

**For: PLANNING & REGULATION COMMITTEE – 22 FEBRUARY 2016**

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

**Development Proposed:**

**Proposed extension to waste transfer apron and provision of a waste picking station**

**Division Affected:** Deddington  
**Contact Officer:** Matthew Case **Tel:** 01865 815819  
**Location:** Ferris Hill Farm, Sibford Road, Hook Norton,  
Oxfordshire, OX15 5JY  
**Application No:** MW.0132/15 **District Ref:** 15/01829/CM  
**Applicant:** Banbury Plant Hire  
**District Council Area:** Cherwell District Council  
**Date Received:** 24-Sep-2015  
**Consultation Period:** 8 October – 29 October 2015

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**Recommendation:** Approval

**Part 1 – Facts and Background**

**Location (see site plan Annex 1)**

1. The site is located about 1.5km (0.9miles) north of Hook Norton and approximately 2km (1.2miles) south of Sibford Ferris in the north-western part of the county.
2. The main highway access to the site is from the Wigginton crossroads to the Rollright/Wichford road and a short distance north along the Sibford Road adjacent to The Gates Hang High (pub).
3. The application site is located within an Area of High Landscape Value. The site is located approximately 1.8km to the south-east of a SSSI (Sharps Hill Quarry) and is therefore within the Impact Risk Zone. Sharps Hill Quarry is an area of native broadleaved predominantly secondary woodland.

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

4. The application site covers an area of 4,600 m<sup>2</sup> (0.460 hectare). The development is located to the east of an existing waste transfer apron and building. The application site is located in the open countryside and forms part of a larger complex housing a small aggregate depot, and a waste transfer station. The development would cover approximately 37% of the existing grass paddock with established banking and planting surrounding it. To the west of the existing apron and waste transfer building is a pond and further vegetation. The land level falls by over 10 metres from the south east along Sibford Road to the pond in the north-west. The nearest property is The Gate Hangs High Public House which lies 100 metres to the south east of the site.
5. No footpaths or sites of archaeological or ecological interest are affected by the proposal.
6. To the west of the existing workshop lies the Lower Yard area which is used for recycling construction waste into useable aggregate. The site appears well screened to the north, east and south of the site.

**Planning History**

7. In 1998 Cherwell District Council granted planning permission for a sand and ballast distribution depot at Ferris Hill Farm. In 2004 the County Council granted permission for the erection of a waste transfer building and use of the site as a waste transfer station (WTS). In 2005 permission was granted to increase the number of vehicles from 1 skip lorry to 3 skip lorries and 1 bulk carrier. Again in 2005 a further application (05/01092/CM) was made to enable the waste transfer operations, and the distribution of sand and ballast, to take place in separate areas. This application was granted permission but never implemented.
8. In 2007 the current planning permission (07/00058/CM) was granted for an extension to the operational area of the WTS and an enlarged/relocated materials recycling building. This permission removed the condition that limited the number of skip HGVs and bulk carriers that could operate from the site. To control the scale of the development and the volume of traffic generated condition 5 was imposed, limiting the maximum annual throughput of the site to 24,999 tonnes per annum (tpa).
9. The existing planning permission was issued on the basis that this was a 'small scale' waste facility that was meeting local waste management needs, and the 24,999 tpa limit was imposed to ensure that the scale of the development would be controlled. The maximum volume of traffic that the applicant indicated was expected to be generated by the site was 36 HGV movements per day (18 in and 18 out).
10. In 2011 an application was submitted to increase the throughput to 75,000tpa, which is allowed by the Environmental Permit for the site, and to extend the

operating hours. This application was recommended for refusal but withdrawn by the applicant prior to being considered by this committee.

