

For: PLANNING AND REGULATION COMMITTEE – 11 January 2016
By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (STRATEGY & INFRASTRUCTURE PLANNING)

Development proposed:

Section 73 application for planning permission to continue development without complying with Conditions 1, 7, 17 and 26 (to allow the storage of Refuse Derived Fuel (RDF) and Solid Recovered Fuel (SRF) outside the storage bay at the consented MRF (the subject of planning permission 10/00361/CM), to amend the operational hours of the MRF and to extend the acoustic barriers) of planning permission reference 15/00245/OCC.

Division Affected:	Ploughley	
Contact Officer:	David Periam	Tel: 01865 895151
Location:	Finmere Quarry, Banbury Road, Finmere, Oxfordshire MK18 4AJ	
Application No:	MW.0139/15 District ref No. 15/02059/OCC	
Applicant:	OPES MRF 2013 Ltd	
District Council Area:	Cherwell	
Date Received:	22 October 2015	
Consultation Period:	12 November – 3 December 2015	

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Recommendation Summary:

The report recommends that application MW.0139/15 be approved.

Part 1 –Facts and Background

Location (See Plan 1)

1. Finmere Quarry is located in the north-east of Oxfordshire adjacent to the boundaries with Northamptonshire and Buckinghamshire. It is accessed off the A421 which runs north of the quarry site. Finmere village lies 450 metres to the north east from the edge of the landfill site and 7.4 miles (12km) north east of Bicester.

The Site and its Setting (See Plan 2)

2. Finmere Quarry comprises a non-hazardous landfill site within an area that has been worked for sand and gravel. The surrounding area is

predominantly agricultural rural countryside and the site is located within the North Ploughley Area of High Landscape Value as designated in the Cherwell Local Plan 1996 (CLP, Policy C13). There is a landfill gas utilisation plant on the southern flank of the landfill generating electricity. The site of the Materials Recycling Facility (MRF) which is the subject of this planning application is 200 metres south of the landfilled area.

3. Land immediately west of the landfill has permission for sand and gravel working and inert landfill and land to the south east has permission for clay extraction and filling back with inert material from the existing quarry area..
4. The nearest properties to the site are; Widmore Farm, approximately 700 metres to the north-west of the proposed MRF, Foxley Field Farm Bungalow (currently owned by the applicants) that lies just within the landfill site boundary on its eastern edge and approximately 300 metres north-east of the proposed MRF and Boundary Farm that lies approximately 400 metres south east of the MRF site.
5. The landfill is flanked by two rights of way. Immediately to the east is bridleway 6 running from Finmere village southwards passing approximately 190 metres from the proposed MRF at its closest point. Bridleway 7 is a southerly continuation of Bridleway 6 which was diverted away from the MRF site in 2008. Bridleway 4 runs from Widmore Farm to Finmere village and was diverted in 2009 away from the quarry to run on the north west edge of the Landfill site. Part of the former railway line proposed for the High Speed 2 (HS2) passes along the western boundary of the non-hazardous landfill site and is approximately 200 metres from the proposed MRF at its closest point.

Background and History

6. Permission was originally granted for sand and gravel working and inert waste infilling on appeal in 1993. Permission for commercial and industrial landfill was granted in 1998. In 2005 permission was given to increase the height of the landfill based on advice from the Environment Agency that it was necessary to ensure run off from the landfill. The operator tipped to levels higher than those permitted in 2005 and an enforcement notice was served and upheld on appeal to remove the over-tipped waste.
7. In May 2008, in line with the enforcement notice, an application was made to remove the over-tipped waste to other waste cells within the site. The Environment Agency objected as levels of hydrogen sulphide detected from the landfill were above those regarded as acceptable to the health of people on and off the site. As a result the application was refused. Permission was then given for retaining the over-tipped waste in 2009 (on advice from the Environment Agency).
8. Permissions for a MRF and for extraction of sand and gravel and clay and inert filling on adjacent land were granted on appeal in 2007. Permission was granted in 2009 to extend the life of the landfill and the MRF to 2020.

Permission no. 10/00361/CM was granted in May 2010 for a variation to the MRF to include the provision of a ventilation stack. This permission includes condition C24 requiring that the MRF cannot be operated until landscape planting has been carried out and condition C29 requiring that the MRF cannot be operated until engineering works have been carried out to alleviate odour mitigation measures and that the permanent capping to cells 3,4,5 & 6 of the landfill site is in place.

