Planning and Regulation Committee.

County Councillor (at time of decision) – Cllr Peter Stevens

11. No response (xx has he been asked?)

Environment Agency

12. Responded to confirm there was no need to consult them.

CPRE

13. Object. All operations should cease in 2030 and the land returned to agricultural use/ This deadline was imposed by a planning inspector in 2014. There is no discussion about the impact on local facilities. It is untrue to state that there are no immediate settlements next to the landfill site. The application is contrary to the Didcot Green Town Masterplan. A detailed examination of alternative sites has not been put forward.

OCC Transport Development Control

14. No objection, as the proposed vehicular movements/tonnage/access arrangements for the site remain the same.

OCC Rights of Way

15. The application may effectively delay the restoration of the wider site and the re-connection of public rights of way for another 20 year period post-2030. Consider this unacceptable as the public rights of way through the wider site are largely unusable by equestrians and many other path users and the restoration proposals have not been delivered in the original timeframe. A package of improvements to public rights of way, amenity, landscape and biodiversity should be prepared for approval under condition within 3 months and delivered within the wider site over the next two years.

OCC LLFA

16. No response received.

OCC Ecology

17. No objection. The application relates only to variation of the timing of the operations permitted, which I do not consider will have a significant impact on ecology and biodiversity.

OCC Landscape

18. No objection, subject to condition. Do not consider the proposed delay to restoration to cause significant landscape or visual effects due to the small size of the application site within the Sutton Courtenay Waste Management site, the site's industrial context given the Hanson operations east of the application site and the distance of the operation to residential properties. Recommend that mitigation planting is introduced along the southern boundary in line with the restoration masterplan. The detailed restoration plan shows the site to be restored to oak woodland, shrub and lowland meadow. Therefore suggest that some oak and shrub is planted between the bridleway and the fencing as this would assist in softening the impact of the development in views from the byway to the South. A mixture of species is recommended to ensure resilience of planting in the light of climate change and in line of pests and diseases. The planting would also give elements of the restoration a head start, which is beneficial to ensure a variation in the age structure in the vegetation in the long-term. The planting will need to be appropriately managed to ensure the successful establishment of the planting.

Annex 2 – Representations

69 representations have been received. These are summarised below and addressed in italics.

Restoration should take place as previously approved

- For wildlife habitats and biodiversity.
- Green space needed here more than ever as surrounding areas are developed.
- The longer the extension, the weaker the requirement to return to natural habitat.

The impact on restoration is considered in the main report.

Contrary to policy

- Contrary to Didcot Green Town Masterplan, intent is to provide green areas for leisure activities
- Contrary to Sutton Courtenay Neighbourhood Plan which is based on FCC activities ceasing in 2030
- Consider impacts from HGVs to be severe, contrary to NPPF
- Conflicts with the planned residential growth in area

Relevant policies are considered in the main report

Site not suitable

- Alternative site should be found further from housing
- Housing is now closer to the site due to new development
- Villages have suffered enough
- Flooding has been increasing
- Industrialisation of rural areas
- Access to the land has been disrupted by minerals and waste developments, used to be able to walk between Appleford and Sutton Courtenay
- Land should be returned to the community, it is too polluted and unstable to build on
- Run-off from operation – drains and sewers cannot cope

The suitability of the site is addressed in the main report. Concerns relating to surface water are understood to relate to the wider site rather than this building specifically. As this proposal is for the retention of an existing building, no changes are proposed to drainage systems.

Planning Process

- A site for after 2030 should have been found before the contract was let
- Section 73 application not correct as it is a fundamental change
- Suspect FCC is manipulating the planning process to seek consent for permanent industrial use
- Concerned that the composting site will also be extended
- Lack of detailed consideration of alternative sites

- FCC attempting to massively extend operations after getting permission to bring in waste from further afield.
- Such a long extension is practically permanent

The application has been made appropriately. Further information was requested with regards to the Alternative Site Assessment prior to determination.

FCC's record on site

- FCC repeatedly fail to comply with conditions and legal agreements and this should not be rewarded
- Do not believe FCC comply with operating hours
- Flooding, methane escape have been a problem in the past
- FCC have neglected footpath maintenance

This is addressed in the report.

Objections that relate to the landfill/wider site operations rather than the WTS

- Landfill causes water pollution
- Releases methane which is a greenhouse gas
- Large numbers of houses should not be built on landfill sites
- FCC have destroyed footpaths
- Landfill site operations have already been extended a number of times
- Odour from composting site is unbearable

These objections appear to relate largely to the landfill site rather than the WTS.

Amenity impacts

- Rats, flies
- Pollution from HGVs
- Noise, particularly in cumulation with other uses on the site
- Not safe to cycle on the rights of way due to HGVs which do not accord with speed restrictions
- Concerned about pollution and public health implications

Rats and flies are more likely to be associated with other waste operations at the site, as the WTS keeps waste within a building. Noise complaints have not been recorded in relation to this development, although they have in relation to other operations at Appleford Rail Sidings. The development would prolong the use of the internal access road by HGVs and this would have some impacts on amenity of users of the rights of way.

Inaccuracies in planning application

- Not correct to state it was permitted in 2015, has been in place for 30 years
- Not true to state there are no immediate settlements next to the landfill site

These concerns appear to be based on a misunderstanding of the application, which relates only to the 5.2 hectare WTS building in the centre of the landfill site, and not the wider landfill.

