



To: Members of the Planning & Regulation Committee

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 15 July 2019 at 2.00 pm

Committee Rooms 1 and 2, County Hall, New Road, Oxford

A handwritten signature in blue ink, appearing to read 'Yvonne Rees'.

Yvonne Rees
Chief Executive

July 2019

Committee Officer: **Graham Warrington**
Tel: 07393 001211; E-Mail:
graham.warrington@oxfordshire.gov.uk

Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Jeannette Matelot
Deputy Chairman - Councillor Stefan Gawrysiak

Councillors

Mrs Anda Fitzgerald-
O'Connor
Mike Fox-Davies
Pete Handley
Damian Haywood

Bob Johnston
G.A. Reynolds
Judy Roberts
Dan Sames

John Sanders
Alan Thompson
Richard Webber

Notes:

- **Site visits are required for Items 6 (Fullamoor Farm) and 8 (Shellingford Quarry)**
- **Date of next meeting: 9 September 2019**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *"You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself"* or *"You must not place yourself in situations where your honesty and integrity may be questioned....."*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *"any employment, office, trade, profession or vocation carried on for profit or gain"*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members' conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes** (Pages 1 - 8)

To approve the minutes of the meeting held on 3 June 2019 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Extraction of sand, gravel and clay including the creation of new access, processing plant, offices with welfare accommodation, weighbridge and silt water lagoon system with site restoration to agriculture and nature conversation including lakes with recreational afteruses and the permanent diversion of footpath 171/15 and creation of new footpaths at Land at Fullamoor Plantation, Clifton Hampden, Abingdon, OX14 3DD - Application MW.0074/18** (Pages 9 - 184)

Report by the Director for Planning & Place (**PN6**).

This is an application for extraction of 2.5 million tonnes of sand and gravel from an area north of the River Thames between Clifton Hampden and Culham, in South Oxfordshire. The land would be restored to a mixture of agriculture, lakes and mosaic wetland. No imported waste would be needed to achieve the proposed restoration. Clay would also be extracted for onsite engineering operations. Permission is sought for a 12.5 year period. There would also be a new plant site and a new access onto the A415. The site is currently in agricultural use.

The application is being reported to this Committee because it is a resubmission of an application that was previously refused by the committee, contrary to officer advice (application MW.0039/16). Additionally, a large number of objections have been received, including from local Parish Councils, South Oxfordshire District Council and CPRE as well as over 300 letters of objection from local residents.

The report provides a factual update for members and invites the committee to consider whether the reasons for refusal of the previous application have been overcome.

That members consider whether the application overcomes their previous concerns and so reasons for refusal with regard to application No. MW.0039/16

and EITHER

a) if not, refuse for one or more of the following reasons:

- i) The additional vehicle movements arising from the development would lead to severe highways impacts contrary to paragraph 109 of the National Planning Policy Framework; would not maintain the safety of road users and the efficiency of the road network contrary to the Oxfordshire Minerals and Waste Core Strategy policy C10 and would contribute to congestion, disruption and delays on the road network, contrary to Local Transport Plan policy 02.**
- ii) The additional vehicle movements arising from the development would worsen queuing at local junctions leading to stationary vehicles with associated air emissions, causing unacceptable adverse impacts on environmental amenity, contrary to Oxfordshire Minerals and Waste Core Strategy policies C5 and C10.**
- iii) The development would prejudice the future development of a new link road and Thames crossing along one of the routes safeguarded by policy TRANS3 of the emerging South Oxfordshire Plan 2033 and core policy 18 of the adopted Vale of White Horse Local Plan 2031 Part 1 contrary to these policies.**
- iv) The development is inappropriate in the Green Belt contrary to Oxfordshire Minerals and Waste Core Strategy policy C12, South Oxfordshire Local Plan policy GB4 and National Planning Policy Framework paragraphs 143, 144 and 146 and no very special circumstances exist to justify making an exception to these policies.**

OR

b) if so,

- i) subject to the consultation period closing without any new material considerations arising following consultation with the committee Chairman and deputy Chairman; and,**
- ii) if members conclude the development is inappropriate development in the Green Belt, the application first being referred to the Secretary of State to provide the opportunity for the application to be called in for his own determination, as required under the Town and Country Planning (Consultation) (England) Direction 2009; and**
- iii) the Secretary of State not calling in the application for his own determination following referral to him as set out in point ii) a routeing agreement to ensure the vehicle movements from the new development use only the HGV routes on the A-Road network as proposed by the applicant and a Section 106 legal agreement to cover the matters outlined in Annex 1; and**
- iv) the Director of Planning and Place being authorised to refuse the**

application if the legal agreements referred to in iii) above are not completed within 10 weeks of the date of this meeting on the grounds that it would not comply with OMWCS policy M10 in that there would not be satisfactory provisions for the long-term management of the restored site

that planning permission for application no. MW.0074/18 be granted subject to conditions to be determined by the Director for Planning and Place to include the matters set out in Annex 1 to this report.

7. Proposed extraction of mineral and restoration by infilling with imported inert materials to agriculture and nature conservation at Land to the west of Shellingford Quarry, Stanford Road, Stanford-in-the-Vale, Faringdon, SN7 8HE - Application MW.0104/18 (Pages 185 - 234)

Report by the Director for Planning and Place (PN7).

This is an application for a western extension to an existing quarry near Shellingford in south west Oxfordshire. It is proposed to extract limestone and soft sand from a 30-hectare area over a 22-year period. The site would be progressively restored to agriculture using imported inert waste. Under the current consent the quarry would need to be restored by 2029. This proposal would extend the end date for restoration to 2044. The western extension area would bring the extraction closer to Shellingford village. The application is supported by an Environmental Impact Assessment (EIA).

There have been no objections from any other consultees, including no objections from Vale of White Horse District Council or their Environmental Health Officer, the Environment Agency, OCC's ecology, landscape, highways, or rights of way teams.

However, there have been objections from 21 local residents and from Shellingford Parish Meeting. Concerns raised include impacts on residents including from noise, dust and visual impacts arising from the proximity of the workings to the village.

Technical assessments submitted with the application demonstrate that impacts on amenity could be effectively mitigated and the proposal is considered to accord with relevant policies relating to amenity, minerals, waste, landscape, rights of way, flooding and water, the historic environment, biodiversity and soils and agriculture.

Subject to the applicant signing a Section 106 agreement for the matters outlined in Annex 2 to this report it is RECOMMENDED that planning permission for MW.0104/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include those set out in Annex 1 to the report PN7.

8. **Full permission for the development of a new 1FE primary school including nursery and SEN provision with details of vehicle access, hard and soft landscaping, car parking, cycle and scooter parking, external play areas, external lighting and boundary treatments at Land of Southam Road, Banbury, OX16 1ST - Application R3.0034/19 (Pages 235 - 262)**

Report by the Director for Planning and Place (**PN8**).

This application seeks permission for the construction of a new 1FE primary school to complement the new housing development, Hanwell View. It is anticipated that the new school will provide places for 270 pupils (60 nursery places and 210 places in reception - year 6) with 30 pupils per class.

The application is being reported to this Committee as an objection has been received from the local member and from Cherwell District Council. The report describes the planning proposal and outlines the consultation replies and objections to the application. Relevant planning policies are included along with the comments and recommendation of the Director for Planning and Place on the proposal.

Subject to the applicant first providing a Unilateral Undertaking for the payment of the Travel Plan monitoring fee of £1240, it is RECOMMENDED that planning permission for Application R3.0034/19 be approved subject to conditions to be determined by the Director for Planning and Place but to include matters set out in Annex 3 to the report PN8.

9. **Relevant Development Plan and Other Policies (Pages 263 - 302)**

Paper by the Director for Planning and Place (**PN10**).

The paper sets out policies in relation to Items 6, 7, 8 and 9 and should be regarded as an Annex to each report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 15 July 2015** at **12.00 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 3 June 2019 commencing at 2.00 pm and finishing at 3.25 pm

Present:

Voting Members: Councillor Jeannette Matelot – in the Chair

Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Mike Fox-Davies
Councillor Stefan Gawrysiak (Deputy Chairman)
Councillor Pete Handley
Councillor Jenny Hannaby (In place of Councillor Richard Webber)
Councillor Damian Haywood
Councillor Bob Johnston
Councillor Judy Roberts
Councillor Dan Sames
Councillor John Sanders
Councillor Lawrie Stratford (In place of Councillor G.A. Reynolds)
Councillor Alan Thompson

Officers:

Whole of meeting G. Warrington & D. Mytton (Law & Governance);
D. Periam & K. Broughton (Planning & Place)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

20/19 ELECTION OF CHAIRMAN FOR THE COUNCIL YEAR (Agenda No. 1)

Nominations for election of Chairman were received for:

Councillor Jeannette Matelot – moved by Councillor Fox-Davies seconded by Councillor Sames

and

Councillor John Sanders – moved by Councillor Johnston seconded by Councillor Roberts

Councillor Jeannette Matelot having received 8 votes and Councillor Sanders 5 it was-

RESOLVED that Councillor Jeannette Matelot be elected Chairman for the Council year 2019 – 2020.

