

For: PLANNING AND REGULATION COMMITTEE – 9 SEPTEMBER 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Request for Prior Approval of the installation and use of a concrete batching plant to produce ready-mixed concrete for sale.

Division Affected: Faringdon

Contact Officer: Emma Bolster **Tel:** 07775 824954

Location: Land at Faringdon Quarry, Fernham Road,
Faringdon, Oxfordshire SN7 7LG

Applicant: Grundon Sand and Gravel Ltd

Application No: MW.0068/19 **District Ref:** P19/V1857/CM
District Council Area: Vale of White Horse District Council

Date Received: 9 July 2019

Consultation Period: 31 July – 20 August 2019

Recommendation: **Approval**

Introduction & Background

1. The purpose of this report is to consider the request for development which benefits from “permitted development” rights under Part 17, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”), subject to the prior approval of the Mineral Planning Authority (MPA).
2. The GPDO grants deemed planning permission for a number of different types of development, subject to certain provisions. This means that it is not necessary for these types of development to be subject to an application for express planning permission.
3. The current development proposal concerns Part 17 of the GPDO. Part 17 grants planning permission for certain forms of development that are ancillary to mining and mineral exploration, including the installation, extensions, alterations, etc of certain buildings, plant and machinery

ancillary to mining operations (under Class A). With the prior approval of the Mineral Planning Authority (MPA), the erection, installation, alteration, extension, rearrangement, replacement, repair or other alteration of any buildings, plant and machinery for structures or erections ancillary to mining operations are also permitted on mining or ancillary mining land (under Class B). The prior approval is required in relation to the detailed proposals for the siting, design and external appearance of the building, plant or machinery proposed to be erected, installed, extended or altered.

4. Development is not permitted under Class B unless it meets certain provisions. These are:
 - (i) purposes in connection with the operation of the mine;
 - (ii) the treatment, preparation for sale, consumption or utilization of minerals won or brought to the surface of that mine; or
 - (iii) the storage or removal from the mine of such minerals, their products or waste materials derived from them.

The prior approval is also conditional that before the end of 24 months from when the mining operations have permanently ceased or such longer period which has been agreed, the buildings, plant, machinery or structures shall be removed from the land and the land shall be restored to its former condition or such other agreed condition.

5. The development proposal involves the installation and use of a Concrete Batching Plant to produce ready-mixed concrete for building and construction operations in the general areas of Swindon, Faringdon, Wantage and the rural areas and villages between. It is considered that the proposal falls within the provisions of Part 17, Class B. Consequently, before the plant may be erected, the developer is required to obtain the prior written approval of the MPA of detailed proposals for the location, height and appearance of the plant. It should be noted that the current proposal is not an application for planning permission. The sole question is whether the proposed location, height and appearance of the proposed plant within the existing permitted quarry is considered acceptable.

The Site and the Proposal

6. The site is known as Faringdon Quarry and is immediately adjacent to the western edge of the previously worked and now restored Wicklesham Quarry. It is situated approximately 0.2 miles (0.33 km) south-east of Faringdon and the same distance from Little Coxwell. The quarry straddles the administrative boundary between the parishes of Little Coxwell and Great Faringdon, to the north-east of the site. The site for which the Prior Approval is requested, is wholly within the parish of

Little Coxwell, to the south-west of the overall quarry site, adjacent to the weighbridge and car parking.

