

For: PLANNING AND REGULATION COMMITTEE - 4 SEPTEMBER 2017

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Development of an Aggregate Bagging Operation, including a 450m² bagging station, loading hoppers, administration and welfare facilities at Appleford Depot, Oxfordshire.

Division Affected: Sutton Courtenay and Marcham

Contact Officer: Mary Thompson **Tel:** 07393 001 257

Location: Appleford Depot

Application No: MW.0054/17 P17/V1899/CM

Applicant: Hanson Quarry Products Europe Limited

District Council Area: Vale of White Horse

Date Received: 28 June 2017

Consultation Period: 6 - 27 July 2017

Contents:

- Part 1 – Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Recommendation

The report recommends that the application (MW.0054/17) be approved.

- Part 1 – Facts and Background

Location (see plan 1)

1. The site lies within the Sutton Courtenay minerals and waste complex, to the west of Appleford and east of Sutton Courtenay. Didcot lies 1.6 kilometres (1 mile) to the south. The site area for the proposed bagging plant lies immediately north of the rail sidings in the central part of the wider site.

Site and Setting

2. The site lies within an area of industrial development immediately north of the western end of the rail sidings. It is surrounded by restored landfill.
3. The wider Sutton Courtenay site includes active waste management uses undertaken by FCC, including active landfilling, composting, waste transfer and a materials recovery facility (MRF.) These all lie within 500 metres of the application site.
4. To the west of the site lies a disused water tank, a carpark for Hanson's vehicles and beyond that overhead electricity lines and the Corridor road. On the other side of the road lies FCC's MRF.
5. To the north lies a temporary asphalt plant and associated stockpiles.
6. The railway sidings lie directly to the south of the application site and an associated storage area lies to the east.
7. The closest properties lie to the east on Main Road and Chambrai Close in Appleford. These are approximately 800 metres from the application site.
8. Bridge Farm Quarry lies approximately 900 metres to the north. Material is transported by conveyor to the processing plant site, which lies approximately 400 metres north west of this application site.
9. The application site area is 0.46 hectares.
10. The site does not contain any trees or vegetation. It previously contained a building for the classification of pulverised fuel ash (PFA), a welfare facility, stocking areas and a fuel tank. PFA processing had not taken place for a number of years and the disused buildings and structures were removed from the site in summer 2017. Therefore, the site is currently vacant containing only an area of hard standing.
11. The site is accessed from the internal roads Portway which is a Public Byway Open to All Traffic (10/Sutton Courtenay) and Corridor Road, from a roundabout on the A4130 Didcot Perimeter Road.

Details of the Development

12. It is proposed to develop an aggregate bagging operation including a bagging building.
13. Sand and gravel worked from Bridge Farm Quarry would be bagged at the new plant, along with crushed limestone imported by rail to the adjacent rail sidings and soft sand imported by road.
14. After the completion of extraction at Bridge Farm Quarry in 2020 all aggregate to be bagged at the plant would be imported. All sharp sand and gravel would then be imported by rail and crushed limestone would continue to be brought in by rail, whilst soft sand would continue to be imported by road.
15. It is proposed to import 30 000tpa of soft sand to the site by road and export 135 000 tpa of bagged aggregate by road. Bridge Farm Quarry would provide 80 000 tpa of aggregate for bagging until it is worked out. 25 000 tpa of crushed limestone would be imported by rail. It is anticipated that the development would result in up to 54 vehicle movements (27 in, 27 out) per day.
16. The building would cover an area of 450m² with a height of 7.5m to the ridge line. It is proposed that it would be a neutral grey colour. Inside the building, there would be a conveyor and bag-filling machine. Heavy duty plastic bags would be filled, loaded onto pallets and removed by fork-lift truck. There would be loading hoppers on the outside of the building.
17. Other associated development within the application site would include a toilet block and an office/canteen. These would be in shipping container style buildings. The existing concrete hardstanding would be extended across the entire application site.
18. The applicant has proposed a routing agreement which would take vehicles out of the southern site access onto the A4130, in line with routing agreements for other developments in the area. Therefore, HGVs associated with the development would not travel through local villages.
19. It is anticipated that construction would take 4 weeks. Once operational the plant would employ 6 staff at the site and as drivers. Operating hours would be 7am – 6pm Monday to Friday and 7am - 3pm on Saturdays with no working on Sundays or bank holidays.