21/19 ELECTION OF DEPUTY CHAIRMAN FOR THE COUNCIL YEAR

(Agenda No. 2)

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Handley and carried unanimously) that Councillor Stefan Gawrysiak be elected Deputy Chairman for the Council year 2019 – 2020.

22/19 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 3)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor George Reynolds Councillor Richard Webber	Councillor Lawrie Stratford Councillor Jenny Hannaby

23/19 MINUTES

(Agenda No. 5)

The minutes of the meeting held on 15 April 2019 were approved and signed.

24/19 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 6)

<i>Speakers</i>	<i>Item</i>
<ul style="list-style-type: none"> • Dr Anna Hoare (Local Resident) • Tom Allen-Stevens (Landowner) • Marc Girona-Mata (Hydrologist, GWP) & Derek Allan (Ecologist, Enzygo) (on behalf of the Applicant) 	<ul style="list-style-type: none">))) 8. Wicklesham Quarry – Application) No MW.0038/19))

25/19 SECTION 73 APPLICATION TO RETROSPECTIVELY VARY CONDITIONS 1 OF PLANNING PERMISSION P17/V2812/CM (MW.0084/17) TO REFLECT THE RESTORATION AS CARRIED OUT ON THE SITE. AT WICKLESHAM QUARRY - APPLICATION MW.0038/19

(Agenda No. 8)

The Committee considered a planning application to allow a further retrospective change to the restoration of the Wicklesham Quarry site to address a discrepancy between the approved plan and the way that restoration had taken place.

Presenting the report Mr Broughton reported a late 'no objection' response from the Oxfordshire County Council Highway Authority. Responding to Councillor Roberts he confirmed that there were no gate accesses to the pond shown on either plan although he was unable to say if that was intentional as the landowner would, presumably, require access in the future for maintenance. There was no general public access although visits to the geological SSSI could be arranged by appointment.

Councillor Johnston added that the pond if it wasn't maintained would disappear in time.

Dr Anna Hoare then took the Committee through her presentation. In her view policies set down to guide restoration of the site had not been complied with. No licence had been applied for from Natural England which was required to ensure retention of natural habitats and therefore what had happened on this site had gone entirely under the radar. Pond 1 had now completely dried up with no water present since 2016. It had been ¼ metre deep and should have been retained and supported by surface water. However, the gradient was blatantly wrong. In 2011 prior to restoration water had been visible but from 2016 the situation had changed completely with no water present. Regarding Pond 3 which had been the deepest of the water bodies on the site that was now a shallow ditch. On 9 December 2016 a breach of conditions notice had been served 3 months after the completion for restoration deadline by which time the ponds had already been destroyed. Breaches identified related to Condition 1 restoration not carried out in accordance with approved plans; Condition 3 not completed by due date of 30 September 2016; Condition 6 all site infrastructure not removed by due date of 30 September 2016; Condition 13 overburden, quarry waste and soil left on site after 30 September 2016 and Condition 20 to protect flora and fauna and no loss of biodiversity. This had clearly not been done and continued to go on. Conditions had never been met with the landowner still resisting restoration. She urged the Committee to reject the application and ensure that the site was restored in accordance with the original plans.

She then responded to questions from:

Councillor Fox-Davies – the ponds were currently full of soil imported to the site and if that was removed then water would return and with it presumably the newt population.

Councillor Johnston – she considered that the damage to the ponds and site had been deliberate.

Councillor Hannaby – In 2015 quarrying had finished but there had been annual applications for storage of material which then meant long delays for restoration. There had been a great deal of local objection to what was seen as a deliberate ploy to delay restoration of what was an important SSSI with rare biodiversity linked to rare underlying geology.

Councillor Gawrysiak – if soil was removed from the ponds then presumably that would be spread over the site.

Councillor Heywood – if nothing was done to remove soil then the ponds would never return.

Councillor Handley – there had been trees on the site with some growing in the ponds.

Councillor Sanders – she considered that the sandy composition of the site was due to imported material.

Tom Allen-Stevens then addressed the Committee outlining his aim as farmer and landowner to manage the land effectively and enhancing it wherever possible. He worked closely with Oxfordshire County Council to promote a community element on areas such as footpaths and bridleways crossing his farm and it was his job to manage and balance those resources with other priorities on the farm. He gave a brief history of the site dating back to the oldest map from the 18th century when it was called Woad ground after the plant woad used for dye and which was regarded ostensibly as a desert plant which was significant as this land had always been dry with no stream, pond or even dew on it. The ground level was now up to 10 metres below what it had been but remained essentially the same free draining gravel and sand which didn't hold moisture and as it was above the water table drained quickly after heavy rainfall. For those reasons this was the wrong place for a pond. Pond 1 had in fact been a settling pond for water pumped from a workshop used by Grundons and had dried up when the pump had been switched off on cessation of operations. He assured the Committee that there had been no collusion or mismanagement as alluded to and if the habitat did not fit the plan that had been down to nature and not him or Grundons. In fact he and Grundons had carried out a great deal of work at the edges of the quarry and the quarry benches and slopes transforming what had been a barren quarry with little growing other than brambles and ragwort to an area boasting a diverse range of grasses and wildflowers for pollinators including mining bees and nesting areas for sand martins. The area in question would always be of limited agricultural value with very compacted ground and should be left to find its own natural fissures rather than putting in drains and more levelling. As a land resource this site needed to move on and I urge members to approve the application to let that happen.

He then responded to questions from:

Councillor Sanders – there was a zero tolerance to ragwort on site but because of health and safety issues on the banks there had been some areas where it couldn't be removed but that was now being dealt with.

Councillor Johnston accepted that the explanation for Pond 1 drying up was plausible but why was there no water in the other ponds. Mr Allen-Stevens felt that had been because they were above the water table but the question needed to be put to a hydrologist. He added that restoration had been in accordance with plans.

Councillor Hannaby – when initial concerns had been raised locally he had tried to contact the Action Group (Anna Hoare) but they had never responded. Sheep had been grazed on the site to put back some acidity into the soil to benefit the grass and increase the biomass although that would take some time.

Councillor Fox-Davies – he had other ponds on his land which had a good water source. On this site he couldn't say categorically that if the ponds were dug out that water would be there reiterating that historically this was a very dry site.

Councillor Gawrysiak – he assumed that the newts had colonised the pond when the Grundon operation pumped water into it adding that the fact there was no water there now was down to that operation ceasing and nature and not mismanagement. The photographic evidence as tabled showed water present on 4 April 2018 but 2 weeks later that had drained away. This was naturally free draining soil with no underlying clay.

Councillor Haywood – as Pond 1 had been drying out he had carried out some coppicing of the willow trees to try and arrest that. They were now growing back.

Marc Girona Mata for the applicants summarised the surface water drainage regime of the revised restored landform at Wicklesham Quarry and how it compared to the consented restoration landform which had been designed upon the following drainage principles:

- Rainfall would result in surface water runoff flowing to the south-east corner of the site which was the lowest point within the site area;
- All rainfall would eventually drain into the underlying strata; and
- If required, the drainage scheme would be refined with additional drainage features included as part of the aftercare scheme.

The existing (revised) restoration landform would preserve the previous principles with the majority of runoff generated within the site area flowing towards the existing ditch, along the southern edge of the site and conveyed to the lowest part of the site (i.e., the south-eastern corner). The existing topographic gradients, which did not significantly differ from the approved restoration scheme, still enabled surface water runoff to flow towards the southern edge of the site, i.e., towards the existing ditch. The restored site also included 2 Great Crested Newt (GCN) protected areas which were actually vegetated voids with seasonal presence of groundwater. The extent to

which these protected ponds received surface water from other parts of the site was limited but there was no opportunity for those to be modified or enhanced and so the Great Crested Newt habitat would receive the same surface water inputs as in the consented restoration scheme, thereby ensuring that suitable conditions for the enhancement of the Great Crested Newt habitat were provided.

Derek Allan for the applicants confirmed that restoration throughout 2017 had been done under Natural England EPS Licence (2017-27830-EPS-MIT) who had confirmed that work had been carried out in accordance with the terms of that licence. All ponds had been protected during works and the favourable conservation status of the great crested newt population maintained. Regarding great crested newts he confirmed they liked seasonal water and that the quarry had been subject to a lot of pumping which had now ceased resulting in the site returning to natural levels. He confirmed that during consultation Natural England had stipulated that they had “no comment” regarding the Section 73 application to retrospectively vary condition 1 of planning permission P17/V2812/CM (MW.0084/17). To his knowledge there had been no infilling of ponds pointing out that if there had been then the Willow tree stumps which were still visible would have been buried. There would be no requirement for any works to the existing ponds under Natural England EPS Licence, nor any further requirement for Grundon to subsequently manage these as the site would be restored to agricultural use and therefore the responsibility of the land owner.

They both then responded to questions from:

Councillor Johnston – repeated that there had been no infilling of the ponds as evidenced by tree stumps which were still present and visible.

Councillor Stratford – there were natural reasons for the apparent infilling and that pond 1 had been wet due to pumping operations at the site.

Councillor Sanders – groundwater fluctuated seasonally so could be present for parts of the year. That would not be affected by contours of the land.