11. A routeing agreement for the site has been in place since the original 1998 permission was granted and has been updated with each subsequent planning permission. The routeing agreement is to prohibit the use of the route to and from the north of the site on the Sibford Road, in order to prevent traffic passing through the villages of Sibford Ferris and Sibford Gower.
12. In October 2011 The Environment Agency (EA), which is responsible for issuing Environmental Permits for waste sites, served a notice on the site owner requiring clearance of waste from the Lower Yard area of the wider Ferris Hill site because this part of the site does not have an Environmental Permit. At present, the only part of the site that is covered by an Environmental Permit is the area of the existing WTS planning permission.
13. There is also an area of unauthorised waste storage on land adjacent to the site to the west which is liable to OCC enforcement action as there is no planning permission for this area of land. A Planning Enforcement Notice was served on the site owner by the OCC Enforcement Officer on the unauthorised use of this land in 2014.
14. In 2012 two planning applications were submitted and later withdrawn by the current applicant and owner of the site. The first application involves the variation of two conditions from the existing planning permission for a materials recycling building and waste transfer station. The variation of Condition 3 involved a proposed extension to operating hours (extending the start time from 0800 hours to 0700 hours and the end time from 17.00 to 18.00) and the variation to Condition 5 proposed an increase to the maximum annual throughput of waste from 24,999 tonnes per annum (tpa) to 45,000 tpa. The second application was made to extend the time for the provision of a concrete apron in front of a recently constructed waste transfer building.
15. In 2013 Cherwell District Council approved the two planning applications made for construction of an earth bund to the west of the application boundary and for retrospective permission for a staff and visitor car park to the south-east of the application boundary near the site entrance. In 2015 the district council also granted permission for a building to support a free range chicken enterprise and hardstanding for the parking of agricultural tractors and machinery to the west of the application boundary.

### **Details of the Development**

16. This application is for a permanent extension to the existing WTS building and apron to allow for increased operating space and a large picking station 57 metres in length. The picking station is already located on the existing site in a temporary location on the existing apron i.e. not in the location proposed in the application and without planning permission. There would be no increase in the tonnage processed at the site and, therefore, no additional traffic would be generated by this proposal. The average tonnage processed on the current

WTS and apron, based on the past three years is 1844 tonnes per annum, which combined with the amount of recycled hardcore, fines and topsoil recovered from the skips is averaged at 17,600 tonnes per annum processed over the entire site. The site currently has a restriction of a maximum of 24,999 tonnes per year.

17. In relation to treatment of skip waste, no residual materials are taken to landfill. The materials are fully sorted (such as hardcore, paper, cardboard, plastics, metal and hessian) and the residue (some timber and green waste, plastic bottles etc.) are transported to specialist site for further recycling for use in pellets or the like for fuel for power stations.
18. The application was made, due to health and safety concerns. Following accidents at waste sites elsewhere in the country which had led to recommendations from the Health and Safety Executive, the applicant wishes to introduce measures to stop the practice of sorting the waste on the apron or within the WTS building. This normally results in unprotected staff members sharing small spaces with mobile plant machinery. The picking station in its proposed location will separate unprotected staff from potentially dangerous mobile machinery.
19. As mentioned, the applicant is proposing to retain the picking station, but relocating the station at a right angle to the current location so it runs west to east. Part of the picking station would be covered by the existing waste transfer building. The applicant also wishes to extend the existing waste transfer apron eastwards covering a total area of 0.460 hectares.
20. As well as the picking station, the apron would be used to store baled finished product ready for dispatch. In addition the applicant has purchased two Doppstaat wood chipping machines (one of which is already stored on site). The wood chipping machines would be used in various locations on both the existing apron and proposed apron extension. The machines have been purchased to replace existing plant and machinery.
21. Paper and cardboard, hessian and plastic sheet would be baled for further recycling. The bales would weigh approximately one tonne and would be approximately 2.4x 1.2 x 1.2 metres in size. The bales would be stored on site before onward transmission in 38-40 tonne lots. The apron would also be used to store wood chippings after the first and second stages of size reduction (shredded/chipped).
22. Plastic doors and window frames would be chipped and baled to reduce the bulk element, metal would be crushed ready for collect from local scrap metal merchants such as Smiths of Bloxham. Occasionally waste such as tumbler driers, washing machines and refrigerators would be delivered to site. These bulky items would be stored and then transported to an authorised site when there are sufficient numbers to make up a full load. At some point the applicant wishes to employ six further staff to strip bulky household appliances to recycle ferrous and non-ferrous metal, crush the concrete balancing weights and to crush the cabinets for onward transmission.

