

For: PLANNING AND REGULATION COMMITTEE – 5 JUNE 2017

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Demolition of existing asphalt plant and construction and operation of a replacement asphalt plant with ancillary plant and machinery, a new weighbridge and portable office

Division Affected: Sutton Courtenay and Marcham

Contact Officer: David Periam **Tel:** 01865 895151

Location: Appleford Sidings, Appleford Road, Sutton Courtenay, Abingdon OX14 4PW

Applicant: Hanson Quarry Products Europe Limited

Application No: MW.0005/17 **District No:** P17/V0138/CM

Application received date: 15 December 2017

Consultation Period: 19 January 2017 – 9 February 2017

District Council Area: Vale of White Horse

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Recommendation Summary:

Approval

Part 1 – Facts and Background

Site Location

1. Appleford Sidings is located just off the Portway which is a Public Byway Open to All Traffic (10/Sutton Courtenay), which is accessed from an unclassified road immediately north of the A4130 Didcot Northern Perimeter road.
2. The application site covers an area of 0.56 hectare and lies towards the centre of the Sutton Courtenay landfill complex; approximately 1.3 km east of Sutton Courtenay, 0.8 km west of Appleford, 3km south of Abingdon and

1.5km north of Didcot. It lies within both the Lowland Vale and an Area for Landscape Enhancement as designated in the Vale of White Horse District Council Local Plan 2011 and the Vale of White Horse Local Plan 2031. The site lies in Flood Zone 1, the area of lowest flood risk.

3. The main site is centrally located within the Sutton Courtenay Quarry and Waste Management Facility and is immediately surrounded by:
 - A temporary asphalt plant, rail sidings and roadstone depot to the north;
 - an environmental waste transfer, recycling and composting facility to the west;
 - restored phases of the Sutton Courtenay landfill to the east and south; and
 - the operational landfill and Didcot Power Station also lie to the south.An electricity pylon is located next to the Site rising to an elevation of about 95.5m Above Ordnance Datum (AOD).
4. The new weighbridge and small associated office (28.8 m² gross floorspace and 2.6 metres high), would be located approximately 100 metres to the south-east of the main site on part of the roadstone depot. Access to both parts of the application would be taken from the Portway. The nearest residential dwellings to the site are located 820 metres to the east of the main site and 720 metres to the east of the proposed weighbridge.

Relevant Planning History

5. The existing asphalt plant was granted planning permission (planning reference P633/72) by Berkshire County Council on 11 June 1973. The temporary asphalt plant which is intended to provide for asphalt production between the existing plant being demolished and replaced by the new one the subject of this application was granted planning permission on 6th April 2017 (OCC planning reference MW.0137/16).
6. Planning permission was granted for Appleford depot and railway sidings on 6 October 1976 (planning reference SUT/APF/616/7). An application to amend condition 5 of this permission which controls the hours permitted for unloading trains in the railway sidings (application reference MW.0028/17) is currently before the County Council for consideration.

Proposed Development

7. The site has been used for the existing asphalt plant use for more than 30 years. The applicant states that the existing asphalt plant has reached the end of its operational life. This application seeks to maintain longer term asphalt production at the same site with no change to existing throughputs of around 300,000 tonnes of asphalt per annum and no increase in traffic. It would continue to provide employment for six people. All coarse aggregate would continue to be imported by rail via the adjacent rail head. All end products would continue to leave the site by lorry, either articulated lorry of up to 30

tonnes load or more typically or 8 wheel tippers. Lorry numbers therefore fluctuate with sales volume. Sales destinations can be anywhere up to about a 30 miles radius. Where practical, the applicant uses a return load method of delivery utilising recycled aggregate planings (RAP) and secondary aggregates in substitution for primary aggregates in the asphalt production process. The site location and plant layout has been designed so that as far as reasonably possible one-way routing is provided with full turning circles thus minimising the need for reversing and the use of lorry mounted alarms.