Councillor Johnston considered the history unfortunate but inevitable largely due to natural succession and cessation of pumping operations which had resulted in Pond 1 drying up with Pond 2 suffering in the same way. The last 9 months had been very dry but if that changed then they would get wet again. He had had some reservations regarding the state of the site but those had to a large extent been allayed. He moved the officer recommendation.

Seconding Councillor Gawrsysiak suggested that in future and in order to avoid similar issues a geo satellite level could be taken before work commenced at any site and after in order to establish conclusively the situation on the ground.

The motion was then put to the Committee and –

RESOLVED: (by 12 votes to 0 with one abstention recorded) that planning permission for application no. MW.0038/19 be approved subject to conditions to be determined by the Director for Planning and Place but to include the following:

(1) The development should be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application (and letters/e-mails of amendment) except as modified by conditions of this permission. The approved plans and particulars comprise:

- Application form dated 11/03/2019
- Letter dated 14/12/2018
- Ecology Statement dated 29/08/2017
- Enzygo Method Statement dated 31/05/2018
- Hydrological statement - Ref No. JF051218 dated 11/03/19
- Site Restoration Plan - Drawing no. DG/QO/WIC/RES/01 Rev E
- Site Location Plan - Drawing No: DG/OO/WIC/TEMP/02.
- Aftercare Scheme set out in paragraph 3.0 onwards in the approved Restoration and Aftercare Scheme dated December 2012.
- Conservation of geological interest features of SSSI Plan – Dated October 2012 subject to revised restoration plan - DG/QO/WIC/RES/01 Rev E.

..... in the Chair

Date of signing

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Planning Report

For: PLANNING AND REGULATION COMMITTEE – 15 JULY 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Planning application for the extraction of sand, gravel and clay including the creation of new access, processing plant, offices with welfare accommodation, weighbridge and silt water lagoon system with site restoration to agriculture and nature conservation including lakes with recreational afteruses and the permanent diversion of footpath 171/15 and creation of new footpaths at Land at Fullamoor Plantation, Clifton Hampden, Abingdon, OX14 3DD

Division Affected:	Sandford, Sutton Courtenay and Appleford
Contact Officer:	Emily Catcheside Tel: 07741 607684
Location:	Land at Fullamoor Plantation, Clifton Hampden, Abingdon, OX14 3DD
Application No:	MW.0074/18 District Ref: P18/S2134/CM
Applicant:	Hills Quarry Products Ltd
District Council Area:	South Oxfordshire DC
Date Received:	6 June 2018
Consultation Period:	i) 28 June 2018 – 31 July 2018 ii) 24 January 2019 – 25 February 2019 iii) 2 May 2019 - 3 June 2019 iv) 20 June 2019- 22 July 2019

Contents:

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

Recommendation Summary:

Members to consider whether the reasons for refusal for planning application MW.0039/16 have been overcome and therefore approve or refuse accordingly.

• **Part 1 – Facts and Background**

1. A planning application for substantially the same development as is proposed in this current application [Ref: MW.0039/16] was originally considered at the meeting of the Planning and Regulation Committee on 27 November 2017. At the time, the officer's report and addenda, when read together, recommended that the application should be approved, however members resolved to refuse the application for the following reasons:

- i) The additional vehicle movements arising from the development would lead to severe highways impacts contrary to paragraph 32 of the National Planning Policy Framework; would not maintain the safety of road users and the efficiency of the road network contrary to the Oxfordshire Minerals and Waste Core Strategy policy C10 and would contribute to congestion, disruption and delays on the road network, contrary to Local Transport Plan policy 02.*
- ii) The additional vehicle movements arising from the development would worsen queuing at local junctions leading to stationary vehicles with associated air emissions, causing unacceptable adverse impacts on environmental amenity, contrary to Oxfordshire Minerals and Waste Core Strategy policies C5 and C10.*
- iii) The development would prejudice the future development of a new link road and Thames crossing along one of the routes safeguarded by policy TRANS3 of the emerging South Oxfordshire Plan 2033 and core policy 18 of the adopted Vale of White Horse Local Plan 2031 Part 1 contrary to these policies.*
- iv) The development is inappropriate in the Green Belt contrary to Oxfordshire Minerals and Waste Core Strategy policy C12, South Oxfordshire Local Plan policy GB4 and National Planning Policy Framework paragraphs 87, 88 and 90 and no very special circumstances exist to justify making an exception to these policies.*

The Committee report and addenda report for that application and the relevant minutes are appended at Annex 3.

2. The current application is a resubmitted version of application MW.0039/16 which includes amendments that seek to overcome the reasons for refusal. The application also includes updated environmental and other information and addresses circumstances that have changed since the previous decision was made (e.g. related to policy and designations). Details of the amendments to the scheme are set out below in paragraph 8.
3. The application is submitted with an Environmental Statement and therefore falls within the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (The 'EIA Regulations'). The Environmental

Statement comprises an introductory document, a Non-Technical Summary, and the following technical documents, which are summarised at Annex 2:

- Hydrology and Hydrogeology
 - Flood Risk Assessment
 - Cultural Heritage
 - Agriculture
 - Bird Strike
 - Landscape and Visual Impact (LVIA) & Addendum
 - Traffic & Highways
 - Noise & Addendum
 - Biodiversity
 - Geology and Reserves
 - Air Quality
 - Alternatives
 - Climate Change
 - Socio Economic
 - Arboricultural Assessment
4. The EIA Regulations require the Planning & Regulation Committee to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the environmental information submitted in the Environmental Statement and summarised in this report, as well as in the reports at Annex 3 and to integrate that conclusion into the decision-making process.

The Site

5. A description of the application site and its setting is set out in paragraphs 1-15 of the Committee Report for MW.0039/16 and appended at Annex 3. Members are advised that, since the previous Committee Report was published and as set out in the Addenda Report for MW.0039/16 (also appended at Annex 3), Fullamoor Farmhouse which is one of the closest properties to the application site has been designated as a Grade II Listed Building.
6. Additionally, members are advised that although the site itself is not located within an Air Quality Management Area (AQMA), approximately 35% of the development traffic would pass through the centre of Abingdon which has been declared an AQMA.

Details of the Development

7. The current application is for substantially the same development as previously proposed in application no. MW.0039/16 (see paragraphs 16-47 of the Committee Report appended at Annex 3), as amended by the applicant in response to the reasons for refusal. As with the previous application, it is proposed to extract 2.5 million tonnes of sand, gravel and clay with progressive working and restoration across 10 phases to a mix of agricultural land, lakes with recreational use, and areas for ecological habitats using on-site material

only (no waste importation). Extracted clay would be used to facilitate the restoration of the mineral working and would not be taken off-site. The applicant also continues to propose the construction of a purpose-built access onto the A415.

8. The changes to the application previously reported to the committee are as follows:
 - The annual rate of extraction has been **reduced** from **250,000tpa to 200,000tpa**, to allow for a reduction in daily HGV movements to and from the site;
 - The average HGV movements would be **reduced** from **521 per week to 416 per week**; and **92 per day to 74 per day**;
 - To cater for the reduction in extraction rates, the proposed lifetime of the site has **increased** from **10 years to 12.5 years**;
 - Whilst no changes are proposed to the quarry operating hours, which would be 7am-6pm on Mondays and Fridays, and 7am to 1pm on Saturdays with no operations on Sundays and/or Bank and Public Holidays; the applicant has proposed to **restrict all vehicle movements** to and from the site access **during the extended peak periods of 7.30-9.15am and 4-6.30pm**;
 - The applicant has amended the dimensions of the largest proposed bund, which would be located along the western boundary of the plant site, resulting in a **reduction in height** from **10m to 8m** and a **reduction in length** from **37m to 36m**;
 - The applicant originally proposed the use of a legal agreement to prevent the quarry development from prejudicing the delivery of the link road and Thames crossing, however the applicant no longer considers this is required as the preferred route for the link road has since been confirmed to lie to the west of the quarry and would not be affected by the development.
9. Other aspects of the development remain unchanged from application MW.0039/16.
10. The applicant considers that the above amendments are sufficient to overcome the reasons for refusal for application MW.0039/16. Specifically, it is stated that the 20% reduction in HGV movements and the restriction of HGV movements during the extended AM and PM peak hours would result in a negligible impact on traffic, and that updated traffic and air quality assessments, including an assessment of the impact of the development on the Abingdon AQMA, indicate that reasons for refusal i) and ii) have been addressed.
11. Although the applicant originally proposed a legal mechanism to ensure the quarry operation would not prejudice the delivery of a link road and Thames crossing, subsequent submissions by the applicant concluded that this matter was resolved because central government funding has been announced for the route based on a preferred alignment to the west of the application site and not passing through it. Accordingly, the applicant considers that reason for refusal iii) no longer applies.

