

To: Members of the Planning & Regulation Committee

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 3 December 2012 at 2.00 pm

County Hall, New Road, Oxford



Peter G. Clark
County Solicitor

November 2012

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Steve Hayward
Deputy Chairman - Councillor Mrs Catherine Fulljames

Councillors

Alan Armitage
Tony Crabbe
Anda Fitzgerald-O'Connor
Patrick Greene
Jenny Hannaby

Ray Jelf
Stewart Lilly
David Nimmo-Smith
Neil Owen
G.A. Reynolds

John Sanders
Lawrie Stratford
John Tanner

Notes:

- **Date of next meeting: 14 January 2013**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Rachel Dunn on (01865) 815279 or Rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes** (Pages 1 - 8)

To approve the minutes of the meeting held on 22 October 2012 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Variation of conditions 1,3 and 22 of planning approval P12/V1497/CM for the establishment of recycling facilities on land west of Corridor Road to extend the end date of operations from 31 December 2019 to 31 December 2030, to increase the annual MRF throughput from 70,000 tpa and for some alterations to approved elevations at Sutton Courtenay Landfill Site, Sutton Courtenay, OX14 4PW - Application No MW.0174/12** (Pages 9 - 30)

Report by Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN6**)

This application is to continue the development of a permitted recycling facility at Sutton Courtenay landfill site, with changes to a number of conditions. The changes would allow the Materials Recycling Facility (MRF) to operate until 2030, in line with the life of the adjacent landfill site. The current permission for the MRF runs to 2019. The changes proposed would also allow the building to process 200,000 tonnes of waste per year rather than 70,000 allowing a higher proportion of the waste imported to the landfill site to be processed through the MRF.

Changes are proposed to the elevations of the building. No changes are proposed to the footprint, height or dimensions.

The application is being reported to this Committee as there have been objections from local residents.

The report sets out the proposals and outlines the objections and other responses to the application. Relevant planning policies are included along with the comments and recommendation of the Deputy Director (Strategy and Infrastructure Planning) on the proposal.

The report concludes that the changes proposed to the condition are in accordance with waste planning policy allowing for the proportion of waste diverted from landfill to be maximised as the operational life of the MRF would match the landfill and for a higher proportion of the waste to the landfill would be permitted to be treated in the MRF. There would be no significant impacts on the environment as a result of the proposed changes.

It is RECOMMENDED that Application MW.0174/12 be approved subject to conditions attached to the original consent (APF/616/57-CM) but amended specifically in respect of conditions 1, 3 and 22 as detailed at Annex 3 to this report and to further updating of conditions 15, 16, 18, 19, 20 and 21 by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) to reflect that schemes have now been approved and must be implemented.

- 7. Continuation of permission WCH/5048/3-CM to continue infilling of a former chalk quarry with inert waste for a further 3 years - the proposals included some excavation of chalk for use only in the final restoration of the site) without complying with the requirements of condition 2 (the development and restoration hereby granted shall be for a limited period expiring on 31 December 2010) to allow for an extension to the end date of the planning permission and restoration until 31 December 2015 a (Pages 31 - 48)**

Report by the Director for Environment & Economy (Strategy & Infrastructure Planning)
(PN7)

This application seeks an extension of time of 3 years to 31 December 2015 in which to restore this former chalk quarry located within the North Wessex Downs AONB just to the west of Wantage, by way of amendment to a condition imposed on the last permission in 2005. The report considers whether policy in the development plan and the Council's Core Strategy submission document would be complied with and whether the proposed extension of time is reasonable given the planning history of this site. The report concludes that there would be no significant amenity impacts resulting from such an extension and that the application accords with development plan and Core Strategy policy relating to restoration of former quarries and landfill sites.

The application is reported to Committee because of substantive planning objections from the three surrounding Parish Councils.

It is RECOMMENDED that Application MW.0014/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) including the amended Condition 2 as set out in paragraph 14 above and such other conditions including re-imposed conditions from the previous expired permission WCH/5048/3-CM as set out in summary as follows:

Heads of Conditions

- 1. Commencement within 3 years.**
 - 2. The development and restoration hereby granted shall be for a limited period expiring on 31 December 2015. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B (see paragraph 14 above).**
 - 3. All buildings, structures, plant, vehicles, machinery etc shall be removed d by 31 December 2015 and fully restored in accordance with details in Condition 2.**
 - 4. In accordance with application details (list plan nos. etc).**
 - 5. Chalk face retained in accordance with scheme to be submitted.**
 - 6. Operations hours limit 0700-1800 Mondays to Fridays, 0700-1300 Saturdays.**
 - 7. Site access maintained & kept free of mud & other debris.**
 - 8. Access only from existing access onto B4507.**
 - 9. Erection of signage on exit restricting drivers using Silver Lane through West Challow & the B4001 through Childrey.**
 - 10. No waste other than restoration soils.**
 - 11. No export of any waste material from the site.**
 - 12. Aftercare in accordance with submitted scheme & monitoring of such aftercare including via annual meetings.**
 - 13. Replacement of any trees and shrubs in accordance with aftercare scheme.**
- 8. Renewal of consent and continued use of two relocatable classroom units ref T1 (E223) and T3 (E237) for a further period of 5 years at Church Cowley St James Primary School, Bartholomew Road, Oxford, OX4 3QH - Application No. R3.0158/12 (Pages 49 - 54)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN8)

This application is for the renewal of permission for two temporary class room buildings at the Church Cowley St James primary school and is reported to Committee because Oxford City Council considers it contrary to Policy CP25 in its Local Plan. The report concludes that that is not the case and considers other policy and planning implications of the proposal and the suitability and condition of the buildings for their teaching purpose.

It is RECOMMENDED that planning permission be approved for Application R3.0158/12 subject to conditions to be determined by the Deputy Director (Strategy & Infrastructure Planning) but to include the following:

1. ***The development shall be carried out solely in accordance with details submitted with the application.***
2. ***Temporary buildings to be removed by 31 December 2017.***

Informative:

The Planning Application Justification Statement submitted with this planning application indicates a forecast increase in the number of pupils. An increase in the number of pupils is likely to have implications for the local transport and highway network and in the light of this an up-to date School Travel Plan should be produced. The applicant is advised to contact Oxfordshire County Council's Travel Choices and School Travel Plans Team who would assist in updating the plan.

9. Minerals and Waste Sites Monitoring and Enforcement (Pages 55 - 86)

Report by the Deputy director for Environment & Economy (Strategy & Infrastructure Planning) **(PN9)**

The report updates members on the regular monitoring of minerals and waste planning permissions and on the progress of enforcement cases for the period between 1 April 2012 and 31 October 2012.

It is RECOMMENDED that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 to the report be noted.

10. Relevant Development Plan and other Policies (Pages 87 - 100)

Paper by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) **(PN10)**

The paper sets out policies referred to in Items 6,7, 8 and 9 and should be regarded as an Annex to each report.

Pre-Meeting Briefing

There will be a pre-meeting briefing for the Chairman, Deputy Chairman and Opposition Group Spokesman at County Hall on **Monday 3 December 2012 at approximately 12 midday following the members' training that morning**

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 22 October 2012 commencing at 2.00 pm and finishing at 3.16 pm

Present:

Voting Members: Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)
Councillor Alan Armitage
Councillor Tony Crabbe
Councillor Patrick Greene
Councillor Jenny Hannaby
Councillor Stewart Lilly
Councillor Charles Mathew (In place of Councillor Mrs
Anda Fitzgerald-O'Connor)
Councillor David Nimmo-Smith
Councillor Neil Owen
Councillor G.A. Reynolds
Councillor John Sanders
Councillor Lawrie Stratford
Councillor John Tanner

Officers:

Whole of meeting G. Warrington and D. Mytton (Law & Culture); P. Lerner
and D. Groves (Environment & Economy)

Part of meeting

Agenda Item Officer Attending

6. N. Fagan (Environment & Economy)
7. M. Thompson (Environment & Economy)
8 and 9 K. Broughton (Environment & Economy)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

53/12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Anda Fitzgerald-O'Connor Councillor Ray Jelf	Councillor Charles Mathew -

Councillor Hilary Hibbert-Biles (Cabinet Member for Growth & Infrastructure) had sent her apologies.

54/12 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Nature of Interest
Lilly	7. Bridge Farm, Sutton Courtenay – Application MW.0126/12	Personal. Member for Sutton Courtenay & Harwell. He advised that he had not expressed an opinion on the application in that capacity and intended to take part in the discussion and voting thereon.
Mathew	7. Bridge Farm, Sutton Courtenay – Application MW.0126/12	Predetermination. He advised that previous dealings with Hansons (the applicants) in respect of another site which they owned in his division could be regarded by some as affecting his impartiality with regard to this application. Therefore he intended to make a brief statement at the beginning of the item and take no further part in the discussion and any voting thereon.

55/12 MINUTES
(Agenda No. 3)

The Minutes of the meeting held on 10 September 2012 were approved and signed

56/12 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Mrs S. Coyne (Agent)	6. Worton Farm, Yarnton – Application No. MW.0122/12
Mrs D. Hanson Bailey (Local Resident)	9. Bicester Children’s Centre – Application No. R3.0065/12

57/12 CHAIRMAN'S UPDATES
(Agenda No. 5)

Application to continue importing leachate for treatment at Ardley Leachate Treatment Plant

Mr Lerner advised that an Article 20 Direction submitted to the Secretary of State following the last meeting had been lifted. The County Council were now free to issue the permission but that would not happen until after the routeing agreement had been agreed and signed.

Radley ROMP (Review of Old Mineral Permission)

Mr Lerner advised that the Radley ROMP was now in automatic suspension pending submission of an Environmental Statement in support of the ROMP application. The suspension had started on 30 September 2010 giving the applicants two years in which to submit a Statement ie up until 30 September 2012. A document, which the applicant had termed an Environmental Statement, had been submitted to the County Council on 17 September 2012 but having reviewed the document and taken legal advice both internally and from Counsel it had been determined that the document had not met the requirements of an Environmental Statement and as a result the applicant had now passed the deadline for submission of a Statement.

The County Council now had a duty to serve a prohibition order preventing the winning and working of the mineral and requiring the land to be restored. That Order was being drafted and would be served on the applicant, landowners and other interested parties allowing a period of at least 28 days for responses to be sent to the Planning Inspectorate prior to a decision by the Secretary of State.

Conditions Seminar for Members

Mr Lerner advised that it was hoped to arrange a seminar for members during the morning of 3 December 2012 and prior to the next scheduled meeting of this Committee. Final arrangements would, however, depend on the agenda for that meeting and whether or not site visits were required. He would confirm as soon as possible.

58/12 USE OF LAND FOR STORAGE OF EMPTY SKIPS AT WORTON FARM, YARNTON - APPLICATION MW.0122/12

(Agenda No. 6)

The Committee considered (PN6) a planning application which sought temporary permission for 5 years for the storage of empty skips on concrete hard standing at Worton Farm.

Mrs Coyne did not make a specific submission but had been available to answer questions if necessary.

Responding to questions from members Mr Fagan advised that a condition limiting the height of stacked skips would be unnecessary as it was unlikely that the height would exceed the height of existing piles of material on the site. He further advised that the applicants had nominated this site as suitable for further waste management operations as part of the evidence gathering stage of the Minerals and Waste LDF. However, as the investment required for that was not currently available they had in the meantime submitted an application for the storage of empty skips for a temporary period of 5 years pending a final decision in the Allocations DPD regarding future use of the site.

Mrs Coyne undertook to inform the applicants of safety concerns expressed by the Chairman regarding the gate on the northern side of the site, which was often left open after 6 pm to accommodate late vehicles.

RESOLVED: (on a motion by Councillor Nimmo-Smith, seconded by Councillor Tanner and carried by 13 votes to 0) that planning permission be approved for Application MW.0122/12 to use this land for storage of empty skips, subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but to include the matters listed below:

Heads of Conditions

1. Complete accordance with application.
2. Development to commence within 3 years of the date of permission.
3. Temporary permission expiring 31 December 2017 including removal of all skips, plant and stockpiles & breaking up and removal of concrete hard standing .
4. Restoration scheme to be submitted by 31 December 2016 and implemented by 30 June 2018.
5. Hours of operation as per main M&M recycling site.
6. Access only from A40.

7. No floodlighting other than in accordance with any approved scheme.
8. No development prior to implementation of an additional tree screen landscaping belt within first planting season.
9. Silencers fitted to vehicles and plant.
10. Haul and internal roads swept clean such that no mud would be deposited on public highway.
11. Skips only to be stored on concrete apron and not in vehicle turning area to western side of the site.

59/12 APPLICATION TO VARY CONDITION 1 OF PLANNING APPROVAL APF/SUT/1815-CM (FOR THE EXTRACTION OF SAND AND GRAVEL) TO EXTEND THE END DATE OF EXTRACTION FROM 4 AUGUST 2012 TO 30 SEPTEMBER 2017 AND THE END DATE FOR RESTORATION FROM 30 SEPTEMBER 2012 TO 30 SEPTEMBER 2018 AT BRIDGE FARM QUARRY, SUTTON COURTENAY - APPLICATION MW.0126/12

(Agenda No. 7)

The Committee considered (PN7) an application to continue development of a permitted sand and gravel quarry, without complying with the condition which currently required extraction to cease in August 2012 and allow extraction until September 2017 with a further year after that for completion of restoration.

Councillor Mathew considered that current levels in the County's landbank were sufficient and questioned the need for the material. He felt this was a commercial decision by Hansons and should be the subject of a new application.

He then withdrew from the Committee table taking no further part in the discussion or voting thereon.

Mary Thompson confirmed that current figures indicated that the landbank was below the 7 year level required by the NPPF and that loss of this material would require new permissions being granted elsewhere.

Councillor Lilly advised that Appleford Parish Council were not against the application in principle but had questioned the need for the material. There was also considerable concern locally at the retrospective nature of the application. As the current consent had expired on 4 August he suggested that the Company had been dilatory and that some people had been angered by the Company's decision to carry on operating on the assumption that the application would be approved. That seemed to be their usual practice but did not in his view make for good public relations.

Mr Lerner agreed that technically the Company had been in breach but it was difficult to enforce such a breach for such a short space of time and a judgement call had been necessary.

Councillor Sanders considered the application very open ended. He also questioned the need for material, particularly as the operators appeared to have cut back on production for economic reasons and if demand continued to drop it begged the question whether or not extraction would be completed within 5 years.

Councillor Greene was very familiar with the site and bearing in mind that Didcot had been identified as a growth area a local source of material would be invaluable. He moved that the officer recommendation be approved. Seconding the motion Councillor Crabbe referred to the long term strategy in the development framework for mineral working. Approving this application would enable the site to be worked out and remove the need to identify additional sites.

The motion was put to the Committee and carried 11 votes to 0. Councillor Sanders and Councillor Lilly recorded as having abstained.

RESOLVED: that subject to legal agreements to secure the terms of the existing Section 106, routing and highways works agreements that Application MW.0126/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but in accordance with the amendments to condition 1 as set out in Annex 2 to the report PN7 and the updating of the wording of remaining conditions set out in Annex 3 to the report PN7 to ensure they were consistent with current standard condition wording, enforceable and up to date policy references.

60/12 SECTION 73 APPLICATION TO VARY CONDITIONS 35,4041,98 & 99 OF PLANNING PERMISSION 12/00056/CM TO CREATE RESTORATION CONTOURS TO ALLOW FOR EFFECTIVE DRAINAGE AT ALKERTON QUARRY, ALKERTON WITH SHENNINGTON - APPLICATION NO. MW.0113/12
(Agenda No. 8)

The Committee considered (PN8) an application to alter restoration arrangements at the quarry that were no longer operational to allow for a large area to be restored to agriculture.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Mrs Fulljames and carried 14 votes to 0) that Application No. MW.0113/12 be approved subject to the conditions set out in schedule 1 attached to the report PN8.

61/12 RETENTION AND CONTINUED USE OF A RELOCATABLE BUILDING UNIT REF T5 (PR30) FOR A FURTHER PERIOD OF FIVE YEARS AT BICESTER CHILDREN'S CENTRE, GLORY FARM SCHOOL SITE, HENDON PLACE, BICESTER OX26 4YJ - APPLICATION R3.0065/12
(Agenda No. 9)

The Committee considered (PN9) an application by the Bicester Children's Centre to renew planning permission.

Mrs Hanson Bailey referred to continuous problems experienced by residents over many years from car parking, litter, dog fouling, private gardens being used as a short cut and anti social behaviour. The Centre now catered for under 10s during holiday periods which had increased noise levels considerably but having the gate closed and unavailable for access to evening events had, without doubt, offered some respite for residents. This application was not neutral for residents who were suffering

increased nuisance and if allowed to go through without conditions attached represented a retrograde step. Conditions attached to the previous permission had offered some protection and, contrary to what was being said, residents maintained it would be easy to identify who was breaking the conditions. Residents would remove their objection if previous conditions were imposed but if those conditions were not attached then they could foresee nothing but problems.

Responding to Councillor Armitage she confirmed that condition 6 had been observed in the last year.

Councillor Stratford supported the residents' case and in order to offer them some protection called for reinstatement of conditions 4 to 7 from the original planning permission no. R3.0233/09. Circular 11/95 stipulated that conditions "should be" enforceable and not as restrictive as "must be". The continuity offered to residents by these conditions was valuable and he moved that the officer recommendation be approved subject to reinstatement of Conditions 4, 5, 6 and 7.

Mr Lerner emphasised the need to resist raising expectation by imposing conditions which were not enforceable. Criteria set out in Circular 11/95 were quite clear in that regard and if conditions were breached then clear evidence would be needed that that had happened and he considered that that could be difficult in this case. He could not advise the Committee to impose conditions which were not considered enforceable.

Councillor Stratford reiterated the view that the level of unenforceability of conditions in this case was open to interpretation. He felt it would be difficult to reach agreement by talking to all 3 schools on the site as each would be concerned with what happened in their specific area and therefore conditions were needed to offer some protection to residents.

Officers raised the option of negotiating a written memorandum of understanding between all parties as a way forward and the Chairman moved an amendment that the application be deferred to enable that option to be explored.

Councillor Stratford did not consider this a reasonable option. Residents were merely asking for better management and without conditions he suspected that would not be possible.

Mr Hardie advised that the Site Users Group had written to residents setting out proposals to manage the gate. Mrs Beal confirmed that provision of the service was a statutory duty and the Centre were keen to work with residents and the community.

Councillor Owen agreed that although enforcement might be difficult conditions offered a moral force and strength to the application.

