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Division(s): Eynsham

## **PLANNING & REGULATION COMMITTEE – 15 FEBRUARY 2010**

### **PROCESSING PLANT FOR RECYCLED AGGREGATES – GILL MILL QUARRY, DUCKLINGTON NEAR WITNEY**

#### **Report by Head of Sustainable Development**

**Applicant:** Smith & Sons (Bletchington) Ltd

**Application No:** 09/0047/P/CM

**District Council Area:** West Oxfordshire

#### **Introduction**

1. This is an application for the erection and use of a washing plant to recycle suitable inert waste materials for use as aggregate on a site within Gill Mill Quarry. There is already a dry recycling operation producing aggregate at the quarry which would be relocated next to the washing plant. Both would be located to the east of the Sand and Gravel Processing Plant.

#### **Location (see plan 1)**

2. The application site is located within Gill Mill Quarry 1.1 kilometres (0.7 miles) to the east of Ducklington and 1.4 kilometres (0.9 miles) to the south of Witney.

#### **The Site and its Setting (see plan 2)**

3. The application site covers 3.6 hectares (9 acres) and comprises the proposed site of the plant and the existing office and weighbridge and access road. The plant site area is rectangular in shape and is stripped of soil. It is currently used for an aggregate bagging plant and for stocking aggregates and is part of the quarry "plant complex" area.
4. The site is flat, being in the flood plain of the river Windrush. Immediately to the south-west are the ponds providing washing water for the sand and gravel plant which is just beyond the ponds. The Hardwick brook and a row of trees separate the ponds from the plant. To the south-east is the vehicular access leading to the office and weighbridge and then to the A415 to the south-east of Ducklington. The Hardwick brook also runs along the south-eastern boundary and beyond the brook lie the quarry silt ponds. To the north-east are soil mounds and beyond them arable agricultural land. To the north-west is a quarried area being restored to lakes using imported fill.

5. The closest properties are Cogges Bridge Cottage 400 metres to the north, Gill Mill House 700 metres to the east and Ducklington Mill 800 metres to the west. Ducklington Mead SSSI lies 600 metres to the west.

### **Details of the Development**

6. The applicant is seeking to erect a plant to wash and recycle construction, demolition and excavated wastes to operate until Gill Mill Quarry closes. The existing bagging plant and stockpiling on site would be relocated to another part of the plant complex just north of the sand and gravel processing plant to make room for the new plant. The dry recycling plant, currently located just off the access road south of the river Windrush, would be relocated next to the washing plant: no further planning permission is needed for this relocation. The dry recycling plant currently recycles 60,000 tonnes of inert wastes per annum and the two plants operating together would increase that figure to 150,000 tonnes per annum. Traffic movements at the quarry would increase from 360 to 380 a day. This limited increase would be achieved by increasing the amount of backloading i.e. lorries bringing in a load and exiting with a load rather than empty in one direction as happens now.
7. The applicant states that washed waste aggregates are a higher quality product than dry recycled wastes and can be used in making concrete. The washing plant would be a back up for when the sand and gravel plant was out of commission.
8. When waste enters the site it would either go direct to the washing plant for washing and grading, or be crushed at the dry recycling plant and then be directed to the washing plant, or, if unsuitable for washing, just dry graded. All recycled materials would be stockpiled on the site prior to sale. The washing water holds silt and clay which would go to a thickener unit and then a centrifuge. The sludge produced would be used in restoration works in the quarry or, if not clay or silt, would be sent to landfill off site. The water would be re-circulated to the plant. The washing plant would be located on a concrete base with a contained drainage system to avoid pollution problems. A bund would be constructed on the south-eastern boundary to prevent runoff of dirty water into the Hardwick brook.
9. The plant would be 10 metres high, 2 metres lower than the adjacent sand and gravel processing plant. It would be painted dark green and would operate the same hours as the quarry i.e. 6 am to 7 pm Mondays to Fridays and 6 am to 4 pm on Saturdays but lorry movements to and from it would be 7 am to 6 pm Mondays to Fridays and 7 am to 1 pm on Saturdays.
10. The site is in flood zone 3B, a floodplain. The applicant states that careful attention to detail means that there would be no loss of floodplain storage or risk of flooding elsewhere.