12. With regard to reason for refusal iv), the applicant's starting point is that the proposal is not inappropriate development in the Green Belt because it would not be harmful to openness and therefore it is not necessary for very special circumstances to be demonstrated to justify the proposal. However, the applicant has also stated that, should the Council consider the development to be inappropriate, very special circumstances exist to outweigh the Green Belt harm and therefore the location within the Green Belt should not be an impediment to planning permission being granted. The very special circumstances advanced by the applicant are:

- The proposal would provide a sustainable and deliverable supply of aggregate minerals in south Oxfordshire where new reserves are required due to production issues at other sites within the county. This will have the secondary effect of reducing the cost of aggregate (due to increased supply) and would reduce the transportation miles for aggregate minerals thus lowering HGV emissions;
- The most recent Local Aggregates Assessment (LAA) states that the county is looking at higher levels of demand for aggregates in the coming years of the plan to 2031 due to anticipated levels of economic growth, population and housing growth and major infrastructure/key development projects;
- The most recent LAA notes that higher levels of demand are likely to occur in the first part of that period;
- Many growth projects are on the immediate doorstep of the application site, including the new Thames crossing, Science Park development and housing allocation site, and the Clifton Hampden bypass. The quarry would be operational within the first part of the plan period and would be able to supply these projects in a highly sustainable manner, with minimal transportation requirements;
- Minerals can only be worked where they are found and the application site is located within the Thames and Lower Thame Valleys Strategic Resource Area as identified in OMWCS policy M3 as a broad location for mineral extraction;
- The restoration proposals will deliver substantial biodiversity and recreational gains to the area. The proposals provide for an extended aftercare management period and will provide greater access to the site as a legacy of the development.

13. Overall, the applicant concludes that the proposal is essential to supply construction aggregates to local markets to support the planned economic growth in the area and that the reasons for refusal of the previous application have been overcome by amendments made to the scheme or circumstantial changes. The proposal has been carefully designed to fit around adjacent constraints and would not fundamentally or permanently change the character of the Thames setting. The site would operate within acceptable environmental limits and the restoration scheme would provide an increase in flood storage capacity across the site. Therefore, the applicant considers that planning permission for the revised scheme should be granted.

Part 2 – Other Viewpoints

Representations

14. Representations have been received from approximately 327 individuals or organisations, 321 of which object to the proposal and 2 in support. Multiple comments were received from some household addresses and, whilst the majority of comments were received from within the local area, comments were received from further afield including Hampshire, Newcastle, Kent, Surrey, and Suffolk. One of the comments received in objection was from the Vale of White Horse District Councillor for Sutton Courtenay, Gervaise Duffield and another from Abingdon-on-Thames Parish Councillor Jan Mortar.
15. Comments received in support of the development related to economic growth and job creation.
16. Comments received in objection to the development related to the following impacts:
 - Green Belt harm and lack of very special circumstances;
 - Visual impact arising from the screening bunds as well as the operational working and use of plant and machinery;
 - Traffic congestion and queuing on local roads;
 - Highway safety, and risk to cyclists, horse riders, pedestrians, and school children as a result of increased HGV movements;
 - Damage to and mud on local roads;
 - The impact on the historic environment, including the Scheduled Ancient Monument, Listed Buildings including Fullamoor Farmhouse, conservation areas, and archaeology;
 - The development would prejudice the delivery of a new link road across the River Thames;
 - The diversion of the Right of Way and suitability of the proposed route;
 - Amenity impacts, including noise, dust and vibration;
 - Wildlife and biodiversity impacts, including on river ecology;
 - Landscape impacts and impact on the setting of the AONB, and views to and from the River Thames;
 - The loss of hedgerows and trees;
 - The impact on tranquillity and the experience of the Thames Path;
 - Air pollution and air quality impacts, including from HGVs;
 - The cumulative effect of multiple quarries, housing and economic growth in general;
 - Lack of need and the availability of alternative sites;
 - Flooding risk;
 - The development would result in a reduction in the number of businesses wishing to locate at Culham Science Park;
 - The loss of good quality agricultural land;

- The likelihood of future extensions (both in time and area) to the quarry and scheme amendments including the implementation of a concrete batching plant;
- The application has not changed from the refused version;
- A lack of community engagement by the applicant;
- Lack of need for a boating lake;
- The sound mitigation bunds are too high and may slump;
- The impact on house prices.

Consultation Responses

17. Consultation responses are summarised in the paragraphs below. The full text of the consultation responses can be seen on the council's public access website using the reference MW.0074/18.
18. **The Local Member, Councillor Lorraine Lindsay-Gale** has not formally commented on the proposal.
19. **South Oxfordshire and Vale of White Horse Councils** submitted a comment in August 2018 in response to the first round of consultation, and no further comment has been received. The comment includes those made by technical officers including the Conservation Officer. The councils object to the scheme as the revisions do not overcome concerns particularly in respect of the new link road and Thames crossing, the landscape and heritage impacts. The Thames crossing is identified as a key piece of infrastructure to alleviate both existing congestion and to plan for proposed growth. One of the two routes for the Thames crossing runs through the application site and has been safeguarded in the Vale of White Horse Local Plan (part 1) and in the emerging South Oxfordshire Local Plan and are included within the Transport Plan and South Oxfordshire Core Strategy. Strategic policy is very clear on ensuring that development does not prejudice the future delivery of these key transport schemes. The development would change the deliverability and viability of the Thames bridge and would undermine the strategic vision for the county.
20. The impact of the proposal, and in particular the bunds of up to 10m high, on the landscape character of the Thames corridor has not changed since the previous application and would be contrary to policy CSEN1 of the core strategy and C3 of the local plan. This cannot be resolved through revisions or a landscaping scheme. To proceed without noise mitigation is not an option and therefore there is conflict between safeguarding the amenity and safeguarding the landscape.
21. The application site forms part of the setting of the Grade II Listed Fullamoor Farm that makes a positive contribution to the significance of the designated asset. The relationship between the listed building and the adjoining agricultural land is important because i) the architectural design of the listed building was intended to command views over the farmland to the south, ii) historic mapping shows that the land and its relationship to the main farmhouse has been consistent for a very long period of time, and iii) The landscape has continued to

be managed for the benefit of the farmhouse - Grasshill Covert and Fullamoor Plantation not only frame views to the Downs but also obscure views of Long Wittenham and Appleford from the garden.

22. The setting of the farmhouse would be considerably impacted by the development. Although the scheme proposed visual mitigation in the form of bunds, this will alter the landscape and command of the house over it. Setting aside the visual impact, the loss of legible landscape features and the introduction of new areas of woodland and water would alter the character of the landscape which contributes to the significance of the listed building permanently.
23. The effects of the development would be less-than-substantial. However, the balancing exercise must consider the effects will be permanent on a landscape scale.
24. **Clifton Hampden and Burcot Parish Council, Appleford Parish Council, Culham Parish Council and Long Wittenham Parish Council** jointly provided a comprehensive document in response to the first round of consultation. As with all consultation responses, the full text is available to view on the Council's public access website. In summary, the Parish Councils do not consider that the current application resolves any of the concerns that have previously been raised by Bachport and sustain a strong objection to the scheme. The reasons for objection are:
 - The development would give rise to severe highways impacts with unacceptable harm being caused to all road users and significant worsening of already excessive local congestion;
 - The effects of the HGV traffic travelling to and from the quarry would be highly detrimental to local residential and environmental amenity;
 - The proposed development would jeopardise the proposed new Thames crossing between Culham and Didcot Garden Town transport scheme and prejudice delivery of the Vale of White Horse and South Oxfordshire Local Plan strategies;
 - The proposed development would be inappropriate in the Green Belt, and there are no very special circumstances that outweigh the harm to the Green Belt, and any other harm;
 - The proposed development would have significantly detrimental landscape and visual impacts;
 - The proposed restoration objectives are contradictory, conflicting with purported nature conservation benefits; and would be contrary to the development priorities of the Burcot and Clifton Hampden Neighbourhood Plan;
 - The development proposal would be harmful to the local historic environment;
 - The proposed development would lead to significant loss of Best and Most Versatile Agricultural Land (BMV);

- The submitted proposal does not demonstrate that the water management systems would not have any adverse effects on the water environment and flood risk;
 - The proposed activities are likely to generate an unacceptable level of disturbance to local sensitive receptors; and
 - There has been a failure to carry out a proper assessment of alternatives and to consider the cumulative effects of the proposal with other proposed or planned developments.
25. A further response was submitted by the Parish Councils in February 2019. That response challenged the content and conclusions of the applicant's Green Belt Openness Impact Assessment and states that, when full case law is considered, and all of the effects of the proposal properly assessed, it should be concluded that there would be harm to the Green Belt and that very special circumstances must exist to outweigh that harm. The Parish Councils state that very special circumstances do not exist.
26. It was also stated that the Councils remain highly concerned about and object to the harmful effects of traffic. Planning permission would not be able to prevent vehicles arriving at the site during restricted hours. Additionally, the safeguarded route for the Thames crossing remains part of the emerging South Oxfordshire Local Plan 2034 and will continue to do so until the preferred route has been confirmed, which will not be reached for some time.
27. The Parish Councils also comment that the applicant underplays the contribution the application site makes to the significance of the listed building, which is at odds with the National Planning Policy Framework requirement that great weight should be given to a designated heritage asset's conservation, even when there is less than substantial harm and the harm is from development within the asset's setting. The need for aggregate is not substantiated, and the restoration proposals are mitigation for the development, therefore there are no public benefits that outweigh the harm to the setting of the listed building.
28. The applicant's conclusion on the landscape/Area of Outstanding Natural Beauty (AONB) effects of the development are disputed. The Parish Councils state that the baseline position in relation to rights of way is greater than as set out in the application and therefore the effects of the proposal are diminished. The proposed diversion route is circuitous and would not be entirely new. The proposed diversion route would also be unsafe because it would be prone to flooding. It would be preferable if two lakes could be provided, rather than one to allow the footpath to remain close to its existing route. The Parish Councils assume this is to allow for the creation of a 1km long rowing lake which would further intensify the use and development of the area, adding to Green Belt harm.
29. The Parish Councils have provided legal opinion to support the objection to the proposal. The legal opinion references case law examples and concludes that