Councillor Tanner agreed with Councillor Stratford but would prefer to see a permanent building provided.

Mrs Beal confirmed there were no imminent plans for a permanent building and no current provision for capital funding. However, Bicester was an expanding community which might, in time, offer some alternative opportunities.

Councillor Crabbe pointed out that this was a retrospective application and that if the current application had been submitted in time it might have enabled these issues to be dealt with more expeditiously.

In view of comments made the Chairman withdrew his amendment.

The original motion was then put to the Committee and –

RESOLVED: (by 10 votes to 2) that Application No. R3.0065/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) but to include the following matters:

1. The development must be carried out strictly in accordance with the plans and drawings submitted with the application.
2. Temporary building to be removed by 31 October 2017.
3. The building authorised by this planning consent should not be used outside the following times:

08:30 hours. to 18:00 hours Mondays to Fridays
 10:00 hours. to 12:00 hours Saturdays

Except that it might be used on not more than one weekday evening (Monday to Friday) per week between 18:00 hours and 22:00 hours and it might be used on not more than five Saturdays per year for an extended period between 09:00 hours and 15:00 hours.

The building should not be used on Sundays or on Public Holidays.

4. That the pedestrian gate to Somerville Drive should not be used for access or egress in connection with the Adult Education Evening Classes.
5. That car parking by users of the Adult Education Evening Classes should only take place in the parking areas adjacent to the Children's Centre.
6. That the pedestrian gate to Somerville Drive should not be used for access or egress in connection with the use of the Children's Centre site during weekends (except for the permitted hours of use under Condition 3) and School Holidays.
7. That car parking by staff or users should only take place in the designated car parks at Glory Farm School and that no car parking should take place to the west of the vehicular gate across the Service Road.

Informatives

The children's centre be advised to carry out investigations into the provision of permanent accommodation.

..... in the Chair

Date of signing

Planning Report

FOR: PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

BY: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (STRATEGY AND INFRASTRUCTURE PLANNING)

Development Proposed:

To vary conditions 1, 3 and 22 of planning approval P12/V1497/CM (for the establishment of recycling facilities on land west of Corridor Road) to extend the end date of operations from 31 December 2019 to 31 December 2030, to increase the annual MRF throughput from 70,000 tpa to 200,000 tpa and for some alterations to approved elevations

Division Affected: Sutton Courtenay and Harwell

Contact Officer: Mary Thompson **Tel:** Oxford 815901

Location: Sutton Courtenay Landfill Site, Abingdon, OX14 4PW.

Application No: MW.0174/12

District Council Area: Vale of White Horse

Applicant: FCC

**Date application:
Received** 5 October 2012

Consultation Period: 18 October – 8 November 2012

Contents:

- Part 1 – Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Recommendation

The report recommends that the application be approved.

• **Part 1 – Facts and Background**

Location (site plan Annex 1)

1. The site lies in the centre of the Sutton Courtenay landfill complex; 1km east of Sutton Courtenay, 1km west of Appleford, 3km south of Abingdon and 1.5km north of Didcot.

Site and Setting (site plan Annex 1)

2. A green waste composting site occupies the western half of the site. The Materials Recovery Facility (MRF) is currently under construction on the eastern part of the site.
3. Access to the site is to the south onto a byway open to all traffic (BOAT).
4. To the west and south is restored agricultural land. To the north is a gravel processing plant and block crushing area. To the east is the corridor road and beyond that is a black top plant next to the Appleford sidings railhead. Sutton Courtenay landfill is 300 m to the southeast.
5. The closest dwellings are in Sutton Courtenay and Appleford villages, 1 km distant.

Background and History

6. The site already has planning permission for the MRF, which is under construction. Permission for the MRF and also an In Vessel Composting Facility (IVC) was granted in 2008 (APF/616/57-CM) and then amended in 2012 (P12/V1497/CM) to allow the MRF to go ahead without the IVC.

Details of the Development

7. Operations within the MRF building will remove dry materials such as paper, cardboard, plastic and metals for recycling. Residue from this process will be sent to the adjacent landfill site.
8. The applicant has submitted this section 73 application to continue this development with amendments to the existing conditions. Four main changes are proposed:
 - a) Extension of end date for operations from 31 December 2019 to 31 December 2030.
 - b) Increase in MRF annual throughput from 70,000 tpa to 200,000 tpa.
 - c) Modifications to the elevations of the MRF building.

- d) Additional conditions to cover the importation of clinical waste for transfer.

Extension of End Date

- 9. The proposed change to the end date would bring this consent for recycling facilities in line with the landfilling consent, which allows for the importation and deposit of waste until 31 December 2030. When the original MRF/IVC consent was approved in December 2008, the landfill was to last until 2020, and the dates were consistent. However, a new landfilling consent (SUT/616/59-CM) was issued in March 2010 which allowed until 2030 for the completion of waste import.

Increase in MRF annual throughput

- 10. The applicant has stated that they would support a restriction to ensure that the tonnages of waste managed in the MRF are not in addition to the total waste permitted to be imported to the landfill site. Therefore, there would be no overall increase in the tonnage of waste imported to the wider Sutton Courtenay site as a result of this proposal to increase the MRF throughput. However, it is proposed to increase the proportion of waste imported to the wider site which is processed through the MRF. At present FCC are permitted to bring 350,000 tonnes of waste per year by road to the landfill and 70,000 tonnes of waste to the MRF. It is proposed to amend the condition on the MRF consent so that 200,000 tonnes of the material brought to the landfill can be treated in the MRF.

Modifications to the elevations of the MRF building

- 11. It is proposed to alter the approved plans in condition 1 so that some changes to the building elevations can be made. No changes to the dimensions of the approved building are proposed. The footprint and height would remain as approved. However, further detail is provided in the new drawings in terms of the position of doors and fire management systems.
- 12. Some changes to the internal layout were included as it was proposed to use part of the MRF building as a waste transfer station for municipal waste collected in the local area and bound for the Energy from Waste plant at Ardley. Waste would be transferred from collection onto larger vehicles for onward transfer.
- 13. However, it is not considered possible to gain permission for waste transfer operations using a Section 73 application, as this can only vary conditions for an existing development and not add new development. Therefore, these changes are not considered by this report and any permission granted would not include the approval of plans showing a waste transfer station on the site. New plans omitting reference to a waste transfer station have been requested.

Additional conditions to cover the importation of clinical waste for transfer

14. It is proposed that clinical waste would be imported to the site in sealed containers and bulked for onward transfer for final treatment elsewhere. Up to 80 tonnes would be imported per year. There would be no processing of the clinical waste at this site but stored until there were sufficient quantities to transport. It is anticipated that one vehicle per fortnight would deliver waste either in sealed bags or sealed rigid containers which would then be unloaded and transferred onto a specialist secure vehicle parked within the building. The containers would remain sealed and once the secure vehicle had a sufficient load the material would be transported to Ardley for incineration.
15. Conditions have been proposed to ensure that import of this type of waste is limited to 80 tonnes per annum, that no more than 40 tonnes is stored on site at any one time and waste is securely stored.
16. As it is proposed to import clinical waste for bulking and transfer with no processing or treatment onsite, this is considered to be a waste transfer operation rather than recycling. The current permission allows recycling facilities, not waste transfer. Permission cannot be gained for additional development through the variation of conditions. Therefore, this report does not consider the clinical waste element and any permission granted would not grant consent for these operations. The applicant has been advised to apply separately for the waste transfer operations, including the clinical waste element.
17. No further changes or additions to the conditions are proposed by the applicant. The proposed changes are set out at Annex 3.

Traffic

18. Proposed changes to conditions would result in an increase in vehicle movements from the site due to additional vehicles associated with clinical waste and additional outbound movements associated with taking waste to Ardley. The transport assessment, which accompanies the application, states that the increase would be 30 movements per day. Vehicles to Ardley would use the southern access onto the A4130 in accordance with the routeing agreement. As any permission granted further to this application would not in fact be capable of permitting transfer to Ardley, the vehicle movements resulting from this development would be less than stated in the application.

• **Part 2 – Other Viewpoints**

Representations

19. Copies of the 49 letters of objection received at the time of drafting the report are available in the Members' Resource Centre. The key points are recorded along with an officer response at Annex 1.

Consultations

20. A summary of consultation responses received in relation to this application is at Annex 2. They are also available to read in full on the eplanning website.

Part 3 – Relevant Planning Documents

Relevant planning documents and legislation (see Policy Annex to the committee papers)

21. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
22. Relevant development plan documents are:
- The South East Plan (SEP) 2026
 - The Vale of White Horse Local Plan (VLP)2011
 - The Oxfordshire Minerals and Waste Local Plan (OMWLP)1996
23. The SEP forms part of the development plan. However, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order and whilst no such order had been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.
24. The Oxfordshire Minerals and Waste Core Strategy has not yet been adopted. However, the proposed submission document (OMWCS) was agreed by Oxfordshire County Council's Cabinet on 13 March and full Council on 3 April. and submitted to the Government on 1 November. An independent examination of the plan by a government appointed inspector is expected to take place early in 2013. When the inspector's report is received, the council will be able to adopt a final plan. As this plan is now at an advanced stage, significant weight should be given to its policies.
25. The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions.

26. Planning Policy Statement 10 Planning for Sustainable Waste Management remains extant and contains relevant guidance.

Relevant Policies

27. The relevant policies are:
- SEP 2026 – W5, W6, W17
 - VWHLP 2011 – NE9, NE10, NE11
 - OMWLP 1996 - W3, W4, W5, PE13
 - OMWCS - W6, W7, C3, C7, C8

Part 4 – Analysis and Conclusions

Comments of the Deputy Director for Environment & Economy (Strategy and Infrastructure Planning)

28. The key planning issue is whether proposed changes to the conditions are consistent with planning policy and whether these changes would cause adverse amenity and environmental effects.

Waste Policy

29. Waste policy contained in the South East Plan and Oxfordshire Minerals and Waste Local Plan supports diversion of waste from landfill. The MRF development was considered against the relevant policies when permission was originally granted in 2008 and when changes were proposed to the size of the building in 2012. It was considered that the proposals accorded with development plan policies aimed at the diversion of waste from landfill. There has been no significant change to the direction of policy since that time.
30. The change proposed to the end-date of the permission is consistent with the end date of the landfilling consent. Therefore, the proposal accords with OMWLP policy W4 and OMWCS policy W6. These require temporary waste facilities to be removed on or before the end date of the landfill permission on which they are located. If the MRF were to be removed prior to the cessation of landfilling, this would reduce the opportunities for the diversion of recyclable or treatable waste from landfill. This would not be supported by policy.
31. The increase in the tonnage of waste to be processed through the MRF building would also be in accordance with policies which encourage waste to be diverted from landfill. Processing a greater proportion of the waste which is imported to the landfill through the MRF would allow waste, which would otherwise be landfilled, to be diverted either through recycling or transfer to the Ardley facility for treatment. This conforms with waste hierarchy proposals and the principles of PPS10.
32. Sutton Courtenay is within the broad area identified in the OMWCS policy W5 for the location of strategic waste management facilities.

33. The NPPF states that there should be a presumption in favour of sustainable development. This development can be considered sustainable as it would contribute towards the diversion of waste from landfill.

Landscape

34. VLP policy NE9 states that proposals should not be permitted in this area if they would have an adverse effect on landscape, especially on long open views. The site is within an area identified where development should not harm the essentially open or rural character (VLP policy NE10). VLP policy NE11 requires applications in this area to include a landscaping scheme which enhances the appearance of the area.
35. No changes are proposed to the dimensions or height of the MRF building, only to the detail of the elevations. It is not considered that these changes would cause a significant impact in terms of landscape. However, the changes proposed to the end date of the permission would mean that the building would remain on the site for an additional 10 years, lengthening the period of the visual impact. This is not supported by policies aimed at landscape protection. However, in the context of the site having permission for landfilling until 2030, the presence of this building in the landscape until that date is considered acceptable. The application does include details of landscaping and bunding to reduce visual impact of the building and these can be secured by condition.

Traffic

36. OMWLP Policy W3, SEP Policy W17 and OMWCS policy C7 expect facilities to be well related to the transport network and not cause nuisance from traffic generation. OMWCS policy C7 states that waste development should only be permitted where there is convenient access along the primary road network which maintains safety, amenity and efficiency and quality of the road network.
37. The current permission is subject to a routing agreement (dated 15 October 2008) which directs traffic to the A34 via the southern access to the Sutton Courtenay complex. That agreement covers any further permission, such as this one, for the same development with different conditions. Therefore, it would continue to apply to the new permission should this application be granted. This site has good access onto the A4130 and then onto the A34. The increase in traffic is not considered significant and there has been no objection from transport development control.
38. There has been no objection from transport development control to the level of vehicle movements assessed in the application. Actual traffic levels would be less than that assessed as the permission would not allow transfer of untreated waste to Ardley. Therefore, traffic levels are considered acceptable and I consider the development is acceptable in terms of traffic and accords with relevant policies.

Rights of Way

39. OMWLP policy PE11 and OMWCS policy C8 require that the rights of way network be maintained and encourage improvements.
40. The previous consent for a MRF secured rights of way improvements through the requirement to surface and maintain the road between the site access and Corridor Road and to provide and maintain signage warning lorry drivers of cyclists. The requirement to maintain the road surface and signage should be carried forward to this consent.
41. Therefore, this proposal offers an opportunity to improve the maintenance of a public right of way, in accordance with policy.

Impacts on Amenity

42. Planning policy requires that proposals for waste development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors (OMWCS C3).
43. The site is 1km away from the nearest residential property, which is considered sufficient distance to attenuate any noise or dust created to acceptable levels. The immediate area to the site could be protected from dust by condition requiring proper management on site. Topography, vegetation and bunding would more than adequately provide visual screening of the site from residences. It is considered that the proposal accords with planning policy relating to the protection of amenity.

Restoration

44. Policy requires the restoration of landfill sites within a reasonable timescale (OMWLP PE13, OMWCS W7). Although this is not landfill development it is within the wider landfill site and temporary to ensure that it ends when the landfilling does so the site can be fully restored. The site is in countryside temporarily damaged by landfill development so it will be important to secure satisfactory restoration. A restoration plan has already been approved for this site under the previous consent. Therefore, a condition should be attached to ensure that the approved plan is implemented.

Conclusions

45. The proposed changes to the conditions accord with waste planning policy. They would allow the maximum proportion of waste to be diverted from landfill as the operational life of the MRF would match the life of the landfill and a higher proportion of the waste imported to the landfill would be permitted to be treated in the MRF. There would be no significant impacts on the environment as a result of the proposed changes.

Recommendation

46. It is **RECOMMENDED** that Application MW.0174/12 be approved subject to conditions attached to the original consent (APF/616/57-CM) but amended specifically in respect of conditions 1, 3 and 22 as detailed at Annex 3 to this report and to further updating of conditions 15, 16, 18, 19, 20 and 21 by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) to reflect that schemes have now been approved and must be implemented.

MARTIN TUGWELL
DEPUTY DIRECTOR (STRATEGY AND INFRASTRUCTURE PLANNING)

November 2012

Annex 1 - Representations

Representations from local residents:

Points raised by local residents:

- Should not be a section 73 application as the changes proposed are significant.
- Industrial site in green field area.
- FCC have a poor record on compliance and cannot be trusted.
- FCC have caused an ongoing odour nuisance.
- Concern about increase in vehicle movements – 17 000 additional trips per year.
- Delay in restoration has not been fair on local residents, concern that it may never happen.
- Concern about flies.
- Extension in time contrary to landscape policies.
- The amount of waste in the tender for VOWH and SODC (36 000) is significantly less than the proposed increase in throughput– waste would come from elsewhere as is clear from forthcoming proposal for vehicle depot.
- Waste should be treated as close to its source as possible.
- Application to change the end date should have been included with earlier application to enlarge the building.
- MRF is visible from Wittenham Clumps – FCC previously said that it wouldn't be
- Concern about financial risk as FCC is Spanish owned.
- Waste should be brought through the rail siding and not by road.
- Cumulative landscape and visual impact is not properly addressed in the application.
- Landscape impact will be even greater following the removal of Didcot Power Station.

Officer Comments:

A number of objectors have stated that this application should not have been made under Section 73 as the changes are material. However, this appears to be based on a misunderstanding of Section 73 applications. These are not the same as 'non material amendment applications.' They are full planning applications which, if approved, result in a new permission being granted. If implemented, the new permission supersedes the existing one. Applications can be made under Section 73 if there is no change to the description of development of an existing consent and the changes can be made through changes to plans and conditions. Therefore, a Section 73 application is appropriate in this case in relation to the proposal to increase the throughput and extend the operational life of the building. The applicant seems to have considered that the application they have put in could also achieve consent for the transfer of untreated waste to Ardley Energy from Waste plant. This is not the case. The applicant has been informed and have agreed to put in a separate application for this element.

Relevant policy issues which have been raised in these letters are fully addressed in the report.

Annex 2 – Consultation Responses

1. Vale of White Horse District Council – No response at the time of writing report.
2. Sutton Courtenay Parish Council – Object to increase in throughput and duration of the development. The proposed changes are significant and so this application should not have been made as a Section 73 application. The visual impact will be greater in the future due to the removal of Didcot power station cooling towers. The current operations on site have given rise to a number of complaints. There is not enough detail regarding dust and odour suppression. The origin of the additional throughput is not clear. Additional lorry movements and associated reversing beepers would be a nuisance to residents. Concern about the addition of clinical waste. Proposed increase in tonnage is unjustifiable and not in line with the contract currently out to tender.
3. Appleford Parish Council – Strongly oppose the application. Section 73 application is not appropriate and a full application should be made. The extension of the end date would be contrary to policies designed to protect landscape. There is a vast disparity between the requirements in the OCC tender and the increase in throughput which is sought. The planning process is being exploited by way of ‘planning creep’ - a series of amendments which significantly alter the development. FCC have not complied with planning conditions in relation to the MRF. Waste should be treated close to its source. There would be an increase in traffic movements leading to congestion.
4. Didcot Town Council – Object. A fresh planning application should be submitted due to the substantial increase in capacity proposed. More information should be provided about traffic due to the proposed increase in capacity. If the previous increase in building size was to accommodate the proposed increase in waste, the increase in the size of the building should now be considered as part of the current proposal.
5. Environment Agency – No objection. The development will require an Environmental Permit.
6. Natural England – Response received no specific comments. The application is not likely to result in significant impacts on statutory designated sites, landscapes or species.
7. Thames Water – No comments. The development does not affect Thames Water.
8. CPRE – Opposed to application. The proposed increase in tonnage is disproportionate. Section 73 procedure should not be used as it avoids the normal procedures. It would have been appropriate for this to have been dealt

with in a consolidating application with the forthcoming proposals for a vehicle compound and soil processing.