Odour

- Hydrogen Sulphide smell from the waste facilities
- Environment Agency has not been enforcing odour issues satisfactorily.
- Unable to open windows in summer, hang washing out, walk dogs

Many responses raised odour as a key concern, however issues with odour are understood to be associated with the landfill site and the composting site, rather than the WTS, notwithstanding that it is difficult for complainants to identify the source of an odour. Waste is not stored for long periods at the WTS and it is within a building.

Matters raised which are not material planning considerations

- Prolonged operation of facilities reduces desirability of area, affecting property prices
- Application is not correct to suggest that the cost of new WTS would be born by OCC, this would be FCC's cost

These are not material planning considerations

Objections based on a misunderstanding of the proposals

- Site should not be allowed to expand as it would make amenity and flooding impacts worse
- Would make traffic in the village worse

No expansion to the site or increase in throughput is proposed.

Annex 3 - European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 (as amended) which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and the habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

The recommendation:

European Protected Species are unlikely to be impacted by the proposal. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Annex 4 – Alternative Sites Assessment and Viability Review – Summary

Alternative Sites Assessment

1. An Alternative Sites Assessment (ASA) was submitted with the application. This covers both this application and separate applications to retain the WTS at Dix Pit Landfill and the Household Waste Recycling Centre (HWRC) at Dix Pit. Consideration of potential alternative sites is necessary, as OMWCS policy W5 requires a site on greenfield land to be shown to be the most suitable and sustainable option.
2. The WTS at Sutton Courtenay currently serves South Oxfordshire and Vale of White Horse District Council areas. Therefore, the area of search in the ASA covered South Oxfordshire and Vale of White Horse (VOWH) District Council areas, excluding Henley on Thames and Thame, as they were considered not to be sustainably located, being on the periphery of the area the site would serve.
3. The ASA considered sites that were 0.8 hectare or bigger. Although the existing site at Sutton Courtenay is 1.6 ha, this includes the MRF which is not to subject of the application.
4. Stage 1 of the assessment identified a long list of 629 alternative sites and there was a desk top appraisal to assess the sites against high-level assessment criteria including site shape and topography, environmental constraints, flood risk, access and planning policy constraints. This exercise resulted in 615 sites being discounted and 14 sites being taken forward for further assessment. Of these, one was Sutton Courtenay Waste Management Complex and six were other sites in South Oxfordshire and VOWH. The other 7 were in West Oxfordshire and related to the applications at Dix Pit, rather than this application.
5. The six alternative shortlisted sites were: Southmead Industrial Estate, Milton Park, and Power Station site all in Didcot, Hithercroft Industrial Estate in Wallingford, Grove Technology Park and land adjacent to the A420 in Faringdon.
6. Stage 2 of the assessment involved a more detailed desk top assessment of the shortlisted sites. Southmead Industrial Estate, Didcot Power Station, Grove Technology Park, Milton Park and sites off the A420 in Faringdon were carried forward for further economic evaluation, although practical difficulties in developing them were noted in each case. Hithercroft Industrial Estate was discounted at this stage as further investigation found no available land as industrial units had been built.
7. The second part of Stage 2 involved an economic evaluation. This notes that waste management uses are generally seen as bad neighbours which do not fit well with other employment types. The capital and rental value of shortlisted

sites was considered. This concluded that the costs of acquiring a new site were significant, even before adding the costs of developing the waste management infrastructure. The ASA states that it is understood that the costs could not be sustained by the contract for the management of a waste management facilities without additional costs being passed on to Oxfordshire County Council (OCC).

8. The application site has greenfield status after the end of the current permission. Therefore, other greenfield sites cannot automatically be dismissed as unsuitable, if they could be a more 'suitable and sustainable option' than the current site. The ASA considered whether there were any other greenfield sites currently on the market which could be a realistic alternative. This concluded that there are no greenfield development sites that could be suitable for the re-location of the waste transfer station at Sutton Courtenay, as sites identified were either not within the search area or fell below the minimum size.
9. The ASA goes on to set out why retaining existing facilities is a more sustainable option than developing new ones, including due to the use of raw materials. It also sets out economic factors including the cost of acquiring and developing sites. It concludes that whilst the process has identified several potential sites, based on a combination of sustainability and economic factors (as set out above), it is considered that relocating the WTS is unviable and unsustainable, particularly given pressures on local authority budgets.
10. Therefore, the remaining shortlisted sites were discounted from further assessment on the basis that it would not be sustainable or economically viable to develop them. As no alternative greenfield sites were found, it is concluded that the application site is the most suitable and sustainable option.

Viability Review

11. A Viability Review was submitted in June 2025. This estimates the cost of acquiring an alternative site and developing a new facility to replace the existing WTS as approximately £10 million. It then considers whether the replacement WTS could generate the equivalent value. It concludes that a new, relocated WTS would have no greater value than the existing facility at Sutton Courtenay.
12. It states that the £10 million additional cost of relocating would be passed on to Oxfordshire County Council, as there is no provision in the contract for relocation of services after the end date for planning permission at Sutton Courtenay. It states that this cost would be a significant proportion of OCC's annual waste management budget which would be very challenging to absorb and therefore concludes that the increase in costs would make moving the operation to an alternative site unviable.