- (1) The development constitutes inappropriate development in the Green Belt;
 - (2) Very special circumstances (VSC) are required to be demonstrated to overcome the harm to the green belt. VSC have not been identified;
 - (3) The development would harm the setting of the Grade II Listed Building and the Council is required to assess the development having regard to the provisions of paragraph 194 of the NPPF;
 - (4) The development appears to be in breach of relevant highways policies and there is no basis for the Council to reach a different conclusion as to severe impact; and
 - (5) The development would be likely to prejudice the future of the new link road and Thames crossing along one of the routes safeguarded by policy.
30. In response to the consultation on the reduction of the height of the largest bund from 10m to 8m, the Parish Councils raised concerns about inconsistencies between the methodology and conclusions of both the noise assessment and the flood modelling and flood risk assessment. The objection on other matters, including green belt grounds, was maintained.
31. **Long Wittenham Parish Council** submitted separate comments in addition to the above. The Council objects to the proposal on the grounds that it would have an unacceptable impact on a beautiful section of the River Thames within the Oxford Green Belt. The impact of noise and dust would have a serious impact on the amenity and environment of properties in Long Wittenham and potentially also on Long Wittenham School and the Grade I Listed Church. The quarry would increase traffic on roads that are already overloaded. Other sites are available with limited impact on the landscape and with better access to the road network. The quarry may also increase the risk of flooding along the Thames. The Parish Council supports BACHPORT in its aims and objectives. During the most recent round of consultation, Long Wittenham Parish Council commented that the additional information submitted does not overcome the fundamental objection on green belt grounds and fails to address the important issue of traffic. The bunds continue to be a gross intrusion and would cause immense damage to the local landscape.
32. **Little Wittenham Parish Meeting** objects to the application on the grounds of traffic and congestion, visual impact on the local landscape and Green Belt openness with the loss of natural habitat, and the risk to the delivery of the new Thames bridge and link road. It is commented that there has been little change between the decision to refuse the previous application and this fresh application.
33. **Culham Parish Council** submitted a separate comment in addition to the joint response set out above. In the separate comment, the Parish Council confirms that it fully supports Clifton Hampden and Burcot Parish Council's objection and reiterates its own objection on the grounds of vastly increased traffic movements on local roads.
34. **Abingdon Town Council** objects to the application, in particular regarding the volume of traffic through Abingdon and the damage to buildings caused by vibration of heavy goods vehicles.

35. **Sutton Courtenay Parish Council** continues to have concerns regarding the impact of the development on the immediate rural area and locality. The Parish Council endorses the BACHPORT report and comments from nearby parishes. The road network in the vicinity is extremely congested and, in some cases e.g. the Sutton bridge, is at capacity. The Parish Council is concerned that vehicles would cross the river Thames and travel through Sutton Courtenay. If the application is approved, the Parish Council requests that routeing agreements are consistent with those on the Sutton Courtenay gravel extraction and landfill sites.
36. The **Transport Development Control Officer** initially recommended that the application is refused unless appropriate controls can be implemented prohibiting all vehicular access to and from the site during extended peak times (7.30-9.15am and 4-6.30pm), which would allow the objection to be withdrawn. The restriction is required due to the excessive queueing and junction blocking in the area at peak times. In these circumstances, the impact of additional trips is disproportionate and may add significantly to delay. Frustrated drivers manoeuvring may increase the likelihood of rear end shunt collisions. Idling vehicles would add to particulate and carbon dioxide emissions. In these circumstances the impact of this development would be unacceptable and would meet the NPPF criteria of severe harm so as to justify the refusal of planning permission. The officer also advised that the proposed junction with the A415 is acceptable in principle and that the proposed footway improvements adjacent to Clifton Hampden Primary School are welcomed.
37. Conditions and legal agreements are recommended to restrict vehicular access to the site from 0730 to 0915 hrs and 1600 to 1830 hrs, to secure implementation of the junction with the A415 and visibility splays prior to first use, HGV routeing, a construction traffic management plan, and footpath improvements adjacent to Clifton Hampden Primary School. If these matters are secured, the objection can be withdrawn.
38. The **Environmental Health Officer** originally had no objections to the proposal provided mitigation works are carried out as proposed. However, as a result of the consultation on the reduced height of the largest noise mitigation bund in May 2019, the Environmental Health Officer requested additional information to enable him to assess the acceptability of the change on noise levels. This information was provided by the applicant in June 2019 and is currently subject to consultation. The Environmental Health Officer's comments on the additional information are awaited, and an update will be provided to members in advance of or at the meeting on 15 July 2019.
39. **The Environment Agency** initially requested further information on the flood risk assessment for clarity and accuracy. This information was provided by the applicant and was subject to consultation in January 2019 however no formal comment from the Environment Agency has since been received. Officers have on numerous occasions requested a substantive response from the Environment Agency, as well as clarification that the flood modelling results

allow for the stripping of soils from the plant site, however to date a written comment is still awaited. An update will be provided to members on this point in advance of or at the meeting on 15 July 2019.

40. **Natural England** has no objection subject to conditions relating to soil handling, stripping, storage and replacement as well as the provision of an aftercare scheme. It states that whilst the proposed development will result in the net permanent loss of 15ha of BMV land, the restoration proposals are such that the application should not be considered inappropriate. In May 2019, Natural England requested additional information to confirm that the storage of topsoil and subsoil would conform to the best practice set out in the Environmental Statement Chapter 5 (Agriculture) and that the higher bunds (7-8m) are only for the storage of overburden. Information to address this request was provided by the applicant in June 2019 and is currently subject to consultation. Natural England's comments on the additional information provided are awaited, and an update will be provided to members in advance of or at the meeting on 15 July 2019.
41. **Historic England** has no objection to the application on heritage grounds. It states that there is a Scheduled Monument known as the Round Barrow Cemetery and Fullamoor Plantation, List Number: 1421606 on the western edge of the development area and further, more distant, scheduled monuments to the west and east, and on the opposite bank of the river Thames to the south (List number 1004849, Settlement site south-east of Appleford Church). It notes that the area to be quarried does not extend into the scheduled area but does extend close to it.
42. Historic England was previously concerned that the effect of this would be to dry out the ground in the monument area. However, having considered this further, Historic England does not consider that the quarrying activity would increase the risk of erosion of the monument. Physical damage from arable land use is likely to be of greater concern, together with the impact of both wind and water (run-off) erosion in periods when the soil is exposed. These are likely to be occurring at the current time to some extent and there is little evidence to suggest quarrying will increase the rates.
43. The creation of soil bunds and the plant site will have some impact on the setting of the scheduled monument, although temporary, they will appear as artificial, regular mounds within the landscape.
44. The restoration scheme proposes a new lake to the south-east of the monument in an area which is currently agricultural land, and substantial areas of new planting, which is assessed in the cultural heritage chapter of the ES as 'minor adverse at final restoration transitioning to negligible in 15 years', however Historic England consider the screening will cut across views which contribute in a minor way to the significance of the scheduled monument. There will therefore be some residual effect, rather than a negligible effect.

45. There will be some impact on the Scheduled Monument to the south of the river due to the changes to its setting. This monument is more distant, which may lessen the impact, but the soil bunds will not have a mitigating effect here.
46. If planning permission is granted the LPA should secure through conditions the management and maintenance of the hedge so that a gap is maintained to allow views from the Thames path to the round barrow cemetery as well as the installation and maintenance of an information board.
47. Historic England concludes that there will be some harm (through impact on setting) to the significance of the scheduled monument and to the scheduled monument south of the river. This will not be substantial harm. This harm will need to be considered against public benefit, by the local authority. With regard to non-designated heritage archaeological remains, Historic England defers to the advice of the Oxfordshire Archaeology Team Leader. With regard to listed buildings, Historic England defers to the advice of the district council's Conservation Officer.
48. The **Archaeology Team Leader** echoes the comments of Historic England and recommends that, if planning permission is granted, the applicant should be required by condition to implement a programme of archaeological works and to erect fencing around the Scheduled Monument to the west of the site.
49. The **AONB Officer** objects to the proposal. It is commented that the site sits outside of the North Wessex Downs AONB but is within its setting, which is just as important as the AONB itself as it sets the frame for the protected landscape and often provides long distance views. The Thames Path sweeps in and out of the AONB and is an asset to the landscape allowing access to it and the opportunity to enjoy it from near and far. The existing route provides a tranquil experience and includes the Wittenham Clumps, an iconic landmark within the AONB, which would be considerably altered by the creation of a quarry. The long distance views from the Wittenham Clumps would also be affected. If you have to screen something from view it suggests harm. Development should be acceptable on its own merits and any planting should be included for enhancement purposes. The LVIA should assess the value of the AONB settings as high, rather than medium, because it affects a nationally protected landscape. The effects of change are minor to medium adverse not negligible to minor adverse. The trees will not have an effect for 15-20 years. Overall the development would not comply with the North Wessex Downs Management Plan, the NPPF and policies C5 and C8 of the adopted Core Strategy.
50. The **Countryside Access Strategy & Development Officer** has no comments from a Rights of Way perspective.
51. The **Environment Strategy Manager** refers to the comments made by the council's landscape consultant in respect of application MW.0039/16 given the similarities between the two schemes. The Manager originally requested additional information on landscape and visual impacts, and this information

was provided by the applicant in May 2019 and has been considered by the consultee.