23. Due to the rising topography from west to east, the applicant proposes digging out the rising ground level to the east by 2.2metres, so the apron extension is at the same level as the existing apron. Digging out the bank would further visually screen the development and assist with noise attenuation.
24. The apron floor on the extension would be laid with concrete with suitable drainage and walls would be pre-cast concrete panels supported within upright steel 'I' beam columns, all to match the existing.

## **Part 2 – Other Viewpoints**

### **Representations**

25. Two letters of support have been received to this application from two local businesses neighbouring the site

### **Consultations**

26. A summary of consultation responses received in relation to this application can be found at Annex 2. They are also available to read in full on the eplanning website <http://myeplanning.oxfordshire.gov.uk> using the reference number MW.0132/15.

## **Part 3 – Relevant Planning Documents**

27. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
28. The relevant development plan documents are:
  - The Oxfordshire Minerals and Waste Local Plan 1996
  - Cherwell Local Plan 2011-2031 Part 1(This also contains saved policies of the Cherwell Local Plan 1996 in its Appendix 7)
29. The Draft Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS) has been out to consultation. This document is now at a more advanced stage of preparation and as such further weight can be given to the policies it contains. At the meeting of the full County Council on 24 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.
30. The Government's National Planning Policy Framework (NPPF) and the National Policy for Waste (NPPW) are material considerations in taking planning decisions.

**Relevant planning policies (see Policy Annex to the committee papers)**

31. Oxfordshire Minerals and Waste Local Plan 1996 - Saved Policies (OMWLP):
- Policy W3 – Proposals for reuse / recycling.
  - Policy W4 – Proposals for reuse / recycling in the open countryside.
  - Policy W5 – Screening of waste sites.
  - Policy PE18 – In determining applications the County Council will have regard to the code of practice and attach suitable conditions.
32. Cherwell Local Plan 2011-2031 Part 1 (CLP):
- Policy PSD 1 – Presumption in favour of sustainable development.
  - Policy SLE 1 – Employment development.
  - Policy ESD 10 - Protection and enhancement of biodiversity and the natural environment.
  - Policy ESD 13: Local landscape protection and enhancement
33. Other Material Considerations:
- i) Oxfordshire Minerals and Waste Local Plan Core Strategy – Proposed Submission Document (OMWCS):
- Policy W1 – Oxfordshire Waste to be Managed
  - Policy W2 – Oxfordshire Waste Management Targets
  - Policy W3 – Provision for waste management capacity and facilities required
  - Policy W4 – Locations for facilities to manage the principal waste streams
  - Policy W5: Siting of waste management facilities
  - Policy C1 – Sustainable development
  - Policy C5 – Local Environment, Amenity and Economy
  - Policy C7 – Biodiversity and Geodiversity
  - Policy C8 – Landscape
  - Policy C10 – Transport
- ii) National Planning Policy for Waste (NPPW)
- iii) National planning Policy Framework (NPPF)

**Part 4 – Analysis and Conclusions**

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

34. The key policy issues to consider in determining this application are:
- i) Sustainability and Waste Policy including open countryside, and Landscape
  - ii) Employment and Transport
  - iii) Impacts on Local Amenity (noise, dust)
  - iv) Biodiversity