9. In January 2012 permission 11/00015/CM was granted for the change of use of the MRF to add biodrying and gasification waste treatment technologies and associated power generation together with an extension to the operational life of the building until 2035. Condition 27 of this permission provided for similar landscape planting in line with condition C24 of permission no. 10/00361/CM but does not have a condition containing the requirements set out in condition C29.
10. In January 2012, permission 11/00026/CM was also granted for an extension of time for the life of the landfill site until 2035, to account for the slowdown in landfilling rates that would arise as a result of the improvements in the recycling process and gasification.
11. In December 2013, permission 13/00973/CM was granted to vary the order of landfilling, and to extend the timescale for capping Cells 4, 5 and 8 at the non-hazardous waste landfill to no later than 15th October 2014.
12. A Breach of Condition notice was served in June 2015 requiring compliance with conditions of permission 13/000973/CM with regard to securing the completion of capping, soiling and seeding of cells 4, 5 & 8. These works have now been completed.
13. In August 2015, permission 15/00245/OCC was granted for the MRF building as now constructed along with changes to the surface water management system, the provision of boundary fencing and non-material amendments to the consented MRF building including the addition of doors, roof lights, signage, generators and air management equipment, external stairs, amendments to the offices and internal layout of the building and the variation of planning permission reference 10/00361/CM to remove Condition C24 (relating to landscaping mitigation measures) and Condition C29 (relating to landfill engineering works).
14. All existing permissions at the wider quarry and landfill site are subject to Section 106 legal agreements which include amongst other items a restricted hinterland for the importation of waste. The effect of the legal agreements is that no more than 25% of the waste received can be imported from outside the defined hinterland.

The Proposed Development

15. The proposed development is to vary the development as permitted under planning permission no. 15/00245/OCC with respect to the following

- i) Condition 1 of the permission lists the approved plans and documentation so any variations to these as set out below mean that there will be changes to these.
- ii) Condition 7 of the permission specifies that waste that has been processed in the MRF shall only be stored in the MRF building or in the storage bay at the southern end of the MRF site. It has been identified and it is proposed that it will also be necessary to store SRF and RDF in the main yard area and therefore it is proposed that condition 7 be varied to this effect with reference to a drawing showing the extended storage area. Other recyclates would continue to be stored in the storage bay. The reasons for this are as part of the development of the process and the markets for the output it is necessary for the applicant to demonstrate to potential users of the SRF and RDF that they are capable of supplying sufficient quantities of SRF and RDF at a sufficient and consistent quality. To do so necessitates the storage of additional SRF and RDF that can be accommodated in the waste storage bay together with the recyclates. As the market for them is fluid, to provide the requisite flexibility with respect to market conditions particularly regarding fluctuating prices necessitates the storage of additional SRF and RDF. If gasification EFW treatment were to be introduced, for which planning permission was granted previously, then this would also necessitate additional SRF and RDF storage. This is also necessary to secure the substantial finance required to purchase and install the gasification plant; potential funders will require demonstrable proof of a successful track record of production and storage of SRF and RDF in order to have the confidence to invest at that very substantial level.
- iii) Condition 26 of the permission requires the operational hours to be between 07.00 and 18.00 hours Mondays to Fridays and 07.00 and 13.00 hours on Saturdays. Condition 17 requires that during the operational hours, noise levels shall not exceed 55 dB (LAeq) (1 hour) freefield at Warren Farm House, Hill Leys, Foxley, Widmore Farm, Boundary Farm or Gravel Farm. It is proposed that the operational hours would remain the same for the delivery of waste to and the export of SRF, RDF and recyclates from the MRF. It is proposed that the hours for on site operations would be varied to 06.00 to 23.00 hours Mondays to Fridays and 07.00 to 13.00 hours on Saturdays without acoustic barriers being in place and from 05.00 to 01.00 hours Mondays to Fridays and 07.00 to 13.00 hours on Saturdays with acoustic barriers in place (NB this includes Friday night working until 01.00 hours on Saturdays). The reason for this is that it has been identified that in order to process the consented MRF throughput of 150,000 tonnes of waste per annum, the operational hours need to be amended to provide for additional waste processing. As a result it would be necessary for an additional six staff to be employed at the MRF but the applicant considers that this would not result in a significant increase in vehicle movements including at shift changes. The last shift change would

occur before 18.00 hours with the six staff leaving via the main access onto the A421 just after either 23.00 or 01.00 hours as the case may be..