52. It is commented that the effect of the post-restoration change in view on the listed Fullamoor Farmhouse is not without consequence and that the increase in intervening tree cover as a result of mitigation planting weakens the visual connection across the more distant river terrace. It is also noted that such views can potentially be managed through tree and woodland management if required and would not be a significant adverse change in the long term.
53. In terms of the effect on tranquillity, the Manager comments that it is the relative change in tranquillity that is of particular importance. It is agreed that the riverside meadows are the most relatively tranquil part of the site. Introducing a new lake with increased levels of human activity seem likely to make this relatively less tranquil. Creation of a car park and by association additional vehicle movements in the valley would seem to reinforce this change. However, given existing detractors and activity the Manager considers this a moderate adverse rather than significant adverse change provided that use remains within the proposed limit.
54. It is accepted that tree roots get water primarily from rainfall, however by removing opportunities for securing water other than from rainfall and affecting the moisture profile within the root protection area the trees are likely to be more susceptible to periods of low rainfall should they occur. These issues are complex and further examination of this aspect should be secured through a condition requiring the submission of an arboricultural method statement.
55. Overall, having reviewed the additional submitted information, the Environment Strategy Manager has no objections subject to conditions in respect of the details of advance planting and aftercare, maintenance measures for bunds, soil placement, tree protection fencing, the submission of an arboriculture method statement, and the proposals to be undertaken in accordance with BS 3998:2010 Tree Works.
56. The **Ecology Officer** is satisfied that there will be no significant negative effect on biodiversity and has no objections subject to conditions to secure a construction environmental management plan, updated protected species surveys, an ecological restoration and management plan, and a biodiversity monitoring and remediation strategy. It is stated that a number of sensitive ecological receptors have been identified within the site, however mitigation is provided to prevent long term negative impacts, achieving a net gain in biodiversity overall. Given the long-term nature of the proposals, it will be necessary to undertake updated protected species surveys and mitigation provision for protected species prior to the commencement of each phase. The advance planting of new hedgerow and the commitment to an extended aftercare period of 20 years are welcome and details of the long-term management of the restored site are required.

57. The **CPRE** comments that the application is not materially different to the earlier, refused plan and there have been no change in circumstances since its refusal in 2017. CPRE are particularly concerned about the damage to the Green Belt. Other causes for concern are the loss of high-grade agricultural land, the loss and damage to trees and hedgerows including veteran trees, the major adverse impacts on footpaths, including the Thames Path. CPRE also comments that, whilst the additional footpaths are welcomed in an area poorly provided with rights of way, the CPRE is concerned that the proposed diversion of footpath 15 is circuitous in comparison to its current definitive line. As the most frequent use of the footpath is by local residents using it as part of a circular walk in combination with the Thames Path, it is considered that the proposals could be made much more convenient by providing an additional link to Clifton Lock to allow the option of a shorter circuit than it current proposed.
58. The **Ramblers Association** state that access to the Thames Path should be provided from the diverted footpath, either at the corner of the site or via the track to Clifton Lock. The Association has no view on the application itself.
59. The **Technical Officer (Lead Local Flood Authority)** states that he has concerns the watercourses could back up and flood properties off-site. Calculations for additional discharge and details of control measures for these discharges should be provided by condition as should a maintenance and management plan for drainage.
60. **Thames Water** has requested a condition stating that no construction shall take place within 5m of an on-site water main until information has been submitted to demonstrate how the water main will be diverted and/or aligned with the development to prevent the potential for damage.
61. **Network Rail** has no objections subject to conditions including to ensure ground water is monitored to prevent the development from compromising Network Rail's property and infrastructure, and a clay lined barrier is installed as part of the works that is sufficient to manage groundwater conditions.
62. The **Defence Infrastructure Organisation** has confirmed that the site falls within the statutory birdstrike safeguarding consultation zone surrounding RAF Benson but that it has no safeguarding objections to the proposal. Conditions should be included as requested for the previous application in relation to bird management.
63. No comments have been received from the River Thames Society, MHCLG Planning Casework Unit, the Oxford Green Belt Network, RSPB, the Open Spaces Society, and BBOWT.

Part 3 – Relevant Planning Documents

Relevant planning documents and legislation (see Policy Annex to the committee papers)

64. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

65. The development plan for this area comprises:

- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
- Oxfordshire Minerals and Waste Local Plan 1996 (Saved Policies) (OMWLP)
- South Oxfordshire Local Plan 2011 (Saved Policies) (SOLP)
- South Oxfordshire Core Strategy (Adopted 2012) (SOCS)

66. The OMWCS was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies. It is anticipated that Part 2 of the Plan will include Site Allocations and any further development management policies that may be necessary in relation to the allocated sites. The Council intends to undertake a Regulation 18 (Preferred Options) consultation on Part 2 of the Plan later in 2019 and a Regulation 19 consultation in January-February 2020. Part 2 of the plan is at an early stage of preparation and therefore carries no weight in the decision-making process.

67. The OMWLP was adopted in July 1996 and covered the period to 2006. 46 policies within the OMWLP were 'saved' until the adoption of the OMWCS and 16 of these policies continue to be saved until the Part 2 Site Specific document is adopted. The saved policies are non-strategic site-related policies and none of them apply to the area proposed in this planning application. Therefore, they are not relevant to the determination of this planning application.

68. The emerging South Oxfordshire Local Plan 2034 (SOLP 2034), which will replace both the SOLP and the SOCS was submitted to the Secretary of State for examination on 29 March 2019, although it is currently being reviewed by the new administration following the elections in May 2019. At the current time and unless the new administration wishes to make any amendments to the submitted plan, it is anticipated that the plan will be examined and adopted later in 2019. The emerging plan is a material consideration although, as it is not yet adopted, its policies should continue to be given limited weight.

69. The National Planning Policy Framework (NPPF) is a material consideration in taking planning decisions. Relevant sections include those on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment.

70. The national Planning Practice Guidance (PPG) contains specific advice on matters including flood risk, minerals, conserving and enhancing the historic

environment, determining a planning application and the natural environment. This advice is material to the consideration of planning applications.

71. The Oxfordshire Local Transport Plan 2015-2031 (LTP4) was adopted by the County Council in September 2015 (and updated in 2016) and is a material consideration. LTP4 has the following goals: to support jobs and housing growth and economic viability; to reduce transport emissions; to protect and enhance Oxfordshire's environment and improve quality of life; to improve public health, air quality, safety and individual wellbeing.
72. The North Wessex Downs Management Plan 2014-2019 presents objectives and policies to help conserve and enhance the AONB and is a material consideration in determining applications that lie within its setting.
73. Clifton Hampden and Burcot has been designated as a neighbourhood area by South Oxfordshire District Council and Clifton Hampden Parish Council has commenced the preparation of the Neighbourhood Plan. The area identified includes the application site and once 'made' the Neighbourhood Plan would form part of the development plan for the area. The Clifton Hampden and Burcot Neighbourhood Plan currently carries no weight in the decision-making process.

Relevant Development Plan Policies

74. Oxfordshire Minerals and Waste Core Strategy

Policy M2: Provision for working aggregate minerals
 Policy M3: Locations for working aggregate minerals
 Policy M5: Working of aggregate minerals
 Policy M10: Restoration of mineral workings
 Policy C1: Sustainable development
 Policy C2: Climate change
 Policy C3: Flooding
 Policy C4: Water environment
 Policy C5: Local environment, amenity and economy
 Policy C6: Agricultural land and soils
 Policy C7: Biodiversity and geodiversity
 Policy C8: Landscape
 Policy C9: Historic environment and archaeology
 Policy C10: Transport
 Policy C11: Rights of way
 Policy C12: The Oxford Green Belt

75. South Oxfordshire Local Plan 2011 (Saved Policies)

Policy G2: Protection and enhancement of the environment
 Policy G4: Development in the countryside and on the edge of settlements
 Policy C3: The River Thames and its valley
 Policy C4: The landscape setting of settlements
 Policy C6: Biodiversity conservation
 Policy C9: Landscape Features

Policy GB4: Visual amenity in the Green Belt
Policy CON5: The setting of listed buildings
Policy CON7: Proposals affecting a conservation area
Policy CON11: Archaeology and historic building analysis and recording
Policy CON12: Archaeology and historic building analysis and recording
Policy CON13: Archaeology and historic building analysis and recording
Policy EP1: Prevention of polluting emissions
Policy EP2: Noise and vibrations
Policy EP3: Light pollution
Policy EP6: Surface water protection
Policy EP7: Groundwater protection
Policy R8: Public rights-of-way
Policy T1: Transport requirements for new developments
Policy T2: Transport requirements for new developments
Policy T10: Lorries and freight distribution depots