9. Highway Authority – No objection subject to conditions to cover upgrading the public rights of way, a construction traffic management plan, wheel washing, details of onsite parking, routeing agreement and travel plan.
10. In addition the following organisations were consulted and have not responded: BBOWT, Drainage team, Rights of Way Team, River Thames Society.

Annex 3 – Proposed Changes to Conditions

Condition 1

Currently states: The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The application comprises: Supporting Statement reference PEL/SC73/19471/001 dated October 2011, Site Location Plan CH6737-P01/C, Building Elevations CH6737-P02/C and landscaping drawings SC-RF-LR1 and SC-RF-LR2 dated December 2011.

Applicant Proposed replacement condition: The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The application comprises: Supporting Statement reference PEL/SC73/19471/002 dated July 2012, Site Location Plan CH6737-P01/C, Building Elevations B3793 C004 A and B3793 C005 A, site layout drawings CH6737/002 E and CH6737/003 E.

Comments: Document list should also include details approved under the previous MRF consent to ensure that they are brought forward into the new consent and must be complied with. Therefore the following replacement condition is recommended:

Officer Proposed replacement condition: The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The application comprises: Supporting Statement reference PEL/SC73/19471/002 dated July 2012, Site Location Plan CH6737-P01/C, Building Elevations B3793 C004 A and B3793 C005 A, site layout drawings CH6737/002 E and CH6737/003 E, 427R262A 'Landscaping Scheme for MRF facilities,' CH6737_004_C Drainage Details, CH6737-003_C Utilities, MRF-TM-001 Rev B Traffic Management Plan, 44135111 Draft Concept GA Layout, CH6737_010_E Access Road Sections and Details, CH6737_009_E Access Road GA Layout.

Condition 3

Currently states: The operations shall cease and buildings, plant and machinery to which this permission relates shall be removed by 31st December 2019 and restoration shall be completed by 31st December 2020

Proposed replacement condition: The operations shall cease and buildings, plant and machinery to which this permission relates shall be removed and restoration complete by 31st December 2030.

Comments: This change is acceptable as set out in the report.

Condition 22

No more than 40,000 tonnes per annum of green wastes and 70,000 tonnes per annum of other wastes shall be imported to the site

Proposed replacement condition: No more than 200,000 tonnes per annum shall be managed by the Materials Recycling Facility and no more than 40,000 tonnes per annum of green wastes shall be imported to the site

Comment: This change is acceptable as set out in the report. The additional wording 'These tonnages shall form part of the limit of 600,000 tonnes per annum of waste that may be imported to the associated landfill development surrounding the site' should be added for clarity.

Officer Proposed replacement condition: No more than 40,000 tonnes per annum of green wastes and 70,000 tonnes per annum of other wastes shall be imported to the site These tonnages shall form part of the limit of 600,000 tonnes per annum of waste that may be imported to the associated landfill development surrounding the site

Additional heads of conditions:

Additional conditions proposed by the applicant relating to clinical waste and the transfer of waste to Ardley should not be added as the permission would not allow this.

Annex 4 –List of current conditions from permission P12/V1497/CM (MW.0027/12)

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The application comprises: Supporting Statement reference PEL/SC73/19471/001 dated October 2011, Site Location Plan CH6737-P01/C, Building Elevations CH6737-P02/C and landscaping drawings SC-RF-LR1 and SC-RF-LR2 dated December 2011.

Reason: To ensure that the development is carried out as proposed

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 91 to 95 of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. The operations shall cease and buildings, plant and machinery to which this permission relates shall be removed by 31st December 2019 and restoration shall be completed by 31st December 2020

Reason: To ensure that the development is temporary in accordance with the surrounding landfill and that restoration takes place when working has ended. (OMWLP PE13)

4. A restoration plan to cover the application area and all other areas adjacent to the site where the contours will vary from those previously approved shall be submitted to the Waste Planning Authority within a year of this permission. Any plan that is approved shall be implemented. The afteruse shown shall accord with that approved for the area under planning permission SUT/APF/616/59-CM.

Reason: To ensure that suitable restoration takes place when working has ended. (OMWLP PE13)

5. No operations related to the MRF or Green Waste Composting facility including HGV's entering and leaving the site, other than air pumping and monitoring, shall be carried out at the site except between the following times:-

7.00 am to 18.00 pm Mondays to Fridays

and

7.00 am to 13.00 pm Saturdays.

No operations shall take place on Sundays or on Bank or Public Holidays.

Reason: To protect the amenities of local residents. (OMWLP PE18)

6. Notwithstanding the Condition 6 above no operations shall take place on Saturdays after 13.00 or on Sundays and Bank Holidays except that between 13.00 pm and 16.00 pm on Saturdays and 08.00 am and 13.00 pm on Sundays, delivery of green waste arising from Household Waste Recycling Centres may take place.

Reason: To allow the facilities to receive waste during peak reception periods. (OMWLP PE18)

7. No surface water shall be discharged onto Network Rail land or into Network Rail's culvert or drains.

Reason: To ensure that there is no damage to the railway (OMWLP PE18)

8. No traffic shall enter or leave the site in relation to this development, except from the southern access onto the A4130

Reason: To ensure that there are no adverse highway impacts (OMWCS T8)

9. The public right of way shall not be obstructed during the construction of the new access point on the internal haul road.

Reason: To ensure that there is no inconvenience to the users of the public right of way (OMWCS C9)

10. Reversing vehicles shall not emit warning noise other than white noise.

Reason: To protect the amenity of local residents. (OMWLP PE18)

11. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason: To minimise the adverse impact of noise generated by the operations on the local community. (MWLP PE18)

12. The buildings permitted by this permission shall be dark green in colour.

Reason: To protect the visual amenity of the area (OMWLP PE18)

13. No untreated waste shall be stored on the site, except within the MRF building prior to treatment and green waste within the area immediately to the east of green waste windrows and south of the reception area. No treated waste shall be stored on site other than within the MRF building prior to export from the site.

Reason: To ensure that storage is kept in an orderly manner to protect the visual amenities of the area (OMWLP PE18)

14. Bunds shall be grassed and maintained in a weed free condition.

Reason: To protect the visual amenity of the area (OMWLP PE18)

15. No development of the MRF shall commence until a scheme for the enhancement of screening vegetation has been submitted to the Waste Planning Authority and approved in writing. Any scheme that is approved shall be implemented in the first planting season following the date of this permission and shall be maintained for the life of the permission.

Reason: To ensure that the development is adequately screened (OMWLP W5)

16. No development of the MRF shall commence until drainage details, incorporating sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the Waste Planning Authority. Any scheme approved shall be implemented before any waste is brought to the MRF

Reason: To prevent the increased risk of flooding and improve water quality (OMWCS C2)

17. Windrows in the green waste composting area shall not exceed 4 metres in height.

Reason: In the interests of visual amenity (OMWLP PE18)

18. No construction of the MRF shall commence until a surfacing of the road from the two accesses to the site to Corridor Road has been submitted to and approved in writing by the Waste Planning, and the surfacing works have been completed in accordance with the approved scheme. The surfaced road shall be maintained in accordance with the approved scheme for the duration of the development.

Reason: In the interests of the safety and convenience of users of the public right of way (OMWCS C9)

19. No construction of the MRF shall commence until signs warning lorry drivers of pedestrians and cyclists on the road outside the two accesses to the site have been erected in accordance with details of location and design which have submitted to and approved in writing by the Waste Planning Authority. These signs shall be maintained for the duration of the development.

Reason: In the interests of the safety and convenience of users of the public right of way (OMWCS C9)

20. No construction of the MRF shall take place until an internal layout scheme for the MRF has been submitted to and approved by the Waste Planning Authority. The development shall be carried out in accordance with that approved scheme.

Reason: To ensure that the development is carried out as proposed (OMWLP PE18)

21. No construction of the MRF shall take place until the bunds shown on approved plan CH6737-PO1/C have been constructed to 3 metres in height and have been seeded with grass. The landscape planting shown on approved plan CH6737-PO1/C shall be implemented in the first planting season following the date of this permission. The bunds and landscaping shall be maintained for the duration of the development.

Reason: In the interests of visual amenity for local residents and users of the public right of way (OMWLP PE18)

22. No more than 40,000 tonnes per annum of green wastes and 70,000 tonnes per annum of other wastes shall be imported to the site

Reason: To ensure that the development is carried out as proposed (OMWLP PE18)

23. The MRF building hereby permitted shall not exceed 12 metres in height

Reason: In the interests of visual amenity for local residents and users of the public right of way (OMWLP PE18)

Informatives:

The applicant is expected to be compliant with national legislation at all times, including the Conservation of Species & Habitats Regulations 2010 which identifies 4 main criminal 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

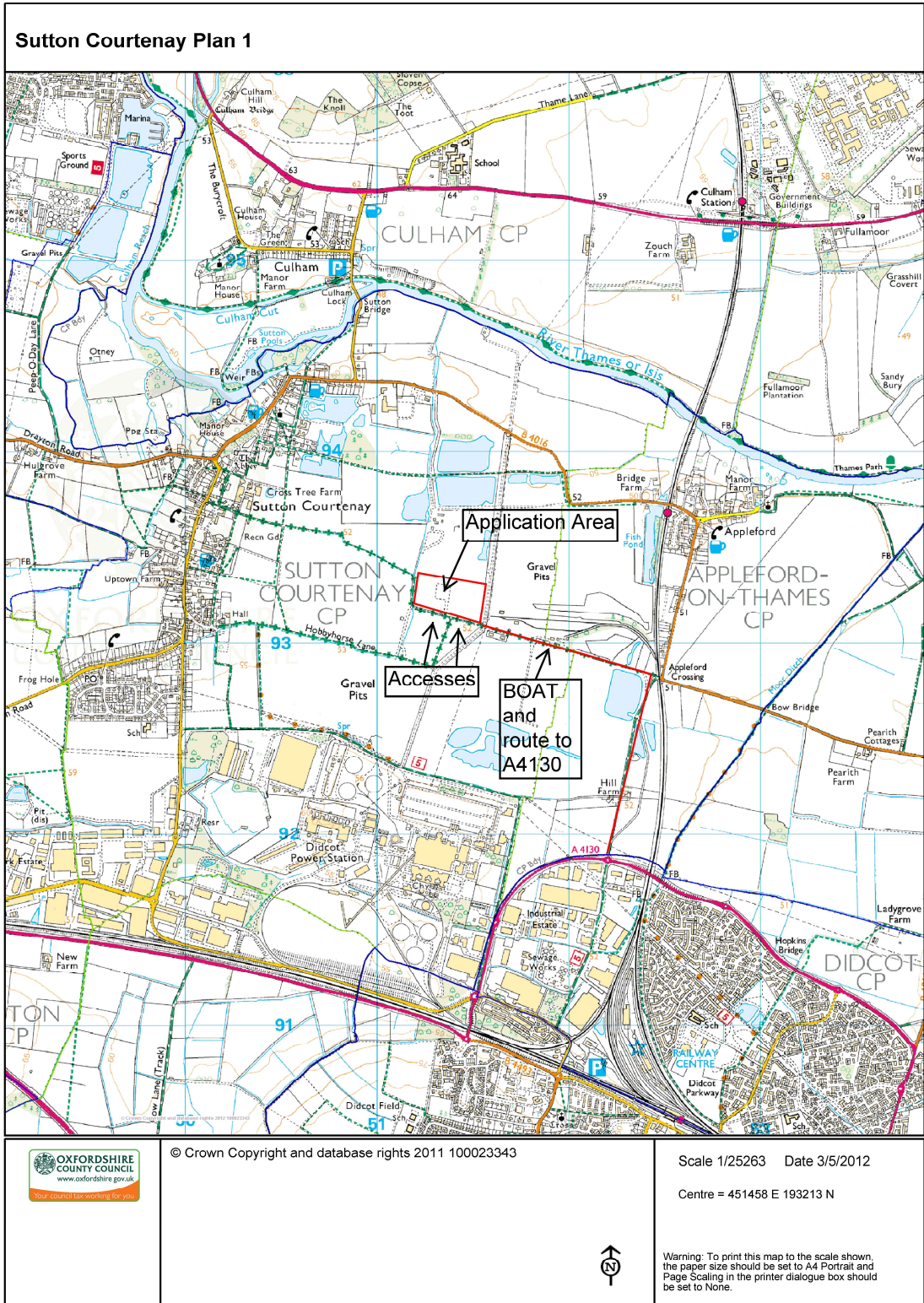
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely:
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - 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.

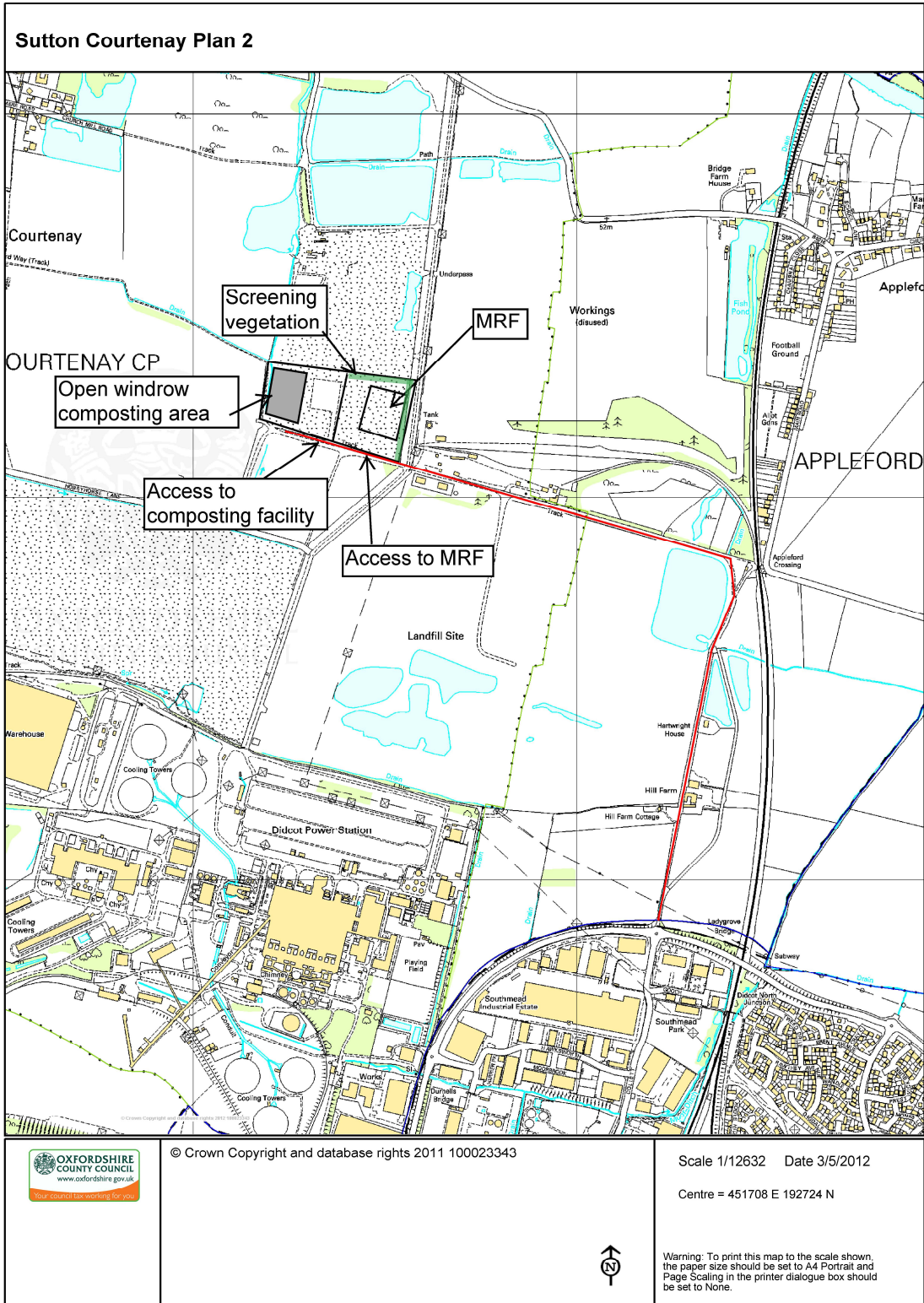
If any protected species [e.g. *bats, badgers, dormice, otters, water voles, reptiles, amphibians, breeding birds*] are found at any point, all work should cease immediately. Before any further work takes place the Protected Species Officer at Oxfordshire County Council should be contacted immediately on 07768 548 163/ 01865 328 288. Work should not recommence until a full survey has been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

In the interests of the long term stability of the railway it is recommended that soakaways should not be constructed within 10 metres of Network Rail's boundary.

The Control of Pollution (Oil Storage) (England) Regulations 2001 apply to all above ground commercial oil storage in tanks over 200 litres in volume. This means that tanks should be fit for purpose and have a secondary containment (or bund) sufficient to contain 110% of the tanks contents. The secondary containment must be impermeable to oil and water and not have any drainage valve. All the tanks ancillary equipment (valves, delivery hose, gauges, vent) must be within the curtilage of the secondary containment or bund. The regulations have other stipulations and full information can be found at www.environment-agency.gov.uk/osr or from Pollution Prevention Guidance Note 2 for Above Ground Tanks or PPG26 for Drums and Intermediate Bulk Containers.

Environment Agency should be contacted regarding any Waste Management Licence modifications that may need to take place.





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For: PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

**By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY
(STRATEGY & INFRASTRUCTURE PLANNING)**

Development Proposed:

Continuation of permission WCH/5048/3-CM (to continue the infilling of a former chalk quarry with inert waste for a further 3 years - the proposals included some excavation of chalk for use only in the final restoration of the site) without complying with the requirements of condition 2 (the development and restoration hereby granted shall be for a limited period expiring on 31 December 2010) to allow for an extension to the end date of the planning permission and restoration until 31 December 2015 and amended restoration proposals.