• Part 2 – Other Viewpoints

Representations

20. No third party representations have been received.

Consultation Responses

21. Sutton Courtenay Parish Council – Final Response – There remain concerns about traffic and congestion on the A4130. These concerns relate to the cumulative effect of traffic from each development proposal in the area, including new housing and the warehouse to the west in Sutton Courtenay. Wish to see the development removed in 2030 when the rest of the site has to be cleared. The landscape in this area should be restored as soon as possible.
22. First Response - Holding objection. County Council should assess the impact on the A road network before the application is determined. Conditions should be imposed to ensure reasonable operating hours, including for train movements and also to limit noise and control light pollution. An end-date should be included to tie in with the end date of the site.
23. Appleford Parish Council – No response received.
24. Didcot Town Council – No objection, subject to the provision of a suitable routing agreement for lorries.
25. Vale of White Horse District Council Planning – Responded, no comments.
26. Vale of White Horse District Council Environment Health – No objection. Significant noise impacts are unlikely, however if a condition is desirable to reassure the local community I would suggest using the wording from condition 66 of P14/V0479/CM - Operations shall not cause a noise level of 54 dBLAeq1hr to be exceeded at Hartwright House, Hill Farm and Appleford Crossing, as measured 3.5 metres from the façade of these buildings.
27. Environment Agency – No objection.
28. Thames Water – No response received.
29. Natural England – No objection. Unlikely to affect any statutorily protected sites or landscapes. Standing advice should be applied on protected species.
30. Network Rail – No objection. In the interest of the long-term stability of the railway, it is recommended that soakaways/attenuation ponds should not be constructed within 20 metres of Network Rail's boundary. Any surface water run-off from the site must drain away from the railway boundary and must NOT drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail land. 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 Network Rail before works begin.

31. OCC Transport Development Control – No objection. Additional vehicle movements would need to adhere to the existing routing agreement and exit the site onto the A4130. The development would generate a maximum of 54 vehicle movements per day, which represents an increase on the site access road of 5.8% and an increase on the A4130 of 0.61%. The increase on the A4130 is not material and the haul road is operating safely with current volumes of traffic. According to the Transport Assessment, the busiest hour for HGV trips associated with this development would be 1400-1500, which does not coincide with peak times.
32. OCC Ecology Officer – No objections.
33. OCC – Environmental Strategy – No objection. The Didcot Garden Town Proposed Delivery Plan was published in June 2017. The attention given to green infrastructure is notable. The restored landfill at Sutton Courtenay is identified in this document as a potential nature park. The development of further industrial uses in this area has the potential for an adverse impact on such future uses. However, as the plans are only indicative and currently carry no formal status the significance of this cannot yet be assessed. Note the proposals for lighting and support measures including directional downward facing lights, shrouding, timers and shutters to reduce the unwanted spill of light into surrounding areas. Lighting outside of operational hours should be kept to a minimum.
34. OCC Street Lighting – Further information is needed with regards to external lighting, this can be provided by condition.
35. OCC Drainage – No response received.
36. OCC Countryside Access – No comments.

Part 3 – Relevant Planning Documents

Relevant Planning Policies – (see policy annex)

37. Development should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
38. The relevant development plan documents are:

- The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) 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.

- The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies
- The Vale of White Horse Local Plan 2031 Part 1 (VLP1)

39. The draft Oxfordshire Minerals and Waste Local Plan Part 1 - Core Strategy (OMWCS) was submitted to the Secretary of State for independent examination in December 2015. Following an examination hearing held in September 2016, the Inspector issued his Report on 15th June 2017. He concludes that with his recommended main modifications the OMWCS satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and meets the criteria for soundness in the National Planning Policy Framework. At its meeting on 18th July 2017, the Council's Cabinet resolved to recommend to the County Council that the OMWCS be adopted with the Inspector's recommended main modifications and any required additional modifications that do not materially affect the policies, in accordance with Section 23(3) of the 2004 Act. The County Council is due to consider adoption of the OMWCS on 12th September 2017. Therefore, although the OMWCS is not yet adopted, it is at a very advanced stage and the draft policies with the Inspector's recommended main modifications and any additional modifications should accordingly be given considerable weight, alongside the saved policies of the Oxfordshire Minerals and Waste Local Plan (1996) (Local Plan).

40. The Vale of White Horse Local Plan 2031 Part 2 (VLP2) was out to consultation until May 2017. Responses are currently being reviewed. Therefore, this document is at an early stage but is a material consideration which can be given some weight. The weight that can be given is considered to be limited at this stage.