76. South Oxfordshire Core Strategy

Policy CS1: Presumption in favour of sustainable development
Policy CSM1: Transport
Policy CSM2: Transport Assessments and Travel Plans
Policy CSEN1: Landscape
CSEN2: Green Belt
CSEN3: Historic Environment
CSG1: Green Infrastructure
CSB1: Conservation and improvement of biodiversity

Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

Need and the Spatial Strategy for Mineral Extraction

77. The NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs (paragraph 203) and that “great weight” should be given to the benefits of mineral extraction, including to the economy (paragraph 205). The OMWCS sets out that around 100,000 additional homes could be built in Oxfordshire between 2011 and 2031 and, in order to facilitate that growth, there is a need for considerable investment in new infrastructure. It is the County Council, as Mineral Planning Authority, that is responsible for ensuring there is sufficient mineral available to provide the construction materials that will be needed to enable that level of growth, and the OMWCS seeks to balance the need for mineral with the need to protect and enhance Oxfordshire’s special environment.
78. Paragraph 207 of the NPPF requires provision to be made for the maintenance of landbanks of reserves with planning permission of at least 7 years for sand and gravel, based on the latest Local Aggregate Assessment (LAA). However, the footnote to paragraph 207 of the NPPF states that landbanks of longer than

the minimum period may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. Therefore, whilst there is a minimum land bank period required by policy, which may indicate an urgent need, there is no maximum. Additionally, advice from Government set out in the PPG (Paragraph 084, Reference ID 27-084-20140306) is clear that there is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. It states that there are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank, which could include:

- Significant future increases in demand that can be forecast with reasonable certainty;
- The location of the consented reserve is inappropriately located relative to the main market areas;
- The nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and
- Known constraints on the availability of consented reserves that might limit output over the plan period.

79. Policy M2 of the OMWCS provides for the minimum landbank requirement within the Oxfordshire context. It states:

“Provision will be made through policies M3 and M4 to enable the supply of:

- *sharp sand and gravel – 1.015mtpa giving a total provision requirement of 18.270 million tonnes*

... from land-won sources within Oxfordshire for the period 2014-2031 inclusive.”

And

“Permission will be granted for aggregate mineral working under Policy M5 to enable separate landbanks of reserves with planning permission to be maintained for the extraction of minerals of:

- *at least 7 years for sharp sand and gravel*

... in accordance with the annual requirement rates in the most recent Local Aggregate Assessment, taking into account the need to maintain sufficient productive capacity to enable these rates to be realised”.

80. At the time of its publication, the OMWCS calculated the additional requirement for which provision needs to be made for sharp sand and gravel at approximately **5 million tonnes**. Once this figure has been updated to take account of more recent sales data for 2016 and 2017, permitted reserves at the end of 2017, planning permissions granted since the end of 2017 (including the permission for a new quarry at New Barn Farm, Cholsey, granted in November 2018), and permitted reserves that are not expected to be worked until after the OMWCS plan period, the additional requirement for sharp sand and gravel

across the OMWCS plan period is reduced to approximately **3.6 million tonnes**.

81. Policy M3 of the OMWCS states, in part, that sites allocated for sharp sand and gravel working to meet the requirement in policy M2 set out above will be located such that approximately 25% of the additional tonnage requirement is in northern Oxfordshire and approximately 75% of the additional tonnage requirement is in southern Oxfordshire to achieve an approximately equal split of production capacity for sharp sand and gravel between northern and southern Oxfordshire by 2031. Applying these percentages to the current additional requirement for sharp sand and gravel gives the following northern / southern Oxfordshire split:

- Sharp sand and gravel in northern Oxfordshire – approximately 0.9mt;
- Sharp sand and gravel in south Oxfordshire – approximately 2.7mt;
- Total sharp sand and gravel in Oxfordshire – approximately 3.6mt.

82. An alternative method of calculating the subdivision of the requirement between northern and southern Oxfordshire is under consideration for use in the Minerals and Waste Site Allocations Plan. This involves applying the 25% / 75% split at the beginning of the calculation of the remaining requirement. If this alternative methodology is adopted, it gives the following northern / southern Oxfordshire split:

- Sharp sand and gravel in northern Oxfordshire – approximately 0.5mt;
- Sharp sand and gravel in south Oxfordshire – approximately 3.1mt;
- Total sharp sand and gravel in Oxfordshire – approximately 3.6mt.

83. There is therefore an ongoing need for additional reserves to come forward over the OMWCS period to 2031, of which at least **2.7 million tonnes** should be located in southern Oxfordshire.

84. The most recent LAA (2018) maintains the OMWCS provision requirement for sharp sand and gravel at 1.015mtpa. Based on this, the Oxfordshire sharp sand and gravel landbank at the end of 2017 was 10.6 years. However, taking into account additional permitted reserves to date, the landbank has increased by 3 years to **13.6 years** (as at the end of 2017) and is therefore currently (July 2019) approximately 12.1 years, 5.1 years more than the minimum 7-year requirement set out in national and local policy. If members were minded to grant planning permission for the proposed development, this would have the effect of increasing the landbank by a further 2.5 years to **14.6 years**, approximately 7.6 years above the 7-year minimum level. This would theoretically provide for a landbank of at least 7 years to be maintained until the end of 2026, with sufficient permitted reserves then remaining to enable production at the policy M2 provision rate to the end of the plan period (2031) and two years beyond.

85. On the face of it, this suggests there is currently no need for planning permission to be granted for the proposed development. However, when the year on year reserves and production capacity depletion is considered,

members are advised that the theoretical supply position set out above is unlikely to be realised in practice, due to the uneven split of reserves and production capacity between sites (i.e. individual sites being worked out and closed at different rates). Approximately 59% of permitted reserves and 52% of production capacity is in the north of the county and around 40% of the entire county's reserves are held at one site (Gill Mill Quarry) which is one of only two sites that is expected to be in production throughout the plan period. Once the effect of this on production capacity and supply is considered, it is anticipated that there will be a **shortfall of production capacity from 2022 onwards**, with a shortfall in southern Oxfordshire from 2021. The lead-in time for a quarry to become operational following the grant of planning permission is circa 1-2 years and up to 3 years, therefore to ensure the continuity of supply, a site or sites would need to come forward for planning approval now.

86. If planning permission is granted for the proposed development, the effect would be to reverse the north-south split in permitted reserves and production capacity such that 51% of permitted reserves and 54% of production capacity would be in southern Oxfordshire. As the proposed development could be in operation for the entirety of the remaining plan period, it would then also prevent a shortfall in production capacity from occurring until **2027**, and until **2029** in southern Oxfordshire. The need for additional reserves weighs in favour of the proposal and should be attributed "great weight" in accordance with paragraph 205 of the NPPF.
87. Given the above paragraphs establish the need for additional reserves of sharp sand and gravel to come forward, and particularly in the south of the county, it is appropriate to refer to the spatial strategy set out in the OMWCS to assess the principle of the proposed location in meeting that need. Taken together, policies M3 and M5 of the OMWCS set out the principal locations for mineral extraction prior to the adoption of the Site Allocations Document. Policy M5 states that permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision and provided the proposal is in accordance with the locational strategy in policy M3 and the requirements of policies C1-C12 are met. The locational strategy in policy M3 identifies the application site as a principal location for aggregate mineral extraction as it forms part of the Thames and Lower Thames Valleys strategic resource area. Therefore, the working of mineral at the proposed site would be in accordance with the spatial strategy in the OMWCS.
88. The above paragraphs show that there is a need for additional reserves to come forward in southern Oxfordshire and that the application site falls within a principle location for meeting that need. Therefore, the development is considered to be in accordance with the spatial strategy in the OMWCS and acceptable in principle. Consideration as to whether planning permission should be granted or refused should focus on compliance with other development plan policies, including those relating to the Green Belt and highway impacts which formed the basis of the reasons for refusal of application MW.0039/16 and are considered further below.

Reasons for Refusal i) & ii): The Impact of Increased HGV Movements

89. Reason for refusal i) of planning application MW.0039/16 states:

“The additional vehicle movements arising from the development would lead to severe highways impacts contrary to paragraph 32 of the National Planning Policy Framework; would not maintain the safety of road users and the efficiency of the road network contrary to the Oxfordshire Minerals and Waste Core Strategy policy C10 and would contribute to congestion, disruption and delays on the road network, contrary to Local Transport Plan policy 02.”

Reason for refusal ii) of planning application MW.0039/16 states:

“The additional vehicle movements arising from the development would worsen queuing at local junctions leading to stationary vehicles with associated air emissions, causing unacceptable adverse impacts on environmental amenity, contrary to Oxfordshire Minerals and Waste Core Strategy policies C5 and C10.”