Division Affected: Greendown

Contact Officer: Nick Fagan **Tel:** 01865 815584

Location: Childrey Quarry, Childrey, Wantage

Applicant: David Lewis

Application No: MW.0014/11

Date application received: 18 January 2011

Consultation Period: 27 January – 17 February 2011

District Council Area: Vale of White Horse

CONTENTS

- Part 1 – Facts and background
- Part 2 – Other Viewpoints
- Part 3 – Relevant planning documents
- Part 4 – Analysis and conclusions

Recommendation:

The report recommends that Application MW.0014/11 be approved.

Part 1 – Facts and Background

The Site & its Setting (Plan 1)

1. Childrey Quarry is a former chalk quarry 5.8 hectares in area that has been the subject of landfilling with inert waste and which is now in the process of being restored, albeit rather slowly.
2. The site is located about 2km west of Wantage and accessed from a concrete farm track running south from the B4507, which runs along the ridge linking Wantage to Ashbury and forming the northern edge of the North Wessex Downs AONB. It lies within the Vale of the White Horse District roughly equidistant (about 1km away) from three villages – Childrey to the north-west, East Challow to the north-east and Letcombe Regis to the south-east.
3. It sits on a ridge within a rolling landscape which generally rises from north to south towards the Ridgeway long distance footpath some 3km to the south. A byway open to all traffic [BOAT] runs along its southern boundary and the nearest noise sensitive premises is Forge Cottage in Letcombe Regis some 500m away to the south-east.
4. The eastern part of the quarry site has been largely unworked and comprises an area of managed grassland and linear game strip. Chalk extraction has taken place in the western and central parts of the site and waste disposal has followed partially filling the worked out areas. Large stockpiles of screened and unscreened waste are stored in the centre of the site and these are visible from the surrounding landscape. Conifers and broad leafed woodland were planted about 15 years ago on the steep western edge of the quarry but these have struggled to become established. The north-west corner of the site is largely managed grassland used for clay pigeon shooting. Scrap material and old vehicles have been kept on this area and on the north east part of the site and are visible to surrounding areas.

Background & Planning History (Plan 2)

5. In 1980 planning permission was granted for tipping of earth and road repair waste into the former quarry with restoration to agricultural land. The permission was limited to 3 years. In 1983 the continued use of the quarry for tipping was permitted for 10 years [Ref: WCH 5048T]. In 1994 planning permission was granted for further continued tipping until 31 December 2003 [Ref: WCH 5048/1-CM].
6. In 1999 a retrospective planning application was made by the former operator to use the site for the recycling (including crushing and screening) of inert waste along side the continued infilling [Ref: WCH 5048/2-CM]. This application received a lot of local opposition and was withdrawn in 2000. The site was then abandoned. The abandonment led to litigation between operator and owner (Mr Lewis), which was only concluded in March 2003.

7. In May 2004 this Committee resolved to grant planning permission for application Ref: WCH/5048/3-CM to extend the life of the landfill at the site but reduced the extension from the 10 years requested to 5 years. However, the applicant decided that completing the landfilling was unfeasible within 5 years and proposed a lower volume of infill material.
8. The original application for 10 years was brought forward with an accompanying draft Section 106 Agreement for long term management of the site and a permissive footpath to allow public access to the retained chalk face but these were dropped as part of the proposed revision. The revised scheme was eventually permitted, without a Section 106 Agreement, on 1 November 2005 for a temporary period of 5 years ending on 31 December 2010.
9. When the original planning application was made in 2004 it was proposed that 38,000m³ would be required to restore the site. The amendments made to the application meant that this total amount was reduced by 8,000m³ to 30,000m³.
10. In 2004/05 the reasons given by the applicant for not completing the landfilling on time were the contractual dispute referred to above and the impact of landfill tax on the quarry, which did not benefit from an exemption until the new regulations were introduced in 1999. The reason he gives now for not completing the landfilling by the end of 2010 is that he has not been able to secure the necessary volume of material because of the effects of the recession – i.e. less building construction on local sites means less restoration material available for this site.
11. He has however imported a significant amount of restoration material since the last permission and maintains that only about 8,000m³ in total of additional imported inert material in the form of restoration soils are still required to restore the site. In 2005 it was envisaged that all of the Area D and the majority of Area C would have been restored within 18 months of the date of that permission [see Plan 2]. At present a large proportion of Area D has been restored although parts of it may require re-seeding with the agreed grass seed/wildflower mix. Little if any restoration has occurred to Area C, which still retains most of the material brought onto site by the previous operator. The applicant was screening some of this material until February (when he was asked to stop by the Council's Monitoring Officers), apparently in order to recover sufficient topsoil to mix with the chalk from the quarry floor in order to achieve a soil mixture sufficient to produce calcareous grassland by accommodating the agreed grass seed/wildflower mix spread and so create the agreed restoration levels in Area D.

The Application Details (Plan 2)

12. The application seeks a variation to the existing wording of Condition 2 of the extant implemented permission WCH/5048/3-CM, which states:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2010. The site shall be restored in accordance with

approved plans, P2310 D3 B and P2310 D4 B.”

13. In January 2011 when this application was originally submitted it was requested that this Condition be varied as follows:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2013. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B.”

14. Because of the period of time that has elapsed since the submission of that application the applicant has confirmed that they still require an additional 3 years from now because, owing to the recession, no material has been imported into the site since the application was made. He is now seeking the wording of Condition 2 to read as follows:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2015. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B.”

Plan 135CQA/3 shows the very slightly revised restoration contours (showing the land sloping from north-east to south-west as previously agreed) and P2310 D4 B shows the additional landscaping measures and uses of various parts of the site (this plan being retained from the previous permission).

15. A number of issues have been discussed between officers and the applicant at recent site visits in order to clarify the nature of the restoration scheme including details pursuant to other conditions on the extant permission requested by the Monitoring Officers over the last few years. These are detailed below.
16. First, the disputed issue of screening material on site. There is, and has been in recent years, a mobile screener located at the base of the quarry. It is clear that prior to February this year, when the Council's monitoring officers asked the applicant to stop such screening, he was using it to screen out the bricks, stone, rubble and lumps of concrete from the material deposited in Area C some 10 years or so ago. It was unclear at the time why such screening was taking place – indeed it was suspected that material was being removed from the site. The applicant has now stated that this screening was taking place solely in order to achieve a stock of soil necessary to achieve the restoration of this site to calcareous grassland. It is anticipated that the restored surface soil profile would consist of a layer of 30-40cm of screened soil mixed with the excavated chalk, the soil comprising the top 10-15cm of the depth and the chalk the remainder, which is being taken from the floor of the quarry. This is a slightly higher proportion of soil than has been spread out in Area D to date and this is necessary because the seeding of some of this area has not yet resulted in the establishment of chalk grassland. It is accepted that screening of the existing material on site, and any additional imported material, to separate any such incidental 'contaminants' from the soil, will inevitably be necessary because waste material will nearly always contain a small amount of bricks, rubble & concrete.

17. Secondly, the applicant has been asked to clarify the seed mix, required by existing Condition 5, that has and will be used for the continuing restoration of the site to chalk grassland. He has confirmed as part of this application that the wild flower seed mix that the monitoring officers (in conjunction with the County's Ecologist) required has and will be sown on the restored site. This will include some parts of Area D where the original sowing needs re-doing.
18. Thirdly, Condition 6 requires a restoration proposal for the chalk face because it is the scheme's continued intention to retain this as a geological feature in accordance with previous advice from the RIGS officer. It is acknowledged that additional chalk required for the restoration can be extracted from the quarry floor but that no more excavation of the chalk face should occur including its southern extremity.
19. Fourthly, the monitoring officers have consistently raised the fact that no aftercare scheme has ever been provided contrary to Condition 14. A scheme has now been submitted as part of this application, which makes clear the phasing of the restoration scheme from the south-west towards the north-east of the site and the way it will be cared for in order to create the chalk grassland.
20. Fifthly, Conditions 3 & 17 sought the removal of unnecessary plant and machinery from the site. Condition 3 required the removal of *"all building, structures, hard standing, roads, plant, vehicles, and machinery associated with the development"* by the end of the previous temporary permission (31 December 2010). Condition 17 required *"any **scrap** being stored on the site must be removed from the site within one month of the date of this permission"* (i.e. by 1 December 2005).
21. In monitoring visits to the site since the 2005 permission Condition 17 has been the subject of an impasse. The applicant maintains that all of the machinery and pieces of plant and equipment scattered on various parts of the site (particularly Areas A, B & G on Plan 2) is not scrap and comprises components or potential components of the plant required to restore the site in accordance with the approved scheme. In other words, parts of the dumper truck or excavator or screener etc or plant that can be cannibalised to produce spare parts for such if they break down. He maintains it is stored on the site because it is part and parcel of its restoration. Whether or not every single piece of machinery (however rusty or decrepit in appearance) is strictly necessary is a moot point. It is also a matter of some speculation whether the applicant will maintain in the future, post restoration, that some of this equipment may still be required in connection with agriculture on the site; after all, just because it is common for farmyards to be littered with such rusting plant and machinery does not necessarily mean this material is required for the efficient running of the farm enterprise. It is, however, necessary to be clearer in the conditions which equipment and plant can currently remain on the site because it is required for restoration purposes, which cannot and which structures, plant and equipment can remain post-restoration. This is dealt with in the analysis section below.

Part 2 – Other Viewpoints

Consultations

22. Annex 1 sets out all the consultation responses. There have been objections from the 3 local Parish Councils, but none from other consultees.

Representations

23. No representations have been received to this application.

Part 3 – Relevant planning documents

Relevant Development Plan and other policies (see Policy Annex attached to this Agenda)

24. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
25. The relevant development plan documents are:
- The South-East Plan [SEP] 2026
 - The Vale of White Horse Local Plan [VLP] 2011
 - The Oxfordshire Minerals & Waste Local Plan [OMWLP] 1996
26. The SEP forms part of the development plan. However, the Government has made it clear that it intends to abolish Regional Strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order has been made at the time of writing, the published intention to revoke is a material consideration to which substantial weight should be given. The Government recently published the strategic environmental assessment report into the SEP for consultation, following recent High Court rulings in the Cala Homes case that SEA was necessary before abolition could take place.
27. The Oxfordshire Minerals & Waste Core Strategy [OMWCS] has not yet been adopted. However, the proposed submission document was agreed by full Council on 3 April 2012 and submitted to the Secretary of State on 1 November and the examination hearings will be early next year. As such it should be given significant weight.
28. The National Planning Policy Framework [NPPF] and its technical guidance are also material considerations.

Relevant Policies

29. The relevant policies in terms of this application are:
- SEP 2026 – M4, W14
 - VLP 2011 – NE6, L11

- OMWLP 1996 – SD3, W7, PE2, PE3, PE11, PE13, PE18, PB2
- OMWCS – M7, W7, C5, C6, C8, C9

Part 4 – Analysis and conclusions

Comments of the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

30. The key planning issues are whether the extension of the timescale for restoration is reasonable in the circumstances and complies with adopted policy and whether it would cause adverse amenity and environmental effects. Also relevant are the enforcement measures open to the Council if the timescale extension is not deemed to be reasonable.

Policy

31. This site is a 'closed' chalk quarry that is being restored. As such, the most relevant policies are:
- SEP Policy W14 which requires high quality restoration and aftercare.
 - VLP Policy NE6, which seeks to conserve or enhance the natural beauty of the landscape in the North Wessex Downs AONB.
 - OMWLP Policy W7, which seeks satisfactory restoration of landfill sites with the least possible harm to the environment; Policy PE13, which requires mineral workings and landfill sites to be restored within a reasonable timescale to an after-use appropriate to the location and surroundings.
 - OMWCS Policies M7 & W7, which require the high quality restoration of mineral workings in a timely manner to an after-use appropriate to the location and capacity of the transport network sympathetic to the character of the surrounding landscape and the amenity of local communities; Policy C5 requires that landfill sites will enhance local habitats, biodiversity & geodiversity; Policy C6 gives high priority to the conservation and enhancement of the natural beauty of AONBs; Policy C8 expects development to make provision for adequate and convenient access along advisory lorry routes in a way that maintains or improves the safety of road users, the efficiency of the road network, and residential & environmental amenity.
32. The previous 2005 permission, which expired on 31 December 2010, established a high quality restoration scheme that comprised levelling out the heaps of restoration material in the central parts of the site (Area C) and grading out Areas C,D & E to follow the general topography of this part of the AONB, which falls gently and then more steeply to the south-west. The restoration scheme sought the establishment of chalk grassland in order to improve the biodiversity of the site as well as allow the eventual grazing of this site by animals. It also preserved the chalk face and quarry floor so that this geological feature could be retained, enhancing the geodiversity of the site. The new restoration scheme does the same. Apart from some very minor changes in the exact heights of certain parts of the site the main change is the

retention of the access track into the base of the quarry, which allows continued access to the chalk face. This is considered beneficial since it enhances the geodiversity of the site in that it maintains access to the quarry face.

33. The restoration scheme is therefore considered to be the optimum scheme in terms of enhancing the landscape of this site within this part of the AONB, which is readily observable from the main ridge to the south, as well as improving its biodiversity by restoration to calcareous grassland and its geodiversity by preserving the chalk face and access to it. Policies W14 of the SEP, NE6 of the VLP, W7 of the OMWLP and C5 & C6 of the OMWCS are therefore complied with. However, whether Policy PE13 of the OMWLP or Policies M7 & W7 of the Core Strategy are complied with, in terms of whether the restoration is being carried out in a timely manner, needs further consideration, especially in relation to the valid complaints of the 3 Parish Councils.

Is the restoration being done in a timely manner?

34. It is hard to maintain that this is the case, given the time that this restoration has been underway and the views of the 3 Parishes are understandable. The applicant is a farmer who owns land in Letcombe Bassett where he has recently built a new agricultural dwelling. As such he is a sole operator who devotes his working time to agriculture and other activities as well as restoring this quarry. However, there is no doubt that restoration work has taken place in recent years. When asked whether an additional 3 years would be sufficient for him to realistically restore the quarry to its agreed levels he replied in the affirmative, although pointed out that he could not give a guarantee of this because it was dependent on securing a contract or contracts to import the additional 8,000m³ of restoration materials and this may continue to be difficult if the recession continues during this period. The objections also refer to him taking material from the quarry to his new farmhouse at Letcombe Bassett but there is no evidence of this and the District Council has not found any breach of planning legislation. The applicant has also said that no material has been removed from the site and screened aggregate has only ever been used on the site for repairing the track into the quarry base.
35. If the Committee considers, as the Parish Councils suggest, that the applicant has been excessively dilatory and decides not to extend the period for restoration of this quarry the question would arise as to what the Council could do to ensure it is restored any quicker. One option would be to refuse the permission, on grounds that the restoration has not been done in a timely manner contrary to Policies M7 & W7 of the OMWCS (which is incidentally not yet part of the development plan) and serve an enforcement notice requiring the restoration to be done sooner – say within a year. In effect the Council would be requiring the applicant to secure a contract to import the additional 8,000m³ of restoration soils or secure these materials in some other way (e.g. by buying them).

36. Alternatively, and as the Parish Councils maintain in their objection letters, the Council could simply require the applicant to level out the current heaps of waste on the site and restore it to a lower level than the currently agreed restoration scheme requires. This would not, in your officers' opinion, be the best restoration scheme and additionally it would place the onus on the Council to devise its own restoration scheme by employing consultants to design it and then requiring that it be completed by the applicant by a certain date, secured again by an enforcement notice.
37. However, enforcement action must always be proportionate and before issuing a notice it is necessary to consider what harm may occur if the applicant is granted another 3 years to restore the site to chalk grassland to the agreed levels.

Would the extended period of another 3 years for the restoration give rise to harm to interests of acknowledged importance?

38. The Parish Councils raise a number of issues which they consider pertinent to this question:
- Noise and disturbance to Letcombe Regis.
 - Use of the quarry and the green lane by off-road vehicles, which will only be encouraged by an extended restoration period.
 - Extending the restoration period will extend the period of inappropriate HGV lorry movements on unacceptable rural roads detrimental to the amenity of residents in the surrounding villages.
 - Continued harm to the landscape for a longer period by reason of the unrestored quarry and the scrap machinery littering the site.

Each of these are dealt with below.

39. Noise and disturbance to Letcombe Regis

There has been no response from the District Council's Environmental Protection team, which suggests that no noise complaints have been received as a result of operations at this site. Forge Cottage in Letcombe Regis which is over 500m from the southern edge of the site is the nearest residential property and a buffer zone of 350m between quarries and settlements is advised in the justification for Policy PE3 of the OMWLP. Additionally, any incidental screening of material would take place on the quarry floor and the noise would be screened by the surrounding restored land in Area D. Any noise from the restoration activity is only likely to be sporadic and, at this distance from the quarry, must be balanced against the need for restoration. It is unlikely that any noise from this site would lead to significant loss of amenity to residents in Letcombe Regis and Policy PE3 is met.

40. Use of site for other purposes

Evidence presented by the Parishes that the quarry has been used for off-roading events in the past is compelling and it is clearly used, as confirmed by

the applicant, for clay shooting. As far as your officers are aware, however, no enforcement action is pending by the District Council. 14 days of off-roading events and 28 days of clay shooting can legitimately take place without planning permission because they benefit from permitted development rights under the GPDO. The right of way to the south is a BOAT, in which case it can be accessed by off-road vehicles although presumably if damage occurred to this path as a result of this activity the Council would have recourse to relevant legislation. There have been no adverse comments from the County Council's Rights of Way officers.

41. Lorry movements

The quarry is accessed from the B4507 Wantage road, which is not one of the marked routes in the Oxfordshire Lorry Routes document (February 2012). However, it is where it is and requires restoration. Condition 11 on the last permission would be re-imposed with the applicant's agreement and this requires the erection of a sign at the exit of the site onto the B4507 advising lorry drivers to avoid Silver Lane through West Challow and the B4001 through Childrey. The need for restoration must perforce be balanced against the harm to the amenity of local residents living on the B4507 and other routes not precluded by this Condition. The faster the restoration period the more lorry movements per day there would be delivering the restoration soils. The applicant advises that in the 3 year additional restoration period, on the basis of requiring an additional 8,000m³ of material, there would be an average of 1 lorry load (2 movements) per day, though in practice material would be brought to the site as and when a local job arises, which would probably amount to no more than 10 loads (20 lorry movements) per day. This is not a significant increase in HGV movements and explains why the Council as Highway Authority is not objecting to the application. Accordingly it is not considered that significant amenity harm would arise from a 3 year additional restoration period, and Policy C8 of the OMWCS would therefore be met.

