

For: PLANNING AND REGULATION COMMITTEE – 11 APRIL 2016

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

Development proposed:

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

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

Contents:

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

• Part 1 – Facts and Background

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

- the erection of noise attenuation bunds (277,000m³ of material), associated works and extension to the existing cabin – NB there would be no difference in the dimensions of the bunds proposed in the current application from those as already permitted by the district permission;
 - Under the existing permission there are no limitations to the amount of Heavy Goods Vehicles (HGVs) movements in and out of the site; and
 - The Travel Plan and Construction Traffic Management Plan submitted with the county application has already been permitted under the district permission.
3. Oxfordshire County Council highways team have no objection to the application.
4. The current proposal additionally seeks only to process the material on-site prior to placement on the permitted bunds.
5. If the current request for a crusher/screener on site is refused, the district permission would restart and the developer would bring in a processed material to construct the already permitted bunds. There would be no site office. HGV movements would travel on the routes as per the permitted Travel Plan with no daily restrictions or restrictions on vehicle movements through any other villages, amongst other things. As the material would have to be processed elsewhere, the overall number of associated vehicle movements in the county as a whole would be around 60% greater than if the material is processed at the site as proposed in this application.
6. The applicant also clarified the following:-
- 277,000m³ (approx. 450,000 tonnes¹) is required (and permitted) to construct the bunds over a 5 year period. Plus an allowance of a maximum of 20% (55,400m³ or approx. 90,000 tonnes¹) for unsuitable material which will require removal from the site equates to a total of 332,400m³ (approx. 540,000 tonnes¹) maximum input over 5 years.
 - This equates to 66,480m³ (approx.108,000 tonnes¹) per annum maximum. In the original planning application form, the figure used did not reflect the 20% as this was unknown at the time
 - Assuming a 300 day working year and average loads of 18 tonnes, this equates to 20 loads per day (40 movements).
 - A minimum of 17 HGV loads per day (34 movements) is required to complete this project in 5 years. OCC have allowed for 20 loads per day (40 movements). The allowance of just 3 extra loads (6 movements) per day is factored in for down days and unsuitable material to be replaced (20%).
 - 100% of suitable material will be used on site. Only unsuitable material will be taken off in backloads.

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

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

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

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

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

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

• **Part 2 – Other Viewpoints**

Consultations

14. Transport Development Control (Highway Authority):

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

Comments:

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

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

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

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

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

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

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

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

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

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

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

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

Part 3 – Analysis and Conclusions

Comments of the Deputy Director (Strategy and Infrastructure Planning)

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

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

RECOMMENDATION

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

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

BEV HINDLE

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