Relevant Policies

41. The relevant development plan policies are:

- Oxfordshire Minerals & Waste Local Plan (OMWLP) 1996
 - PE18 – Imposition of conditions to protect amenity
 - SD7 – Rail head development for aggregate import
 - SD9 – Safeguarding of railheads
 - SC3 – Routeing agreements in Sutton Courtenay area
- Vale of White Horse Local Plan (VLP 2011)
 - DC5 (Access)

NE9 – Landscape in the lowland vale
NE11 – Landscape enhancements
DC9 – Neighbouring amenity

- Vale of White Horse Local Plan 2031 Part 1 (VLP1)
Core Policy 1 – Presumption in favour of sustainable development
Core Policy 33 (Sustainable Transport)
Core Policy 40 (Sustainable Design and Construction)
Core Policy 43 (Natural Resources)
Core Policy 44 (Landscape)

42. The relevant emerging plan policies are:

- Draft Oxfordshire Minerals and Waste Core Strategy (OMWCS)
C1 – Sustainable development
C5 - Local environment, amenity and economy
C8 - Landscape
C10 – Transport
M9 – Safeguarding mineral infrastructure
- Draft Vale of White Horse Local Plan 2031 Part 2 (VLP2)
Core Policy 16b – Didcot Garden Town
Development Policy 15 (Access)
Development Policy 20 (Lighting)
Development Policy 22 (Amenity)
Development Policy 24 (Noise)

Comments of the Director for Planning and Place

Rail Sidings

43. OMWCS policy M9 states that Appleford Sidings is a safeguarded rail depot site for the importation of aggregate into Oxfordshire. Existing and permitted infrastructure that supports the supply of minerals in Oxfordshire is safeguarded against development that would unnecessarily prevent the operation of the infrastructure or would prejudice or jeopardise its continued use by creating incompatible land uses nearby. Policy M9 specifically reflects national policy set out in NPPF paragraph 143 to safeguard existing rail heads for the bulk transport by rail of minerals.
44. OMWLP policy SD7 states that rail head development for the import of aggregate will be encouraged in the Sutton Courtenay area (which includes Appleford sidings and depot). Policy SD9 states that development will not be permitted which would prejudice the full use of rail depots identified under policy SD7.
45. The southern part of the site is within the safeguarded rail depot area. The proposed operation would be compatible with the rail depot use. It would

utilise the existing rail siding because aggregate would be brought into the site by rail for bagging. Therefore, locating the plant in the proposed location is in accordance with policies safeguarding the rail depot.

Traffic

46. OMWCS policy C10 states that, where practicable, minerals development should be located, designed and operated to enable the transport of minerals by rail. The proposed import of aggregate by rail would result in less HGV movements compared to if the site was situated in a location without access to a rail siding. Therefore, the proposal is in accordance with policies promoting sustainable transport, such as OMWCS policy C10.
47. OMWLP policy SC3 states that planning permission in this area will not be granted unless a routeing agreement has been secured to encourage HGVs to use the Didcot Perimeter Road and prevent HGVs from entering the villages of Sutton Courtenay, Appleford and Long Wittenham. This policy is assessed as being partially compliant with the NPPF.
48. The applicant has put forward routeing proposals that would ensure that HGV traffic used the A4130 Didcot Perimeter Road rather than roads through local villages. This is in line with other consents within the Sutton Courtenay minerals and waste complex and with OMPLP policy SC3. Therefore, any permission granted should be subject to a routeing agreement, as proposed by the applicant.
49. Saved VLP 2011 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 VLP1 supports sustainable transport and the limitation of any adverse impacts from traffic. VLP2 Development Policy 15 makes similar provision. OMWCS policy C10 states that minerals development will be expected to make provision for safe and suitable access to advisory lorry routes. Where minerals will be transported by road, mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand.
50. It is proposed that once aggregate has been bagged it would be exported from the site by road. Therefore, the proposal would lead to an increase in traffic movements from the site. However, the site has direct access from the haul road onto the A4130, which is shown as a 'link to smaller towns' on the Oxfordshire Lorry Routes map. Therefore, the development is in accordance with OMWCS policy C10.
51. Sutton Courtenay Parish Council has expressed concern about the potential impact of additional HGV movements on the A4130 at the power station roundabouts and towards the A34 and has asked for this impact to be assessed.