8. Once the existing plant is demolished, the existing concrete foundations will be part removed and a new pad laid. Ground investigation works undertaken in October 2016 has shown the ground within the Site comprises sand and gravel over Oxford clay, showing the area has not been the subject of previous mineral extraction or backfilling. No special construction methods are therefore considered necessary. The existing plant will be demolished and the new plant erected. Recoverable materials e.g. scrap metal will be recycled and reprocessed wherever practicably possible.
9. The new plant would be constructed on a single reinforced concrete pad or series of adjoining pads measuring up to about 50m by 50m. The concrete would be about 300 mm thick and constructed at or about current ground level, meaning minimal ground excavation is required. The plant would then set in, anchored or bolted to the pad(s). The full demolition of the existing asphalt plant and construction of the new replacement plant is expected to be completed over about six months plus commissioning.
10. The new plant comprises a typical modern asphalt batch mix assembly of plant and machinery, comprising:
 - rotary dryer / kiln (to dry and pre heat the aggregate to a temperature of 150-160°C);
 - RAP feed in line;
 - bucket elevator, vibrating screen and weigher;
 - mixer tower and armoured hopper (where aggregate bitumen and filler are mixed);
 - hot storage bins and discharge shoots for loading lorries;
 - bag filter to remove dust and surge hopper for storage (then re-fed into the mixer);
 - bitumen storage tanks
 - control and monitoring room;
 - fuel and water storage tanks;
 - power substation; and
 - emission stack.
11. Some elements of the existing plant would be retained, namely:
 - the aggregate loading hoppers, ramp and conveyor;
 - electrical substation;
 - natural gas house;

- drainage infrastructure.

No trees or vegetation lie within the Site or will be otherwise affected by the construction.

12. The existing plant has an elevation of about 72.7m AOD and emissions stack height of around 19.14 metres above ground level. The top of the proposed plant would be at an elevation of about 82m AOD and emissions stack height of 29.2 metres above ground level. It is proposed the steel work for the new plant would be finished in neutral colour goosewing grey (RAL 7038 / BS10A05).
13. The manufacture of asphalt uses a mixture of coarse aggregates (crushed rock), sand and a filler (e.g. stone dust), in the correct proportions, which is heated and then coated with a binder, usually bitumen. The specific formula used ensures that the asphalt produced will provide the performance characteristics for the required road surfacing application. The existing hot rolled asphalt plant incorporates traditional plant and machinery whereby the (rail imported) crushed rock aggregate (and some recycled road planings) are dried and heated in a rotary kiln before being mixed with bitumen (stored in silos) and dispatched via hoppers into tipper and articulated lorries.
14. The new plant would allow up to 40% of RAP to be utilised instead of virgin aggregates. RAP is produced when an old road surface is 'planed' off so that a new wearing surface can be applied. By using a return load system RAP can be returned to the plant when new asphalt is delivered by lorry. The use of RAP therefore also reduces the number of lorry miles required to transport these materials. The access road is over 8 metres wide and accommodates two way HGV traffic. No highway modifications are required as a result of the proposed development. Employees parking would remain adjacent the existing plant and offices located within the depot. The applicant will enter into a routeing agreement to route all vehicles other than those making local deliveries to and from the A4130 avoiding Sutton Courtenay and Appleford villages.
15. Aggregates would be stored in stockpiles adjacent to the plant. Bitumen and fuel would be stored in above ground bunded tanks. The operation of the plant, emissions, fuel storage and management of dust would be the subject of an Environmental Permit issued by the District Council Environmental Health Officer.
16. No changes are proposed to the core hours of operation for the existing asphalt plant which are 06.00 am to 6.00 pm Mondays to Sundays but there is no restriction and sometimes 24 hour a day working is required to meet contracts. At present such full hours working accounts for approximately 10% of annual production.
17. The new plant would be provided with lighting when working in the dark is required by a series of downcast floodlights located no higher than 15 metres above ground level. Lighting would be turned off when the site is not

operating. Elevated access gantries and walkways would be lit only with modern low voltage, low level LED type safety lights, turned off when the site is shut.