- iv) A noise assessment accompanying the application has identified that the additional noise mitigation will only be required for operations between 05.00 and 06.00 and 23.00 and 01.00 hours when potential noise levels would otherwise exceed the relevant standards for night-time noise. With the exception of the eastern-most door of the MRF, all the MRF doors would be closed between 05.00 and 07.00 hours and 18.00 and 01.00 hours. It is anticipated that up to 30 RDF and SRF bales per hour would be generated which would be moved to the external storage area by a telehandler which would not use an audible warning system between 05.00 and 07.00 and 18.00 and 01.00 hours. The acoustic barriers would be 5 metres high on the eastern boundary as a continuation of the existing storage bay wall from the north-eastern corner of the storage bay to the south-eastern corner of the MRF building and a 3 metres high one with a noise absorptive surface facing the MRF building to the north of the air management system and generators adjacent to land to the north of the MRF building. It is therefore proposed that condition 26 be varied to reference the above proposed hours of operation and that condition 17 be varied to reference that noise should not exceed three decibels above the background sound level.

16. It is also noted that as the capping of cells 4, 5 & 8 has now been completed, conditions similar to conditions 2 and 4 of the existing permission are no longer required.
17. No changes are proposed to the approved external lighting details or their hours of use. No changes are proposed to the surface water drainage system. The application is accompanied by a landscape and visual impact assessment which concludes that the proposed variations would have negligible additional adverse effects; due to the existing peripheral vegetation the additional proposed acoustic barriers would be well screened. It is also not considered that there would be any adverse impacts on amenity or the water environment. The SRF and RDF bales are all wrapped in plastic to keep the material dry during storage and the storage is the subject of the detailed conditions of the Environmental Permit issued by the Environment Agency which contains approved schemes with respect to site drainage, fires and firewater management and accidents. It is not considered that the operation of the site to date has led to any problems with pests, odour or significant quantities of dust or litter.
18. The applicant considers that the development as varied is sustainable development which is in accordance with relevant national and local planning policies.

• **Part 2 – Other Viewpoints**

Third Party Representations

19. No Third Party Representations have been received.

Consultation Responses

20. Cherwell District Council - No objection as local planning authority, environmental health comments awaited.
21. Finmere Parish Council - Comments awaited.
22. Environment Agency - No comments to make.
23. County Council as Lead Local Flood Authority – No objection.
24. Transport Development Control – No objection.
25. HS2: High Speed 2 Rail –No comments received.
26. Natural England - No comments to make..
27. Thames Water - No objection.
28. Oxfordshire Fire and Rescue Service – No adverse comments to this planning application subject to the assumption that as the SRF and RDF packages exist of non-hazardous materials by virtue of them being destined for the Energy From Waste centres. The storage of such materials in an external location will need to be risk assessed and managed appropriately to ensure that the Responsible Person continues to comply with the duties placed upon them by the Regulatory Reform (Fire Safety) Order 2005, as there has been at least one significant fire nationally whereby such baled materials were set alight from an external influence causing a large fire and the associated air pollution that results from such.
29. Ecologist Planner -No objection.
30. County Council Arboricultural officer – No objection.

• **Part 3 - Relevant Planning Documents**

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

31. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
32. The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP).

- Cherwell Local Plan 1996 (retained policies set out in Appendix 7 to the
 - Cherwell Local Plan 2011-2031 Part 1)(CLP 1996)
 - Cherwell Local Plan 2011-2031 Part 1 (CLP 2031)
33. The Government's National Planning Policy Framework (NPPF) and the National Policy for Waste (NPPW) are material considerations in taking planning decisions.
34. The Draft Oxfordshire Minerals and Waste Local Plan: Core Strategy (OMWCS) was out to consultation until April 2014. It is currently envisaged that the plan will be submitted in late 2015 and independent examination will take place in early 2016. Only after this has taken place could the plan be adopted and form part of the development plan. At a meeting of the full County Council on 24th March 2015, the OMWCS was approved for publication and submission to the Secretary of State for independent examination following consideration of any representations received. Therefore, it is appropriate to consider draft policies which are relevant to the development.