52. Transport Development Control has not objected to this application. They have confirmed that the increase in HGVs on the A4130 would not be material. There would potentially be a material increase in HGVs on the internal haul road, however this road is considered adequate to cope with the traffic proposed.
53. Subject to the proposed routing agreement, the proposed development is considered to be acceptable in terms of impact on traffic. Although there would be an increase in HGV movements at this site, there would be fewer movements than if the same development was proposed in a location where it was not possible to import some of the aggregate by rail and the increase has been assessed as appropriate on the roads affected. The development is considered to be in accordance with the above policies.

Landscape

54. Policy NE9 of the VLP 2011 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 VLP1 seeks to see landscape features and character protected.
55. OMWCS policy C8 states that proposals for minerals development shall demonstrate that they respect and where possible enhance local landscape character.
56. The proposed new building would be 7.5 metres high and therefore would be visible in the landscape. However, it replaces a recently demolished tall building and so the impact would not be new. The demolished PFA building was 18 metres high. The proposed bagging plant would be seen within the context of the other industrial, minerals and waste development within the landfill site area, which includes other tall buildings, such as the replacement asphalt plant which has been permitted but not yet constructed (MW.0005/17) and which has an elevator structure with a height of up to 30 metres. The electricity pylon adjacent to the site is 43 metres high and the FCC MRF building 80 metres to the west is 12 metres high. Didcot coal fired power station is in the process of being demolished but at the time of this application there are still three cooling towers standing, which are 115 metres high and a 200 metre high chimney tower.
57. Overall it is considered that in the context of other buildings and structures in the wider site, the proposed building would not have a significant adverse landscape impact.
58. The proposals are therefore considered to be in accordance with relevant policies on landscape, including VLP 2011 policies NE9 and NE11, VLP1 Core Policy 44 and OMWCS policy C8.

Amenity

59. OMWLP policy PE18 refers to the Code of Practice which sets out guidance on hours of working for which the standard hours are 7.00 am to 6.00 pm on weekdays and 7.00 am to 1.00 pm on Saturdays, noise, dust and transport. OMWCS policy C5 states that proposals for minerals and waste development shall demonstrate that there would be no adverse impact on the local environment, human health or residential amenity, including from noise, dust, traffic and air quality.
60. VLP 2011 policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of a number of factors including noise or vibration, dust, pollution or external lighting. Potential adverse amenity affects from external lighting are protected through saved policy DC20 of the VLP 2011. Draft Development Policies 20, 22 and 24 of the VLP2 are also relevant.
61. The plant itself would be located a considerable distance from the nearest sensitive receptors as the closest residential properties are over 800 metres away. It would be located within an industrial area set within the context of an active minerals and waste site. The bagging operations would take place within a building. Given the nature of the proposed operations and the location it is considered unlikely that the plant would have any significant adverse impacts on neighbouring amenity. There has been no objection from the Environmental Health Officer. However, it is recommended that a condition be added for the submission for approval and implementation of a dust suppression scheme as there is the potential for wind blow dust in a development involving stockpiles of aggregate.
62. Sutton Courtenay Parish Council has asked for conditions to control light pollution, noise and operating hours, including for night time trains.
63. Some details of proposed floodlighting have been submitted with the application, including details of the location of light poles and that they would be no higher than 7m and downcast to minimise spillage. The street lighting team have assessed the application and advised that a scheme containing further details including light fittings, light source, wattages, elevations angles should be required by condition, to ensure that there is no amenity impact from the proposed external lighting.
64. The application states that the bagging operation would be a low-noise industrial activity and the fact that it is contained within a building in a location 800 metres from the nearest property would further mitigate any noise impact. The Environmental Health Officer has not objected and has confirmed that there are unlikely to be significant noise impacts. However, a condition could be added to any permission granted to ensure that noise levels at nearby sensitive properties are not higher than permitted by other developments in the area.

65. This proposal is only for the bagging plant and the control of trains arriving at the rail depot, including times of unloading is controlled by a separate planning permission. Planning permission MW.0028/17 was permitted in June 2017 allowing trains to until 9pm Mondays to Fridays on up to 150 calendar days per year. The hours of operation and traffic movements associated with this development would be controlled by a standard operating hours condition.
66. The proposed Saturday hours are slightly longer than the standard hours set out in the OMWLP Code of Practice. However, given the distance between the site and residential properties, it is not considered that the additional hours would have an impact on amenity. A condition should be used to ensure that the proposed hours of operation are adhered to.
67. Therefore, subject to the conditions described, the proposal is considered to be in accordance with the relevant policies protecting amenity set out above, including OMWLP PE18, OMWCS policy C5 and VLP 2011 policy DC9.