18. By employing new methods of manufacture, it is stated that the new plant and equipment would operate at reduced noise levels compared to the existing plant. A noise assessment has been provided in support of the application. The new plant would operate in accordance with a new Environmental Permit which will require the use of modern low emission plant and machinery and best practice operating procedures to arrest noise. The predicted noise levels from operations for all assessment scenarios are all below the 54 dB LAeq1hr limit specified in planning permission P/14/V0479/CM for the landfill site, as well as below existing monitored ambient noise levels at selected sensitive receptors. The assessment also demonstrates that the noise levels from the replacement asphalt plant are predicted to be less than the existing asphalt plant while operating at maximum capacity. The development will not result in any significant noise effects and as such no mitigation measures are required.
19. The new plant would allow the site to be redeveloped to create a modern working area that should not create excessive fugitive dust. All powders and dusts utilised by the asphalt plant would be stored in silos and transported in sealed containers giving minimum potential for fugitive dust emissions. It is stated that the handling of aggregates to and from stockpiles in dry windy weather can allow dust to be generated. However the coarse natures of the aggregates used and the remote location of the site from sensitive receptors means the escape of fugitive dust at a level likely to cause a nuisance is highly unlikely. In addition to the above, the applicant operates all of its plants in accordance with an approved management scheme which sets out the measures to be taken to control fugitive dust emissions potentially arising from the operation. Measures include e.g. the sealing of primary haul roads and the use of water suppression systems, as required. The applicant would continue to apply the appropriate dust control measures at the site. The applicant considers that this approach, together with appropriate planning condition(s) attached to any grant of planning permission will be sufficient to ensure that dust generated from the operation of the facility is maintained within acceptable limits.
20. A landscape and visual impact assessment (LVIA) has been undertaken in respect of the proposed development which considers the potential impact of the proposal. The summary of visual effects identifies that:
 - For the majority of viewpoints, although the proposed development would be a noticeable new element within the scene, it will be viewed in the context of existing quarrying activities and the surrounding infrastructure such as electricity pylons and Didcot Power Station. The development would not result in a change to the overall balance and condition of the existing view. Additionally, in most cases, views of construction and operation activities will be partially screened and in all cases temporary. The proposed development will result in an insignificant effect on all viewpoints. Appleford Station and Old

Wallingford Way will gain close distance views of the construction and operation activities.

- All locations will be subject to a maximum minor significance of effect during construction and operation. At post restoration of the surrounding landfill operation (at 15 years), significance is concluded to be negligible at all locations.
21. For all landscape and visual effects at all stages of the development landscape and visual effects are assessed as non-significant in the decision making process. The assessment has determined that the proposed development will not result in any long term significant landscape or visual effects. As such, the LVIA concludes that no mitigation measures are necessary, and there will be no residual effects.
 22. The site does not lie in a high risk flood area. Site drainage would be managed in accordance with the submitted development plan referenced in section 3.6 with an outfall to the swale / soakaway to the east via an interceptor so that surface water does not accumulate within the Site. Ground water monitoring in the local area indicates ground water levels are likely to be 1-2m below ground level. A ground investigation exercise found the ground in and around the existing plant comprises hardstanding (concrete and asphalt) over some Pulverised Fuel Ash (PFA) material over in situ sand and gravel with Oxford Clay lying at a depth of 6-8m. The investigation showed that the plant was built over previously unworked ground i.e. it has not been the subject of previous mineral extraction or landfill, levelled with some granular PFA with concrete / asphalt hardstanding above. No ground contamination issues are anticipated by the applicant from the resulting minor excavation work required to facilitate construction of the new plant. With the mitigation measures in place at the site it is considered that there will not be any significant impacts from the proposed development on the water environment. The overall risk of flooding to/from the proposed development is considered to be very low and no further mitigation is required.
 23. In response to the point raised by consultees (please see below) with regard to tying the life of the asphalt plant to that of the landfill site, the applicant has advised that the existing asphalt plant benefits from a permanent permission and no reason is seen to tie the life of its replacement to that of the landfill site. However, should the council be minded to do so, the applicant would accept a condition on any planning permission that may be granted requiring the removal of the asphalt plant should the use of the rail sidings ever permanently cease.
 24. The applicant states that the proposal has been assessed to be fully compliant with the development plan and the NPPF in all material respects and should be approved.

Part 2 – Other Viewpoints

Consultations & Representations

25. One third party representation has been received which states that there is no objection to the replacement asphalt plant. However, there is a critical need for a condition to be applied that it be removed by Dec 2030. Para 3.35 of application no. MW.0039/15 (the correct reference is application no. MW.0005/16 for a crushing, screening and stockpiling area for recycled asphalt) states "The asphalt recycling operation will be time limited to 31 Dec 2030 by which time the operations will have ceased and the site restored. This date coincides with the end of a number of adjacent activities"; that is FCC's waste activities. Since then the Didcot Garden Town initiative has arisen and the asphalt plant will be in the green space within the Town boundary, so its continuation beyond 2030 would also be counter to the Green Town's provisions.
26. The Vale of White Horse District Council as local planning authority has not commented on the application.
27. The District Environmental Protection Team comments that it has no objection to the proposed development subject to the existing hours of use.
28. Sutton Courtenay Parish Council would wish to see the end date coincide with the date for the remainder of the site i.e. 2030. It would also like to see protection for the village such as a routeing agreement to ensure that vehicles do not pass through the village, together with hours of operation restrictions.
29. The Campaign to Protect Rural England (CPRE) states that the proposed plant will not be out of place while waste disposal work on the rest of the site continues, but will be an eyesore in open countryside thereafter and therefore the approval should be limited to 2031.
30. Network Rail has no objection but has suggested conditions to ensure the safe operation of the railway and protection of their land. NB – it is considered that these matters are more appropriately addressed as informatives.
31. The County Council as Highway Authority has no objection to the application subject to completion of a routeing agreement to take traffic to and from the A4130 Didcot north perimeter road.
32. The County Archaeologist has no objection to the application.
33. The County Council's Environmental Strategy Officer has advised on landscape and visual issues. Initially objection was raised but following further information and consideration, he raises no objection to the application.
34. The County Council's Ecology Officer has no objection to the application.