## Consultation Responses

### 11. West Oxfordshire District Council:

#### Initial comments:

- Development accords with WOLP policy E7 as it is an expansion of an existing business commensurate with the scale and character of the area;
- Natural England should be consulted to protect nearby protected species;
- Residents should be protected from undue noise and pollution;
- It is screened and no harm would come to the surrounding landscape;
- The traffic assessment was rudimentary and the A415 has a bad safety record. The MPA should be satisfied that there is no unacceptable increase in highway danger. A full transport assessment may be necessary;
- There is evidence that pollution mitigation measures are not working at Gill Mill Quarry. Permission should not be granted unless it has been demonstrated that such measures are working and no further pollution would occur. A full EA may be needed. The applicant's argument for not providing an EIA are weak;
- No objections subject to consideration of our points and existing and revised conditions being attached to any permission.

#### Second response:

- The MPA should satisfy itself that the development would not give rise to unacceptable highway safety impacts and that current environmental protection measures are working unless it is demonstrated that there will not be further watercourse pollution;
- Natural England should be consulted about protecting identified protected species;
- Provided the MPA is satisfied the drainage details are correct then there are no objections to the application.

Duckington Parish Council – No comments.

South Leigh Parish Council – Only concern is noise but as plant will be soundproofed and the nearest dwellings are a long way away, no objections.

#### Environment Agency –

Initial response: Object in the absence of an acceptable flood risk assessment. The application had failed to demonstrate that the development would not increase flood risk or surface water flooding on and off site.

Second response: Following re-consultation on additional information submitted the EA withdrew their objection subject to conditions requiring submission and implementation of a surface water drainage scheme and the development being carried out in accordance with the approved flood risk assessment and mitigating measures.

Natural England – No objections subject to the proposal being carried out in strict accordance with the terms of the application.

Defence Estates – No safeguarding objections.

Thames Water – No objection. Attach an informative about taking account of minimum pressures provided by Thames Water in plant design.

Transport Development Control – The additional traffic could be adequately accommodated by the highway network and would not add significantly to road safety risk. No objection subject to a routeing agreement as for the existing quarry.

County Ecologist – No objections.

## **Representations**

12. Two representations have been received. The following points are made:
- (a) a new industrial process in rural location next to Ducklington and isolated dwellings is undesirable;
  - (b) noise and dust locally from heavy machinery;
  - (c) substantial heavy lorry traffic on rural roads;
  - (d) it is important that the area reverts to a complex of lakes and woodland;
  - (e) it lies in a vital green belt area for Witney;
  - (f) the effect on the river Windrush;
  - (g) digging here has been catastrophic with loss of fields and meadows and the noise has been unbearable.

## **Relevant Policies**

13. The main policy issues are recycling policies, amenity and hydrology.

### Recycling

14. PPS1 states that more efficient use should be made of existing resources.
15. PPS10 states that waste should be used as a resource wherever possible without endangering human health or harming the environment. Sustainable waste management should be achieved by moving waste up the hierarchy. Facilities should be provided of the right type, in the right place and at the right time.
16. Waste Strategy 2007 states that waste should be considered as a resource and sustainable waste management through more recycling should take place.
17. MPS1 states that recycled materials should minimise the requirement for minerals.
18. SEP policy M2 states that the use of recycled materials should increase to reduce the need for primary aggregate production. It gives an apportionment of secondary and recycled material for Oxfordshire of 0.9 mtpa by 2016.

19. SEP policy W3 states that provision of capacity for rapidly increasing recycling should be made.
20. SEP policy W4 states that WPAs should plan for net self sufficiency of waste management capacity equivalent to the amount of waste arising in their area.
21. SEP policy W5 states that an increase in recovery and decrease in landfill is required and that recycling is a recovery process.
22. SEP policy W6 states that recycling targets should be met.
23. SEP policy W7 states that WPAs should provide for a mix of waste management facilities, including those on open sites.
24. SEP policy W17 states that priority should be given to expanding existing waste management sites which have good transport connections, good accessibility from urban areas and compatible land uses such as active mineral workings.
25. MWLP policy W4 states that recycling will not normally be permitted in the open countryside unless it formed part of a mineral extraction site and was removed on completion of extraction.