7. The quarry's access road, which would be utilised by this development, leads onto Fernham Road. The site access is approximately 95 metres from the junction with the A420, which is designated as a link to a larger town on Oxfordshire's Lorry Route Map, as shown in the Oxfordshire Minerals and Waste Core Strategy (OMWCS) page 116.
8. The nearest residential properties are Church View and Gorse Farm at 298 metres and 361 metres respectively within Little Coxwell parish. Gorse Farm is 361 metres to the south of Faringdon Quarry. The closest residential properties in Faringdon, off Lower Greensands are 333 metres to the north of the development area.
9. The development site is within the red-line area for Faringdon Quarry, behind the existing weighbridge and parking area. The batching plant would be sited approximately 131 metres from bridleway 278/2/210 to the south and footpath 278/1/20, approximately 72 metres to the west and the other side of Fernham Road.
10. The majority of the proposed mobile batching plant would comprise low level equipment, to a height of just under 5 metres. The batching plant and hoppers would be installed side by side on the concrete slab and measure 26.5 metres by 11 metres in total. The tallest element would be the top of the feed hopper, at just over 7 metres. This may appear slightly higher as the topography of the quarry site means the land starts to rise naturally to the south-western corner of the quarry's red-line area.
11. The bulk of the equipment would be four 20 tonne aggregate storage bins, together with two 50 tonne capacity cement storage silos. The aggregate and cement would be discharged in weighed batches onto an inclined conveyor. This would feed into a receiving hopper. The feed hopper would discharge directly into the truck-mixer drum which mixes it to the correct consistency while travelling on route to the destination. The plant would be capable of producing up to 60 m³ per hour concrete.
12. The mobile batching plant would be screened to the south and west by grassed/ seeded bunds, which are approximately 4.5 metres high. This would therefore screen all but approximately 40 centimetres of the bulk of the low-level plant. The receiving hoppers would be up to 7 metres high in total, with a diameter of approximately 6 metres. This would be visible from certain viewpoints; approximately 2.5 x 6 metres above the approximately 4.5 metre grassed screening bunds for the wider side of the hopper/ plant, to approximately 2.5 x 3 metres above the approximately 4.5 metres grassed screening bunds for the narrower side of the hopper/ plant.
13. This Prior-Approval application is to allow the operator to utilise the mineral available within Faringdon Quarry, which is currently supplied to

customers for concrete production elsewhere. The indigenous material is regularly tested and certified to industry standard for use in concrete production. The production rate from the quarrying operations was expected to be in the region of 50-60,000 tonnes per annum. This expected amount would be the same for each of the 3 phases, when the quarry application was submitted and subsequently approved. The most recent annual figures supplied to the MPA within the Aggregates Monitoring Survey (2018) confirms that the current production figures are less than half of the expected production rate. The ability to produce concrete from the extracted materials would bring the site's sales and extracted minerals volume closer to the original, intended production rates.

14. The quarry application assumed that there would be around 22 movements per day, 11 bringing in imported materials and 11 out, taking away blended material. The sales from the site as reported for the last year (2018) would suggest around 10-12 movements per day. The increased payload of the concrete ready-mix trucks would reduce the expected number of trips going out. The cement required would have to be imported, which has been calculated to an average of six movements a day, 3 in and 3 out. Even with the importation that would have to take place, this would make an expected total of 18 movements per day, including the batching plant movements, based on the current traffic movements.
15. The water required for the batching plant would be taken from the mains water supply, stored in a tank which is filled overnight and then fed into the truck-mixer drum by a pipeline attached to the inclined conveyor of the plant.

Site History

16. Planning application GFA/3888/11-CM (MW.0126/10) was approved by the County Council and issued 24/06/2013. This application was for an extension to the adjacent Wicklesham Quarry to the east, which at the time the extension application was decided, had just over 2 years remaining on the extant permission for operations (30 September 2015; to be restored by 30 September 2016). The extension, now known as Faringdon Quarry, has a cessation date of 31 December 2026 for extraction. The site is required to be restored to agriculture by 31 December 2027, when a 5 year after care period commences until 31 December 2032. This permission has now been superseded.
17. As part of the approved application, a routing agreement was signed (dated 11 June 2013), which directs all HGVs to use only the approved routes, in this case the A420 and the A417. The routeing agreement does not specify a maximum number of HGV movements per day.
18. Application P14/V1991//CM (MW.0098/14) was submitted in August 2014. This was a Section 73 application to vary condition 19 of

MW.0126/10, to allow for the temporary use of the existing slip-road access of Wicklesham Quarry to gain access to the western Wicklesham Quarry extension, until operations were to cease at Wicklesham Quarry, 30 September 2015. This application was approved and issued 19 November 2014. This permission has now been superseded.