35. The County Council as Lead Flood Authority has no objection subject to conditions to provide for:
- i) soakage test information,
 - ii) details of the size/length to the filter trench draining the plant; and
 - iii) information on how the weighbridge will drain.
36. The County Council's Countryside Access team has no comments to make on the application.
37. National Grid has no objection to the application.

Part 3 - Relevant Planning Documents

38. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this area comprises:

- Oxford Minerals and Waste Local Plan 1996 (saved policies).

As the OMWLP pre-dates the NPPF, an assessment of the consistency of the saved policies with the NPPF and NPPW has been undertaken to ensure the continued validity of these policies to assist decision makers, developers and the local communities.

- Vale of White Horse Local Plan 2011 (saved policies)
- Adopted Vale of White Horse Local Plan 2031 Part 1: Strategic Sites and Policies (VOWHLP 2031)

39. Other material considerations are:
- i) The Draft Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS) was submitted to the Secretary of State for independent examination in January 2016. Following an examination hearing held in September, the Inspector has produced an Interim Report dated October 2016. Following the Inspector's Interim Report, the Council carried out further Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) work and have now published the Proposed Modifications (February 2017) and a SEA/SA update report for consultation, which ran from 3rd February to 20th March. Therefore, although the OMWCS is not yet adopted, it is at an advanced stage and the draft policies should be given due weight.
 - ii) The Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites (VOWHLP 2031 Part 2) was subject to a period of consultation which closed on 4th May 2017. Whilst a material consideration, in accordance with paragraph 216 of the NPPF, these policies are at an early stage and should be given limited weight in any decision made. The site falls within an area which has been designated by central government as Didcot Garden Town. Although at a very early stage, the proposed first draft Didcot Garden Town Master Plan

2016 – 2031 shows the application area along with the rail sidings as an area of woodland.

- iii) The National Planning Policy Framework (NPPF), is also a material consideration.

Relevant policies

40. The relevant Development Plan policies are:

Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP)

- SD7 (Rail Head development)
- SD9 (Uses near Rail Heads)
- SC3 (Sutton Courtenay vehicle routeing)
- PE13 (Restoration of mineral workings and landfill sites)
- PE18 (Code of Practice)

Vale of White Horse Local Plan 2011 (VWHLP)

- DC1 (Design)
- DC9 (Amenities of neighbouring properties & the wider environment)
- DC12 (Water Environment)
- NE9 (Lowland Vale)
- NE11 (Area for landscape enhancement)

Adopted Vale of White Horse Local Plan 2031 (VWHLP 2031)

- Core Policy 1 (Presumption in favour of sustainable development)
- Core Policy 33 (Sustainable Transport)
- Core Policy 40 (Sustainable Design and Construction)
- Core Policy 42 (Flood Risk)
- Core Policy 43 (Natural Resources)
- Core Policy 44 (Landscape)

41. The relevant policies of the OMWCS are:

- M9 (Safeguarding mineral infrastructure)
- M10 (Restoration of mineral workings)
- C1 (Sustainable Development)
- C5 (General environmental and amenity protection);
- C8 (Landscape); and
- C10 (Transport)

42. The relevant policies of the VWHLP 2031 Part 2 are:

- Core Policy 16b: Didcot Garden Town
- Development Policy 15 (Access)

- Development Policy 20 (Lighting)
- Development Policy 22 (Amenity)
- Development Policy 24 (Noise)