**Sustainability and Waste Policy**

35. Policy C1 of the OMWCS states that a positive approach will be taken to minerals and waste development. Policy PSD1 of the CLP 2031 states that when considering development proposals, a proactive approach will be taken to reflect the presumption in favour of sustainable development in the NPPF.
36. Paragraph 1 of the NPPW supports sustainable development and moving the management of waste up the waste hierarchy of prevention, preparing for re-use, recycling, other recovery and disposal only as a last resort. Policy C1 of the OMWCS also supports sustainable waste development.
37. The proposed extension to the site is stated to not principally be a result of a continually expanding business but the result of needing to improve the safety of the site. The assembly of a picking station would though allow for increased efficiencies and allow the site to recycle a larger percentage of the waste. The site is close to recycling 100% of waste, with no waste going to landfill.
38. The applicant states that the proposed development would not lead to any additional throughput in excess of the existing 24,999 tonnes per annum limitation. The development would serve to help reduce the amount of waste going to final disposal and so move the waste streams up the waste hierarchy in accordance with the aims of the NPPW. I therefore consider that in principle, the application is in accordance with these stated aims set out in the NPPW and Policies C1 of the OMWCS and PSD 1 of the CLP 2031.
39. Paragraph 1 of the NPPW also seeks to see waste disposed of in accordance with the proximity principle. Policy W3 of the OMWLP seeks to see that re-use/recycling sites are located close to the source of the waste and/or the market for the re-used/recycled material. The existing facility chiefly serves the north of Oxford, including the towns of Banbury, and Chipping Norton. I consider that the extended site would be well located in sustainability terms to serve the source of the waste in accordance with policy W3 of the OMWLP and paragraph 1 of the NPPW.
40. Emerging waste Policy W3 of the OMWCS identifies a need for additional C&I recycling capacity. In rural areas policy W4 of the OMWCS seeks to keep facilities 'small scale' (normally below 20,000 tpa throughput).
41. Paragraph 4 of the NPPW states waste planning authorities should identify in Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations, giving priority to the re-use of previously developed land. Policy W5 of the OMWCS gives priority to further waste development on land already in use for that purpose but seeks to avoid development on green field unless it is the most suitable and sustainable option. Paragraph 5.44 of the plan advises that where potential harm including landscape impact can be significantly mitigated this consideration may be relevant to existing site extensions, depending on the area of land involved.
42. Policy W4 of the OMWLP states 'proposals for re-use/recycling and ancillary processes will not normally be permitted in the open countryside unless there is

an established overriding need and there is no other suitable site available. Paragraph 17 of the NPPF states that one of the 12 core land use planning principles includes recognising the intrinsic character and beauty of the countryside.

43. Policy W5 of the OMWLP states waste treatment plant, buildings, machinery and stockpiles must be properly screened from the surrounding landscape. Such screening, by landscaping or other means, should be in place before any waste stockpiling or treatment begins.
44. Policy C8 of the OMWCS states that proposals for minerals and waste development should respect and where possible enhance local landscape character. This is also reflected in policy ESD13 of the CLP 2031 which states that proposals will not be permitted if they would cause undue visual intrusion into the open countryside.
45. The application seeks to extend the existing WTS onto agricultural land which is a green field site. The area (0.46 ha) is not insignificant but the site is generally enclosed and well screened by the existing waste management development to the west, the site's car park to the north and the existing hedgerows and lie of the land to the north and east. The visual and landscape impact and effect on the intrinsic character and beauty of the surrounding countryside seems very limited. However, the existing picking station located on the existing WTS apron is red in colour. The colour makes the picking station stand out, with views from the west. If approved, it is recommended that the picking station is either replaced or repainted in a colour more in keeping with the existing WTS building which is green with a grey roof.
46. No increase in throughput capacity is envisaged. This extension to the existing site would allow an increased storage capacity which would have potential to reduce vehicle movements, increasing large bulk collections and could also benefit on site health and safety. This could point to the development being a 'suitable and sustainable option'. The site's capacity is higher than the 20,000 tpa throughput set out in OMWCS policy W5 but it is not proposed that it be increased and so I see no intrinsic conflict with the aim of the policy.
47. The application is for only a relatively limited extension to an existing site. As mentioned throughput will not increase and the increased storage capacity will enable the development to reduce traffic movements, and complete larger bulk movements. The development benefits by increasing site safety and reducing vehicle movements and appears to fit the criteria for possible limited extensions of existing waste management sites onto green field land set out in policy W5 of the OMWCS. Subject to the colour of the picking station being addressed, I consider that the site would be generally well screened from views, and would have little real and significant impact on the local landscape character and the intrinsic character and beauty of the open countryside. I therefore consider that there is no significant conflict with the aims of the above policies.