19. Application P16/V2331/CM (MW.0117/16) was submitted in August 2018. This was a Section 73A application to implement various changes to the quarry extension, including the working in Phase 1a, the site's restoration, amend lighting details and formally change the site's signage and name to Faringdon Quarry. This application was approved and issued 21 December 2016. The time periods for cessation of extraction, restoration and aftercare remain unchanged from the original permission.

Consultation and Representations

20. Part 17 of the GPDO does not specify any requirements for consultation or publicity for this type of prior approval application. In this instance, however, the Parish Council, adjacent Town Council and the District Planning Authority have been consulted. The local County Councillor has also been notified.
21. The Local County Councillor does not support this application and has commented as follows:
 - Confused as to why being consulted when it would appear there is no control over the outcome.
 - The impact on the amenity of the neighbourhood and surrounding area will be severe. The traffic on the A420 is increasing constantly, not only the volume of traffic but the size of the vehicles on the highway. The mix of commercial/industrial and car traffic much of which is local is constantly increasing.
 - New housing development adds to the pressure to the traffic movements and mix on the A420 together with ever increasing traffic for the same reasons coming across the border from Swindon.
 - The A420 is a mixed road of single traffic flows and dual carriage ways, with considerable frustration at slow-moving vehicles from other drivers on a local road, with many side roads both sides of the carriageway. The A420 carries heavy commercial traffic and frequent bus services and heavy commuter traffic both east and west.
 - The Little Coxwell access onto the A420 in an easterly direction is a very dangerous driving manoeuvre; the traffic has to cross flowing traffic which can be travelling on the road in excess of the 60mph limit. Because of the brow of the hill this traffic cannot be seen until a driver exiting the Little Coxwell turn is fully committed and a slow moving

heavy vehicle will make an already very hazardous junction for all traffic in this area even worse.

- The whole road layout at this junction will require complete re-design to ensure safety - at the very least a feeder lane that will allow slow moving vehicles egress and access to the site. This modification is due to be carried out at the Great Coxwell junction due to the problems for drivers trying to enter and exit the A420 because of the sheer volume of traffic. This has been carried out at Buckland, and the residents of Littleworth are campaigning for this modification. These modifications have occurred on the south side of the A420; how much more dangerous therefore is it for heavy, slow moving vehicles to turn onto the A420 in an easterly direction crossing fast flowing traffic?

22. Little Coxwell Parish Council – objection has been made to this application. The comments made are summarised below:

- The planning system is being misapplied by using permitted development rights to install a concrete batching-plant, where the materials would not be sourced from the quarry, as stated.
- The noise of the concrete plant at 80 dB is higher than the maximum limit of 50 dB for the current quarrying operations, which is a significant increase. The measurements were also not taken at the closest residential properties on the Little Coxwell side. This will be intrusive and could be dangerous for users of the adjacent bridle paths.
- Cement production would be up to 60 cubic metres an hour, which would create 20 HGV movements (10 in, 10 out) an hour. This is more than a marginal increase in traffic movements onto the busy A420. The junction onto the A420 near this site is known to be dangerous. Slow-moving vehicles pulling out into fast-moving traffic is too frightening to consider.
- There is potential for extremely hazardous cement dust to be released into the atmosphere of a rural location adjacent a well-used bridleway. The application states that dust will be kept to a minimum, but this is not zero and who decides what is an acceptable level.
- A 7-metres high piece of equipment will be visible from the roads and the well-used bridleway in particular. The application states the plant will blend with the existing industrial site; it is not acceptable to increase what is already a commercial eyesore in a rural community.
- Has the applicant checked that the relevant water company finds this proposal acceptable as concrete-mixing plants use a lot of

water. Has the water company confirmed Little Coxwell village will not be affected, which already has low pressure.

- Why is a piece of equipment which is clearly a large investment for the applicant being proposed for a site which ceases to operate in 7 years' time (2026)? Is it the case that once installed, the site can operate past its licensed end-date and import materials as an industrial production site as this has already been established? The plant is to be installed in an area where there is no sand to extract so there is then no reason to then remove it to continue extraction on site.