Amenity

26. MWLP policy W3 states that recycling will normally be permitted provided that it is close to the source of waste and markets for recyclates, has good transport links and will not cause environmental nuisance.
27. MWLP policy W5 states that waste treatment facilities should be visually screened.
28. MWLP policy PB1 states that processing plants should be sited, designed, landscaped and maintained to minimise environmental disturbance and removed when no longer required.
29. MWLP policy PB2 states that processing plant should be removed within 24 months of expiry of the permission.
30. MWLP policy SH2 states that permission will not be granted for intensification of waste disposal and would lead to a significant increase of traffic in Sutton.
31. MWLP policy SH3 states that the County Council will seek routeing agreements to limit the use of the A415 through Standlake and over Newbridge. The preferred routes are via bypasses including the Ducklington bypass.
32. MWLP policy SH4 states that waste traffic will be required to use the Ducklington and Witney bypasses. The B4449 will only be used if the Sutton bypass construction has been financed and built. The existing Gill Mill access will be required to be used.

33. WOLP 2011 policy BE19 states that permission will not be permitted if there is significant noise disturbance for housing.

Hydrology

34. PPS25 states that site-specific flood risk assessments should be done for development as appropriate, a sequential approach is taken to direct vulnerable development to low flood risk areas, priority is given to sustainable drainage systems and development in flood risk areas is flood resistant and resilient.
35. SEP policy NRM1 states that ground water will be maintained through avoiding adverse effects of development on the water environment and should include things such as using sustainable drainage solutions (SUDS).
36. SEP policy NRM4 states that a sequential approach to development in floodplains will be followed and inappropriate development in flood zones 2 and 3 will not be permitted.
37. MWLP policy W3 states that recycling will normally be permitted provided it does not pose an unacceptable risk to the water environment.
38. WOLP 2011 policy NE7 states that development should not have an adverse impact on the water environment.
39. WOLP 2011 policy NE8 states that intensification of development will not be permitted in flood risk areas if water flows are impeded and there is net loss of floodplain.
40. WOLP 2011 policy NE9 states that intensification of development will not be permitted if additional surface water run-off increases risk of flooding, damage to river channels or habitats unless pollution control provided.
41. WOLP 2011 policy NE11 states that development must not have an adverse impact on quality of surface and ground water.
42. WOLP 2011 policy NE10 states that development will not be permitted which increases the need for water unless water resources already exist.

**Comments of the Head of Sustainable Development**

43. The main issues that need to be considered in deciding whether or not to grant planning permission for this proposal are whether the proposals:
- (1) are compatible with recycling policies;
  - (2) adversely affect the amenities of neighbours, and
  - (3) adversely affect the water environment.

(1) Compatibility with Recycling Policies

44. The proposal would generate more, and better quality, recycled aggregate from the existing waste stream. The Council's Minerals and Waste Annual Monitoring Report 2009 states that the regional target for secondary and recycled aggregate should go up from 6.6 mtpa to 7.7 mtpa by 2016 with an apportionment for Oxfordshire of 0.9 mtpa by 2016. The current capacity for Oxfordshire is just over 0.9 mtpa. However, much of the capacity is temporary and will end before 2016. The Gill Mill site has permission for extraction until the end of 2020 and any permission for more recycling would have the same end date, to accord with MWLP policy W4, so the target would be met for longer in accordance with SEP policies M2 and W6. It would allow Oxfordshire to maintain a net self sufficiency for recycled aggregates as required by SEP policy W4.
45. Washing of waste is a new technique and one that has not taken place in Oxfordshire before. It would allow more waste to be recycled moving it up the waste hierarchy as PPS10 and Waste Strategy 2007 envisaged. It would allow some recycled materials to be used as a concreting aggregate for the first time. The increase in yield and the better quality use increases the efficiency of recycling as sought by PPS1.
46. The proposal would only process inert wastes and the silts and clays washed from these wastes would be sent to a thickener unit to be recovered for use as restoration materials rather than letting them drain into nearby watercourses. Harm to the environment and to humans would be avoided and the proposal would be compatible to PPS10.
47. The proposed location in a sand and gravel quarry and alongside an already permitted recycling operation is as required by SEP policy W17 and PPS10. The location next to dry recycling accords with SEP policy W7 as a mix of facilities would be offered. The location alongside a sand and gravel quarry is desirable as it offers a range of aggregates as envisaged by SEP policy W17 and the complementary situation should encourage the increase in recycling to meet the provisions of SEP policies W3 and W5.