#### Employment and Transport



48. Policy SLE1 of the CLP 2031 states that unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of Category A settlements, which does not include Hook Norton. It then goes on to say that new employment proposals will be supported if they meet certain criteria including sufficient justification as to why the development should be located in the rural area, are small scale, have no adverse impact on the village or surrounding environment, would not give rise to excessive or inappropriate traffic, and that there are no suitable employment sites nearby. The application proposes the creation of up to six additional jobs. I do not consider that this limited number of additional jobs at an existing rural employer should be taken as being significantly contrary to the aims of this policy.
49. Policy C10 of the OMWCS states that waste developments will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps. Policy W3 b) of the OMWLP states that proposals for re-use and recycling will be permitted if the site is well located to appropriate parts of the highway network.
50. The site is located off a minor road approximately 5-6km from the A361, which is recognised as non-strategic by the OMWCS. The Transport Development Control Team raised no objection to the application stating the HGV movements are likely to decrease. It is recommended that a construction traffic management plan is required by condition if the application is approved, due to the extent of the works required to create the apron extension. Therefore the development would be in accordance with Policy C10 of the OMWCS and Policy W3 b) of the OMWLP.

#### Effect on the Local Amenity

51. Policy W5 of the OMWLP seeks to see waste treatment plant properly screened. Policy PE18 of the OMWLP states that in determining applications, the County Council will have regard to the Code of Practice contained in Annex 1 of the plan.
52. The Code of Practice says that noise emanating from waste disposal sites should be restricted to limit the detrimental effect on dwellings and other noise sensitive properties. This is reinforced by policy C5 of the OMWCS which states that proposals shall demonstrate that they will not have an unacceptable adverse noise impact.
53. As a result of established landscaping to the north and east and topography of the site when seen from public vantage points to the south and the west, the activities within the site are largely screened from view.
54. The application has received two letters of support by two different local businesses, one of which is located approximately 100metres from the boundary, stating they have received no complaints from guests staying in the local accommodation or on the caravan pitches.

55. Dust and odours are part of the Code of Practice and are also required not to have an adverse impact by policy C5 of the OMWCS.
56. The distance of the development from the nearest dwelling, and the nature of material are such that the development would not be likely to have a significant effect on the amenity of local houses through odour or dust, The District Council's Environmental Health Officer has no objections stating "the reports demonstrate that there will not be a problem from dust or noise as a result of the proposed extension.
57. Policy C5 of the OMWCS also requires developments not to have an impact in terms of visual intrusion and light pollution. As mentioned, the site is well screened from the surrounding area by the topography, trees and hedgerows. The applicant is also proposing to dig out the apron into the field, so the development would also benefit from being set lower in the surrounding field. Therefore the development would be in accordance with Policy C5 of the OMWLP and Policies W5 and PE18 of the OMWLP.

#### Biodiversity

58. Policy ESD 10 of the CLP 2031 seeks to improve biodiversity, and amongst other things states that proposals that result in a loss of biodiversity will not be permitted. Policy C7 of the OMWCS states that the development should conserve, and where possible, deliver a net gain in biodiversity. The applicant submitted a phase 1 Habitat Survey.
59. The Ecologist Planner (OCC) and Senior Conservation Officer (BBOWT) originally objected to the application, based on the lack of information. The survey was carried out a week after the grass was cut for hay. The applicant's agent and ecologist provided additional information including a revised survey and additional regarding biodiversity enhancements. The Ecologist Planner no longer objects to the application providing a number of conditions are attached to enhance the development and provide a biodiversity gain.
60. Subject to this therefore, the development would be in accordance with policies ESD 10 of the CLP 2031, and C7 of the OMWCS.