23. Faringdon Town Council – Objection

- Negative impact of the proposed development on surrounding amenities and neighbourhood. This includes noise, traffic generation and road safety. The A420 is known for accidents and pedestrian casualties.

24. Vale of White Horse District Council – No comments

25. Three representations of concern/objection have been received from members of the public. The main points made are as follows:

- Noise levels would not be acceptable for a countryside environment and above what is currently permitted under the permission for the quarry.
- Lack of information to back up the statement within the application that “noise will not be intrusive”.
- The visual impacts of a 26x7 metre high structure would be intrusive from the road and the adjacent footpaths. The 4-metre bund will not hide a 7metre-high structure.
- The plant will negatively impact on the villagers, farmers and local wildlife. Animals graze in the field less than 10 metres from the plant's proposed location. Concrete production would create an unhealthy environment for the animals and should not be allowed in an environmentally sensitive area in close proximity to a small rural village.
- Fine cement dust would be produced as part of the operations, which is hazardous to humans and livestock. This toxic dust would also hinder the agricultural restoration of the mineral workings, further impacting on the sensitive local environment, which includes rare plants and European Protected Species, including Great Crested Newts.

- Lack of information to back up the statement that there would be “marginal increase in traffic movements”. Fernham Road is unsuited to HGV movements and the A420 is at capacity.
- The HGV movements would be a heavy increase in carbon fuels, so should not be allowed.
- The site would not produce enough material for a concrete plant. Between 80% and 100% of materials for the concrete plant would have to be imported.

Considerations

26. Part 17, Class B.2(2) of the GPDO states that prior approval may not be refused or granted subject to conditions unless the MPA is satisfied that it is expedient to do so because (a) the proposed development would injure the amenity of the neighbourhood and modifications can reasonably be made or conditions reasonably imposed in order to avoid or reduce that injury, or (b) the proposed development ought to be, and could reasonably be, sited elsewhere. These are considered below:

Amenity

27. Little Coxwell Parish Council, Faringdon Town Council and three local residents have raised objection to this proposal. These are mainly in relation to increased traffic movements associated with the importation of up to all the raw material to supply the plant and then removing the finished product. There is also concern over the amenity impacts, specifically noise, dust and visual intrusion.
28. The mineral extracted from the quarry has not generated the sales that were expected by the operator, based on the mineral extraction at the adjacent Wicklesham Quarry, that was expected at the time of the original application. The majority of the materials (sand and gravel) that would be used in ready mixed concrete would be sourced from Faringdon Quarry and the operator has provided a certificate to confirm that the sand meets the relevant British Standard (BS EN 12620) grading requirement for concrete production. The quarry operation already imports specialist aggregates/ compost for use to blend/ resale. The import of cement for use within the batching plant would create around 6 additional trips per day (3 in, 3 out). The site is currently generating around 10-12 trips per day (5-6 in, 5-6 out), as the expected production is around half of what was originally expected when the permission was granted in 2013. As the original movements were envisioned to be around 22 per day (11 in, 11 out), then the batching plant's movements added to the existing movements would generate around 16-18 trips.

