



To: **Members of the Planning & Regulation Committee**

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

**Monday, 11 April 2016 at 2.00 pm**

**County Hall, New Road, Oxford**

A handwritten signature in black ink that reads "PG Clark".

Peter G. Clark  
Head of Paid Service

March 2016

**Contact Officer: Graham Warrington**  
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[graham.warrington@oxfordshire.gov.uk](mailto:graham.warrington@oxfordshire.gov.uk)

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*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.*

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**Membership**

Chairman – Councillor Mrs Catherine Fulljames  
Deputy Chairman - Councillor Neil Owen

**Councillors**

David Bartholomew  
Mark Cherry  
Patrick Greene  
Bob Johnston

Stewart Lilly  
James Mills  
Glynis Phillips  
Anne Purse

G.A. Reynolds  
John Tanner

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**Notes:**

- ***A site visit is required for Item 6. Meeting on site at 10.30.***
- ***Date of next meeting: 23 May 2016***

## 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 Glenn Watson on (01865) 815270 or [glenn.watson@oxfordshire.gov.uk](mailto:glenn.watson@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 - 12)

To approve the minutes of the meeting held on 22 February 2016 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Update report - Proposed importation and processing of material on land at Enstone Shooting Range, Enstone for placement on the permitted bunds as per planning permission 14/1178/P/FP at Enstone Airfield, Enstone - Application MW.0160/15** (Pages 13 - 22)

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

This is an update to the application for the importation and processing of material on land at Enstone Shooting Range, for the placement of recycled waste to form the permitted bunds as per planning permission 14/1178/P/FP issued by West Oxfordshire District Council and deferred by the Planning & Regulation Committee on 22 February 2016 until this meeting to allow a further 21 days of consultation on additional information relating to HGV movements and travel routes. The applicant has also stated it is willing to agree a Routeing Agreement if the committee feel it is necessary. An alternative Travel Plan has also been proposed for discussion at the Planning and Regulation Committee meeting on 11 April 2016.

***It is RECOMMENDED that application MW.0160/15 (15/04481/CM) be granted subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) to include the following:***

- i. 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.***
- ii. The development to be commenced within a period of three years from the date of the permission.***
- iii. Processing of waste to construct the noise attenuation bunds shall cease within 5 years of the date of permission. All buildings, plant and machinery***

- associated with the processing of waste shall be removed within the 5 years of date of permission and site restored in accordance with the restoration scheme specified in Planning Statement (dated December 2015) and Proposed Noise Attenuation Screen Bund Plan (Drg No. 4C).*
- iv. No operations authorised or required by this permission shall be carried out and plant shall not be operated, other than during the following hours:
    - a. Between 0800 and 1630 hours Mondays to Fridays*
    - b. Between 0800 and 1300 hours on Saturdays*
    - c. No such operations shall take place on Sundays and Public and Bank Holidays and Saturdays immediately following Public and Bank Holiday Fridays.**
  - v. From the date of issuing permission the operator shall maintain records of all waste entering and leaving the site for all operations within the red line area and shall be made available to the Waste Planning Authority within 14 days on request.*
  - vi. The output of residual waste from the processing operation shall not exceed 20% of the total amount of waste imported to the site per annum.*
  - vii. No waste shall be imported on to the site, other than for the purposes of processing to create material for the construction of noise attenuation bunds as shown on the Noise Attenuation Screen Bund Plan (Drg No. 4C). All residual waste shall be removed from the site.*
  - viii. HGV movements related to importation and export of waste to and from the site shall not exceed a maximum of 40 per day (20 in, 20 out).*
  - ix. From the date of issuing permission the operator shall maintain records of all HGV movements entering and leaving the site for all operations within the red line area and shall be made available to the Waste Planning Authority within 14 days on request.*
  - x. The development to be carried out in accordance with an approved amended Travel Plan to include that:
    - a) HGVs to and from Bicester to travel via the A34, A44 and B4022;*
    - b) HGVs to and from Oxford to travel via the A34, A44 and B4022;*
    - c) HGVs to and from Banbury to travel via the A361 and B4022;and*
    - d) HGVs to and from Chipping Norton to travel via the A44 and B4022.**
  - xi. Stockpiles of waste shall not exceed a height of 5 metres.*
  - xii. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery; they shall be installed and retained in use.*
  - xiii. No mud or dust shall be deposited on the public highway.*
  - xiv. The concreted surface of the site and site access shall be maintained in a good state of repair and kept clean and free from mud and other debris at all times until such time as the site is no longer required for these operations.*
  - xv. All completed noise attenuation bunds shall be sown with a grass seed mix and kept free of weeds within 6 months of completion.*
  - xvi. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle operating on the site, other than those which use white noise.*
  - cvii. No development shall take place except in accordance with the dust suppression measures specified in the Planning Statement (Dated December 2015), and Dust Management and Mitigation Plan approved under Planning Permission 14/1178/P/FP.*

- viii. *Noise emitted from on-site crushing and screening should not exceed the background noise level (LA90, 1h) by more than 10 dB(A) at the nearest noise sensitive façades during normal working hours*
- xix. *All fuel tanks shall be sited on a concrete base surrounded by bund walls capable of retaining at least 110% of the tank volume and any spillages from draw or fill pipes.*
- xx. *The aftercare of the site shall be undertaken for a period of 5 years in accordance with the Aftercare Scheme specified in the Planning Statement (dated December 2015).*

## **7. Relevant Development Plan and other Policies (Pages 23 - 32)**

Paper by the Deputy Director for Environment & Economy (Strategy & infrastructure Planning (**PN7**)).

The paper sets out policies in relation to Item 6 and should be regarded as an Annex to that report.

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### **Pre-Meeting Briefing**

There will be a pre-meeting briefing at County Hall on **Monday 11 April 2016** at **12.30 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

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## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 22 February 2016 commencing at 2.00 pm and finishing at 5.10 pm.

**Present:**

**Voting Members:** Councillor Mrs Catherine Fulljames – in the Chair

Councillor Neil Owen (Deputy Chairman)  
Councillor David Bartholomew  
Councillor Mark Cherry  
Councillor Patrick Greene  
Councillor Bob Johnston  
Councillor Stewart Lilly  
Councillor James F. Mills  
Councillor Glynis Phillips  
Councillor Anne Purse  
Councillor G.A. Reynolds  
Councillor John Tanner

**Other Members in Attendance:** Councillor Charles Mathew (for Agenda Item 7)

**Officers:**

Whole of meeting G. Warrington and D. Mytton (Law & Governance); C. Kenneford and D. Mytton (Environment & Economy)

Part of meeting

<b>Agenda Item</b>	<b>Officer Attending</b>
6	M. Thompson (Environment & Economy)
8 & 9	M. Case (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.*

**4/16 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE**  
(Agenda No. 2)

With regard to Item 9 (Enstone Airfield, Enstone – Application No. MW.0160/15) Councillor Owen advised that as a member of West Oxfordshire Uplands Planning Committee he would take no part in the discussion or voting.