#### Conclusions

61. There is clearly a balance to be struck between the need for waste management developments which contribute to increasing the amount of waste diverted from final disposal up the waste hierarchy and the adverse impacts of such developments. Whilst the proposed development would see the apron extension onto an adjacent green field in the open countryside, in this instance and taking into account all relevant material considerations, the loss of green field would be outweighed by the benefits of improved safety, reduced traffic movements and increase in the amount of waste diverted away from landfill. In any instance, the extension of the existing site into the green field proposed for the apron would have limited impact on the wider landscape and countryside with the extension area being sufficiently screened due to the local topography

and surrounding existing developed land. The remaining green field around the apron would have a number of biodiversity enhancements with any permission recommended to include a condition requiring a Biodiversity Mitigation & Enhancement Strategy.

62. Therefore the development is considered to be generally in accordance with the aims of the above referenced policies with no significant harm arising which would justify a refusal of planning permission and so should be approved subject to conditions including those set out in the recommendation.

## **RECOMMENDATION**

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

- (i) The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission.
- (ii) The development to be commenced within a period of three years from the date of the permission.
- (iii) The picking station shall not be coloured in anything other than dark green or grey colour to match the existing Waste Transfer Station Building.
- (iv) No operations authorised or required by this permission shall be carried out and plant shall not be operated, other than during the following hours:
  - a) Between 0800 and 1700 hours Mondays to Fridays
  - b) Between 0800 and 1200 hours on Saturdays
  - c) No such operations shall take place on Sundays and Public and Bank Holidays and Saturdays immediately following Public and Bank Holiday Fridays.
- (v) The maximum total of waste material imported via the main access shall not exceed 24,999 tonnes per annum. This includes all waste processed within the blue line area on the approved Site Location Plan.
- (vi) No other means of access shall be used.
- (vii) From the date of issuing permission the operator shall maintain records of all waste entering the site for all operations within the blue line area and shall be made available to the Waste Planning Authority within 14 days on request.
- (viii) Other than the chipping of wood or storage of material to be chipped and wood chippings, no sorting of waste shall take place on the land except within the "Picking Station" on approved Site Layout Plan 2146/29A and no unprocessed waste shall be stored or deposited on the land.
- (ix) Stockpiles of wood and wood chippings shall not exceed a height of 4 metres.