29. To be able to produce concrete on site would mean that instead of exporting the sand and gravel separately by lorry to concrete plants elsewhere, it can be taken out as a finished, ready-to-use product with a minimal change in overall traffic movements. Although the HGVs used for the concrete production would have a larger payload than those transporting the sand and gravel separately, the number of trips overall would not be expected to be any greater than existing for the substantive planning application approved for the quarry, which is 22 (11 in, 11 out). All vehicles would have to adhere to the existing routeing agreement for the quarry permission.
30. It is acknowledged that there would be an increase in HGV traffic from what there is at present. However, the site is currently under-producing material for sale and the expected HGV movements when permission was granted for the quarry of 22 per day (11 in, 11 out) is not being met at the present time. The movements associated with the batching plant would replace some of the originally expected daily movements as part of the original quarry permission.
31. There are concerns raised over the impacts of more, and potentially slower HGVs joining the highways network. The A420 is a busy trunk road between Oxford and Swindon. The network capacity was assessed when the extension application for Wicklesham Quarry, which is Faringdon Quarry, was submitted in 2010, including accident rates. The conclusion then was that the 22 daily trips which were expected to be generated would be acceptable and the vehicles ranged from 44-tonne to 2-tonnes. The junction of Fernham Road and the A420 was also deemed acceptable as there were sufficient splays and sightlines into the traffic flow, and the majority of the quarry traffic (60%) was expected to go with the flow westwards towards Swindon.
32. This application would introduce larger and therefore potentially slower HGVs into the existing network. However, as a request for Prior Approval, as set out above, it is not possible to condition or refuse permission based on highways capacity or safety impacts. Highways impacts can be considered only if it is necessary to address an associated injury to amenity.
33. It is not considered that it could be demonstrated that the limited additional movements or the types of vehicles proposed would have an injury to amenity sufficient to justify refusing the request for Prior Approval. If members are of the view that there would be a clear injury to amenity, consideration could be given to some limitation on the maximum number of weekly or daily movements to those set out in support of the request but it would have to be clear in giving a reason for such a condition precisely the detrimental impact on amenity that was being protected through such a condition.
34. There is an existing dust monitoring and action plan (DAP) in place for extraction, which must be adhered to at all operational times. In

addition, modern dust collection systems would be incorporated into the plant, particularly in the cement supply loading and unloading systems. It is not therefore considered that dust generation would injure amenity to any greater extent than the existing workings where the dust impact is controlled through the existing conditions.

35. The applicant supplied a noise assessment as part of this prior-approval request. The locations monitored were those that had been previously identified as being sensitive locations, at the time of the quarry extension application. The noise assessment was based on the expected noise from the existing quarrying operations, to then include the operational batching plant. This assessment concluded that, although the highest figures recorded were 82 dB, this was within 5 metres of the operational plant, therefore a consideration for the operators. The calculations of distance and including the bunds of 4 metres (although the physical bunds are slightly higher at 4.5 metres) conclude that at all the previously identified sensitive locations, the expected noise levels would be within the maximum permitted for the extant quarry permission. This is conditioned as to be no higher than 50 dB (LAeq) (1hour), free field.
36. Further noise assessment has subsequently been completed on request, following concerns raised that there were residential properties within Little Coxwell village closer to the proposed batching plant location than the sensitive receptor areas previously identified. This addendum states that the calculated noise and combined levels at these properties would be within the maximum permitted for the existing quarry workings, which is 50 dB (LAeq) (1hour), free field. It is not therefore considered that noise generated would injure amenity to any greater extent than the existing workings where the impact is controlled through the existing conditions.
37. It has been identified by the applicant that the proposed plant would be seen from the adjacent bridleway (278/2/210), at the point where it meets Fernham Road. This is where there is a gap in the hedging due to a farm access/ gate. The grassed bunds would screen the majority of the plant, which is low-level, although the hopper would be visible at 2.5 metres above the bund. The orientation of the plant layout, as shown on drawing DG/EST/FAR/CPB/02, would minimise this impact as the plant would be visible from the narrower measurement at that location.
38. The widest view of the hopper, which would be visible 2.5 metres above the bund and up to 6 metres across, would be to the west, towards the village of Little Coxwell. There is some screening provided by existing trees/ vegetation in the landscape, although not immediately adjacent the quarry site.
39. The overall impact of the hopper's visibility would be more obvious during the winter than summer months, due to the existing deciduous

trees, hedgerows and other planting to the immediate site and the wider area. The batching plant would be sited within an area already designated for sand and gravel extraction, storage and other quarry operations. Therefore, it would be viewed against the already planned operational activity. There would be an impact on the existing views at localised points and it is reasonable to conclude that there would be a greater visual impact on the amenity of some local residents and rights of way users than the existing site. The plant would not be permanent as the plant is mobile. It would have to be removed once the site has been extracted and the site then to be restored to agriculture once the material has been extracted in accordance with the existing approved restoration scheme; this is grassland in the area covered by this application. It is considered that there would be an injury to visual amenity beyond that of the existing permitted workings and it would be reasonable to seek to condition the development in order to reduce that injury. Such a condition could be a requirement for the submission and implementation of a scheme for further screen planting using suitably mature stock in and around the boundaries of the site and the screening bunds.