**5/16 MINUTES**  
(Agenda No. 3)

The minutes of the meeting held on 11 January 2016 were approved and signed.

**6/16 PETITIONS AND PUBLIC ADDRESS**  
(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
County Councillor Charles Mathew Dave Norminton and Matt Barlow (Hanson)	) ) 7 – Dix Pit – Application No )MW.0053/15
Carl Middleditch (Agent) and Nigel Matthews (Applicant)	8 – Ferris Hill Farm – Application No MW.0132/15
Peter Butler (Resident, Church Enstone) David Einig (Applicant)	) ) 9 – Enstone Airfield – Application )No. MW.0160/15

**7/16 UPDATE REPORT - PROGRESSIVE EXTRACTION OF SAND AND GRAVEL, IMPORTATION OF WASTE MATERIAL WITH RESTORATION TO NATURE CONSERVATION AND AN AGRICULTURAL RESERVOIR ON LAND AT SUTTON WICK - APPLICATION NO. MW.048/05**  
(Agenda No. 6)

The Committee considered an update on an application for sand and gravel extraction at Camas Land Sutton Wick, which the Planning & Regulation Committee had approved on 18 May 2015. Permission had not yet been issued for this development but the developer had undertaken drainage works which involved soil removal to part of the site which meant that it would not be possible for the developer to comply with the proposed phased working plan and therefore, an alternative working plan had now been put forward for approval.

Presenting the report Miss Thompson advised that 2 further representations had been received. These had been detailed in the addenda sheet and neither had raised any objections.

Councillor Purse felt that opportunities for diversity as originally agreed could be compromised.



Referring to the growing number of retrospective applications Councillor Bartholomew questioned whether enough was being done to dissuade developers.

Miss Thompson advised that officers had been unhappy that work had been undertaken by the developer but in an effort to try and move the situation forward officers had recommended as set out in the report. Responding to Councillor Johnston she advised that an Environment Agency licence would have been required for the work undertaken and a retrospective application had also been submitted for that.

The work undertaken and which had led to the retrospective application had been regarded as insufficient to have affected any permission had it been issued. The ecologist had advised that the revised phasing was acceptable but if that advice had been otherwise then other options would have had to be considered. No mineral extraction had occurred.

Endorsing the earlier comment made by Councillor Bartholomew regarding retrospective applications Councillor Lilly suspected that in most cases, if not all, such action was premeditated. He understood some authorities had introduced a fine system to offset any costs and he wondered whether the County Council should consider adopting a similar charge.

**RESOLVED:** (on a motion by Councillor Greene, seconded by Councillor Mills and carried by 10 votes to 1, Councillor Bartholomew recorded as having abstained) that if at the end of the current consultation period no overriding objection had been received to the amended working plan, then that plan be approved instead of the previous working plan and that in all other respects permission be issued for application MW.048/05 as had been approved in accordance with the previous decision of the Planning & Regulation Committee on 18 May 2015.

**8/16 UPDATE REPORT - REQUEST FOR TEMPORARY RELAXATION OF REQUIREMENTS OF ROUTEING AGREEMENT ASSOCIATED WITH PLANNING PERMISSION FOR ERECTION OF A MOBILE CONCRETE BATCHING PLANT WITH ASSOCIATED INFRASTRUCTURE, CONCRETE HARDSTANDING AND PORTABLE TOILET LAND AT DIX PIT ADJACENT TO WORKSHOPS, LINCH HILL, STANTON HARCOURT - APPLICATION NO. MW.0053/15**

(Agenda No. 7)

In November 2015 the Planning & Regulation Committee had agreed that a deed of variation to the routeing agreement attached to a permission to erect a mobile concrete batching plant granted in July 2015 to allow up to 10 loaded concrete mixer lorries per day to travel from the plant through Sutton between 9.00 am and 3.00 pm to the Westgate Centre redevelopment until the completion of roadworks on the Cutteslowe and Wolvercote roundabouts. The variation had been agreed to address concerns that journey times from the site into central Oxford were being adversely affected by roadworks on the Wolvercote and Cutteslowe roundabouts, to the extent that some concrete had been out of specification on arrival and had had to be returned.

The Committee now considered a report (PN7) setting out identified breaches of the existing routing agreement which had taken place since the variation had been agreed along with a response from officers to seek to secure compliance.

Introducing the report Mr Periam confirmed the temporary nature of the variation which applied to outgoing lorries only. There had been a number of breaches in the intervening months but, as a civil matter and not a planning application, a High Court injunction would be required to address the matter and officers were of the opinion that this would not constitute a major breach.

Responding to Councillor Bartholomew who had raised the issue of stronger action Mr Periam advised that the Committee could decide to reverse its earlier decision with regard to the route variation but if it did then clear and defined reasons would be required for doing so.

He confirmed that delays in signing the deed of variation had allowed the opportunity to bring this further report to Committee.

Responding to Councillor Tanner he advised that he was aware of 13 breaches so far but there could be more and he was unable to put a precise figure as to what percentage that represented of the total vehicle movements to date.

Councillor Mathew referred to the three previous occasions when he had urged the Committee not to agree to the developments at this site including latterly the variations to routing. He felt that the evidence presented of 21 breaches the latest at 8.25 that morning, which had also been outside the agreed time exonerated him in voicing those concerns that conditions applied to the development would not be honoured. The situation was intolerable and the breaches totally unacceptable.

He responded to questions from:

Councillor Johnston – photographic evidence existed for the breaches he had referred to.

Councillor Greene – the only real alternative in his view was to rescind the variation.

Dave Norminton and Matt Barlow then addressed the Committee. Mr Norminton apologised for the 13 breaches which had occurred since the end of November but he was confident that the Company had now got to grips with the situation. There were other hauliers accessing the site who used Hanson's livery but who were not subject to the variation and it was possible that some of the breaches could be attributed to those vehicles.

Mr Barlow advised that the Company had taken these issues seriously and were doing as much as they could to prevent breaches. They had adopted a strict one strike policy with drivers ultimately dismissed if they continued to transgress. He confirmed vehicles were fitted with tracking systems and in fact a new and improved system was due to be introduced out in June this year and that since November 2015 there had been 1,840 movements out of the plant.

Councillor Mills questioned the Company's sincerity regarding these issues when they had taken so long to sign the variation itself as well as responding to numerous reminders from the County Council.