42. Impact on local landscape

It would clearly be beneficial in landscape terms to restore this quarry as soon as possible because it is visible from the ridgeway to the south. However, it is not particularly visible from close quarters – from the road itself and its west and south-west boundaries are already fairly well screened by trees. Drawing 135CQA/3, setting out the final restoration contours, signals the large workshop building and the smaller shed being retained for agricultural use of the site in the future. This is considered acceptable (the larger workshop building was retained in the last permission). Rather than disputing with the applicant which bits of machinery and plant are scrap and which are necessary in order to restore the quarry it is considered that the material currently located on the site be allowed to remain until the end of the restoration period after which, if it is not moved, enforcement action could then reasonably be taken against the breach of condition accordingly. Another 3 years during which it will be gradually restored will not, in your officers' opinion, even with the plant and machinery currently located on the site, give

rise to significant harm to the wider landscape of this part of the AONB. VLP Policy NE6 and OMWCS Policy C6 would therefore be complied with.

Conclusion

43. The proposed extension of the time required to restore this chalk quarry is reasonable under the circumstances because no significant harm would arise from it. Enforcement action would not be expedient because of this and could, in any event, be considered unreasonable because it may effectively force the applicant to buy in restoration material. The proposal complies with policy in the Development Plan and in the submission version of the Core Strategy. Relevant conditions would be re-imposed to mitigate the effects of the restoration, including a requirement that all structures, plant and machinery be removed from the site by the end of the restoration period apart from the two fixed workshop shed buildings.

Recommendation

It is RECOMMENDED that Application MW.0014/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) including the amended Condition 2 as set out in paragraph 14 above and such other conditions including re-imposed conditions from the previous expired permission WCH/5048/3-CM as set out in summary as follows:

Heads of Conditions

1. **Commencement within 3 years.**
2. **The development and restoration hereby granted shall be for a limited period expiring on 31 December 2015. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B (see paragraph 14 above).**
3. **All buildings, structures, plant, vehicles, machinery etc shall be removed d by 31 |December 2015 and fully restored in accordance with details in Condition 2.**
4. **In accordance with application details (list plan nos. etc).**
5. **Chalk face retained in accordance with scheme to be submitted.**
6. **Operations hours limit 0700-1800 Mondays to Fridays, 0700-1300 Saturdays.**
7. **Site access maintained & kept free of mud & other debris.**
8. **Access only from existing access onto B4507.**
9. **Erection of signage on exit restricting drivers using Silver Lane through West Challow & the B4001 through Childrey.**
10. **No waste other than restoration soils.**
11. **No export of any waste material from the site.**
12. **Aftercare in accordance with submitted scheme & monitoring of such aftercare including via annual meetings.**
13. **Replacement of any trees and shrubs in accordance with aftercare scheme.**

MARTIN TUGWELL

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

November 2012

Annex 1 – Consultation Responses

Vale of White horse District Council: No objections.

Letcombe Regis Parish Council: Strongly object for the following reasons:-

- Noise and disturbance can be clearly heard and seen from the village.
- The quarry and green lane to the south of the site are being damaged by off-road vehicles and such use is detrimental to walkers and horse riders in terms of amenity and safety.
- There is no reason why the quarry cannot be restored using the existing materials on site – there is no need to import any further restoration material.
- There has been adequate time to restore the quarry and the excuse being given that a longer time period is required due to the recession does not stand up to scrutiny because the recession has not been going on since 1994.
- Accepting a longer restoration period will merely encourage the use of the site for activities inconsistent with its restoration such as continued material recycling and off-road vehicle use.
- Importing further material will require further lorry movements detrimental to amenity none of which are necessary.
- There is no guarantee that restoration will be required by the end of the proposed requested period.
- Restoration should have been achieved by 1 December 2010 and failure of the applicant to do so should be met with enforcement action.
- The applicant has dumped soil at his new home site – Holborn Farm in Letcombe Bassett.

Letcombe Bassett Parish Meeting: Object on the following grounds:-

- The failure to restore this site continues to have an adverse impact on its wider rural surroundings.
- The applicant has been transferring material imported to the quarry to his other land ownership in the village and had he not done so there would be no need for an extension to the existing permission.
- Continuing the operation of the site will prolong the use of relatively minor roads by heavily laden lorries bringing material to the site.
- Additional material is not required to complete restoration of the quarry – the material on-site should be graded out.
- Simply granting an extension for restoration of this quarry only encourages a dilatory approach by the applicant.

Childrey Parish Council: Object for the following reasons:-

- There has been no shortage of material in the past sufficient to warrant extending the restoration permission and, in any case, no such material is required because there is enough material on the site already to restore it.
- The site is very visible from surrounding land and its restoration has been dilatory.

- There are large amounts of scrap metal, broken vehicles, and spare parts/machinery on site which apart from being a total eyesore surely cannot be necessary for its restoration.
- There has been insufficient enforcement of the existing conditions by the Council given that the applicant has consistently failed over a number of years to honour a succession of restoration deadlines as well as specific requests from the Council's Monitoring & Enforcement officers & enforcement action should therefore commence.

Environment Agency: No objection.

Advice: "The quarry has an Environmental Permit for landfill. However, the landfill has been closed and no further disposal of waste is allowed.

Importation of restoration soils is allowed under the existing permit. However, restoration soils are only allowed provided that they are used in the top 2m of the land surface, and are brought in, in order to improve the quality of the soil.

If material were imported and used to fill the remaining void space it would be termed 'disposal of waste', this is not permitted under current waste regulations and would be an offence.

We have previously discussed an acceptable working method on site to complete the restoration. This would be to use the existing stockpiles of material onsite to fill the void space and make up the desired landform. Restoration material could then be brought in to finish the final layer of the surface of the landfill and provide a good quality soil. A maximum of 2m height of restoration materials would be allowed.

We understand that this final layer would need to be mixed with chalk from the site to meet the planning restoration requirements."

Natural England

The site lies close to habitats forming part of the Hackpen, Warren & Gramp's Hill Downs SSSI, which is itself part of Hackpen Hill SAC.

In terms of the latter, no objection to the proposal in terms of advice under Regulation 61 of the Conservation of Habitats & Species Regs 2010.

In terms of the former, NE consider it unlikely this would have any implications for the SSSI and therefore has no comments to make in terms of its response under Article 10 of the GDPO 1995 & S.28 of the Wildlife & Countryside Act 1981.

It recommends the AONB partnership be consulted.

Thames Water: No comments in respect of sewerage or water infrastructure.

County Transport/Highways DC: No objections.

County Archaeologist: The scheme will not affect any known archaeological sites or features.

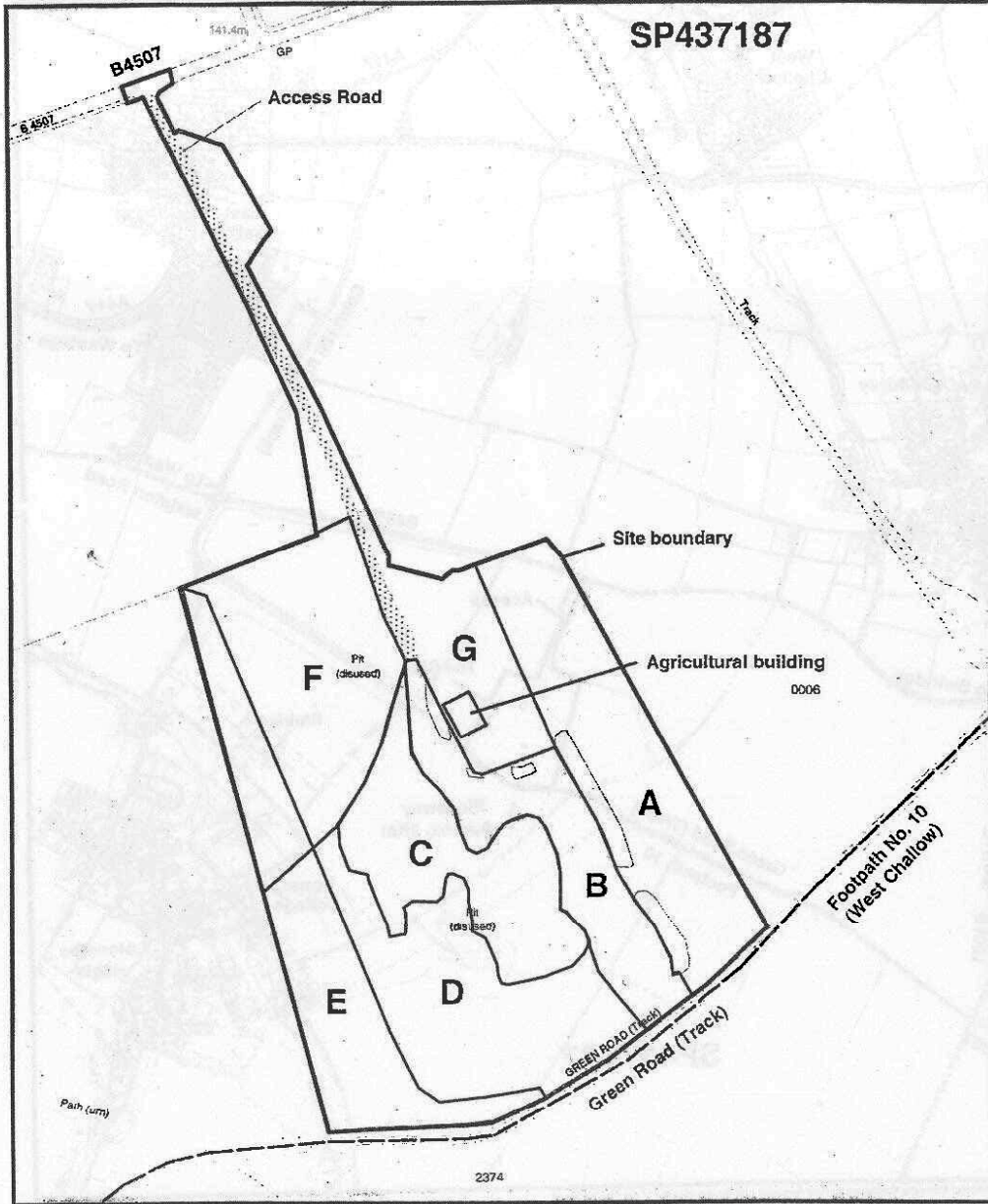
County Ecologist: Due to the likelihood of only low numbers of reptiles being present within the quarry area, no further ecological surveys are required. The restoration works will most likely proceed at such a pace that any reptiles will easily be able to move out of the way, as has been the situation for many years. An expensive survey

and mitigation programme for reptiles is unlikely to bring any real benefit to them given the nature of operations on the site.

In addition the following organisations were consulted but have not replied: North Wessex Downs AONB Partnership, Vale of White Horse DC Environmental Protection team, Oxford Geology Trust, BBOWT, RSPB Central England Regional Office, County Rights of Way Officer, CPRE, Rambler's Association, Open Spaces Society, County Forester.

PLAN 2 - Childrey Quarry

WCH/504813-CM



SP437187

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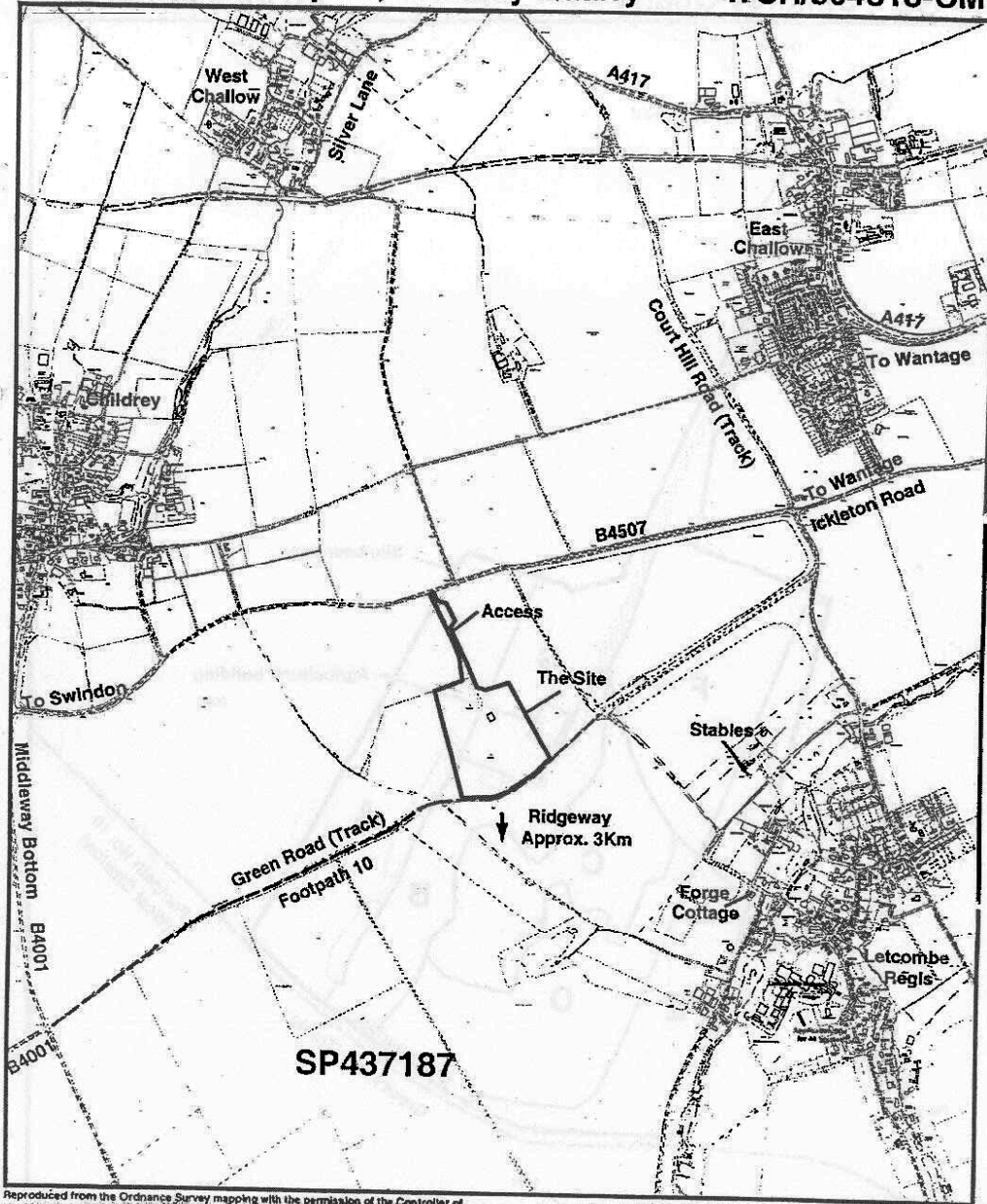
This plan shows only an indication of the proposed development and should not be scaled from.

LOCATION PLAN
SCALE 1: 2500



PN_MAY2404R04

PLAN 1 - Location plan, Childrey Quarry **WCH/504813-CM**



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LOCATION PLAN
SCALE 1: 12500

This plan shows only an indication of the proposed development and should not be sealed from.



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For: PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (STRATEGY & INFRASTRUCTURE PLANNING)

Development Proposed:

Renewal of consent and continued use of two relocatable classroom units ref T1 (E223) & T3 (E237) for a further period of 5 years

Division Affected: Cowley

Contact Officer: Nick Fagan **Tel:** 01865-815584

Location: Church Cowley St James Primary School, Bartholomew Road, Oxford, Oxfordshire, OX4 3QH

Applicant: Oxfordshire County Council

Application No: R3.0158/12

Application received date: 13 September 2012

Consultation Period: 28 September – 19 October 2012

District Council Area: Oxford City

Contents

- Part 1 – Facts & Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis, Conclusions & Detailed Recommendation

Recommendation

The report recommends that the application be **approved**.

Part 1 – Facts & Background

Proposed Development & Site Location (see Plan 1 attached)

1. The School is located in this suburban residential street in Church Cowley. There are two mobile classrooms (one single and one double unit) at the rear of the school linked to it by a covered walkway. These classrooms are in good condition and provide high quality teaching floor space. They back onto the rear fence that separates the school from the houses in the two cul-de-sacs leading north of Van Diemens Lane. There is no access to the school from this southern side – all access is from the front on Bartholomew Road. The proposal is to retain these temporary classroom buildings for another 5 years.

Relevant Planning History

2. A number of permissions in the 1990s leading up to 2009 have been granted for temporary classrooms and canopies. In particular permission was renewed for T1 (E223) on 07 November 2008 and T3 (E237) on 25 May 2007. The free standing canopies at the rear of the school were granted permanent permission on 18 July 2011[R3.0070/11] and the boundary fencing was renewed under permission R3.0075/11 granted 29 July 2011.

Part 2 – Other Viewpoints

Representations

There have been no third party representations.

Consultations

3. Oxford City Council: Objection: “Whilst a need has been demonstrated for the retention of the buildings this need has been continuous for more than five years where, for the purpose of policy CP25 of the Oxford Local Plan 2001-2016, short term is defined as up to five years. In this respect the City Council cannot continue to support the retention of the buildings as the proposal is contrary to policy CP25 in the Oxford Local Plan 2001-2016.”
4. Transport DC Team: No objection to this application as proposed. There are no transport impacts or highway safety concerns for the continued use of two re-locatable classroom building units. Recommend an informative regarding School Travel Plan.

Part 3 – Relevant Planning Documents

Relevant Planning Policies

5. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

6. The following policy in the Oxford Local Plan 2001-2016 is particularly relevant:

POLICY CP.25 - TEMPORARY BUILDINGS

Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work.

Planning permission for temporary or portable buildings will not be granted where:

- a. buildings would adversely affect visual attractiveness, trees or parking provision; and
- b. proposals do not adequately address, where appropriate: landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; or provide a suitable external appearance.

Planning permissions for temporary buildings will be subject to a planning condition that requires the removal of the buildings within a specified time period.

The following policies are also relevant:

Oxford Local Plan Policies

- CP1 (key criteria for new development proposals).
- CP6 (requires development to make maximum & appropriate use of land).
- CP8 (sets out criteria required from development in order to respect its local context).
- CP10 (criteria required from development to ensure functional need is met).
- CP13 (requirement for adequate disabled access).
- HS19 (development to safeguard amenity of adjoining property).

Oxford Core Strategy (adopted March 2011)

- CS16 (access to education facilities).
- CS18 (sets out urban design principles & requires development to respect Oxford's unique townscape & historic environment).