(2) Amenity of Neighbours

48. The site is close to Witney and is, therefore, close to both the source of waste and markets for the recycled products. The applicant's existing quarry access would be used. This access has good connection and complies with MWLP policy W3. Transport Development Control has no objection to the application provided traffic accesses to and from the north along the bypass as required by MWLP policy SH4 and that that is secured by a routeing agreement as required by MWLP policy SH3. Traffic would then avoid travelling through Standlake or over Newbridge and avoid Sutton Village thus complying with MWLP policy SH2. The applicant has confirmed that the proposed routeing agreement is acceptable.
49. The plant would be at least 400 metres from the closest property and there are only three properties within 800 metres of the site. The site has a substantial stand of trees to the west which would act as a visual screen or as

a screening backdrop to views from those properties. Conditions on any permission could require that the tree screen is maintained. The proposed plant is also 2 metres lower than the existing sand and gravel washing plant and would be painted the same colour as the tree screen. That plant has not elicited complaints about visual intrusion and, in my view, the application therefore complies with MWLP policy W5. Lighting will be required at certain times of the year and it would be necessary to control its nature and time by condition on any permission granted.

50. The distance of properties from the development also means that noise intrusion would not be a problem and the District Council's EHO has not objected provided the properties are protected from undue noise. If permission is given conditions similar to those for the quarry could secure neighbours against undue noise such that the development would comply with WOLP 2011 policy BE19. Objections to the proposal refer to the problems they said they had with the existing mineral extraction rather than the proposed plant site. In my view those objections have no bearing on the current proposal.
51. Pollution of the water environment is the main potential environmental nuisance. Design of the plant is standard with respect to processing and grading but the thickener unit is not standard. Together with a concrete base and bund against the stream, this plant would reduce the potential for pollution of the immediate environment by reducing the presence of particulates in the runoff and the retaining of the runoff on site and accords with MWLP policies W3 and PB1.
52. There are objections to the plant as an industrial facility in the countryside but provided it is removed on completion of the current mineral permission it accords with MWLP policies W4 and PB2. Conditions on any permission could secure its removal.

(3) Hydrology

53. Delay in bringing this application to Committee has been due to repeated objections being received from the Environment Agency. The applicant has provided more information such that the Agency has finally withdrawn its objection. The modified flood risk assessment with its mitigating measures is recommended as a condition as well as the provision of a surface water drainage scheme and this should be incorporated in any permission.
54. Acceptance by the Environment Agency means that I am not satisfied that policy considerations related to hydrology are all satisfied. However, SEP policy NRM4 requires a sequential approach be made to development in the floodplain. In this case, the proposal is to complement an existing dry recycling activity in the area and an existing sand and gravel processing plant so it is located in the right location albeit one that is in flood zone 3.

Conclusion

55. The washing of inert waste would be a new activity for Oxfordshire but one which allows greater recovery of materials and a higher quality of product. It

would complement the other inert recycling activities on site and the sand and gravel operation and allow Oxfordshire to maintain net self sufficiency for secondary and recycled aggregates. The site is at a distance from neighbours and is well screened from them and it is judged that any adverse amenity effect would be insignificant. Flood risk and other hydrological effects are not longer judged to be an issue subject to appropriate conditions and it is concluded that the proposal accords with Development Plan policies and should be recommended for approval.

## **RECOMMENDATION**

56. It is **RECOMMENDED** that subject to a routeing agreement to prevent heavy goods vehicles from travelling to and from the south on the A415 that planning permission be granted for the development outlined in application 09/0047/P/CM subject to conditions to be determined by the Head of Sustainable Development to cover matters including those set out below:

1. complete compliance;
2. commencement date;
3. completion and restoration by 2021;
4. restoration as per existing quarry permission;
5. surface water drainage scheme to be submitted and agreed;
6. compliance with submitted flood risk assessment and mitigation measures;
7. opening hours to be agreed;
8. existing vegetation to be retained;
9. noise mitigation as for existing quarry;
10. details of a lighting scheme to be submitted and agreed;
11. use of existing access only;
12. details of bund construction and their maintenance to be submitted and agreed;
13. external elevations of plant to be painted a dark green colour.