Mr Norminton agreed there had been delays in replying although immediate holding responses had been sent pending further internal consultations.

Councillor Bartholomew considered there were 3 reasons for breaches namely drivers ignoring the correct route, new drivers or drivers not knowing the area all of which needed to be addressed by better company training.

Mr Barlow confirmed their commitment to raising standards in road haulage and that the Company had improved management procedures to cope with that but there had been challenges due to the need to import drivers.

Having regard to the 1,840 movements and 13 breaches as stated by the Company Councillor Tanner asked what action did they intend to take to prevent further breaches.

Mr Barlow replied that they would continue to brief drivers and publish any breaches. However, the Company could only deal with these incidents retrospectively but they were happy to share that information publicly.

Responding to Councillor Johnston he confirmed that there was a financial incentive for drivers to complete deliveries as quickly as possible but if they were found to be breaking the agreement they would be sanctioned and lose a full day's pay.

Responding to suggestions that evidence of breaches as presented by Councillor Mathew should be investigated Mr Norminton advised that the company had acted on its own monitoring with regard to breaches which had occurred but they would happy to try and investigate other cases. They could not guarantee that there would be no further breaches but they were confident that any further breaches would be kept to an absolute minimum. He confirmed that the documents relating to the deed of variation had now been signed and given a positive outcome today could be completed by the end of that week.

Responding to a question by the Chairman the company were happy to publicise contact details for the batching plant and extend the role of the local liaison committee.

Councillor Tanner pointed out that even if the number of breaches was quadrupled it still represented only a very small percentage of the total number of delivery journeys which had been estimated at 1,840 and in reality most were adhering to the route variation. Officer advice had been clear that there was not a strong legal case to rescind the earlier decision and the Committee should therefore approve the officer recommendation as set out in the report but express concern to Hansons over the breaches which had occurred and ask officers to increase monitoring. Councillor Greene seconded.

Councillor Lily suggested some sort of fines system be introduced.

Councillor Bartholomew felt that sanctions should be applied which would impact more on Hansons. It was clear that nobody could say confidently how many breaches there had been nor that that would continue to happen with some frequency.

Councillor Reynolds had supported the first decision for a variation but It was not easy to enforce and he felt that the breaches which had occurred had made the situation untenable. In his view the only solution seemed to be to rescind the variation and revert back to the original routes.

Mr Kenneford advised that there been a great deal of on-site monitoring and investigation into the CCTV photographic evidence but only 13 cases had been verified before Christmas and since then only 1. He felt the actions taken by Hansons were beginning to have a positive effect and while there could there be no guarantees that there would not be isolated incidents breaches were less frequent and the situation had improved. The existing agreement allowed vehicles to use the toll bridge option and he reiterated the view that a decision to rescind would be difficult to defend in the courts.

Councillor Tanner accepted an amendment to his motion that Hansons be told that the Committee would not wish to see any further breaches and with that addition his, as amended, was put to the Committee and **RESOLVED** (by 6 votes to 5) that the report be noted, officers asked to increase monitoring and Hansons informed that the Committee would not wish to see any further breaches.

**9/16 PROPOSED EXTENSION TO WASTE TRANSFER APRON AND PROVISION OF A WASTE PICKING STATION AT FERRIS HILL FARM, SIBFORD ROAD, HOOK NORTON - APPLICATION NO. MW.0132/15**  
(Agenda No. 8)

The Committee considered (PN8) a report for a permanent extension to the existing waste transfer apron to allow for increased operating space

Having presented the report Mr Case responded to questions from:

Councillor Phillips - it was not intended to increase the amount of material but enable greater storage of baled material to be transported out by larger but fewer vehicles.

Councillor Purse – the building and apron were permitted. This application was for the picking station to enable process and separation of material.

Carl Middleditch (Agent) and Nigel Mathews (Applicant) addressed the Committee. Mr Middleditch advised that the site was well contained. Extensive planting with more to come and careful siting of the building had reduced visibility of the site from outside. The applicant's intention was to create a model recycling centre with 100% of material recycled. Improvements continued to be made with no complaints made and no recorded accidents. They accepted that county officers had produced a factual report but the applicant asked the Committee to reconsider condition 3

requiring the picking station to be coloured dark green or grey on the grounds that due to the nature of the material of the building that painting might not work and furthermore they felt it unnecessary as the building was not visible from outside the site. Also condition 8 needed to be amended to reflect the need that some waste would need to be removed from site.

Responding to questions from:

Councillor Johnston - Mr Middleditch confirmed that the amendment to condition 8 had been requested to allow waste to be tipped in the waste transfer station before it went into the trammel in the picking station. Mr Mathews adding that material needed to be checked as early as possible in the process and pre-sorted into segregated bins in order to remove any contaminants. Those were then stored and removed to designated sites when sufficient amounts had been gathered.

Officers confirmed that they could discuss with the applicants some appropriate wording for condition 8 in order to meet their and the planning authority's needs.

Councillor Reynolds agreed the site was well screened and although lighting from within the site could be seen landscaping and lighting conditions should help mitigate against that. The routeing agreement was in place and he could only recall one complaint being received some time ago. He felt condition 3 should remain but was happy for officers to discuss further amendment to condition 8. He so moved and Councillor Bartholomew seconded. The motion was put to the Committee and –

**RESOLVED:** (by 11 votes to 0) that Application MW.0132/15 (15/01829/CM) be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the following:

- (i) The development should 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.
- (ii) The development to be commenced within a period of three years from the date of the permission.
- (iii) The picking station should not be coloured in anything other than dark green or grey colour to match the existing Waste Transfer Station Building.
- (iv) No operations authorised or required by this permission should be carried out and plant should not be operated, other than during the following hours:
  - a) Between 0800 and 1700 hours Mondays to Fridays
  - b) Between 0800 and 1200 hours on Saturdays
  - c) No such operations should take place on Sundays and Public and Bank Holidays and Saturdays immediately following Public and Bank Holiday Fridays.
- (v) The maximum total of waste material imported via the main access should not exceed 24,999 tonnes per annum. This includes all waste processed within the blue line area on the approved Site Location Plan.
- (vi) No other means of access should be used.