7. There are no particular policies in the SE Plan or in the NPPF relevant to the determination of this application.

Part 4 – Analysis & Conclusions

Planning Analysis – Comments of the Deputy Director for Environment & Economy (Strategy & Infrastructure)

8. The area within which the school is situated is typical of mid-twentieth century suburban south Oxford. Its predominant character is determined by pairs of two-storey houses. The site and adjoining streets do not form part of a conservation area nor are there any nearby listed buildings or other heritage assets and so there is no impact on the visual attractiveness of the area, especially given the relocatable classrooms are well maintained and not unattractive. The portable classrooms are also situated at a lower level than the houses situated to the south and have no effect on them whatsoever in terms of overlooking, aspect or impact on their sunlight or daylight.
9. These classrooms provide good quality teaching space and are clearly relatively new. They are being maintained properly and there is no reason to require their removal. They have been successfully linked to the main school building by the rear free-standing canopies which allow ease of movement for pupils and teaching staff in inclement weather. They have no detrimental impact on the amenity of adjacent residents or character of the school or the surrounding area and there are therefore no grounds for refusing this application. The City Council is basing its comments on the supporting text to this policy [Paragraph 2.23.1 in the Local Plan] that states: *“for the purposes of this policy, short term is defined as up to five years”*. However, because they do not affect the visual attractiveness of the area and adequately address the relationships with adjoining houses it is not considered that they conflict with Policy CP.25, notwithstanding the City Council’s comments.

Conclusion

10. The proposal to retain these classrooms for a further 5 years is in the interests of the pupils of this school, does not harm any interests of acknowledged importance and complies with relevant development plan policies.

RECOMMENDATION

11. **It is RECOMMENDED that planning permission be approved for Application R3.0158/12 subject to conditions to be determined by the Deputy Director (Strategy & Infrastructure Planning) but to include the following:**
 1. **The development shall be carried out solely in accordance with details submitted with the application.**
 2. **Temporary buildings to be removed by 31 December 2017.**

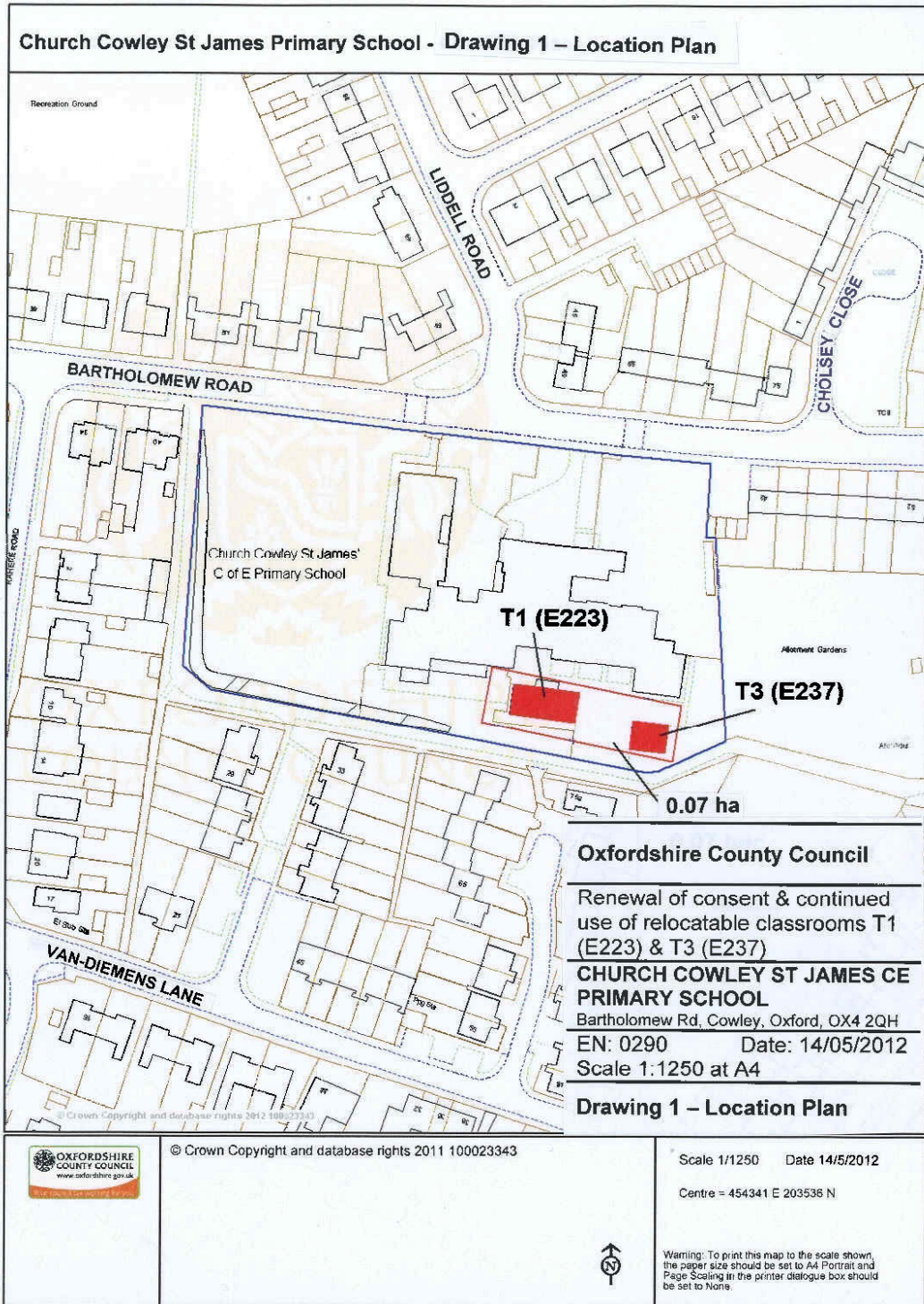
Informative:

The Planning Application Justification Statement submitted with this planning application indicates a forecast increase in the number of pupils. An increase in the number of pupils is likely to have implications for the local transport and highway network and in the light of this an up-to date School Travel Plan should be produced. The applicant is advised to contact Oxfordshire County Council's Travel Choices and School Travel Plans Team who would assist in updating the plan.

MARTIN TUGWELL

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

October 2012



Division(s) affected: ALL

Contact Officer: Chris Hodgkinson (chris.hodgkinson@oxfordshire.gov.uk)
Tel : Oxford 01865 815872

PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

PROGRESS REPORT ON MINERALS AND WASTE SITE MONITORING AND ENFORCEMENT

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure)

Introduction

1. This report updates members on the regular monitoring of minerals and waste planning permissions and on the progress of enforcement cases between 1 April 2012 and 31 October 2012.

Compliance Monitoring Visits

2. County Council officers endeavour to pursue and foster good working relationships with operators following the grant of planning permission. The effective monitoring of sites can avoid problems developing and by acting in a proactive manner we can be a positive educator of good practice. This approach can avoid the necessity to act in a reactive way after problems emerge and can avoid the need for enforcement action. Through our efforts we seek to:
 - I. identify potential problems early and avoid them developing;
 - II. minimise the need to resort to enforcement or other action;
 - III. encourage good practice in the first instance thus reducing the need to apply sanctions against bad practice;
 - IV. review planning decisions and agreements made with the County Council;
 - V. facilitate regular liaison and dialogue between operators, the public/local community representatives and council officers.
3. All sites with planning permission are regularly visited on a formal basis. A written report is produced following a site visit and shared with the site occupant. Where elements of non compliance with a consent are identified this can result in subsequent compliance with matters that are outstanding or in a planning application being made to regularise unauthorised activities on site.

4. Annex 1 provides a schedule of all the sites we monitor. It includes two columns, one which sets out the target visits for the period 1 April 12 to 31 March 13. The second column sets out the number of compliance monitoring visits that were carried out for seven months of this period being 1 April 12 to 31 October 12.
5. In order to try and achieve good environmental standards countywide, officers have committed to monitoring 312 planning permissions across all of the 145 mineral and waste related sites in Oxfordshire. However, you will see that some sites have a zero target, these are low risk, small scale or dormant sites (such as sewage treatment works) which we record but will only visit every other year.
6. Of all the sites, 54 fall within the remit of Government Regulations that allow the council to charge a fee for conditions monitoring, in that they relate directly to the winning and working of mineral permissions or directly to land filling permissions. The 54 sites are split as follows; 25 mineral sites, 21 land filling operations and 8 dormant mineral/landfill sites. These 'Chargeable Sites' are shaded grey in Annex 1.
7. The remaining non-chargeable sites include scrap yards, recycling operations, waste transfer stations, sewage works and composting operations.
8. The current 'full' charge is £288 for an active site and £96 for a dormant site where activity is not taking place.
9. Officers determine the target number of visits for each site on a "risk assessment" basis for each site drawing on the following points:
 - I. sensitivity of location
 - II. size and type of development
 - III. number and complexity of planning conditions
 - IV. number of issues requiring monitoring input
 - V. the stage and pace of development
 - VI. whether the operator carries ISO 14001 (recognised best practice)
 - VII. breaches of planning control that are or have been observed
 - VIII. complaints received for the site
10. There is an opportunity for operators to enter into discussions on how the Council has reached its decision for the number of visits scheduled per year. Having set a target for the number of visits per annum, officers keep the frequency of actual visits under review and adjust the frequency particularly taking account of IV, VII and VIII above.

Enforcement

11. Annex 2 to this report sets out alleged breaches of planning control and the progress toward remedying those breaches of substance.

12. All operators are made aware of an allegation of a breach in planning control made against them.
13. Annex 2 includes all cases which are currently being investigated regardless of when they were received. When a case is closed it will appear on the progress report as 'Case Closed' with a summary of the outcome.
14. Unless the case is a proven breach and formal enforcement action taken then no inference on the character of the operator should be drawn from an allegation.
15. A glossary of terms used in Annex 3 is attached. The Senior Planning Enforcement Officer can be contacted for further information in respect of any of these cases if necessary.

Monitoring and Enforcement Service

16. The routine monitoring programme continues to pay dividends by increasing compliance with planning conditions and in identifying and rectifying matters where conditions are not being complied with on all mineral and waste planning permissions.
17. The service is generally well received by householders, liaison committees, parish and town councils with access to compliance reports providing a basis for discussions with operators on the progress on sites in their locality. It seeks to provide a timely response to local people's concerns and serves to pre-empt issues which are likely to affect the amenities of an area. There are nevertheless occasions when local people have expectations about the actions that can be taken and are frustrated by the time it can take to resolve disputes. It is not always appreciated, for instance, that whilst the carrying out of development without a planning permission might be unauthorised, it is not illegal in the first instance.
18. Officers in the team also provide key support in ensuring that details pursuant to permissions are submitted where these are required by planning conditions before a development starts. They often co-ordinate action between development control planners, highways, ecology and other County services and the operator. The aim is to ensure pre commencement works are completed in a timely manner and before the main development is started.

Recommendation

It is RECOMMENDED that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 be noted.

MARTIN TUGWELL

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

Background Papers. - Files in Minerals and Waste Development Control Section, Speedwell House, Oxford.

November 2012

Minerals & Waste Compliance Monitoring Sites in Cherwell District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Alkerton CA & Landfill, Alkerton, Nr. Banbury, Oxon.	Alkerton Landfill	W	Active	Full	2	0
	Alkerton CA	W	Active	Nil		
Hornton Grounds, Startford Road, Hornton, Banbury, OX15 6AH.	Alkerton Quarry	M	Active	Full	3	1
	Hornton Grounds Quarry.	M	Active & Aftercare (in part)	Full		
	Wroxton	M	Active	Full		
Ardley Quarry, Ardley, Bicester, Oxon, OX27 7PH.	Ardley Landfill	W	Active & Aftercare (in part)	Full	5	2
	Ardley Quarry	M	Active	Full		
Ardley Composting Site, Ashgrove Farm, Upper Heyford Road, Ardley, OX27 7PJ.	In-vessel Composting	W	Active	Nil	3	1
Dewar's Farm, Ardley Road, Middleton Stoney, Oxfordshire, OX25 4AE.			Active	Full	4	1
Horsehay Quarry, Middle Barton Road, Duns Tew, Oxfordshire.					3	2

Minerals & Waste Compliance Monitoring Sites in Cherwell District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Ferris Hill Farm, Sibford Road, Hook Norton, Banbury, OX15 5JY.		W	Active	Nil	3	0
Finmere Quarry, Banbury Road, Finmere, Oxfordshire, MK18 4AJ.	Finmere (Landfill)	M & W	Active	Full	4	3
	Widmore	W	Aftercare	Nil		
	Clay, S&G	M	Not Implemented	Full		
	Sand & Gravel	M&W	Not Implemented	Full		
Gosford Silo Waste Recovery, Oxford Road, Kidlington, Oxford.		W	Not Implemented	Nil	1	0
Greenhill Farm Quarry, Bletchingdon.		W	Active	Full	1	0
Heneff Way - Batching, Heneff Way, Banbury, Oxon.		M	Active	Nil	1	1
Heneff Way - Tarmac, Heneff Way, Banbury, Oxon.		M	Active	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in Cherwell District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
L.C. Hughes Scrap Yard, London Road, Bicester.		W	Active	Nil	1	1
Kidlington Rail Depot, Oxford Road, Kidlington, Oxford.		M	Active	Nil	1	0
Manor Farm - Biomass Gen, Twyford, Banbury, Oxon, OX17 3JL		W	Active	Nil	1	1
Old Brickworks Farm, Bletchingdon, Oxon, OX5 3DT.		W	Active	Full	1	1
Overthorpe Ind. Estate - WTS, Banbury.		W	Active	Nil	2	1
Sewage Plant, Merton		W	Active	Nil	1	1
Sewage Treatment Works, Hethe		W	Active	Nil	1	1
Shennington ROMP, Sugarswell Lane, Shennington.		M	ROMP	Low	1	1
Shipton on Cherwell Quarry, Shipton on Cherwell, Oxfordshire.		W	Active	Full	2	1

Minerals & Waste Compliance Monitoring Sites in Cherwell District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Smiths Concrete Ltd, Old Blackthorn Station, Bicester.	Bicester	M	Active	Nil	1	0
Smiths Concrete Ltd, Southam Road, Banbury.	Banbury	M	Active	Nil	1	0
Smiths of Bloxham - WTS. Milton Road, Bloxham, Banbury, OX15 4HD.		W	Active	Nil	2	0
Stratton Audley, Elm Farm Quarry, Stratton Audley.	Landfill	W	Dormant	Low	1	1
	Recycling	W	Dormant	Nil		

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Ambrose Quarry, Ewelme, Oxon.		M	Dormant	Low	1	0
Battle Farm, Crowmarsh, Oxon, OX10 6SL.		W	Active	Nil	2	1
Caversham, Sonning Eye, Reading.	Caversham Main	M	Active	Full	4	2
	Caversham Extension	M	Active	Full		
Chinnor Quarry.		M	Dormant	Full	1	0
Culham Unit B3 North		W	Active	Nil	1	0
Culham UKAEA	J30 JET	W	Active	Nil	1	0
Ewelme	Ewelme I (Buildings)	W	Active	Nil	4	0
	Ewelme I WTS	W	Active	Nil		
	Ewelme II MRF	W	Active	Nil		
	Ewelme II Landfill	W	Active	Full		
Eyres Lane Waste Transfer Site, Ewelme.		W	Active	Nil	2	1

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Greenwoods of Garsington, Scrap Yard, Pettiwell, Garsington, Oxford.		W	Active	Nil	1	1
Hundridge Farm, Waste Transfer, Hundridge Farm, Ipsden, Oxon		W	Active	Nil	2	0
Menlo Industrial Park - Scrap Yard, Roycote Lane, Thame, Oxfordshire, OX9 2JB.		W	Active	Nil	1	0
Playhatch Quarry - WTS, Dunsden Green Lane, Playhatch, Caversham, Reading.		W	Active	Nil	2	1
Sewage Pumping Station Beckley	Thames Water Sewage Plant	W	Aftercare	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in South Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Waterstock Golf Course, Thame Road, Waterstock, Oxford. OX33 1HT.		W	Active	Full	3	0
Woodeaton Quarry, Woodeaton, OXON.		M	Dormant	Low	1	0

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Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Aasvogal, Waste Transfer Station, Grove Business Park, Grove.		W	Active	Nil	1	1
Bowling Green Farm, Stanford Road, Faringdon, Oxon, SN7 8EZ.		M	Active	Full	3	2
Childrey Quarry, Childrey, Wantage, Oxon.		W	Active	Full	2	2
Chilton Waste (Prospect Farm), Prospect Farm, Chilton, Didcot, Oxfordshire, OX11 0ST.		W	Active	Full	3	1
Drayton CA Site, Drayton, Oxon.		W	Active	Nil	1	0
Composting Facility, Church Lane, Coleshill, Swindon, SN6 7PR.		W	Active	Nil	1	1

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Glebe Farm Composting, Glebe Farm, Hinton Waldrist, Oxfordshire.		W	Active	Nil	1	2
Haynes of Challow, East Challow, Wantage, Oxon, OX12 9TB.		W	Active	Nil	1	0
Hatford Quarry, Sandy Lane, Hatford, Oxon, SN7 8JH.		M	Active	Full	4	3
Hill Farm - Woodchipping, Nr Didcot, Oxfordshire.		W	Active	Nil	2	0
Quelchs Orchard, Scrap Yard, Charlton, Wantage.		W	Active	Nil	1	0
Redbridge CA, Old Abingdon Road, Oxford.		W	Active	Nil	1	1
Radley Sand and Gravel Plant, Thrupp Lane, Radley.	Curtis Yard & Tuckwell's Plant	M & W	Active	Nil	2	1

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Harwell, UKAE, Harwell, Didcot, OX11 ORA.	Business Park		Active	Nil	1	0
	Catapult Pit		Active	Nil		
	Southern Storage		Active	Nil		
	Waste Management Complex (B462)	W	Active	Nil		
	Western Storage		Active	Nil		
Radley Ash Disposal Scheme	Lake E	W	Not Implemented	Full	2	1
	Phase I	W	Aftercare	Full		
	Phase II	W	Active	Full		
	ROMP area	M	ROMP	Full		
Sandhill Quarry, Sands Hill, Faringdon, Oxon, SN7 7PQ.		M	Dormant	Low	1	1
Shellingford Quarry, Shellingford Crossroads, Stanford In The Vale, Faringdon, Oxon, SN7 8HE.		W	Active	Full	4	2