Relevant Policies

35. The relevant policies are:
Cherwell Local Plan 2011-2031 (CLP 2031)
- Policy SLE1 – Employment development
 - Policy ESD13 – Local landscape protection and enhancement
 - Policy ESD15 – Character of the built environment

The Cherwell Local Plan retained policies (CLP 1996)

- Policy C28 – Layout, design and external appearance of new development
- Policy ENV1 – Development likely to cause detrimental levels of pollution

Oxfordshire Minerals and Waste Local Plan (OMWLP) 1996

- Policy W3 -Recycling facilities
- Policy W4 - Recycling facilities in the open countryside
- Policy W5 - Screening of waste treatment facilities
- Policy PE3 - Buffer zones
- Policy PE18 - Regulation of development through imposition of conditions. Code of Practice

36. Other material considerations:

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

- Policy C5 – Local Environment, Amenity and Economy
- Policy C8 – Landscape

- **Part 4 –Analysis and Conclusions**

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

37. The development proposed is essentially to facilitate longer operational hours for the MRF itself and the use of a larger part of the existing concrete yard for the storage of processed SRF and RDF bales prior to their removal from the site. This would facilitate ensuring that the waste delivered on any one day can be processed prior to the commencement of the next day's deliveries and greater on site capacity for storage. There is no proposal to change the overall limitation on the annual throughput of waste from 150,000 tonnes of waste per annum. I consider that the key planning issues are whether the variations proposed would have any unacceptable impacts on the open countryside and landscape and the amenity of the local population.

Open countryside and Landscape

38. Policy W4 of the OMWLP states that waste re-use/recycling and ancillary proposals will not normally be permitted in the open countryside unless the development is to form part of a mineral extraction/landfill site which is to be removed on completion of extraction/landfill. Policy W5 of the OMWCS states that amongst other locations, priority will be given to siting waste management facilities on land that is already in a waste management use but that those at land in a temporary use as a mineral or landfill site should be removed before that other use is required to cease. Paragraph 7 of the NPPW states that waste planning authorities should ensure that waste management facilities in themselves are well-designed so that they contribute positively to the character and quality of the area in which they are located.
39. Policy W5 of the OMWLP seeks to see that waste facilities are appropriately screened. Policy C8 of the OMWCS states that proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character and that they shall include measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. Policy ESD13 of the CLP 2031 states that development will not normally be permitted if it would cause undue visual intrusion into the open countryside, undue harm to important natural landscape features and topography, be inconsistent with local character and impact on areas judged to have a high level of tranquillity. Policy C28 of the CLP 1996 states that control will be exercised over all new development to ensure that the layout, design & external appearance are sympathetic to the rural context. Policy ESD15 of the CLP 2031 states that all development will need to meet high design standards and contribute positively to an area's character and identity by creating or reinforcing local distinctiveness .

40. Policy PE18 of the OMWLP and its associated Code of Practice requires applications where appropriate to include a landscaping scheme to screen the proposed development from dwellings, roads, footpaths, recreation areas and important viewpoints. Paragraph 7 of the NPPW states that in determining waste planning applications consideration should be given to the impact on the local environment and on amenity. Appendix B of the NPPW states that locational criteria for waste management facilities should include consideration of design-led solutions to produce acceptable development which respects landscape character.
41. There would be no physical changes to the built development already permitted other than the two acoustic barriers. A larger area of the concreted yard would be used for storage of the SRF and RDF bales. I consider that the site is already well screened by existing vegetation and that these changes would have little or no additional adverse impact on the local landscape character and topography and also that there would be no significant additional and unacceptable impact in the open countryside. I therefore see no conflict with these policies.

Amenity

42. OMWLP policy PE18 states that in determining applications the County Council will have regard to the appropriate provisions in the Code of Practice. This sets out details of measures to protect amenity to dwellings and other noise sensitive buildings and uses, including buffer zones, landscaping, standard hours, noise, dust and odour. Policy C5 of the OMWCS makes similar provision. Policy PE3 states that appropriate buffer zones will be safeguarded around waste disposal sites for protection against unacceptable losses of residential or natural amenity. The related text in paragraph 4.8 of the OMWLP suggests a minimum buffer zone of 100 metres to individual dwellings. OMWLP policy W3 c) of the OMWLP states that proposals for re-use/recycling will normally be permitted provided that it will not cause unacceptable nuisance in terms of noise, dust, fumes, smell, visual intrusion or traffic. Policy ENV1 of the CLP 1996 makes similar provision.
43. As set out above, the MRF building and its associated infrastructure is well screened from view by both the existing landfill site and the surrounding vegetation. The nearest residential property lies approximately 300 metres from the proposed development. The handling of waste is carried out within the building other than the storage of the processed materials in the yard. There are external vehicle movements associated with the development and the storage of baled treated waste and recyclates in the external storage area to the south of the MRF building. There are also electrical generators and associated fuel tanks and air management equipment located on the northern side of the proposed MRF. Given the distances involved from the nearest residential properties and the existing screening, I do not consider that there is likely to be any significant adverse visual impact arising from the variations proposed.