- (vii) From the date of issuing permission the operator should maintain records of all waste entering the site for all operations within the blue line area and should be made available to the Waste Planning Authority within 14 days on request.
- (viii) Other than the chipping of wood or storage of material to be chipped and wood chippings, no sorting of waste should take place on the land except within the "Picking Station" on approved Site Layout Plan 2146/29A except for a short period of time.
- (ix) Stockpiles of wood and wood chippings should not exceed a height of 4 metres.
- (x) No crushing of materials or storage of clean hardcore and crushed materials should take within the area labelled "Proposed Extension to Waste Transfer Apron" on approved Site Layout Plan 2146/29A.
- (xi) All vehicles, plant and machinery operated within the site should be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery; they should be installed and retained in use.
- (xii) No reversing beepers or other means of audible warning of reversing vehicles should be fixed to, or used on, any vehicle operating on the site, other than those which use white noise.
- (xiii) No floodlighting should be erected on site without prior approval of the Waste Planning Authority.
- (xiv) The concreted surface of the site and site access should be maintained in a good state of repair and kept clean and free from mud and other debris at all times until such time as the site was no longer required for these operations.
- (xv) No development should take place except in accordance with the dust suppression measures specified in the approved Dust Assessment (dated September 2015).
- (xvi) Between the hours of 08:00 and 17:00 Mondays to Fridays and 08:00 to 12:00 Saturdays, the noise levels arising from the development should not exceed normally 55dB(LAeq) (1 hour), freefield at Gate Hangs High Inn identified on approved Site Location Plan.
- (xvii) No works of site clearance or development should be carried out other than in accordance with the recommendations within Section 4 (Conclusions & Recommendations) of the approved Phase 1 Habitat Survey (Martin Ecology, December 2015). These include: amphibian/reptile precautionary method of working and watching brief by suitably-qualified ecologist; nesting bird check if works were to take place within the bird nesting season; excavations provided with escape routes for badgers; and, provision of log piles.
- (xviii) No works of site clearance or development should take place until a scheme was submitted to and approved in writing by the Waste Planning Authority. The scheme should outline how the operator would dispose of the material removed to construct the apron extension.
- (xix) No works of site clearance or development should take place until a detailed Biodiversity Mitigation and Enhancement Strategy had been submitted to and approved in writing by the Waste Planning Authority. The scheme should be based on the proposals within the Section 4 (Conclusions & Recommendations) of the approved Phase 1 Habitat Survey (Martin Ecology, December 2015) and detailed scheme of tree planting. The Strategy should include:
  - a) numbers and locations of logpiles;

- b) detailed seed mix to include species mix (species should be of local provenance and appropriate to the local area);
  - c) plant size, planting layout & spacing, and methods of establishment for both new planting and species mix, position, size and protection methods for existing planting;
  - d) management and maintenance of habitats including grassland, trees and pond; and
  - e) a programme for its implementation.
- (xx) No works of site clearance or development should take place until a Construction Traffic Management Plan had been submitted to and approved in writing by the Waste Planning Authority.
- (xxi) Any scheme that is approved should be implemented in the first planting season immediately following the approval in writing of that scheme. No work should take place other than in accordance with the approved strategy.
- (xxii) All fuel tanks should be sited on a concrete base surrounded by bund walls capable of retaining at least 110% of the tank volume and any spillages from draw or fill pipes.

**10/16 PROPOSED IMPORTATION AND PROCESSING OF MATERIAL ON LAND AT ENSTONE SHOOTING RANGE, ENSTONE FOR PLACEMENT ON THE PERMITTED BUNDS AS PER PLANNING PERMISSION 14/1178/P/FP AT ENSTONE AIRFIELD, ENSTONE - APPLICATION NO. MW.0160/15**

(Agenda No. 9)

The Committee considered (PN9) a proposal to allow importation and processing of waste soils and stone in order to construct the noise attenuation bunds (as permitted by West Oxfordshire District Council (WODC)).

In accordance with the terms of his interest as set out in Minute 4/16 Councillor Owen took no part in the discussion or voting on this item.

Presenting the report Mr Case also referred to the addenda sheet which set out clarification of vehicle movements, suggested amendments to conditions (vi) and (vii) and a revised recommendation that if the application was approved then that should be subject to further consultation with regard to the changes to vehicle movements.

Officers then responded to questions from:

Councillor Purse – the site was no longer used for motorcross but was used for shooting. In addition the district council permission was to address noise problems for the shooting range but did not allow for importation of waste. Any proposals to use the site for any other use would require a further application.

Councillor Phillips – the site was currently being used for shooting and there had been some complaints regarding that and in respect of the previous motorcross use. Also with regard to the timescale for construction of the bunds, which she had suggested seemed a bit excessive, the application had been made for 5 years in order to import, process and construct. It might not take 5 years and could be completed within a shorter timescale an application had been submitted for 5 years to

avoid further applications for extensions. The district council had approved the elevation and height of the bunds.

Councillor Reynolds – district councils were able to grant permission for bunds.

Councillor Johnston felt that with 26 tonne per vehicle it would be easy to achieve 176,000 tonnes pa and therefore the scheme could be completed within 2 years. He had concerns regarding overtipping and the operation would need to be carefully monitored to avoid that.

Mr Case confirmed that importation of material was by cubic meter and not tonnes and that the hgv movements were a limit. The monitoring and enforcement team would monitor the operation including bund construction.

Responding to Councillor Cherry Mr Periam confirmed that if the Committee so required a routeing agreement could be imposed.

Peter Butler a local resident referred to the environmental impact of lorries and traffic movements on local villages. He had estimated that 277,000 cubic meters of waste equated to 443,700 tonnes of material and with a maximum of 20% for re-export 531,840 tonnes of material required to build the bunds and with a limit of 80,000 per annum that equated to 6/7 years of blight. The number of vehicle movements had now risen from 10 in and 10 out to 20 in and 20 out. He had no complaints regarding the applicant who had been helpful throughout the process but he felt that a proposal agreeing 55,000 lorry movements over 5 years seemed rather a lot to allay complaints regarding noise from shooting activities. He asked at the very least for the application to be deferred to inform the local community of the revised proposals and to seek the views of the Enstone parish council.

He then responded to questions from:

Councillor Lilly – he felt the term blight was wholly justified when describing a scenario of lorries over 25 tonnes traversing through villages such as Church Enstone. The B430 was a very narrow road with an increased risk of accidents and the junction with the A44 made exiting from Church Enstone particularly dangerous. He confirmed that his advice was not given in a professional context but as a resident.

David Einig confirmed that permission had already been granted with approved levels of material on site. As a local person it was in his interests to maintain a good professional reputation which meant doing all he could to carry out the development correctly and to a high standard. All the vehicles were in his ownership and fitted with tracker devices. While endeavouring to fulfil the permission granted by the district council he would work with local people to mitigate its effects. He confirmed a travel plan was in place.

Councillor Tanner considered the application to be totally out of proportion and he had been surprised that the district council had granted permission. He felt the application for importation and processing of waste should be opposed and he so moved. The motion was seconded by Councillor Purse.