40. Consideration of the impact of the batching plant operations on the existing water supplies and infrastructure, particularly for Little Coxwell is a matter for the local water supplier. The operator is in talks with Thames Water regarding connection with the mains water supply, if this is granted it is understood that Thames Water, as the provider, would take into account whether supplying the batching plant would have a detrimental impact on water pressure to other users or not.

Alternative location

41. There are operational concrete batching plants at the quarries at Gill Mill (Ducklington), Upwood (between Besselsleigh and Tubney Wood), and Sutton Courtenay. There are further concrete batching plants at various sites at Banbury, Bicester, Hook Norton, Kidlington, Hardwick, Frilford, Radley and Peppard Common.
42. All the sites are concentrated in a broad swathe down the centre of the county, around the main routes of the M40, A34, A40, A420 and A415. The furthest west of these are at Hardwick and Frilford. There are none further west until the concrete plants based at Blunsdon, Cricklade and Elgin in Wiltshire and Swindon. It is concluded that the location of the concrete batching plant at this site where suitable material for concrete production is worked would contribute to meeting market demand in this part of the county and surrounding areas.

Conclusion

43. This proposal would ensure the sustainable use of indigenous materials at source and without substantially increasing HGV

movements on the highways network. It is not considered that the proposed plant ought to be and could be reasonably sited elsewhere.

44. Faringdon Quarry currently supplies aggregates to other sites for use in concrete production, although at a lower rate of extraction than was originally envisioned. The site is convenient to supply the general Faringdon, Wantage and Swindon area, although Sutton Courtenay or Frilford could also supply Wantage to some extent.
45. If this Prior Approval application is refused, this would not impact on the supply of material to other concrete producers but the slower extraction may lead to mineral not being fully extracted by 2026 and so the site restored by 2027. However, as this is some years away and demand for the mineral may increase over that time, it is not considered that great weight should be attached to this.
46. The existing conditions of the extant planning permission would remain the same to control any potential noise and dust impacts from the entire quarry operations (including the proposed plant). It would however be reasonable to control the additional injury to amenity caused by the visual impact on the neighbourhood of the proposal through making the Prior Approval conditional on the submission for approval and implementation of a scheme of screen planting in and around the boundaries of the quarry and the bunds. Subject to that I do not consider that there would be any greater injury to the amenity of the neighbourhood than exists in relation to the existing consented development.

RECOMMENDATION

47. **It is RECOMMENDED that the prior approval is granted for the installation and use of a mobile Concrete Batching Plant to produce ready-mixed concrete for sale under Part 17, Class B of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended), and in accordance with the detailed proposals for the location, height, design and appearance of the plant, as contained within the application and listed in the Schedule of Approved Plans and Documents.**

Schedule of Approved Plans and Documents

- (i) Request letter dated 09.07.19
- (ii) Location Plan – Drawing No. DG.EST.FAR.CBP.01
- (iii) Concrete Batching Plant Location Plan – Drawing No. DG.EST.FAR.CBP.02
- (iv) MCM60 & MCS50 Silo Layout Plan – Drawing No. Wiltshire MCM60 Layout
- (v) MCM60 & MCS50 – Silo Elevation Plan – Drawing No. Wiltshire MCM60 Elevation Layout
- (vi) Technical Note dated 29.05.19

(vii) Faringdon CBP Technical Note Addendum Noise 21.08.19

On condition that the submission of a screening planting scheme is submitted to and approved in writing by the Minerals Planning Authority and implemented prior to the installation of the mobile batching plant.

SUSAN HALLIWELL
Director for Planning & Place

August 2019