44. The applicant has provided a noise assessment which concludes that noise levels would remain at acceptable levels, provided that the proposed acoustic barriers are provided before any operations are carried out between 23.00 and 01.00 hours and between 05.00 and 06.00 hours. Whilst the extended work hours proposed are considerably longer than the standard hours set out in the Code of Practice referenced in OMWLP policy PE18, these hours are a guide only and appropriate hours depend on the circumstances of the individual site. Subject to the comments of the District Environmental Health Officer, I do not consider that there would be an adverse impact from the extended hours of operation and so identified harm which would justify reason for refusal to the application.
45. I also see no reason to conclude that the use of the additional storage area would lead to any odour or dust issues and am not aware that there have been any to date. The control of odour would remain a matter for the Environmental Permitting regime as it is for the landfill site. There is no proposal to use the external lighting beyond the existing permitted operational hours. I also do not consider that the proposed external lighting, which would largely only be required during limited hours in the winter, would have any significant amenity impacts given the screening around the building and distance from the nearest properties.
46. There would be no increase in the maximum amount of waste proposed to be imported to the facility and no use of the access to the public highway by HGVs onto the A421 outside the existing permitted hours. I do not therefore consider that there would be any additional impact on amenity from vehicle movements over and above that which has been previously found to be acceptable.
47. I therefore see no significant conflict with these policies.

Other issues

48. Policy SLE1 supports new employment in rural areas where it is justified and will not cause undue detriment to the locality including through traffic impacts. The extended operational hours would require an additional shift to be worked and so additional employment would be created for six additional staff. I consider that this additional employment should in principle be welcomed. I do not consider that any associated vehicle movements would have any adverse impacts. I therefore consider that the development does not conflict with this policy.
49. The existing permission contains two conditions (2 and 4) which seek to limit the commissioning works for the MRF and it becoming operational until the capping of cells 4, 5 and 8 has been completed. As these works have now been completed, there would no longer be any need for these two conditions to be attached to any new planning permission which may be granted.

Conclusion

50. As set out above, I consider that the development is generally in accordance with relevant policies and other material considerations. Subject to no over-riding objections being raised by outstanding consultees and to the conditions being amended as set out in Annex 1, I consider that the application should be approved.

RECOMMENDATION

51. **It is RECOMMENDED that subject to no over-riding objections being raised by outstanding consultees, Application MW.0031/15 be approved subject to conditions to be determined by the Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out in Annex 1.**

BEV HINDLE

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

December 2015

Proposed Conditions:

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 the permission.
2. The operators shall notify the County Council as Waste Planning Authority within 3 working days of the date of issue of the commissioning certificate (Taking-Over certificate under the plant supply contract).
3. The acceptance of waste shall cease by 31 December 2020. All buildings, plant and machinery to which this permission relates shall be removed and restoration shall be completed by 31 December 2021.
4. The storage bays shall not be constructed other than in the location shown on drawing no. OP/FI/09-14/18137revB and in accordance with the details set out in the letter dated 06 June 2014 and drawing nos. OP/FI/06-14/17850, 3216-BUNKER WALL Rev P1 and B1.
5. Recyclates (i.e. waste that has been processed in the building other than SRF and RDF and other residues that are going to be landfilled) shall not be stored on site except in the building or in the storage bay unless otherwise approved in writing by the Waste Planning Authority. SRF and RDF shall not be stored at the site except in the building or in the SRF/RDF storage area shown on drawing no. OP/FI/10-15/18921 Figure 3 unless otherwise approved in writing by the Waste Planning Authority. The height of the stockpiles or stacks of RDF, SRF, reclaimed or salvaged materials shall not exceed the height of the walls of the bays.
6. No waste transfer/recycling operations or unloading or deposit of waste shall take place on site outside the confines of the building approved for this purpose. No loose waste materials shall be deposited or stored outside the storage bays or the building.
7. Waste imported to the site that cannot be recycled at the site shall not be taken off-site other than to the land the subject of planning permission 13/00973/CM or any superseding planning permissions provided that it is suitable for deposition on that land.
8. The colour of the external walls of the building shall be Van Dyke Brown and the colour for the roof of the building (excluding the roof lights) and the ventilation stack shall be Olive Green.
9. The maximum height of the ventilation stack shall not exceed 16 metres above ground level as shown on approved drawing no OP/FI/09-

14/18139revB.