However, following further advice he, with his seconder's agreement, withdrew his motion to enable further clarification regarding the merits of the proposed bunds.

**RESOLVED:** (on a motion by Councillor Phillips, seconded by Councillor Bartholomew, and carried by 9 votes to 0) that Application MW.0160/15 be deferred to allow a further 21 day consultation to allow consultees, including the parish council, to comment on the revised information.

..... in the Chair

Date of signing .....

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**For: PLANNING AND REGULATION COMMITTEE – 11 APRIL 2016**

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

**Development proposed:**

The importation and processing of material on land at Enstone Shooting Range, Enstone for placement on the permitted bunds as per planning permission 14/1178/P/FP.

<b>Division Affected:</b>	Chipping Norton	
<b>Contact Officer:</b>	Matthew Case	<b>Tel:</b> 01865 815819
<b>Location:</b>	Enstone Airfield, Enstone, Oxfordshire, OX7 4NP	
<b>Application No:</b>	MW.0160/15	<b>District Ref:</b> 15/04481/CM
<b>Applicant:</b>	Markham Farms	
<b>District Council Area:</b>	West Oxfordshire DC	
<b>Date Received:</b>	08 December 2015	
<b>Consultation Period:</b>	17December 2015 to 12 January 2016 and 4 March to 25 March 2016	

**Contents:**

- Part 1 – Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Analysis and Conclusions

**• Part 1 – Facts and Background**

1. The application originally went to Planning and Regulation Committee on Monday 22 February 2016. The Committee was concerned with regard to various aspects of the application including the total quantities of material to be imported to and removed from the site, the numbers of vehicle movements and the routing of vehicles and required clarification on these. It was resolved that consideration of the application be deferred until the upcoming committee date of 11 April 2016 to allow for a second consultation period of 21 days on amendments to the application.
2. The applicant re-emphasised what is already permitted under the existing district permission 14/1178/P/FP [issued on 8 April 2015 by West Oxfordshire District]. This includes:

- the erection of noise attenuation bunds (277,000m<sup>3</sup> of material), associated works and extension to the existing cabin – NB there would be no difference in the dimensions of the bunds proposed in the current application from those as already permitted by the district permission;
  - Under the existing permission there are no limitations to the amount of Heavy Goods Vehicles (HGVs) movements in and out of the site; and
  - The Travel Plan and Construction Traffic Management Plan submitted with the county application has already been permitted under the district permission.
3. Oxfordshire County Council highways team have no objection to the application.
4. The current proposal additionally seeks only to process the material on-site prior to placement on the permitted bunds.
5. If the current request for a crusher/screener on site is refused, the district permission would restart and the developer would bring in a processed material to construct the already permitted bunds. There would be no site office. HGV movements would travel on the routes as per the permitted Travel Plan with no daily restrictions or restrictions on vehicle movements through any other villages, amongst other things. As the material would have to be processed elsewhere, the overall number of associated vehicle movements in the county as a whole would be around 60% greater than if the material is processed at the site as proposed in this application.
6. The applicant also clarified the following:-
- 277,000m<sup>3</sup> (approx. 450,000 tonnes<sup>1</sup>) is required (and permitted) to construct the bunds over a 5 year period. Plus an allowance of a maximum of 20% (55,400m<sup>3</sup> or approx. 90,000 tonnes<sup>1</sup>) for unsuitable material which will require removal from the site equates to a total of 332,400m<sup>3</sup> (approx. 540,000 tonnes<sup>1</sup>) maximum input over 5 years.
  - This equates to 66,480m<sup>3</sup> (approx. 108,000 tonnes<sup>1</sup>) per annum maximum. In the original planning application form, the figure used did not reflect the 20% as this was unknown at the time
  - Assuming a 300 day working year and average loads of 18 tonnes, this equates to 20 loads per day (40 movements).
  - A minimum of 17 HGV loads per day (34 movements) is required to complete this project in 5 years. OCC have allowed for 20 loads per day (40 movements). The allowance of just 3 extra loads (6 movements) per day is factored in for down days and unsuitable material to be replaced (20%).
  - 100% of suitable material will be used on site. Only unsuitable material will be taken off in backloads.

<sup>1</sup> Please note all tonnages are approximate averages based on 1.6 tonnes per cubic metre.  
Please note tonnages vary given the composition of the material

7. The Planning & Regulation Committee had concerns regarding the traffic movements and potential impact on villages near the site. The applicant is happy to enter into a Routeing Agreement should the committee consider it necessary. The approved Travel Plan permits certain routes, but the applicant is happy to amend the approved Travel Plan as the committee see fit. The existing approved routes and suggested alternative options are set out in Annex 1 and summarised below.
8. The proposed and alternative routes to/from Bicester to/from the proposed site are:
  - Bicester Option 1 is the current permitted route under the District Council permission which uses the B4030 directly from Bicester.
  - Bicester Option 2 redirects the traffic south from Bicester down the A34 and then via the A44 and B4022, avoiding Enstone and Church Enstone and also other villages including Middleton Stoney, Lower Heyford and Middle Barton.

The proposed route to/from Oxford to/from the proposed site is the current permitted route under the District Council permission which uses the A34 and the A44 and the B4022, avoiding Enstone and Church Enstone other than a correction to the point of access into the airfield which removes a short stretch of the B4030 from use.

9. The route from Banbury would be unchanged from the current permitted route under the District Council permission using the A361 and B4022 but the currently approved map would delete the reference to the B4030 route from Bicester.
10. In addition, if a Routeing Agreement is required, the applicant would also like the route from Chipping Norton to Enstone included as a permitted route which runs along the A44 and B4022 avoiding Church Enstone.
11. The applicant advises that all HGVs which would serve the site would be solely David Einig Contracting (DEC) lorries. There are no contractors, therefore there is accountability. DEC has a transport manager who solely deals with the lorry drivers. He ensures that all drivers are aware of each project's requirements. DEC has many sites and if HGVs persisted to drive through villages when not permitted it would damage the company name stopping further planning applications and local trust which is not conducive to further good relations. Based on this, DEC has a strict protocol and if drivers break these rules they could lose their jobs. It is also advised that DEC lorry drivers are not paid by the load so there is no incentive to make shortcuts. OCC will enforce approved documents / conditions or any routing agreement. DEC has also promised to attend the next 12 months of local Parish Meetings to integrate the development into the area and to make sure there are no problems.
12. The applicant's agent has supplied additional information relating to the request at the last consultation from the Lead Flood Authority for the

submission of Sustainable Drainage System Scheme (including soakage tests) as a condition prior to the start of development.

