

**Planning Report**

**FOR: PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012**

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

**Development Proposed:**

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

**Division Affected:** Sutton Courtenay and Harwell

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

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

**Application No:** MW.0174/12

**District Council Area:** Vale of White Horse

**Applicant:** FCC

**Date application Received:** 5 October 2012

**Consultation Period:** 18 October – 8 November 2012

**Contents:**

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**Recommendation**

The report recommends that the application be approved.

• **Part 1 – Facts and Background**

**Location (site plan Annex 1)**

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

**Site and Setting (site plan Annex 1)**

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

**Background and History**

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

**Details of the Development**

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

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

#### Extension of End Date

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

#### Increase in MRF annual throughput

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

#### Modifications to the elevations of the MRF building

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

Additional conditions to cover the importation of clinical waste for transfer

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

Traffic

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

• **Part 2 – Other Viewpoints**

**Representations**

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

**Consultations**

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

**Part 3 – Relevant Planning Documents**

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

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

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

**Relevant Policies**

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

**Part 4 – Analysis and Conclusions**

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

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

**Waste Policy**

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

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

### **Landscape**

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

### **Traffic**

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

### **Rights of Way**

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

### **Impacts on Amenity**

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

### **Restoration**

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

### **Conclusions**

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

**Recommendation**

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

MARTIN TUGWELL  
DEPUTY DIRECTOR (STRATEGY AND INFRASTRUCTURE PLANNING)

November 2012

## **Annex 1 - Representations**

### **Representations from local residents:**

Points raised by local residents:

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

Officer Comments:

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

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

## Annex 2 – Consultation Responses

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

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

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

## Annex 3 – Proposed Changes to Conditions

### Condition 1

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

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

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

**Officer Proposed replacement condition:** The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The application comprises: Supporting Statement reference PEL/SC73/19471/002 dated July 2012, Site Location Plan CH6737-P01/C, Building Elevations B3793 C004 A and B3793 C005 A, site layout drawings CH6737/002 E and CH6737/003 E, 427R262A 'Landscaping Scheme for MRF facilities,' CH6737\_004\_C Drainage Details, CH6737-003\_C Utilities, MRF-TM-001 Rev B Traffic Management Plan, 44135111 Draft Concept GA Layout, CH6737\_010\_E Access Road Sections and Details, CH6737\_009\_E Access Road GA Layout.

### Condition 3

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

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

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

**Condition 22**

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

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

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

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

**Additional heads of conditions:**

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

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

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

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

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

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

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

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

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

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

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

7.00 am to 18.00 pm           Mondays to Fridays

and

7.00 am to 13.00 pm           Saturdays.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Informatives:**

The applicant is expected to be compliant with national legislation at all times, including the Conservation of Species & Habitats Regulations 2010 which identifies 4 main criminal offences for development affecting European Protected Species (EPS):

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs

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

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

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

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

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