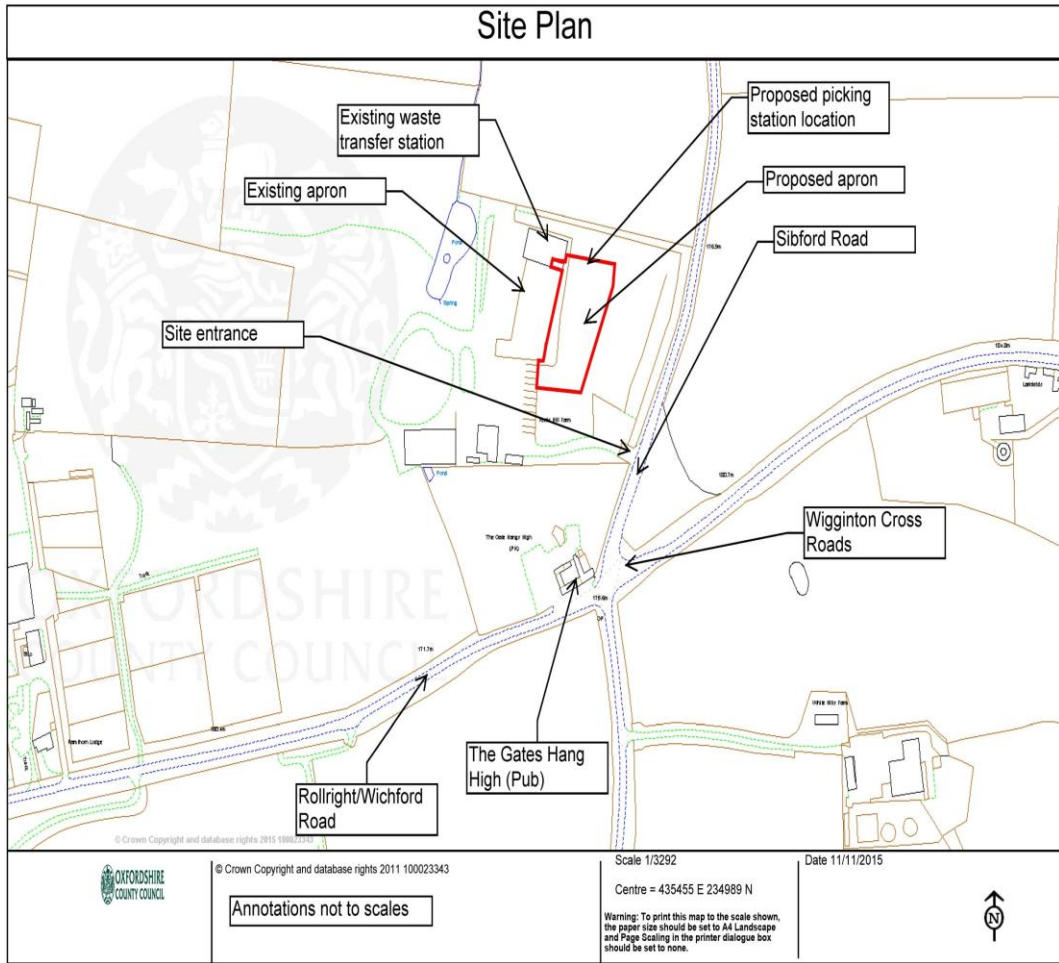
- (x) No crushing of materials or storage of clean hardcore and crushed materials shall take within the area labelled “Proposed Extension to Waste Transfer Apron” on approved Site Layout Plan 2146/29A.**
- (xi) All vehicles, plant and machinery operated within the site shall be serviced and maintained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

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

BEV HINDLE

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

February 2016



# Location Plan



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Scale 1/32703 Date 10/2/2016

Centre = 435687 E 235698 N



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## **Annex 2 – Consultation Responses**

1. Hook Norton Parish Council – No Objection

2. Natural England – No Comments

3. BBOWT

*“I wish to submit a holding objection to this application, on the grounds that insufficient ecological assessment has been undertaken. This is contrary to NPPF paragraph 165, which states: ‘Planning policies and decisions should be based on up-to-date information about the natural environment.’*

*The Phase 1 Habitat Survey submitted in support of the application reports that the main body of the site to be affected is a hay meadow which had been cut for hay just days prior to the survey, meaning that it was not possible to identify the herb species present. This area has been mapped by the Thames Valley Environmental Records Centre (TVERC) as potential UK priority habitat. As such, a thorough survey of the habitat at a suitable time of year is necessary to determine its ecological value. Additionally, the Phase 1 Habitat Survey identifies the potential for reptiles to be present, but no presence/absence survey has been undertaken for these species. Without this information it is not possible to assess the potential impact of the proposals on biodiversity.*

*Should additional information regarding the above be made available, I will be able to review our position. I hope that these comments are useful; should you wish to discuss any of the matters raised, please do not hesitate to get in touch.”*

4. Environmental Health Officer

*“I have reviewed the technical reports submitted in respect of the application; the Dust Assessment September 2015 submitted by DustScan Ltd, and the Noise Impact Assessment A5849.150909.R1.1 submitted by Clarke Saunders Acoustics. The reports demonstrate that there will not be a problem from dust or noise as a result of the proposed extension. There are therefore no objections to the application.”*

5. Ecologist Planner

Thank you for providing me with confirmation from the applicant (email from Carl Middleditch, 17th December 2015) that the woodland to the east and north of the site would be maintained and the grassland enhanced, and that the tree planting to the site is to be carried out and wood piles would be introduced to the north east and southern areas. The biodiversity management could also include the pond to the west of the application site, within the blue line.