13. Overall, the applicant concludes that the development would be better controlled and more sustainable than if the bunds were constructed using imported processed material as permitted by the district permission. It would also create some local employment and it is noted that it is sited on previously developed land with no landscape or other designations e.g. Green Belt, well separated from sensitive receptors and with good transport connections. It is noted that it has much local support and has raised no objections from statutory consultees.

• **Part 2 – Other Viewpoints**

**Consultations**

14. Transport Development Control (Highway Authority):

Oxfordshire County Council, as the Local Highways Authority, **do not object** to the granting of planning permission for the above planning application.

Comments:

The proposed 40 HGV movements per day that would be needed, assuming a 300 day work year, over a period of 5 years, whilst not an insignificant contribution onto the surrounding highway network, I feel this impact is mitigatable. As the HGV movements are going to be split (including Chipping Norton route), with 40% (16 movements) in the Oxford direction and a further 20% each (8 movements each) towards Banbury, Bicester and Chipping Norton, the impact that would result from these movements is split between the four destinations. It is difficult to refuse permission, as, whilst not insignificant, this still constitutes a minimal amount of movements in the grand scheme of things. It is only when you couple it with other movements on the highway from surrounding operations that you end up with cumulative movements that might amount to more significant numbers, but we cannot refuse on this basis, as for the majority of the time the local road network is not at all congested.

Looking at the proposed routes for the HGV movements, I am satisfied that both the Oxford routes suggested in the report are suitable. They both avoid Church Enstone, going south on the B4022 to join the A44. This junction, although flagged up in past years as being a problem site, there have been no reported accidents in the latest 5 - years (to 29/02/2016) according to our Traffic Safety and Accident Prevention Team. I am therefore happy to allow this route out onto the A44 to be used.

The route north towards Banbury along the B4022 that joins the A361, whilst a B road, can still contain the small number of HGV movements associated with the Banbury route (8 movements per day). This road does not run through any villages on its way to the A361, therefore, there is no reason to refuse it on highway safety grounds. The junction with the A361 has satisfactory vision splays in both directions and given that the A361 is an 'A' road, it constitutes a

linking route according to the Freight Strategy outlined in our Local Transport Plan 4 (LTP4). The alternative is to take a route via Chipping Norton or Oxford, which would then contribute more CO2 emissions than would be necessary.

The route towards Chipping Norton seems practical and will only account for an extra 8 movements in that direction along the A44.

Lastly, the Bicester route, I happy to approve via the A44 and A34. This would mean an increased amount of movements onto the A44 towards Oxford, however, it avoids the villages of Middle Barton, Lower Heyford and Middleton Stoney, which are not designated routes on the Freight Strategy.

Under the proposals, we would be happier with a wheel washing facility on site, to stop mud encroaching onto the highway as per the approved CTMP. If it were refused, this facility would not exist and could potentially introduce mud onto the highway, as well as creating more unrestricted HGV movements on the surrounding highway network.

The fact that if given permission to process waste on site (with the Chipping Norton site included), it would reduce the amount of HGV movements, otherwise produced, by 86% seems to be a positive thing and I note the positive attitude of David Einig Contracting that would be responsible for the HGV movements.

Being mindful of the above, I would not advise a routing agreement in this instance given the amount of HGV movements that are being split between various destinations and the lack of other viable route options towards Banbury, Chipping Norton and Oxford than have otherwise been suggested.

It is also worth noting that the waste from the sites in Banbury, Bicester, Chipping Norton and Oxford would contribute to waste movements onto the highway network anyway, as they would need to go to recycle the waste by taking it to various other sites in the county or further beyond.

15. Enstone Parish Council - "Enstone Parish Council has no objection to this planning application."
16. Steeple Barton Parish Council - No comments received
17. West Oxfordshire District Council - No comments received
18. Environment Agency – No Further Comments
19. Fire Service – Offer no adverse comments
20. Thames Water – No comment
21. Lead Flood Authority – Has now stated a Sustainable Drainage System (including soakage tests) condition will not be needed and happy with the additional information and clarification by the applicant.

22. I will update the committee orally at the committee meeting with any outstanding consultee comments.

### **Part 3 – Analysis and Conclusions**

#### **Comments of the Deputy Director (Strategy and Infrastructure Planning)**

23. The application is very similar to that already permitted by the District Council for the construction of the bunds which would be of exactly the same dimensions as have already been approved. The key difference is the provision of the on-site waste processing facility which would create the material to be used in the bund construction with reject material being removed from the site for disposal elsewhere. The total tonnage of material required to be imported to the site would therefore be greater than under the district permission and so the associated vehicle movements would be greater as set out above.
24. Policy PE18 of the OMWLP and draft policy C10 of OMWCS require that developments will among other things provide safe and convenient access to the highway network. Policy T6 of the WOLP seeks traffic management schemes. Transport Development Control states that the development would not have a significant impact upon the highway network even with the additional traffic now proposed. They consider that the routeing as approved in the existing Travel Plan is acceptable and subject to this, has no objection to the application. They don't recommend that a Routeing Agreement is necessary. However, the applicant is nonetheless willing to enter into a Routing Agreement if the committee consider it is needed to make the development acceptable. As well as avoiding Enstone and Church Enstone whichever direction the vehicles come from, they have also offered an alternative route to and from Bicester which would avoid the village network along the B4030 east of the site including villages such as Middle Barton.
25. It is not considered that the additional tonnage of material proposed and the additional vehicle movements would lead to any significantly different impacts compared to the development permitted by the District Council. Given the lack of objection from the Highway Authority I consider that the development would still be in accordance with policies PE18 of the OMWLP, C10 of the OMWCS and T6 of the WOLP. However, the revised routeing options now proposed which would avoid Enstone and Church Enstone and some of the other villages that the currently approved Travel Plan does not exclude, are to be welcomed. I would recommend that any permission granted is subject to a revised Travel Plan containing these alternative routes. If the committee considers that this would not provide sufficient control over the development and that it would have a significant adverse impact on the amenity of residents of settlements through which lorries would pass which would otherwise warrant refusal of the application, then consideration can be given to requiring that a Routeing Agreement be entered into prior to the grant of any planning permission. The applicant has advised it is happy to enter into one if it is considered necessary.



26. For the original consultation the Lead Flood Authority recommended the inclusion of a condition requesting the submission of Sustainable Drainage System (including soakage tests) in writing for approval to the Waste Planning Authority. The applicant's agent has confirmed no hard standing on site or additional water would be used for the mobile temporary crusher/screener and that to avoid ponding at the base of the bund, any area compacted by machinery will be broken up, so that water can soak through. The Lead Flood Authority is happy with the response, and has advised that the condition would not now be required if planning permission is granted.
27. As set out in the report to the Planning and Regulation Committee on 22<sup>nd</sup> February, it is considered that subject to relevant conditions, the development would be acceptable. Subject to the amended Travel Plan condition and to outstanding consultees not identifying any unacceptable additional impacts and so raising overriding objections to the amended application, it is recommended that the proposed development is approved.