10. The storage of any skips on the land shall only be incidental to the recycling use of the site and shall not take place except in accordance with details that have been submitted to and approved in writing by the Waste Planning Authority.
11. Access and egress shall not be taken other than via the existing access to the permitted quarry and landfill site onto and from the A421 and thence via the haul road as shown on drawing no. OP/FI/09-14/18134revB.
12. No loaded vehicles shall leave the site unsheeted except those only carrying recyclates which do not have the potential to give rise to dust.
13. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.
14. No development shall take place except in accordance with the approved dust suppression measures specified in document PR/FI/AV/1347/01 unless otherwise approved in writing by the Waste Planning Authority.
15. Between the hours of 07:00 and 18:00 the noise levels arising from the development shall not exceed 55 dB(LAeq) (1 hour) freefield at Warren Farm House, Hill Leys, Foxley, Widmore Farm, Boundary Farm or Gravel Farm. Between the hours of 05:00 and 07:00 and 18:00 and 01:00 the rating level (Lar,Tr) arising from the development shall not exceed 3 dB above the background sound level (LA90,1h) when determined in accordance with BS 4142:2014 at Widmore Farm, Warren Farm, Hill Leys, Foxley, Glanwin Meadows, Foxley Fields Farm or Boundary Farm
16. All vehicles, plant and machinery operated within the site shall be fitted with and use effective silencers.
17. The noise emitted at any time from the site shall not contain any discrete continuous note, i.e. whine, hiss, screech, hum etc or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) distinguishable at the locations identified in condition 15.
18. No development shall take place except in accordance with arrangements for ensuring that reversing vehicles do not emit warning noise that would have an adverse impact on residential or rural amenity, as specified in the approved document PR/FI/AV/1347/01 unless otherwise approved in writing by the Waste Planning Authority.
19. Any chemical or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the largest container's total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses.

There must be no drain through the bund floor or walls.

20. Repair, maintenance and refuelling of plant and machinery shall only take place on an impervious surface drained to an interceptor.
21. The operation of the MRF shall not take place other than in accordance with the approved external lighting details set out in the letter dated 15 January 2015 and Drawing no. 3201-002 Rev P1 (Appendix A to the letter dated 20 October 2015) and no other external lighting shall be installed except in accordance with the approved details unless otherwise approved in writing by the Waste Planning Authority. The approved details shall be implemented for the life of the site
22. Any external lights shall not be illuminated between the hours of 18.00 to 7.00 Monday to Friday and 13.00 to 7.00 Saturday and at no time on Sunday or National Holidays (save for security lighting activated by unauthorised entry by persons or vehicles).
23. The existing trees, bushes and hedgerows in Finmere Plantation to the north of the MRF site and the green lane feature to the east of the MRF site, as shown on approved plan M04.134.14 Revision A, shall be retained and shall not be felled, lopped, topped or removed without the prior written consent of the Waste Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Waste Planning Authority in the planting season immediately following any such occurrences. The new hedgerow and woodland planting shown on on approved plan M04.134.14 Revision A is not required to be carried out.
24. Except for plant maintenance and emergencies no operations authorised by this permission, including vehicles entering or leaving the site, shall take place except between the following times:

Deliveries of waste to the MRF and the export of SRF, RDF and recyclates from the MRF:

07:00 to 18:00 Mondays to Fridays

07:00 to 13:00 Saturdays;

Operation of the MRF solely for the commercial and industrial waste processing operations to be carried out and storage of processed materials (without acoustic barriers shown on drawing no. OP/FI/10-15/18921):

06:00 to 23:00 Mondays to Fridays

07:00 to 13:00 Saturdays;

Operation of the MRF solely for the commercial and industrial waste processing operations to be carried out and storage of processed materials (with acoustic barriers shown on drawing no. OP/FI/10-15/18921):

05:00 to 01:00 Mondays to Fridays and from 00:00 to 01:00 on Saturdays
07:00 to 13:00 Saturdays;

Except for plant maintenance and emergencies no operations shall take place on Sundays or Bank or Public Holidays unless otherwise approved in writing by the Waste Planning Authority.