Part 4 - Analysis and Conclusions

Planning Analysis – Comments of the Director for Planning & Place

43. I consider that the assessment of the application against development plan, developing local policy and national policy has to be set in the context of the existing planning permissions for the site. The land on which it would be located has not been previously worked for mineral nor landfilled with waste although it is included within the area of the existing main mineral and landfill permission for Sutton Courtenay. The approved restoration plan (the most recent of which is attached to permission no. MW.0039/15 (P15/V0530/CM)) which requires the rest of the main landfill site to cease operations by 31st December 2030 and to be restored by 30th September 2036, shows the application area within land adjoining the railway sidings being left in continued industrial use. Planning permission no. P633/72 under which the existing asphalt plant was permitted and constructed, contains no condition requiring its removal. Planning permission SUT/APF/616/7 for the railway sidings does not contain a condition requiring their removal. Therefore there is currently permanent planning permission for industrial use in the application area, for the existing asphalt plant and the adjoining railway sidings.
44. Against this background, I consider that the key planning issues are impact on the :
- a. Amenity of the surrounding area;
 - b. Landscape and restoration; and
 - c. Impacts of traffic.

Impact on the amenity of the surrounding area

45. Policy DC1 of the VWHL P explains that new development should not harm the character and appearance of its surroundings. Policy C5 of the OMWCS and DC9 of the VWHL P seek to ensure that new developments do not unacceptably harm the visual impact of the wider area. Potential adverse amenity affects from external lighting are protected through saved policy DC20 of the VWHL P. Policy C5 of the OMWCS and policy DC9 of the VWHL P also seek to ensure that new developments do not unacceptably harm the amenity of neighbouring properties and the wider environment. OMWLP policy PE18 through reference to Code of Practice which sets out measures which serve to protect amenity including limiting normal hours of operation to 7.00 am to 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays. Draft Development Policies 20, 22 and 24 of the VWHL P 2031 Part 2 are also relevant.
46. The proposed asphalt plant would be around 10 metres taller than the existing plant which is to be demolished and replaced. In my view the proposed development would therefore be potentially more visible than the existing

asphalt plant that it is intended to replace. However, the application site is within the area of the site with permanent permission for industrial uses which, following the restoration of the landfill site, would be to some extent screened by the mounded landforms surrounding it. The proposed asphalt plant is at some considerable distance from the nearest residential properties and the settlements of Appleford, Sutton Courtenay and Didcot. It is also located in close proximity to an electricity pylon which is at an elevation of 13.5 metres higher AOD and which is one of a sequence linked by overhead power lines lying to the west of the site and so prominent in any views from the west. The Byway Open to All Traffic which runs along the Portway does of course adjoin the site, but any impact on users of this would be transient. I do not therefore consider that the development would be unacceptably visually intrusive such as to be harmful to the character and appearance of the wider area, the amenity of neighbouring properties or the wider environment. Whilst the working hours would be more extensive than those set out in the Code of Practice, they would be the same as for the existing asphalt plant. It is also noted that the District Council's Environmental Protection Team has raised no objection to the application subject to the existing hours of use and has not asked for any conditions to be attached to any planning permission given to control matters such as noise and dust or lighting. I do however consider that it would be appropriate to attach a condition requiring that the proposed floodlighting is not used during night-time hours other than with prior notification to and approval from the Mineral Planning Authority.

47. Sutton Courtenay Parish Council has suggested that the hours of operation of the asphalt plant be restricted so that there is no impact on the parish. In my view the hours of operation for the proposed development should have a negligible impact as:
- no changes are proposed to the existing hours of operation permitted for the existing asphalt plant which are not restricted by condition but generally are carried out between 0600 and 1800 hours; and
 - no recent complaints have been received by the Mineral Planning Authority from local residents with regard to the operation of the existing plant which is at a distance of some 800 metres from the nearest residential property.
48. However, the planning permission for the existing asphalt plant is an old one and it is reasonable to consider that restrictions on hours may now be applicable. I consider that a suitable condition should be imposed to ensure that the existing core hours are maintained and that any operations outside those hours are subject to prior notification and approval by the Mineral Planning Authority. Whilst this would not prevent 24 hours per day operation, it would enable the planning authority to be alerted to any night-time operations and to be in the position to advise the Parish Councils as such.
49. I therefore consider that subject to conditions, the planning proposals are in accordance with the aims of policy C5 of the OMWCS, policies DC1, DC9 & DC20 of the VWHLP and 20, 22 & 24 of the VWHLP 2031 Part 2.