### **RECOMMENDATION**

28. **It is RECOMMENDED that application MW.0160/15 (15/04481/CM) be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the following:**
- i. 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.**
  - ii. The development to be commenced within a period of three years from the date of the permission.**
  - iii. Processing of waste to construct the noise attenuation bunds shall cease within 5 years of the date of permission. All buildings, plant and machinery associated with the processing of waste shall be removed within the 5 years of date of permission and site restored in accordance with the restoration scheme specified in Planning Statement (dated December 2015) and Proposed Noise Attenuation Screen Bund Plan (Drg No. 4C).**
  - iv. No operations authorised or required by this permission shall be carried out and plant shall not be operated, other than during the following hours:**
    - a. Between 0800 and 1630 hours Mondays to Fridays**
    - b. Between 0800 and 1300 hours on Saturdays**
    - c. No such operations shall take place on Sundays and Public and Bank Holidays and Saturdays immediately following Public and Bank Holiday Fridays.**
  - v. From the date of issuing permission the operator shall maintain records of all waste entering and leaving the site for all operations within the red line area and shall be made available to the Waste Planning Authority within 14 days on request.**
  - vi. The output of residual waste from the processing operation shall not exceed 20% of the total amount of waste imported to the site per annum.**

- vii. No waste shall be imported on to the site, other than for the purposes of processing to create material for the construction of noise attenuation bunds as shown on the Noise Attenuation Screen Bund Plan (Drg No. 4C). All residual waste shall be removed from the site.
- viii. HGV movements related to importation and export of waste to and from the site shall not exceed a maximum of 40 per day (20 in, 20 out).
- ix. From the date of issuing permission the operator shall maintain records of all HGV movements entering and leaving the site for all operations within the red line area and shall be made available to the Waste Planning Authority within 14 days on request.
- x. The development to be carried out in accordance with an approved amended Travel Plan to include that:
  - a) HGVs to and from Bicester to travel via the A34, A44 and B4022;
  - b) HGVs to and from Oxford to travel via the A34, A44 and B4022;
  - c) HGVs to and from Banbury to travel via the A361 and B4022; and
  - d) HGVs to and from Chipping Norton to travel via the A44 and B4022.
- xi. Stockpiles of waste shall not exceed a height of 5 metres.
- xii. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery; they shall be installed and retained in use.
- xiii. No mud or dust shall be deposited on the public highway.
- xiv. The concreted surface of the site and site access shall be maintained in a good state of repair and kept clean and free from mud and other debris at all times until such time as the site is no longer required for these operations.
- xv. All completed noise attenuation bunds shall be sown with a grass seed mix and kept free of weeds within 6 months of completion.
- xvi. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle operating on the site, other than those which use white noise.
- xvii. No development shall take place except in accordance with the dust suppression measures specified in the Planning Statement (Dated December 2015), and Dust Management and Mitigation Plan approved under Planning Permission 14/1178/P/FP.
- xviii. Noise emitted from on-site crushing and screening should not exceed the background noise level (LA90, 1h) by more than 10 dB(A) at the nearest noise sensitive façades during normal working hours
- xix. All fuel tanks shall be sited on a concrete base surrounded by bund walls capable of retaining at least 110% of the tank volume and any spillages from draw or fill pipes.
- xx. The aftercare of the site shall be undertaken for a period of 5 years in accordance with the Aftercare Scheme specified in the Planning Statement (dated December 2015).

BEV HINDLE

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





KEY

- Enstone Airfield/Oxford
- Enstone Airfield/Banbury
- Enstone Airfield/Bicester (Option 1)
- Enstone Airfield/Bicester (Option 2)
- Enstone Airfield/Chipping Norton

29-Mar-2016

Scale 1: 120927

0 km 3.5 km 7 km



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## PLANNING & REGULATION COMMITTEE – 11 APRIL 2016

### POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)

#### **Oxfordshire Minerals and Waste Local Plan 1996 – Saved Policies (OMWLP):**

##### POLICY W3: PROPOSALS FOR REUSE/RECYCLING

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 W5: SCREENING OF WASTE SITES

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 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 PE18: REGULATION OF DEVELOPMENT THROUGH IMPOSITION OF CONDITIONS. CODE OF PRACTICE

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.

#### **Oxfordshire Minerals and Waste Local Plan Core Strategy – Proposed Submission Document (OMWCS):**

##### POLICY W1: OXFORDSHIRE WASTE TO BE MANAGED

Provision will be made for waste management facilities that allow Oxfordshire to be net self-sufficient in the management of its principal waste streams – municipal solid waste (or local authority collected waste), commercial and industrial waste, and construction, demolition and excavation waste – over the period to 2031.

The amounts of these wastes that need to be managed are as identified in the most recent Oxfordshire Waste Needs Assessment or update of these amounts in the Oxfordshire Minerals and Waste Annual Monitoring Reports.

Provision of facilities for hazardous waste, agricultural waste, radioactive waste and waste water/sewage sludge will be made in accordance with policies W7, W8, W9 and W10 respectively.

## POLICY W2: OXFORDSHIRE WASTE MANAGEMENT TARGETS

Provision will be made for capacity to manage the principal waste streams in a way that provides for the maximum diversion of waste from landfill, in line with the following targets:

### Oxfordshire waste management targets 2012 – 2031

Waste Management / Waste Type	Target Year				
	2012	2016	2021	2026	2031
<b>Municipal waste:</b>					
Composting & food waste treatment	25%	29%	32%	35%	35%
Dry Recycling	33%	33%	33%	35%	35%
Treatment of residual waste	0%	30%	30%	25%	25%
Landfill	42%	8%	5%	5%	5%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
<b>Commercial and industrial waste:</b>					
Composting & food waste treatment	0%	5%	5%	5%	5%
Dry Recycling,	50%	55%	60%	65%	65%
Treatment of residual waste	0%	15%	25%	25%	25%
Landfill	50%	25%	10%	5%	5%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
<b>Construction, demolition and excavation waste:</b>					
Recycling	52%	55%	60%	60%	60%
Landfill/Restoration*	48%	45%	40%	40%	40%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Targets for 2012 approximate to actual performance for that year

\* includes waste disposed as part of a recovery operation

Proposals for the management of all types of waste should demonstrate that the waste cannot reasonably be managed through a process that is higher up the waste hierarchy than that proposed.