Timescales

68. Sutton Courtenay Parish Council has requested that permission should be granted for a temporary time period for the period of time to align with the period that the landfill and other temporary waste uses are permitted on the wider site. However, the applicant has not proposed a temporary development and the rail sidings benefit from permanent consent.
69. The application area is within an area of the wider landfill area which is not subject to restoration requirements and is shown on plans as subject to continued industrial use. There is other permanent development in this area, including the new asphalt plant (MW.0005/17) which Planning and Regulation committee resolved to permit in May 2017. As set out above, policy is supportive of the use of rail for aggregate import.
70. It is not considered that a temporary consent linked to the waste operations on the site is justified by policy as the development is not on land affected by landfill restoration conditions, nor operationally linked to the landfill. However, it is recommended that a condition be added to any permission granted requiring the aggregate bagging facility to be removed should the rail depot permanently cease to be used for the importation of minerals. This is justified because the impacts of the development, for example on the highway, without the import of aggregate by rail have not been assessed.
71. To this end, I would define “permanently” as there being no importation of mineral for a period of two years.

Sustainable Development

72. The NPPF contains a presumption in favour of sustainable development which has environmental, economic and social roles and this is reflected in OMWCS policy C1 and Core Policy 1 of the VLP1. Core Policy 40 of the VLP1 requires new development to incorporate climate change adaptation and Core Policy 43 of the VLP1 seeks to minimise environmental impacts associated with development proposals.
73. This development would be sustainably located because it would make use of aggregate being processed within the Sutton Courtenay site, which had been worked from Bridge Farm. Vehicle movements associated with the bagging operation would also be reduced due to location adjacent to the rail siding and the proposal to import crushed limestone by rail. The development would re-use previously developed land in line with VLP1 Core Policy 43 and taking into account that the bagging plant would be an unheated industrial building, the design and construction is considered to be acceptable in relation to VLP1 Core Policy 40.

Didcot Garden Town

74. VLP2 policy 16b states that proposals 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. These principles include design, local character, density and tenure, transport and movement, landscape and green infrastructure and social and community benefits.
75. The application site is within the area identified for the Didcot Garden Town Masterplan. A Didcot Garden Town Proposed Delivery Document was produced in June 2017 and was out to consultation in July 2017. The masterplan document included within this shows the rail sidings area as green space adjacent to an area of restored landfill designated as Appleford Nature Park. The Delivery Document is at an early stage of development and does not contain details of the proposed green space affecting the application site or how this would be delivered. Therefore, at this point the document carries little weight.
76. The planning application acknowledges that Core Policy 16b applies to this site, but does not set out how it contributes to the relevant principles. VLP2 policy 16b is a draft policy and the detail of the Garden Town is still developing. Therefore, it is too early to assess how the proposal would contribute to the principles of the Garden Town, given that those principles are in draft and the relationship between the Garden Town and the ongoing industrial uses on the restored landfill site have yet to be worked out, as can be seen in the Proposed Delivery Document. Therefore, it is not considered that any further information is required in relation to VLP2 policy 16b.

Conclusions

77. The proposed development is considered to be in accordance with relevant development plan and emerging plan policy related to traffic, sustainability, rail siding safeguarding, landscape and amenity.

Recommendation

78. It is RECOMMENDED that subject to a routeing agreement to ensure that all HGVs associated with the development use the access onto the A4130 that planning permission for application MW.0054/17 be approved subject to conditions as set out in Annex 1 to this report.

SUSAN HALLIWELL
Director for Planning and Place

August 2017

Annex 1 – Heads of Conditions

1. Complete accordance with plans
2. Commencement within three years
3. Standard operating hours
4. No reversing beepers other than white noise
5. No mud or dust on highway
6. No external lighting other than in accordance with a detailed scheme to be submitted and approved
7. Noise limits
8. Submission, approval and implementation of dust management scheme
9. Removal of plant and restoration of site, should the rail sidings cease to be used for the importation of mineral for a period of two years.
10. No material to be imported by road (other than internal haul road) other than soft sand, as proposed.

Annex 2 - European Protected Species

The Local 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 indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

The recommendation:

European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by;

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. For example in this case, a condition requiring the development to be removed should the rail sidings permanently cease was suggested.

Aggregate
Bagging
Plant Plan 1