Landscape & restoration

50. Policy NE9 of the VWHLP states that development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape and policy NE11 seeks to see landscape enhancements made. Core Policy 44 of the VWHLP 2031 seeks to see landscape features and character protected. Core policy 16b of the VWHLP 2031 Part 2 states that proposals for development within the Didcot Garden Town Masterplan Area will be expected to demonstrate how they positively contribute to the achievement of the Didcot Garden Town Masterplan Principles which include design, local character, landscape and green infrastructure.
51. Policy C8 of the OMWCS requires that proposals shall demonstrate that they respect and where possible enhance local landscape character. Policy M10 of the OMWCS and policy PE13 of the OMWLP, discuss the need to restore mineral working sites to a high standard and in a timely and phased manner, with satisfactory restoration proposals.
52. For the reasons set out in paragraph 46 above, I do not consider that the proposed development would be unacceptably visually intrusive and similarly I do not consider that in the context of its surroundings it would have a demonstrably adverse effect on the landscape.
53. No objection has been raised to the application from local residents or Sutton Courtenay Parish Council but a caveat to this is that the development should cease by 31st December 2030 in line with the requirements of the main landfill permission as set out above. Also reference has been made to the site lying within the designated area for Didcot Garden Town.
54. As set out above, the area of the main mineral and landfill permission within which this application site lies, is not subject to any restoration requirements and rather is shown to continue in industrial use. There is therefore no conflict with the restoration provisions which apply to the majority of the permitted mineral and landfill site and therefore the reference to there being a conflict with the end date of 31st December 2030 is erroneous. Whilst the site is in the area which has been designated for the Didcot Garden Town, the detail of this is at a very early stage and I consider that very little weight can be given to the first draft Masterplan which shows this area and the adjacent sidings as woodland. There are permanent planning permissions for railway sidings and industrial use which apply to these areas and support is given to the maintenance and use of the rail depots for the importation of hard rock aggregate mineral by rail through OMWLP policies SD7 & SD9 and OMWCS policy M9. Policy M9 specifically reflects national policy set out in NPPF paragraph 43 to safeguard existing mineral infrastructure including sites for the manufacture of coated materials. OMWCS policy M9 is also at an advanced stage of the Local Plan preparation process and so it is considered that considerable weight should be given to it in the determination of applications. The continued provision of an asphalt plant at this location which has permanent planning permission for industrial use is therefore entirely consistent with this policy background.

55. Therefore, it seems clear that there is support both through national and developing local mineral plan policies for a rail head to be maintained at Sutton Courtenay which would enable hard rock aggregates to be imported from elsewhere for the production of coated roadstone. Whilst the concern about the Didcot Garden Town is understood, I consider that this carries greater weight in the making of a decision on this application at this time than the provisions set out in policy Core Strategy 16b) of the VWHLP 2031 Part 2 and the first draft Didcot Garden Town Masterplan. Nonetheless, I consider that any permission should be subject to the cessation of use and removal of the asphalt plant and all associated infrastructure should the use of the adjacent railway sidings for the importation of mineral permanently cease. To this end, I would define “permanently” as there being no importation of mineral for a period of two years.

Transport

56. Saved VWHLP policy DC5 states that developments will only be permitted provided there is safe and convenient access to the highway network and it can accommodate the traffic arising from the development. Core Policy 33 of the VWHLP 2031 supports sustainable transport and the limitation of any adverse impacts from traffic. VWHLP 2031 Part 2 Development Policy 15 makes similar provision. It is understood that there would be no additional throughput compared to the existing asphalt plant and so no need for additional vehicle movements associated with the proposed development. Policy C10 of the OMWCS seeks to secure safe and suitable access from waste sites to the advisory lorry routes shown on the Oxfordshire Lorry Routes Map. OMWLP policy SC3 seeks to see vehicles routed to and from the A4130 Didcot Northern Perimeter Road and avoiding local villages including Sutton Courtenay.
57. Sutton Courtenay Parish Council has asked that the existing routeing restriction be applied to avoid vehicles travelling through that parish. The County Council as Highway Authority also has no objection subject to a routeing agreement being entered into to take traffic to and from the A4130 Didcot north perimeter road. The applicant has advised that they will enter into such a routeing agreement. Subject to this I see no conflict with the aims of the above policies.