**Thames Water informative: take account of Thames Water water pressures.**

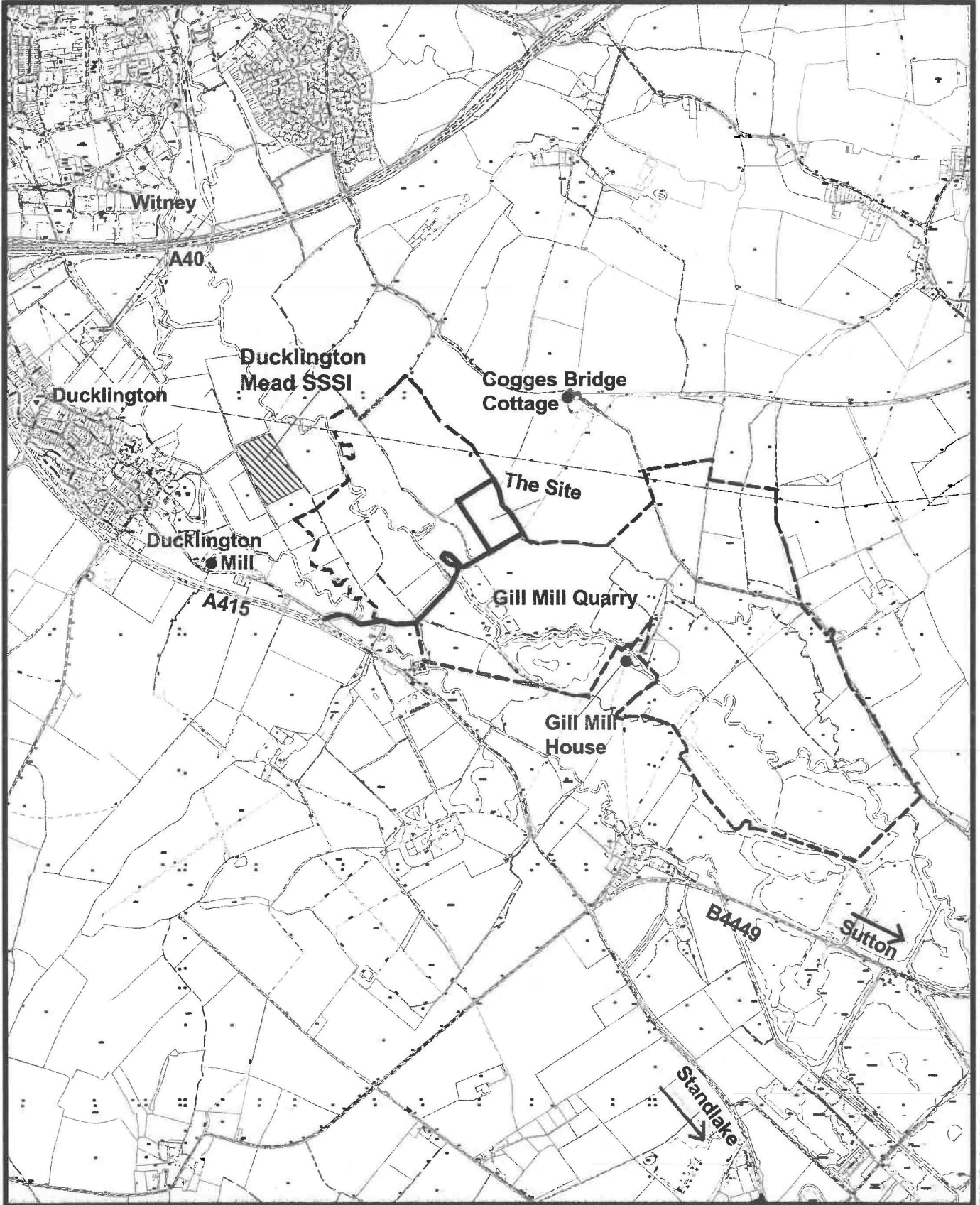
CHRIS COUSINS  
Head of Sustainable Development  
Environment & Economy