25. The site shall be restored in accordance with approved drawing PR/FI/09-10/15770 and aftercare shall take place in accordance with conditions 24, 25, 26 and 27 of planning permission 13/00973/CM or equivalent conditions in any superseding planning permissions.
26. The annual throughput of waste shall not exceed 150,000 tonnes per annum. Records shall be maintained of all inputs of waste. The records shall be held on site for inspection. Records of inputs of waste to the development shall be forwarded to the Waste Planning Authority quarterly.
27. No further steps shall be taken to implement or operate the recycling facility for inert wastes permitted under planning permission 00/01480/CM.

Compliance with National Planning Policy Framework

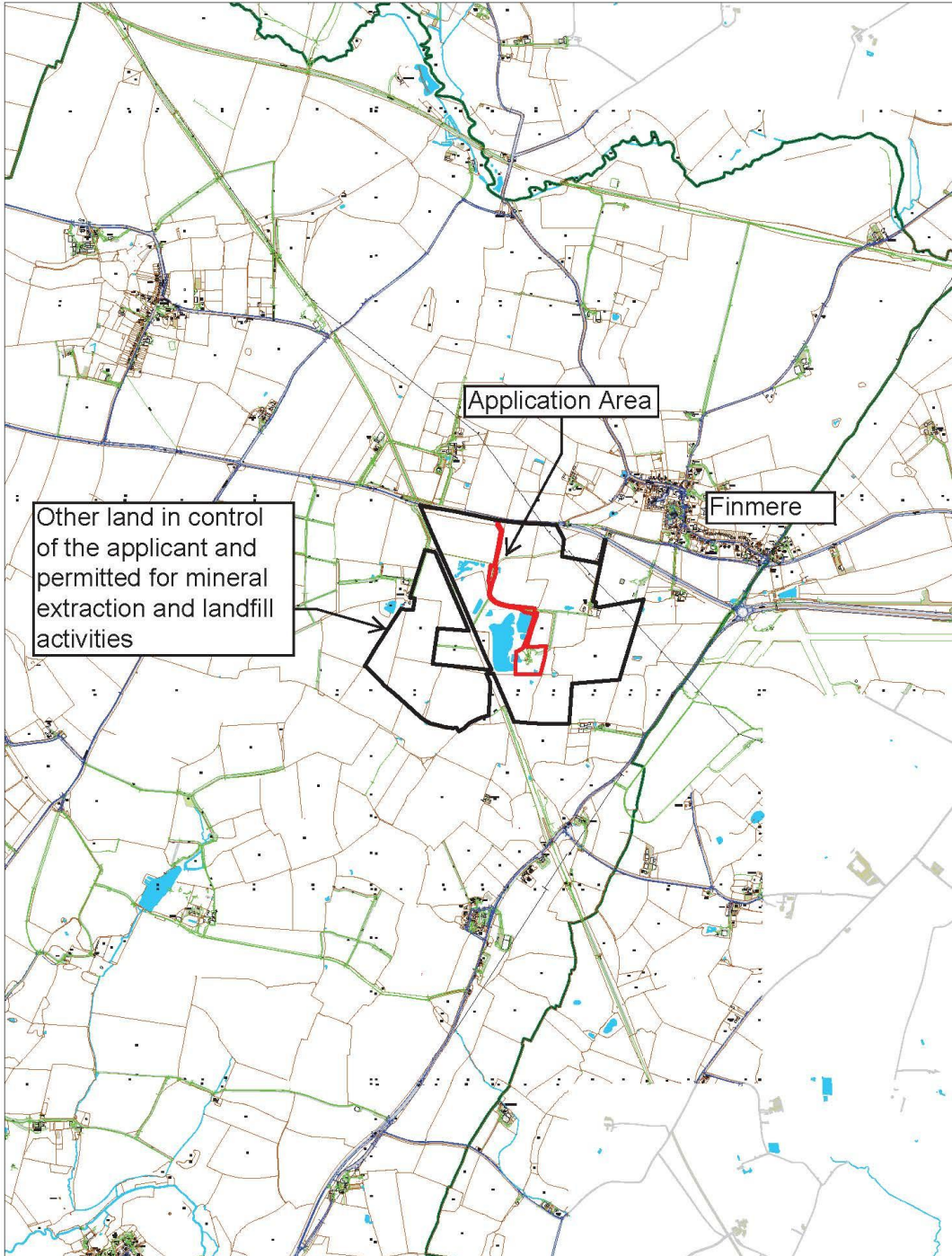
In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service. Any issues which occurred during the processing of the application were discussed with and clarified with the applicant.

European Protected Species

The Waste Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2010 which identifies 4 main offences for development affecting European Protected Species (EPS).