Other Matters

58. Subject to a condition being attached to any planning permission granted requiring the drainage details requested by the Lead Local Flood Authority and subject to the development complying with the drainage scheme, I am satisfied the development would not adversely affect the water environment. I therefore consider the development is in compliance with Core Policy 42 of the VWHLP 2031 and saved policy DC12 of the VWHLP.
59. Core Policy 40 of the VWHLP 2031 requires new development to incorporate climate change adaptation and Core Policy 43 of the VWHLP seeks to minimise environmental impacts associated with development proposals. The

vertical plant arrangement would provide high energy and resource efficiency, higher environmental performance and ease of monitoring as it allows the capture and reuse of heat and dust through a single vertical structure. As set out above in paragraph 14, the new plant would also allow up to 40% of RAP to be utilised instead of virgin aggregates, also reducing the number of lorry miles required for the transportation of materials through a return load system. I consider the design of this development has sought to incorporate climate change adaptation measures and minimise environmental impacts. As such, I consider the proposed development is in accordance with the aims of Core Policy 40 and Core Policy 43 of the VWHL 2031.

Conclusion

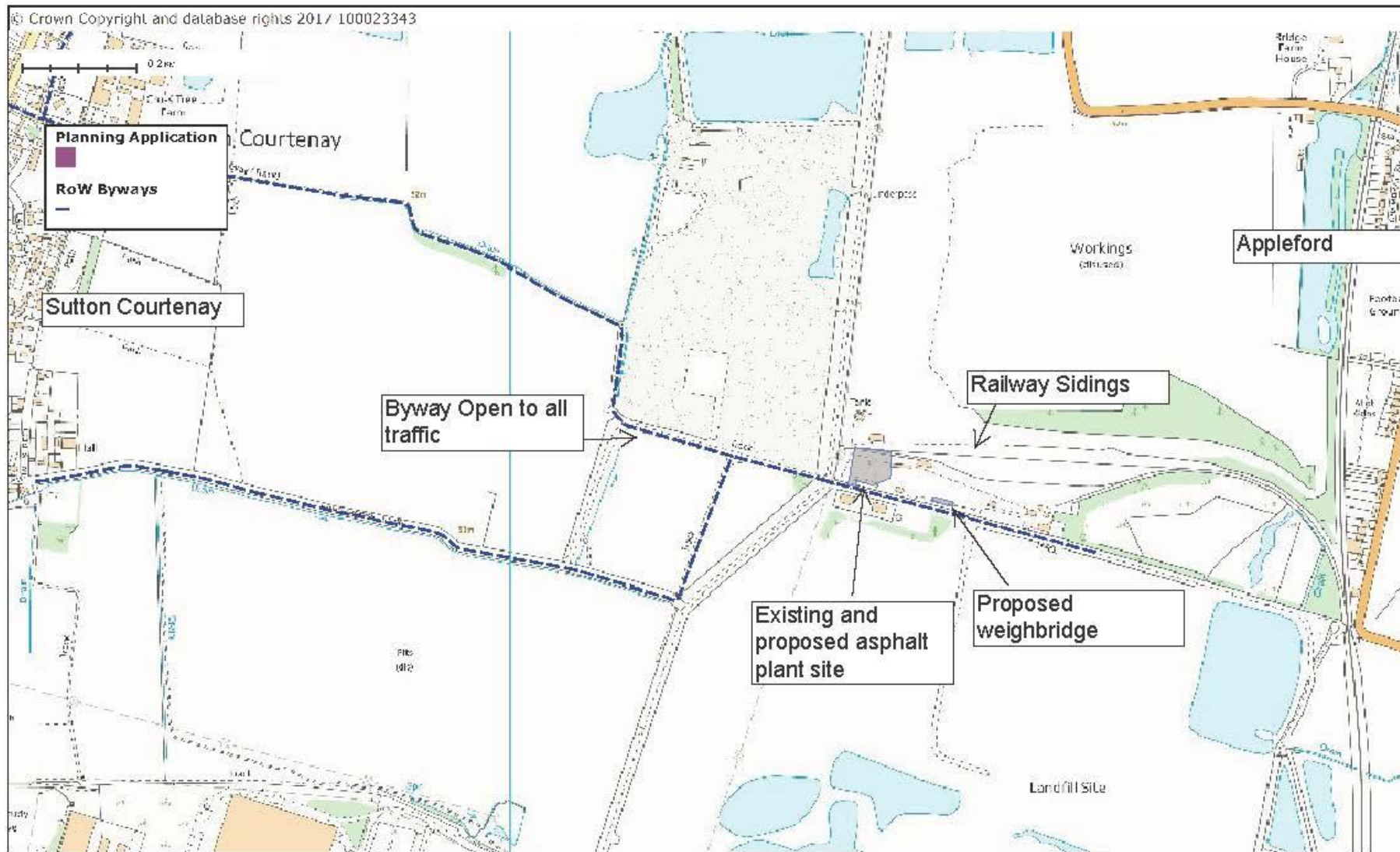
60. Core Policy 1 of the VWHL 2031 favours sustainable development in accordance with the provisions of the plan where appropriate and the National Planning Policy Framework (NPPF) otherwise, unless there are material considerations which indicate otherwise. OMWCS policy C1 makes similar provision. The proposed development would enable the applicant to maintain continuity of production using hard rock imported by rail which is not otherwise available locally in Oxfordshire. I consider that it has environmental, economic and also social benefits through the continued use of rail for the importation of coarse aggregate and the provision of continuing employment.
61. The asphalt plant should not unacceptably harm the amenity of the surrounding area or the local landscape through visual impact given the context of the site's surroundings and there are no close residents. It will also not affect the restoration requirements of the main mineral and landfill permission. Whilst the concern raised with the designation of the Didcot Garden Town is understood, the development plan policy to support the detail of this is at an early stage and only very limited weight can be given to it particularly when set against the sustainability benefits of the application, the minerals policy support for it and the fact that permanent planning permission exists for industrial use in the application area. Conditional planning permission should be granted including conditions governing core hours of use.