Background papers: File no. 8.5/3706/2 "Processing Plant for recycled aggregates" can be viewed in the Development Control Team, Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford OX1 1NE

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2010

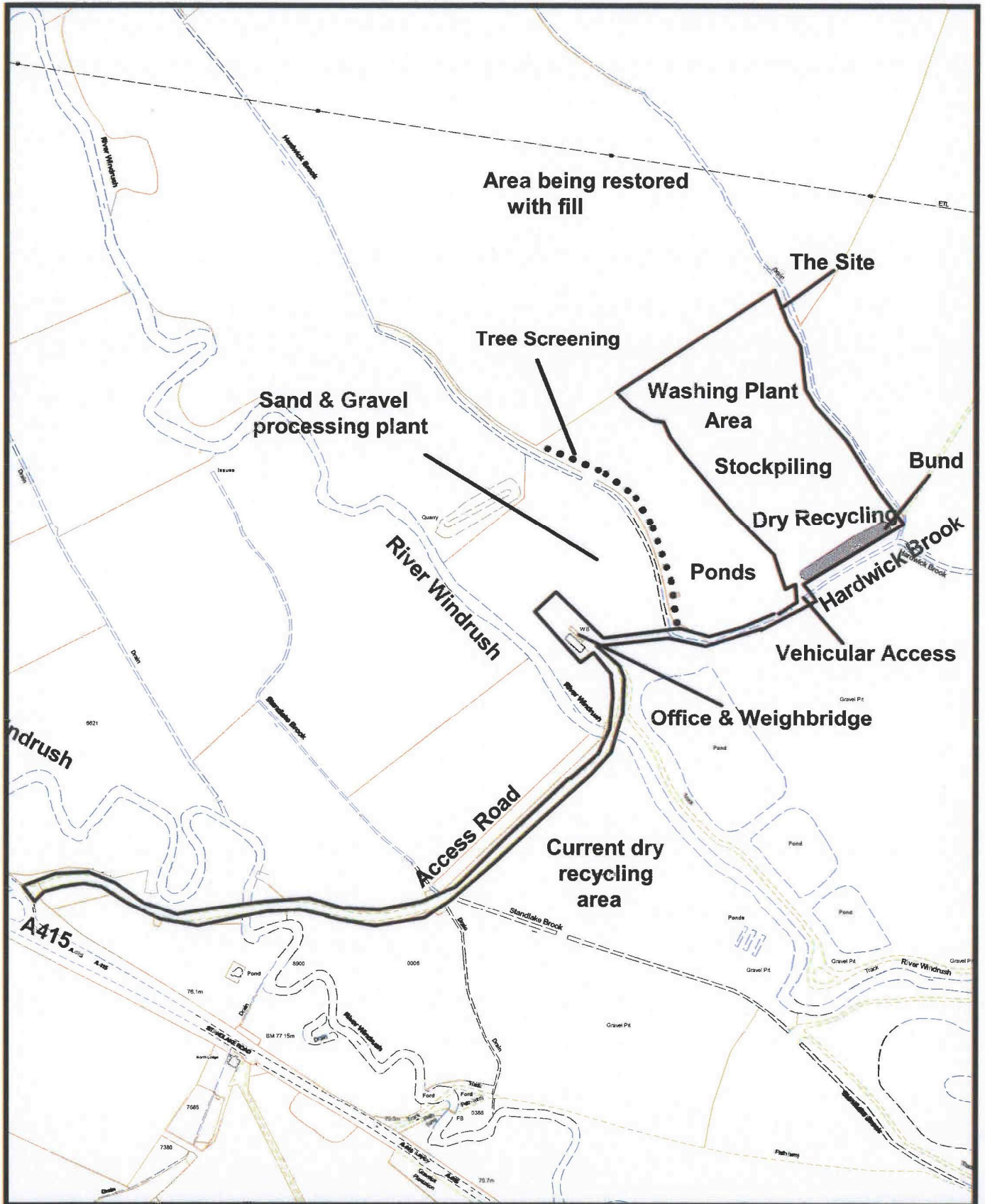
# Plan 1



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# Plan 2



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