#### POLICY W4: LOCATIONS FOR FACILITIES TO MANAGE THE PRINCIPAL WASTE STREAMS

Facilities (other than landfill) to manage the principal waste streams should be located as follows:

- a) Strategic waste management facilities should normally be located in or close to Bicester, Oxford, Abingdon and Didcot, as indicated on the Key Waste Diagram.
- b) Non-strategic waste management facilities should normally be located in or close to Bicester, Oxford, Abingdon and Didcot and the other large towns (Banbury, Witney and Wantage & Grove), as indicated on the Key Waste Diagram.
- c) Elsewhere in Oxfordshire, and particularly in more remote rural areas, facilities should only be small scale, in keeping with their surroundings.

Specific sites for waste management facilities (other than landfill) to meet the requirements set out in Policy W3 will be allocated in accordance with this locational strategy in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. The suitability of any new sites for allocation in the Site Allocations Document will be assessed against the criteria in policies W5 and C1 – C11.

#### POLICY W5: SITING OF WASTE MANAGEMENT FACILITIES

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

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

Proposals for temporary facilities must provide for the satisfactory removal of the facility and restoration of the site at the end of its temporary period of operation, including at mineral working and landfill sites where the facility shall be removed on or before the cessation of the host activity. Temporary facility sites shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings.

Waste management facilities will not be permitted on green field land unless this can be shown to be the most suitable and sustainable option for location of the facility.

Waste management development that is inappropriate in the Green Belt will not be permitted unless there are very special circumstances why it should be located in the Green Belt. Conditions may be imposed on any permission granted to ensure that

the development only serves to meet a need that comprises or forms part of the very special circumstances.

Proposals for new waste management facilities shall meet the criteria in policies C1 – C11.

## POLICY C1: SUSTAINABLE DEVELOPMENT

A positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework and the aim to improve economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the National Planning Policy Framework; or
- specific policies in the National Planning Policy Framework indicate that the development should be restricted.\*

\*For example, those policies relating to sites protected under the Birds and Habitats Directives (NPPF paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

## POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
- human health and safety;
- residential amenity and other sensitive receptors; and
- the local economy;

including from:

- noise;
- dust;
- visual intrusion;
- light pollution;
- traffic;
- air quality;
- odour;
- vermin;
- birds;
- litter;
- mud on the road;
- vibration;



- surface or ground contamination;
- tip and quarry-slope stability;
- differential settlement of quarry backfill;
- subsidence; and
- the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

#### POLICY C8: LANDSCAPE

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

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except where it can be demonstrated they are in the public interest. Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

Where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements shall be made to offset the residual landscape and visual impacts.

#### **West Oxfordshire Local Plan 2011**

#### POLICY BE19: NOISE

Planning permission will not be granted for:

- a) housing and other noise sensitive development if the occupants would experience significant noise disturbance from existing or proposed development;
- b) development including the use of land, if because of the noise it will create, the occupants of housing and other noise sensitive development would be exposed to significant noise disturbance, unless there is an overriding need for the proposal which cannot be met elsewhere.

#### POLICY NE3: LOCAL LANDSCAPE CHARACTER

Development will not be permitted if it would harm the local landscape character of the District. Proposals should respect and, where possible, enhance the intrinsic character, quality and distinctive features of the individual landscape types.

#### **POLICY NE6 – RETENTION OF TREES, WOODLANDS AND HEDGEROWS**

Planning permission will not be granted for proposals that would result in the loss of trees, woodlands or hedgerows, or their settings, which are important for their visual, historic or biodiversity value. Removal will only be allowed where it can be demonstrated that the proposed development would enhance the landscape quality and nature conservation value of the area.

#### **POLICY T6: TRAFFIC MANAGEMENT**

Traffic management schemes will be sought which:

- a) promote and give priority to the safe and convenient movement of pedestrians and cyclists, particularly on roads with significant or potentially significant pedestrian and cycle flows;
- b) promote safe and convenient movement of buses, particularly on routes into town centres, within town centres and on radial routes;
- c) reduce traffic conflicts, the potential for accidents and alleviate congestion;
- d) reduce environmental damage caused by traffic.

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#### **POLICY OS3: PRUDENT USE OF NATURAL RESOURCES**

All development proposals (including new buildings, conversions and the refurbishment of existing building stock) will be required to show consideration of the efficient and prudent use and management of natural resources, including:

- making the most efficient use of land and buildings, whilst having regard to the character of the locality
- delivering development that seeks to minimise the need to travel
- minimising use of non-renewable resources, including land and energy, and maximising opportunities for travel by sustainable means
- minimising their impact on the soil resource\*
- minimising energy demands and energy loss through design, layout, orientation, landscaping, materials and the use of technology;
- maximising passive solar heating, lighting, natural ventilation, energy and water efficiency and reuse of materials;
- maximising resource efficiency, including water
- minimising risk of flooding;
- making use of appropriate sustainable drainage systems;
- using recycled and energy efficient materials;
- minimising waste and making adequate provision for the re-use and recycling of waste; and causing no deterioration and, where possible, achieving improvements in water or air quality.

All development proposals will be required to achieve high standards of sustainable design and construction including achieving low carbon development in line with Government policy.

\*Guidance includes the 2011 DEFRA publication: Construction Code of Practice for the Sustainable Use of Soils on Construction Sites

#### POLICY EH1: LANDSCAPE CHARACTER

The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity, will be conserved and enhanced.

New development should respect and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features and their settings, such as stone walls, trees, hedges, woodlands, rivers, streams and ponds. Conditions may be imposed on development proposals to ensure every opportunity is made to retain such features and ensure their long-term survival through appropriate management and restoration.

Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures which can be secured to the satisfaction of the Council.

When determining development proposals within or impacting upon the Cotswolds Area of Outstanding Natural Beauty, great weight will be given to the conservation of the area's landscape and scenic beauty.

Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project, the Windrush in Witney Project Area and the Wychwood Project Area.

#### POLICY EH6: ENVIRONMENTAL PROTECTION

Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

##### Air quality

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton.

## Contaminated land

Proposals for development of land which may be contaminated must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

## Hazardous substances, installations and airfields

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

## Artificial light

The installation of external lighting and proposals for remote rural buildings will only be permitted where:

- i) the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- ii) the elevations of buildings, particularly roofs, are designed to limit light spill;
- iii) the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.

## Noise

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

## Water resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features.

## Waste

Planning permission will be granted for appropriately located development that makes provision for the management and treatment of waste and recycling, in accordance with the Oxfordshire Joint Municipal Waste Strategy and local waste management strategy.



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