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Stanford in the Vale Waste Disposal and Civic Amenity Site		W	Active	Nil	2	2
Sutton Courtnay (Hanson), Appleford Sidings, Abingdon, Oxfordshire, OX14 4PW.	Batching Plant	W	Active	Nil	3	1
	Bridge Farm	W	Not Implemented	Full		
	Rail Head	W	Active	Nil		
	Tarmac plant	W	Active	Nil		
Sutton Courtnay (WRG), Appleford Sidings, Abingdon, Oxfordshire, OX14 4PW.	Composting	W	Active	Nil	5	2
	Landfill	W	Active	Full		
Sutton Wick Landfill, Bassett Lane, Oday Hill, Abingdon.		W	In Restoration	Full	1	1
Sutton Wick Sand and Gravel, Peep-O-Day Lane, Abingdon, Oxon.	Sutton Wick Gravel	M	Active	Full	2	1
	Sutton Wick Plant	M	Active	Nil		
	Lake J	M	In Restoration	Full		

Minerals & Waste Compliance Monitoring Sites in Vale of the White Horse District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Tubney Woods Sand Quarry and Landfill Site, Besselsleigh, Oxfordshire.		M	Active	Full	2	1
Upwood Park Sand Quarry and Landfill Site, Besselsleigh, Oxfordshire.		M	Active	Full	3	1
Whitecross Metals, Whitecross, Abingdon, Oxon.		W	Active	Nil	2	1
Wicklesham Quarry, Faringdon, Oxfordshire.		M	Active	Full	2	1

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Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
B & E Skips, 115 Brize Norton Road, Minster Lovell, Oxon, OX29 0SQ.	Minster Lovell	W	Active	Nil	2	1
Burford Quarry, Burford Road, Brize Norton, Oxfordshire.	Quarrying	M	Active	Full	3	1
	Manufacturing					
Castle Barn Quarry, Sarsden		M	Active	Full	2	0
City Farm, Eynsham.	City Farm I	W	Aftercare	Full	3	1
	New Wintle Farm	W	Active	Nil		
	City Farm II	W	Active	Nil		
Controlled Reclamation, Dix Pit, Stanton Harcourt, Oxon.		W	In Restoration	Full	4	1
Inert Waste Processing Plant, Dix Pit, Stanton Harcourt, Oxon.		M	Active	Nil	2	1
Cornbury Park, (Quarrying) Charlbury, Oxon.		M	Active	Full	1	0

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Crawley Scrap Yard		W	Active	Nil	1	1
Deans Pit CA Site, Chadlington.		W	Closed	Nil	1	1
Dix Pit, Stanton Harcourt, Oxon.	Conblock	W	Dormant	Nil	4	1
	Dix Pit CA	W	Active	Nil		
	Dix Pit Landfill Site	W	Active	Full		
	North Shore	M	Complete	Full		
	Premix - Hanson	M	Active	Nil		
Elmwood Farm, Burford Road, Black Bourton, Oxon, OX18 2PL		W	Active	Nil	1	1
Enstone Airport Waste Transfer. Unit 1, Enstone Airfield, Enstone, Oxon.		W	Active	Nil	2	0
Ethos Waste Transfer Lakeside Industrial Estate, Standlake, Oxon		W	Dormant	Nil	1	1
Fraser Evans & Sons, The Tyre Yard, Downs Road, Witney, Oxon.		W	Closed	Nil	1	0

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Fraser Evans & Sons, Worsham Quarry, Minster Lovell, Oxon.		W	Active	Nil	2	1
Gill Mill, Tar Farm, Gill Mill Complex, Ducklington, Oxfordshire.	Rushey Common	M	Aftercare	Full	4	3
	Gill Mill Quarry	M	Active	Full		
Great Tew Quarry, Butchers Hill, Great Tew, Oxon.		M	Active	Full	3	2
Hardwick Batching Plant, Adj. B4449, Hardwick, Oxon.	CEMEX	M	Active	Full	1	0
Hardwick Recycling, Adj. B4449, Hardwick, Oxon.	Fergal Yard	W	Active	Nil	1	0
M2 Solutions, Plot J, Lakeside Industrial Estate, Standlake		W	Dormant	Nil	2	1
M & M Skips (Whitney), Station Road, Witney.		W	Active	Nil	1	0

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Manor Farm - Waste Transfer, Kelmscott, Nr. Lechlade, Gloucestershire, GL7 3HJ.		W	Active	Nil	1	1
May Gurney, Downs Road, Witney, Oxon.		W	Active	Nil	3	0
Mick's Skips (Hackett's Yard), Lakeside Industrial Estate, Standlake, Oxon.		W	Active	Nil	2	1
Sandfields Farm, Over Norton, Oxfordshire.		W	Active	Nil	2	0
Peashell Farm, Downs Road, Curbridge, Oxon OX29 7NZ.		W	Active	Nil	2	0
Rollright Quarry, Chipping Norton.	Phase 1	M	Active	Full	3	1
	Phase 2	M	Not Implemented	Full		
Showell Farm, Chipping Norton, Oxon OX7 5TH.		W	Active	Nil	2	0
Slope Hill Quarry, Glympton.		W	Active	Nil	4	1

Minerals & Waste Compliance Monitoring Sites in West Oxfordshire District.**Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.****Direct Dial Tel: 01865 815872****Mobile Tel: 07899 065518**

Address	Sites	Type - Mineral or Waste.	Status	Charge	Target Visits for year 01/04/12 to 31/03/13.	Visits completed for year 01/04/12 to 31/10/12.
Springhill Farm, Cross Hands Hill, Salford, Oxon, OX7 5FQ.		M	Dormant	Low	1	0
Hardwick IDO		M	ROMP	Low	1	0
Sturt Farm, Units 2A, 4 Sturt Farm Ind, Burford.		W	Active	Nil	1	0
Watkins Farm, Linch Hill, Stanton Harcourt, OXON. OX29 5BJ.	ROMP area	M	Aftercare	Full	2	1
	Stonehenge Farm	M	Not Issued	Full		
	Ireland Land	M	Active	Full		
Whitehill Quarry, Adj. A40, Burford, OXON.		M	Dormant	Low	1	0
Whitehill Quarry, Tackley, OXON.		M	Dormant	Low	1	1
Worsham Quarry, Burford Road, Asthall, OXON.		W	Aftercare	Full	1	1
Worton Rectory Farm, Cassington, OXON. OX29 4SU.	Cassington Quarry	M	Active	Full	6	3
	Worton Composting	W	Active	Nil		
	M&M WTS	W	Active	Nil		

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Progress of Enforcement Cases

(Covers period from 1st April 2012 to 31 October 2012)

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.

Direct Dial Tel: 01865 815872

Mobile Tel: 07899 065518

Location	Date Received	Alleged Breach of Planning Control	Progress
South Oxfordshire District Council			
Waterstock Golf Course	1996	Unauthorised Change of Use – deposit of Waste.	Injunctive action to secure removal on-going. Committal proceedings against Mr R Wyatt and Mr M Wyatt for non-compliance with High Court order have culminated in prison sentences of six months and four months respectively. Both are currently on bail awaiting an appeal hearing scheduled to take place in December 12. The waste remains on the land.
Waterstock Golf Course	1999	Breach of Planning Condition – Failure to restore land following Clay Extraction.	Enforcement Notice served in November 08 to secure proper restoration of the lake area. The Enforcement Notice was appealed but upheld by the Planning Inspectorate. The works have not been completed; however enforcement is linked to the profiling of the wider site as detailed above.
Mill Lane, Marston	Feb 2011	Unauthorised Waste Transfer	Allegation of waste being returned to the site in skips; sorted and burnt. Joint investigation with EA continuing. Insufficient evidence to date to secure formal enforcement action. Investigations are continuing.
Holloway Farm, Wheatley	March 2011	Unauthorised deposit of waste.	Soils and sub-soils deposited on metalled road beyond access to industrial area. Investigations reveal that land is not owned or registered with Land Registry. Deposits have ceased. Legal action is restrictive without owner or persons responsible. Continue with watching brief.
The Willows, Stockwell Lane, Waterstock.	Aug 2011	Unauthorised deposit of waste.	Small scale deposit in disused gravel pit to bring land back into use. PCN served. Deposits have ceased. Owner has necessary exemption from EA and thought that was sufficient permission to fill. Small scale and completed. No demonstrable harm to remedy not expedient to bring enforcement proceedings. Case Closed.

Progress of Enforcement Cases

(Covers period from 1st April 2012 to 31 October 2012)

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.

Direct Dial Tel: 01865 815872

Mobile Tel: 07899 065518

Location	Date Received	Alleged Breach of Planning Control	Progress
South Oxfordshire District Council – Continued			
Sifton Hampden Composting Site	Sept 2011	Breach of planning conditions	Site monitoring weighbridge and temporary office remain on site following completion of temporary planning permission. Farmer has already cleared a majority of the site and we have agreed and extended period to allow for contractor to remove weighbridge and 'portacabin'. Continue with watching brief.
Penny Royal Saw Mill, Goring Heath	Nov 2011	Waste transfer – Skip Business	Activity ceased. Owners submitted retrospective planning application which was refused in September 2012. Follow up visit confirmed works not continuing. Case Closed.

Progress of Enforcement Cases

(Covers period from 1st April 2012 to 31 October 2012)

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.

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Location	Date Received	Alleged Breach of Planning Control	Progress
Vale of White Horse District Council			
Tuckwells Sand and Gravel Plant, Thrupp Lane, Radley.	Sept. 09	Gravel washing and grading plant operating without planning permission.	Plant removed. No breach in planning control. Case Closed. Site continues to be monitored as Radley Sand & Gravel.
Chowle Farm Industrial Estate, Farringdon.	July 12	Waste Transfer & Skip Business to the rear of Industrial Units.	EA & EHO involved waste being burnt on site. PCN served. Owners are taking legal action to evict tenants of the land. Deposits have ceased. Owners have asked for an extended period until end of July to clear the land. EA are taking injunctive action to clear land. Continue with watching brief.
and off A415, past Milletts Farm, Marcham	March 12	Soil recycling and deposit of waste to create screening bund.	Contacted operator who has removed screening plant and stopped importing waste. They are in negotiations for alternative industrial premises. Agreed an extended period for the remaining stock piles to be removed.

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Progress of Enforcement Cases

(Covers period from 1st April 2012 to 31 October 2012)

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.

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Location	Date Received	Alleged Breach of Planning Control	Progress
West Oxfordshire District Council			
Land at Cotswold Dene, Lakeside Industrial Park, Standlake.	July 08	Unauthorised change of use – land raising	Waste being tipped without planning permission. EA lead authority and taking prosecution proceedings. OCC officers have provided evidence for proceedings. Activity stopped. Continue with watching brief.
City Farm, Eynsham	Jan 12	Landfill being surcharged beyond permitted boundaries.	Site monitoring established that soil stripping has taken place beyond the defined tipping area and closer to badger sets. Planning application submitted and retrospective planning permission granted 22 nd July 12. Case Closed. Site scheduled for regular monitoring.
Enstone Airfield	February 12	Unauthorised processing and storage of inert waste	Large amount of processed and unprocessed construction and demolition wastes being stored adjacent to runway. No evidence of processing plant. Owner confirmed that material had been gleaned from the clearing of other land and buildings on the airfield and that it was his intension to use the product in runway repairs and private ways around. Negotiated solution. Land cleared. Case closed.
Horse Shoe Lane, Chadlington.	March 12	Construction and demolition waste transfer.	Small scale operation. Investigations established builder's yard not waste transfer. No breach of planning control No further action required. Case closed.

Progress of Enforcement Cases

(Covers period from 1st April 2012 to 31 October 2012)

Contact Officer : Chris Hodgkinson, Senior Planning Enforcement Officer.

Direct Dial Tel: 01865 815872

Mobile Tel: 07899 065518

Location	Date Received	Alleged Breach of Planning Control	Progress
Cherwell District Council			
Hoad Hill Farm, Adderbury	April 10	Unauthorised deposit of waste / waste transfer and burning of waste.	Joint investigation with the EA; evidence of tipping in woodland and burning in the open. Some hazardous wastes have been cleared and the burning has stopped. Small amount of waste remains in woodland. Investigations of ownership following probate continuing prior to more formal action being taken.
Smiths of Bloxham - WTS. Milton Road, Bloxham, Banbury	Jan 11	Unauthorised waste transfer	Site monitoring indicates that Waste Transfer operations have extended beyond the boundary of the approved planning permission. Waste transfer is lawful. Some deposit of waste in bunds outside approved area. CDC permission allows use of waste in development of Gypsy Site on adjacent land. Agreed extended period of storage continue with a watching brief.
Ferris Hill Farm Hook Norton	Jan 11	Unauthorised waste transfer	Site monitoring indicates that Waste Transfer operations have extended beyond the boundary of the approved planning permission. CLUED issued in October 12. Case Closed. Site scheduled for regular monitoring.
Corner Farm, Horton cum Studley	Dec 11	Unauthorised waste transfer	Site being used as civil engineering contractor's yard with an amount of waste transfer, processing and storage. Operator asserts that necessary permission is in place with CDC but not for waste element. PCN required prior to formal enforcement action.
Sainthill Copse, adj A34. Weston on the Green.	Jan 12	Unauthorised Scrp Yard / Metal Recycling	Allegation is that site has been operating for some time although not confirmed in aerial photography. Operator is consulting planning agent on CLEUD application. Agreed to allow time for evidence of use to be shared.
Land at Otmoor, Nr. Murcott, Oxon	Oct 12	Unauthorised deposit / Storage of Waste	Open storage of non-inert construction and demolition waste. Preliminary investigations continuing.

Planning Enforcement - Glossary of Terms

BCN	-	Breach of Condition Notice - A summary procedure for the enforcement of planning conditions. Where there has been a failure to comply with a condition attached to a current planning permission the Local Planning Authority may serve such a notice.
CDC	-	Cherwell District Council
CLEUD	-	Certificate of lawful use / development. A procedure to allow a person to ascertain whether; (a) the existing use of land or buildings is lawful; (b) any operations carried out in, on, over or under land are lawful; or (c) any other matter constituting a failure to comply with a condition of a planning permission is lawful.
COU	-	Change of Use
EA	-	Environment Agency
EN	-	Enforcement Notice
Expediency	-	A judgment of the merits of an activity against planning policy.
LBA	-	Letter before action - a formal letter which sets out the alleged breach in planning control and suggested remedy.
OCC	-	Oxfordshire County Council
PCN	-	Planning Contravention Notice - A formal notice requiring a recipient to provide information about development on land so far as they are able.
Pd	-	permitted development
Pp	-	planning permission
SODC	-	South Oxfordshire District Council
VoWH	-	Vale of White Horse District Council
WODC	-	West Oxfordshire District Council

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PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

Policy Annex (Relevant Development Plan and other Policies)

The South East Plan - Regional Spatial Strategy for the South East of England, May 2009

POLICY M4: OTHER MINERALS

Future provision should be made in local development documents for clay, chalk, silica sand and gypsum as regionally significant minerals of national importance. Where practicable, substitute and recycled waste materials should be used to conserve natural resources, high quality reserves should be safeguarded for appropriate end uses, and new handling facilities developed where this would increase the quantity of minerals and manufactured products being transported by rail or water.

Mineral planning authorities should plan for:

- a permitted reserve of clay for brick and tile product manufacture, sufficient to last for at least 25 years at current production rates, should be maintained to supply individual works throughout the Plan period, and new manufacturing capacity developed if this would replace older plants or reduce net imports to the region; for small-scale manufacture, a long-term landbank of a lesser period than 25 years may be appropriate
- a permitted reserve of chalk for cement manufacture, sufficient to last for at least 25 years at current production rates, should be maintained throughout the Plan period in Kent and Medway
- a permitted reserve of silica sand should be maintained throughout the Plan period in Surrey and Kent, equivalent at current production rates, to at least 10 years at existing sites and at least 15 years at new sites
- a permitted reserve of gypsum, sufficient to last at least 20 years at current production rates, should be maintained throughout the Plan period in East Sussex to support the building product and cement industries, and the use of desulphurgypsum imported by rail over the shortest practicable distance should be encouraged.

POLICY W5: TARGETS FOR DIVERSION FROM LANDFILL

A substantial increase in recovery of waste and commensurate reduction in landfill is required in the region. Accordingly, the following targets for diversion from landfill of all waste need to be achieved in the region (Policy W6 targets are a component of these):

Year	Municipal Solid Waste (MSW)	Commercial and Industrial (C&I)	Construction and Demolition (C&D)	All Waste	
	mt/yr	mt/yr	mt/yr	mt/yr	%
2008	2.0	5.2	10.0	17.2	68
2010	2.5	5.8	10.1	18.4	71
2015	3.9	7.4	10.4	21.7	79
2020	4.7	8.7	10.7	24.0	84
2025	5.1	9.4	10.9	25.5	86

Regional Targets for Diversion from Landfill

Source: Regional Waste Management Capacity: Survey, Methodology and Monitoring, Updated Final Report, 2008 (modelled Scenario 1)

Note: Percentage targets for diversion from landfill in the year 2008 have been interpolated.

Waste planning authorities (WPAs) should ensure that policies and proposals are in place to contribute to the delivery of these targets, and waste management companies should take them into account in their commercial decisions. The optimal management solution will vary according to the individual material resource streams and local circumstances and will usually involve one or more of the following processes:

- re-use
- recycling
- mechanical and/or biological processing (to recover materials and produce compost, soil conditioner or inert residue)
- thermal treatment (to recover energy)
- priority will be given to processes higher up this waste hierarchy.

WPAs should continue to provide sufficient landfill capacity to process residues and waste that cannot practicably be recovered.

POLICY W6: RECYCLING AND COMPOSTING

The following targets for recycling and composting should be achieved in the region:

Year	Municipal Solid Waste		Commercial and Industrial		Construction and Demolition		All Waste	
	mt/yr	%	mt/yr	%	mt/yr	%	mt/yr	%
2008	1.6	36	3.9	46	5.8	48	11.3	45
2010	1.9	40	4.5	50	6.1	50	12.9	50
2015	2.6	50	5.5	55	6.1	50	15.0	55
2020	3.1	55	6.4	60	7.3	60	17.1	60
2025	3.6	60	7.3	65	7.3	60	19.1	65

Regional Recycling and Composting Targets

Source: Regional Waste Management Capacity: Survey, Methodology and Monitoring, Updated Final Report, 2008 (modelled Scenario 1)

Note: Percentage targets for diversion from landfill in the year 2008 have been interpolated.

Waste authorities should adopt policies and proposals to assist delivery of these targets and waste management companies should take them into account in their commercial decisions.