I understand that in this case a condition could be used as an alternative mechanism to a s106 agreement to secure long-term maintenance and management of the ecological mitigation and compensation measures.

As I mentioned in my previous comments, the ecological mitigation and compensation should be shown on a plan to avoid any confusion. This information should be submitted before the application is determined.

Whilst it would be simplest to receive the seeding and planting mixes and detailed management prescriptions prior to determination of the application, if the applicant prefers this could be dealt with by condition.



Whichever approach is taken, a detailed scheme would be needed (here called a Biodiversity Mitigation & Enhancement Strategy) to include:

- i) numbers and locations of logpiles;
- ii) detailed seed mix to include species mix (species should be of local provenance and appropriate to the local area);
- iii) plant size, planting layout & spacing, and methods of establishment for both new planting and species mix, position, size and protection methods for existing planting;
- iv) management and maintenance of habitats including grassland, trees and pond; and
- v) a programme for its implementation.

If the details are provided prior to determination, provided that the submission is acceptable, then the proposed Condition 2 below should be applied to secure this if you are minded to permit. If the details are to be dealt with by condition then, if minded to approve, please apply Condition 3.

#### Conditions

1. No works of site clearance or development shall be carried out other than in accordance with the recommendations within Section 4 (Conclusions & Recommendations) of the approved Phase 1 Habitat Survey (Martin Ecology, December 2015). These include: amphibian/reptile precautionary method of working and watching brief by suitably-qualified ecologist; nesting bird check if works are to take place within the bird nesting season; excavations provided with escape routes for badgers; and, provision of log piles.

Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

2. Whilst the development is being carried out then the biodiversity features within the approved detailed Biodiversity Mitigation & Enhancement Strategy shall be retained and managed in accordance with the approved strategy including the approved programme for implementation. The approved strategy shall thereafter be implemented for so long as the development permitted continues. No work shall take place other than in accordance with the approved strategy.

Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

3. No works of site clearance or development shall take place until a detailed Biodiversity Mitigation and Enhancement Strategy has been submitted to and approved in writing by the Waste Planning Authority. The

scheme shall be based on the proposals within the Section 4 (Conclusions & Recommendations) of the approved Phase 1 Habitat Survey (Martin Ecology, December 2015) and detailed scheme of tree planting. The Strategy shall include:

- i) numbers and locations of logpiles;
- ii) detailed seed mix to include species mix (species should be of local provenance and appropriate to the local area);
- iii) plant size, planting layout & spacing, and methods of establishment for both new planting and species mix, position, size and protection methods for existing planting;
- iv) management and maintenance of habitats including grassland, trees and pond; and
- v) a programme for its implementation.

Any scheme that is approved shall be implemented in the planting season immediately following the approval in writing of that scheme. No work shall take place other than in accordance with the approved strategy.

Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

6. Lead Flood Authority – No Objection

7. Cherwell District Council

*I write to advise you that the above proposal was considered by me under delegated powers, and it was resolved that this Council raise no objections to the proposal, subject to appropriate landscaping provision being secured on site, to ensure that the site is adequately screened to views from the public domain.*

8. Rights of Way – No comments made.

9. County Archaeologist - No archaeological constraints to this application

10. Fire and Rescue Service – ‘No adverse comments based upon the site handling Non-Hazardous waste materials only’

11. CPRE Oxfordshire – No comments made.

12. Severn Trent Water – No comments made.

13. Environment Agency – No Comment

14. Transport Development Control

*No objection from Highways subject to condition: the Design and Access Statement states that the number of lorry movements is likely to decrease (in the operational stage). It says staff numbers may increase slightly but there appears to be sufficient parking and the numbers will have a negligible traffic impact on local roads. No new access is proposed. It is recommended that a construction traffic management plan is required by condition, given the extent of the works to create the apron extension.*