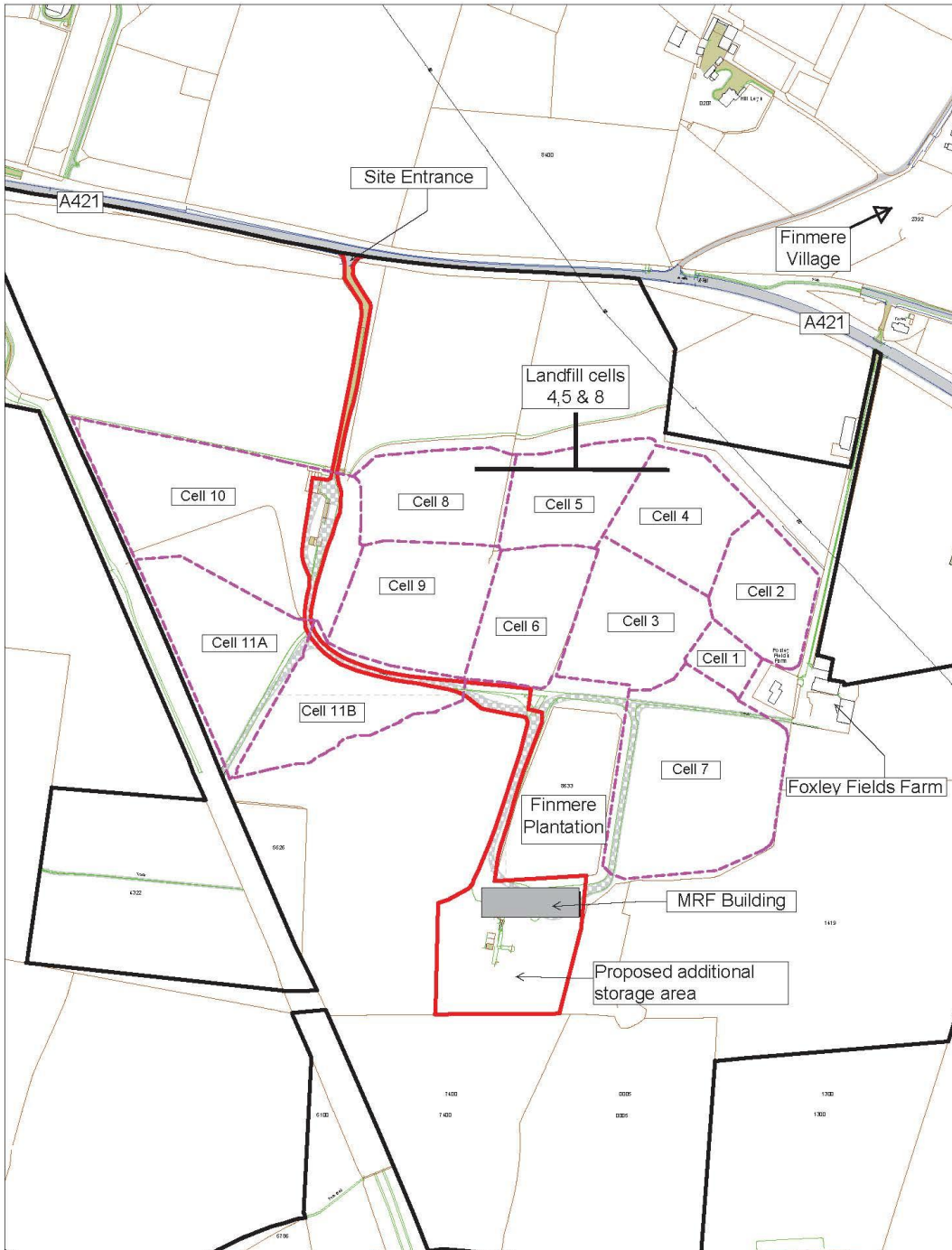
1. Deliberate capture or killing or injuring of an EPS
 2. Deliberate taking or destroying of EPS eggs
 3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
 4. Damage or destruction of an EPS breeding site or resting place.
- Our records and the habitat on the proposed development site indicate that European Protected Species are unlikely to be present on site or affected by the proposals. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Plan 1 -
MW.0139/15



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Plan is for guidance only, accurate application plans can be
found on the e-planning website using reference MW.0139/15

Plan 2 -
MW.0139/15



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Plan is for guidance only, accurate application plans can be found on the e-planning website using reference MW.0139/15.