POLICY W14: RESTORATION

Development plan documents will secure high quality restoration and, where appropriate, aftercare of waste management sites so as to help deliver the wider environmental and social objectives of this Plan.

POLICY W17: LOCATION OF WASTE MANAGEMENT FACILITIES

Waste development documents will, in identifying locations for waste management facilities, give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections. The suitability of existing sites and potential new sites should be assessed on the basis of the following characteristics.

- i. good accessibility from existing urban areas or major new or planned development
- ii. good transport connections including, where possible, rail or water
- iii. compatible land uses, namely:
 - active mineral working sites
 - previous or existing industrial land use
 - contaminated or derelict land
 - land adjoining sewage treatment works
 - redundant farm buildings and their cartilages
- iv. be capable of meeting a range of locally based environmental and amenity criteria.

Waste management facilities should not be precluded from the Green Belt. Small-scale waste management facilities for local needs should not be precluded from Areas of Outstanding Natural Beauty and National Parks where the development would not compromise the objectives of the designation

Oxfordshire Minerals and Waste Local Plan 1996

POLICY PE2: LOCATION AND CONTROL OF MINERAL WORKINGS

Planning permissions for mineral working will not be granted outside the areas identified in this Plan unless:

- (a) the working would be acceptable under policy SD2, or
- (b) (i) the proposal satisfies the policies of the Structure Plan and this Local Plan, and
 - (ii) in the case of sand and gravel, the apportioned supply from the county cannot be met from within the areas identified, or
 - (iii) in the case of other minerals, the demand cannot be met from within areas which are identified in the Plan.

POLICY PE3: BUFFER ZONES

Appropriate buffer zones will be safeguarded around mineral working or waste disposal sites for protection against unacceptable losses of residential or natural amenity.

POLICY PE11: RIGHTS OF WAY AND PUBLIC ACCESS

The rights of way network should be maintained and individual rights of way retained in situ. Diversions should be temporary, safe and convenient and should be reinstated as soon as possible. Any proposal for permanent diversion should fulfil the functions of recreational and communications use of the right of way. Improvements to the rights of way network will be encouraged.

POLICY PE13: RESTORATION, AFTER-USE AND NATURE CONSERVATION

Mineral workings and landfill sites should be restored within a reasonable timescale to an after-use appropriate to the location and surroundings. Proposals for restoration, aftercare and after-use should be submitted at the same time as any application for mineral working. Planning permission will not be granted for mineral working or landfill sites unless satisfactory proposals have been made for the restoration and after-use and means of securing them in the long-term.

POLICY PE18: PLANNING APPLICATIONS

In determining applications covered by this Plan the County Council will:

- (a) Have regard to the appropriate provisions of the Code of Practice in Annex 1, which is part of this Plan, and
- (b) Regulate and control development by the imposition of conditions on the grant of permission. Where this cannot satisfactorily be done, appropriate planning obligations will be sought.

POLICY PB2: PLANT AND BUILDINGS

The County Council will normally require the removal of all processing plant, buildings and associated machinery within 24 months of extraction being completed or expiry of the permission, whichever is the sooner.

POLICY SD3: LIMESTONE AND CHALK

Planning permission will not normally be granted for new limestone and chalk quarries. Extensions to existing limestone and chalk quarries will be considered against national policies and those in the Structure and Local Plan. Very small quarries to supply traditional local building stone to the immediate area may be permitted as an exception to this policy.

POLICY W3: WASTE DISPOSAL

Proposals for re-use/recycling will normally be permitted provided that:

- (a) the site is close to the source of the waste and/or the market for the re-used/recycled material;
- (b) the site is well related to appropriate parts of the transport network, and located where the number and length of motorised journeys is likely to be minimised;
- (c) the proposal will not cause unacceptable nuisance in terms of noise, dust, fumes, smell, visual intrusion or traffic;
- (d) the proposal will not pose an unacceptable risk to the water environment;
- (e) the proposal does not conflict with Structure and Local Plan policies.

POLICY W4: WASTE DISPOSAL

Proposals for re-use/recycling and ancillary processes will not normally be permitted in the open countryside unless:

- (a) there is an established overriding need and there is no other suitable sites available and/or;
- (b) the development is to form part of a mineral extraction/landfill site and will be removed on completion of extraction/landfill.

POLICY W5: WASTE DISPOSAL

In all cases waste treatment plant, buildings, machinery and stockpiles must be properly screened from the surrounding landscape. Such screening – by landscaping or other means – should be in place before any waste stockpiling or treatment begins.

POLICY W7: WASTE DISPOSAL

To control the release and location of landfill sites in such a way as to ensure that satisfactory restoration is progressively achieved with the least possible harm to the environment. Proposals will therefore be assessed against the following criteria:

- a) there is a definite need for the facilities which cannot be met by existing or permitted landfill sites;
- b) there should be no material damage or disturbance to the environment or to the amenities of residential and other sensitive uses or buildings, both during and after operation, by reason of noise, dust, vermin, smell, gas and other pollution, or long-term damage to the visual amenities;
- c) the proposed filling should not raise or impede the floodplain of rivers and streams or create risk of pollution of surface or underground water courses;
- d) the proposal will cause no material damage to any feature of importance within a Site of Special Scientific Interest or other site of nature conservation importance which cannot be protected by measures incorporated within the proposal;
- e) the proposal will cause no material damage to an ancient monument or archaeologically important area requiring permanent preservation;
- f) the proposal will not adversely affect an Area of Outstanding Natural Beauty or of High Landscape Value;
- g) in the case of proposals in the Green Belt the development should not injure the visual amenities of the Green Belt or conflict with its purposes because of inappropriate siting, scale or design;
- h) the proposed access to the site, and transport routes for carrying waste to it, are suitable for the volume and nature of traffic which may be expected;
- i) the site and the methods of operation proposed are capable of progressive restoration and completion within an acceptable period having regard to the particular circumstances in each case;
- j) proposals for sites must meet with the hydrological and geological requirements for safe disposal of the particular waste concerned;
- k) where waste disposal might damage the visual amenities of an area during the period of operation, the site will be screened by earth mounding, tree planting or other techniques appropriate to the area.

Oxfordshire Minerals and Waste Core Strategy

POLICY C3: ENVIRONMENTAL AND AMENITY PROTECTION

Proposals for minerals and waste development should demonstrate that they will not have an unacceptable adverse impact on the environment, residential amenity and other sensitive receptors.

POLICY C5: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should not take place where it would be likely to have a significant adverse effect on a Site of Special Scientific Interest, either individually or in combination with other development.

Minerals and waste development should not damage or destroy irreplaceable habitats or biodiversity, including ancient woodland and species rich grassland.

Where proposals for minerals and waste development would affect a site designated for its national or local importance for nature conservation, the development proposals should include appropriate measures to protect, conserve and enhance the nature conservation interest of the site.

Nationally and locally important geological features and sites should be protected from harmful development and retained in situ unless there are exceptional reasons justifying their removal, in which event their presence should be appropriately recorded.

Proposals for mineral working and landfill should demonstrate that the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity and geodiversity. Where mineral working or landfill is located in or close to a Conservation Target Area, developers will be expected to make an appropriate contribution to the achievement of Biodiversity Action Plan targets through the maintenance and enhancement of the Conservation Target Area and relevant Biodiversity Action Plan priority habitats.

POLICY C6: LANDSCAPE

Proposals for minerals and waste development should demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals should include measures to mitigate adverse impacts on landscape, including through siting, design and landscaping.

High priority will be given to conservation and enhancement of the natural beauty of the landscape in Areas of Outstanding Natural Beauty (AONB). Proposals for minerals and waste development within or that would affect the setting of an AONB should demonstrate that they take this into account and are informed by the relevant AONB Management Plan. Development within AONBs should normally only be small-scale and should be sensitively located and designed.

POLICY C7: TRANSPORT

Minerals and waste development will be expected to make provision for adequate and convenient access to and along advisory lorry routes in a way that maintains and if possible leads to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network;
- residential and environmental amenity.

Where improvements to the transport network are required to achieve this, developers will be expected to provide the improvements or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

POLICY C8: TRANSPORT

Minerals and waste development will be expected to make provision for adequate and convenient access to and along advisory lorry routes in a way that maintains and if possible leads to improvement in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network;
- residential and environmental amenity.

Where improvements to the transport network are required to achieve this, developers will be expected to provide the improvements or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

POLICY C9: RIGHTS OF WAY

The integrity of the rights of way network should be maintained and if possible retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, should be reinstated as soon as possible. If permanent diversions are required, these should seek to enhance and improve the public rights of way network.

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 scheme, including making appropriate financial contributions.

POLICY M7: RESTORATION OF MINERAL WORKINGS

Minerals workings should be restored to a high quality and in a timely and phased manner to an after-use appropriate to the location and the capacity of the transport network and which is sympathetic to the character of the surrounding landscape and the amenity of local communities. Restoration and afteruse should accord with any restoration strategy for the area concerned in a site allocations development plan document.

Planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and after-use of the site, including the means of securing them in the long term. Where appropriate, operators and landowners will be expected to make provision for the management of restored mineral workings for an extended period, beyond any aftercare period required by condition, including making appropriate financial contributions.

Where mineral working is proposed on best and most versatile agricultural land, the restoration should be back to agricultural land if this is practicable.

Within the floodplain, restoration of mineral workings should where possible include provision for increased flood storage capacity to reduce the risk of flooding elsewhere.

Where restoration could assist or achieve priority habitat or species targets and/or Biodiversity Action Plan targets, the relevant biodiversity after-use should be incorporated within the restoration scheme.

Where restoration could protect and/or improve geodiversity and improve educational opportunities this should be incorporated into the proposed restoration scheme, such as by providing for important geological faces to be left exposed and enabling access to the faces.

Where a mineral working site has the potential to provide for local amenity uses, including appropriate sport and recreational uses, these uses should be incorporated into the restoration scheme.

POLICY W6: SITES FOR WASTE MANAGEMENT FACILITIES

Priority will be given to siting waste management facilities on land that:

- is already in permanent waste management or industrial use; or
- is previously developed, derelict or underused; or
- involves existing agricultural buildings and their curtilages; or
- is at a waste water treatment works.

Waste management facilities will not be permitted on green field land unless there is an over-riding need that cannot reasonably be met elsewhere. At mineral working and landfill sites, waste management facilities will be permitted provided that the development is related to and will be removed on completion of the mineral working or landfill operation.

Within the Green Belt, waste management facilities may be permitted provided that very special circumstances are demonstrated. Proposals for such facilities will need to demonstrate that they are required to serve a recognised need arising in Oxford and that there is no reasonable prospect of an alternative site becoming available outside the Green Belt. Controls may be imposed to ensure that such facilities serve a waste management need arising in Oxford.

Within Areas of Outstanding Natural Beauty, only small-scale waste management facilities to meet local waste needs will normally be permitted.

POLICY W7: LANDFILL

Priority will be given to the use of inert (construction, demolition and excavation) waste which cannot be recycled as infill material at active or unrestored quarries where such material is required in order to achieve satisfactory restoration for appropriate afteruse. Permission will not be granted for disposal of inert waste elsewhere unless there would be overall environmental benefit.

Permission will not be granted for new landfill sites for non-hazardous waste. Existing non-hazardous landfill capacity will be husbanded for the disposal of residual non-hazardous waste. Permission will be granted to extend the life of existing non-hazardous landfill sites where this is necessary to meet the need for disposal of residual non-hazardous waste or to enable completion and restoration of the landfill.

Landfill sites should be restored in accordance with policy M7 for restoration of mineral workings.

Oxford Local Plan 2001-2006

POLICY CP1 – DEVELOPMENT PROPOSALS

Planning permission will only be granted for development which:

- a. shows a high standard of design, including landscape treatment, that respects the character and appearance of the area; and
- b. uses materials of a quality appropriate to the nature of the development, the site and its surroundings; and
- c. is acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements including, where appropriate, links to adjoining land; and
- d. provides buildings and spaces with suitable access arrangements and facilities for use by all members of the community with special access needs.

Where relevant, development proposals must also:

- e. retain and protect important landscape and ecological features, and provide for further landscape treatment where appropriate to the nature of the area or to safeguard the local amenity; and
- f. retain important open spaces of recreational or amenity value or both; and
- g. preserve or enhance the special character and setting of listed buildings and conservation areas; and
- h. preserve the site and setting of Scheduled Ancient Monuments or sites of special local archaeological significance; and
- i. safeguard public rights of way and the amenities of adjoining land users and occupiers, including the provision of alternative rights of way or equal or enhanced quality.

POLICY CP6: EFFICIENT USE OF LAND AND DENSITY

Planning permission will only be granted where development proposals make maximum and appropriate use of land.

Development proposals must make best use of site capacity, in a manner compatible with both the site itself and the surrounding area, as well as addressing the following criteria:

- a. the intensity of development must be appropriate for the use proposed;
- b. the scale of development, including building heights and massing, should be at least equivalent to the surrounding area, although larger-scale proposals will be encouraged in appropriate locations;
- c. opportunities for developing at the maximum appropriate density must be fully explored;
- d. built form and site layout must suit the site's capacity; and
- e. parking levels must be appropriate to the use proposed.

Residential development should generally be above 40 dwellings per hectare, with higher density development expected on appropriate sites.

POLICY CP8 – DESIGNING DEVELOPMENT TO RELATE TO ITS CONTEXT

All new and extended buildings should relate to their setting to strengthen, enhance and protect local character. Planning permission will only be granted where:

- a. new development is well connected to, and integrated with, the wider area;
- b. the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area;
- c. building design is specific to the site and its context and should respect, without necessarily replicating, local characteristics, and should not rule out innovative design; and
- d. proposed development on sites with a high public visibility enhances the style and perception of the area; particularly be retaining features which are important to, and remove features which detract from, the character of the local area.

In addition, in and adjacent to conservation areas, new development needs to have special regard for the character and appearance of the area.

POLICY CP10: SITING OF DEVELOPMENT TO MEET FUNCTIONAL NEEDS

Planning permission will only be granted where proposed developments are sited to ensure that:

- a. access to the site is practicable, with priority given to pedestrians and cyclists;
- b. circulation within the site, and site entrances, give priority to pedestrians and cyclists;
- c. outdoor needs are properly accommodated, including private amenity space, screened refuse and recycling storage, servicing and parking;
- d. street frontage and streetscape are maintained or enhanced or created;
- e. buildings are orientated to provide satisfactory light, outlook and privacy; and
- f. the use or amenity of other properties is adequately safeguarded.

POLICY CP13: ACCESSIBILITY

Planning permission will only be granted for development which makes reasonable provision for access by all members of the community, including people with children, elderly people and people with disabilities. The City Council will require proposals to ensure that the particular needs of different groups are incorporated into the design of new buildings, facilities and layout of sites.

POLICY CP25: TEMPORARY BUILDINGS

Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work.

Planning permission for temporary or portable buildings will not be granted where:

- a. buildings would adversely affect visual attractiveness, trees or parking provision; and
- b. proposals do not adequately address, where appropriate: landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; or provide a suitable external appearance.

Planning permissions for temporary buildings will be subject to a planning condition that requires the removal of the buildings within a specified time period.

POLICY HS19: PRIVACY AND AMENITY

Planning permission will only be granted for development that adequately provides both for the protection, and/or creation of the privacy or amenity of the occupants of the proposed and existing neighbouring, residential properties. The City Council will assess each development proposal in terms of:

- a. potential for overlooking into habitable rooms or private open space;
- b. potential for noise intrusion;
- c. sense of enclosure, or development of an overbearing nature;
- d. refuse and recycling storage;
- e. cycle storage;
- f. drying space; and
- g. sunlight and daylight standards.

Oxford Core Strategy (adopted March 2011)

POLICY CS16: ACCESS TO EDUCATION

The City Council will work with the County Council and other agencies to improve access to all levels of education, through new or improved facilities, throughout Oxford, but particularly in areas of population growth.

The strategic development areas at Barton and West End, and potentially Summertown, will identify suitable provision for primary school(s). Funding to enable the timely provision of the necessary education facilities will be sought from the developments that generate that need.

Planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport. Provision for community as well as educational use will be sought.

POLICY CS18: URBAN DESIGN, TOWNSCAPE CHARACTER AND THE HISTORIC ENVIRONMENT

Planning permission will only be granted for development that demonstrates high-quality urban design through:

- responding appropriately to the site and its surroundings;
- creating a strong sense of place;
- being easy to understand and to move through;
- being adaptable, in terms of providing buildings and spaces that could have alternative uses in future;
- contributing to an attractive public realm;
- high quality architecture.

Development proposals should respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the character and distinctiveness of the locality. Development must not result in loss or damage to important historic features, or their settings, particularly those of national importance and, where appropriate, should include proposals for enhancement of the historic environment, particularly where these address local issues identified in, for example, conservation area character appraisal or management plans. Views of the skyline of the historic centre will be protected.

Vale of White Horse Local Plan 2011

POLICY L11: THE RIDGEWAY

Development will not be permitted if it would:

- i) harm the remote and tranquil quality of the Ridgeway;
- ii) cause harm to the path;
- iii) result in the loss of important trees and hedgerows along its route; or
- iv) diminish the enjoyment experienced by its users through increased erosion, noise disturbance or visual intrusion.

POLICY NE6: NORTH WESSEX DOWNS

Development in the North Wessex Downs Area of Outstanding Natural Beauty will only be permitted if the natural beauty of the landscape will be conserved or enhanced. Development which would be visually prominent, would detract from views from public vantage points or would spoil the appreciation of the landscape quality of the North Wessex Downs Area of Outstanding Natural Beauty will not be permitted.

Major industrial or commercial development will not be permitted in the Area of Outstanding Natural Beauty unless:

- i) it is proven to be in the national interest and no alternative site can be found; and
- ii) all steps are taken to reduce the impact of the development on the beauty of the area.

POLICY NE9: THE LOWLAND VALE

Development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on the long open views within or across the area.

POLICY NE10: URBAN FRINGES AND COUNTRYSIDE GAPS

In the urban fringes and important open gaps between settlements, as shown on the proposals map, development or changes of use which would harm their essentially open or rural character will not be permitted.

POLICY NE11: AREAS FOR LANDSCAPE ENHANCEMENT

Proposals for development within or affecting areas of damaged or compromised landscape, in particular those areas defined for landscape enhancement on the proposals map, must provide a landscaping scheme which enhances the appearance of the area. Development which would further erode or damage the character of the landscape will not be permitted.