RECOMMENDATION

It is RECOMMENDED that subject to the completion of a routeing agreement requiring all vehicles to access and egress the site to and from the A4130 Didcot northern perimeter road, application MW.0005/17 be approved subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2.

SUSAN HALLIWELL
 Director for Planning and Place

May 2017



Planning Application MW.0005/17

Annex 2: 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 this permission.

Reason: To ensure the development is carried out as proposed.

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission. The date of commencement of development shall be notified to the planning authority within 7 days of commencement.

Reason:- In accordance with Sections 73 (5), 91 to 95 of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development shall commence until a drainage scheme including the following details has been submitted to and approved in writing by the Mineral Planning Authority:

- i) soakage test information,
- ii) details of the size/length to the filter trench draining the plant; and
- iii) information on how the weighbridge will drain.

The approved scheme shall be implemented for the duration of the development.

Reason: To ensure the development is carried out in a manner that ensures the site is properly drained and no silt is drained off site (OMWLP PE4 and PE18).

4. Other than with prior notification to and written approval from the Mineral Planning Authority, no operations, including HGVs entering and leaving the site shall be carried out other than between 0600 and 1800 hours Mondays to Sundays.

Reason: To protect the amenities of local residents.

Policy: OMWLP PE18.

5. No coarse aggregate mineral shall be imported to the site other than that which has been delivered by rail to the Appleford rail sidings.

Reason: To protect the amenities of local residents.

Policy: OMWLP PE18.

6. No reversing beepers or other means of audible warning of vehicles reversing shall be fixed to, or used on any vehicle operating on the site, other than vehicles transporting material to and from the site, and those which use white noise.

Reason: To minimise any noise disturbance experienced by nearby residents.
Policy: OMWLP PE18.

7. No mud or dust shall be deposited on the public highway.

Reason: In the interests of highway safety.
Policy: OMWLP PE18.

8. A sign shall be erected and thereafter maintained at the site exit, advising drivers of vehicles leaving the site to turn left and to only travel to the A4130 via the Portway on leaving the site and that returning drivers shall only access the site from the A4130 and by turning right into the site.

Reason: In the interests of highway safety.
Policy: OMWLP PE18.

9. No floodlighting shall be used before 0600 hours or after 1800 hours without prior notification to and approval in writing from the Mineral Planning Authority.

Reason: To protect the amenities of local residents.
Policy: OMWLP PE18.

10. The asphalt plant and all associated infrastructure shall be removed at such time as the rail sidings approved under planning permission no. SUT/APF/616/7 or any subsequent application varying the conditions of that planning permission cease to be used for the importation of mineral for a period of two years.

Reason: To protect the amenities of local residents.
Policy: OMWLP PE18.

European Protected Species

The Mineral 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 and around the proposed development site and ecological survey results indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Informatives

Network Rail

Drainage - Soakaways, as a means of storm/surface water disposal must not be constructed near/within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Storm/surface water must not be discharged into Network Rail's property or into Network Rail's culverts or drains. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Full details of the drainage plans are to be submitted for approval to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the approval of the Network Rail Asset Protection Engineer.

Fencing - If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

Safety - No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

Site Layout - It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

Excavations/Earthworks - All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no

interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

Signalling - The proposal must not interfere with or obscure any signals that may be in the area.

Environmental Issues - The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

Landscaping - It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

Plant, scaffolding and cranes - Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

Access to Railway - All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.