90. The OMWCS states, at paragraph 2.44, that most mineral workings are located in rural areas, many of which are served by minor roads. In some cases lorries carrying aggregates have to pass through small villages and towns, contributing to congestion and impacting on local communities and the environment. Policy T10 of the SOLP does not support development that would give rise to a significant increase in traffic generation in relatively inaccessible or isolated rural locations, including from lorries and freight traffic. Policies C10 of the MWCS and T1 and T2 of the SOLP require development to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps to maintain and, where possible, improve road safety for all users, the efficiency and quality of the road network and residential and environmental amenity, including air quality. Policies CSM1 and CSM2 of the SOCS also support improvements to the transport infrastructure to improve accessibility and reduce the impact of new development.
91. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (NB. Paragraph 109 of latest version of the NPPF updated and replaced the paragraph 32 referenced in the reason for refusal).
92. Planning application MW.0039/16 originally proposed that HGV movements to and from the site would occur throughout the proposed operating hours of 7am to 6pm Monday to Friday and 7am to 1pm on Saturdays. However, in response to objections from the Transport Development Control Team, the applicant agreed to accept a condition prohibiting peak hour HGV movements between 8-9am and 5-6pm, which resulted in the highway objection being removed.
93. In his consideration of this application, the Transport Development Control Officer reiterated concerns about the impact of peak hour traffic based on recent survey and modelling data which shows excessive queuing and junction blocking at adjacent junctions. In such circumstances the addition of a few trips is disproportionate and may add to delay significantly as well as having a

detrimental effect on safety due to the increased likelihood of rear end shunt collisions. Additionally, idling vehicles would add to particulate and carbon dioxide emissions. It was stated that, unless all vehicles were prohibited from accessing the site between the extended peak hours of 7.30am and 9.15am and 4pm to 6.30pm the development would be unacceptable and would meet the NPPF criteria of severe harm.

94. In response to the above comments, the applicant has agreed to a condition restricting all vehicles accessing or departing the site during the extended peak hours of 7.30am-9.15am and 4pm-6.30pm.
95. Members are advised to give consideration as to whether the extended peak hour restriction for all vehicles, along with the proposed conditions and planning obligations (Annex 1) are sufficient to overcome reasons for refusal i) and ii) of planning application MW.0039/16. Officer advice remains that conditional planning permission should not be withheld on the basis of highway or air quality impacts.

Reason for Refusal iii): The Impact on the Safeguarded Route for a Link Road and Thames Crossing

96. Reason for refusal iii) of planning application MW.0039/16 states:

“The development would prejudice the future development of a new link road and Thames crossing along one of the routes safeguarded by policy TRANS3 of the emerging South Oxfordshire Plan 2033 and core policy 18 of the adopted Vale of White Horse Local Plan 2031 Part 1 contrary to these policies.”

97. The policy context for the safeguarding of routes for the new link road and Thames crossing has not changed since the committee report for MW.0039/16 was published (see paragraph 160 of Annex 3). The emerging South Oxfordshire Local Plan 2034 continues to safeguard two potential routes for a new Thames crossing between Culham and Didcot Garden Town, one of which includes land within the application site, and both of which tie-in with safeguarded routes on the other side of the river in the adopted Vale of White Horse Local Plan 2031.
98. However, since planning application MW.0039/16 was refused, the County Council has undertaken feasibility assessments of both safeguarded routes in preparation of a Housing and Infrastructure Funding (HIF) bid to MHCLG, which identified a preferred route to the west of the application site and which would be unaffected by the mineral working proposals. HIF funding has now been announced, with a funding award granted subject to a contract with Government, and detailed proposals for the preferred alignment are continuing with a view to a planning application being submitted and determined and construction commencing within the funding window to circa 2024.
99. The route across the application site will continue to be safeguarded in policy despite the outcome of the feasibility work and funding announcement. However, it now appears very unlikely that the route will be promoted and/or

sought to be delivered during the lifetime of the mineral working and as such it is the officer's view that it would be unreasonable to withhold permission for the quarry on the basis that it may prejudice the delivery of the strategic link. Members are therefore invited to consider whether this change in circumstances is sufficient, or not, to uphold the third reason for refusal of application MW.0039/16.

Reason for Refusal iv): The Impact on the Green Belt & Very Special Circumstances

100. Reason for refusal iv) for planning application MW.0039/16 states:

The development is inappropriate in the Green Belt contrary to Oxfordshire Minerals and Waste Core Strategy policy C12, South Oxfordshire Local Plan policy GB4 and National Planning Policy Framework paragraphs 87, 88 and 90 and no very special circumstances exist to justify making an exception to these policies.

101. Chapter 13 of the NPPF sets out national policy on development in the Green Belt, which aims to prevent urban sprawl by keeping land permanently open. Paragraph 133 of the NPPF states that the Government attaches "great importance" to Green Belts, and paragraph 143 makes it clear that development that is inappropriate in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that, when considering any planning application, local planning authorities should ensure that "substantial weight" is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The development plan supports national policy through policies GB4 of the SOLP, CSEN2 of the SOCS and C12 of the OMWCS.

102. Some forms of development, including mineral extraction, are listed in paragraph 146 of the NPPF as exceptions to Green Belt policy (i.e. they are not inappropriate development) provided they preserve openness and do not conflict with the purposes of including land within it. The five purposes of the Green Belt are listed in paragraph 134 of the NPPF, and are:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

103. Paragraphs 102-109 of the committee report for application MW.0039/16 (Annex 3) considered whether the proposed development fell within the exception criteria set out in paragraph 146 of the NPPF or whether it was inappropriate development in the Green Belt. The report concluded that, whilst the extraction of mineral and the use of conveyors, the access, areas of

hardstanding and silt ponds would not form inappropriate development in themselves, the impact on openness of the processing plant (7.5m high) and soil storage bunds (up to 10m high) would mean that the development as a whole was inappropriate development in the Green Belt and that very special circumstances must therefore be advanced if planning permission was to be granted. Comments received during the consultation process for this application, including that accompanied by legal opinion from the Parish Council, concur with the view that the development is inappropriate in the Green Belt.

104. The applicant has maintained throughout that it does not consider the development to be inappropriate in the Green Belt however in response to concerns raised during the determination process, the scheme has been amended to reduce the height of the largest soil storage/noise attenuation bund from 10m to 8m. The scheme now includes two 8-metre high bunds - one along the western plant site boundary and one in the north-western corner of the site nearest to Fullamoor Farmhouse and Barns, a series of 5-7m high bunds along the diverted footpath route, around the plant site, and along the north-eastern corner of the site; and 2-3m high bunds along the access road and to the west of the extraction area. The processing plant would be 7.5m tall, up to 40m wide, and 130 metres long.
105. In December 2018, the applicant submitted a Green Belt and Openness Assessment document which comments that there is no definition of 'openness' in the NPPF but that the courts have identified (amongst other things) that openness has both a visual and spatial dimension; and must include an assessment of the existing degree to which the Green Belt is already built up and the change in that degree if development proceeds. The assessment concludes that the setting is strongly influenced by a major road and substantial built-up areas and that whilst some of the essential components of the development (e.g. the noise attenuation and soil storage bunds) would have a minor, temporary impact (both spatially and visually) on openness, the perception would be reduced though progressive working, advance planting, and overall restoration. The permanent restoration scheme would remove all built features and would therefore preserve openness in the longer term. The assessment also confirms agreement with the officer's report for application MW.0039/16, which concluded that the development would not conflict with any of the five purposes of the Green Belt designation.
106. In April 2019, the applicant submitted further supporting information by referring to a recent recovered appeal decision by the Secretary of State for Housing, Communities and Local Government (appeal reference APP/M1900/W/17/3178839, dated 4th April 2019). This appeal decision is a new material consideration that has arisen since the previous application was considered by the Planning & Regulation Committee and provides commentary on the assessment of the impact on openness of a 10 years long mineral extraction operation, inclusive of 7m high bunds and processing plant, in the Green Belt in Hertfordshire. It is also relevant that, in his consideration of the appeal and advice to the Secretary of State, the Inspector gave consideration to a number of legal judgements that have been referenced by

both the applicant and Clifton Hampden and Burcot Parish Council in written representations. The recovered appeal decision includes the following comments:

“The Secretary of State... agrees with the Inspector... that plant, equipment, access and activity associated with the mineral extraction here would, to some extent, impair the openness of the area, but not enough to exceed the threshold or tipping point for the purpose of applying paragraph 146 of the Framework.

He has also considered the Inspector’s reasoning... in relation to the effect of the bunds and tree planting on the openness of the Green Belt and the setting of historic Hertford. In reaching his conclusion, the Secretary of State has taken into account that the bunds could exist for up to 10 years, which... in landscape terms marks a boundary between medium and long term effects..., and that the adverse effects on openness would be fully reversible in time... He has also taken into account that there would be no permanent built development impacting on the openness of the Green Belt, and that tree planting does not constitute development and therefore is not inappropriate development in the Green Belt. He does not consider that the tree planting would be in conflict with the purposes of the Green Belt. Overall the Secretary of State considers that the exception for mineral extraction at paragraph 146 of the Framework does apply, the proposed mineral extraction is therefore not inappropriate development in the Green Belt and there is no conflict with local or national Green Belt policies.”

107. The application for Fullamoor Quarry has similarities with the appeal scheme mentioned above, although the largest bunds are 1m higher at 8m and the duration of working is 2.5 years longer at 12.5 years. Additionally, the proposal at Fullamoor would have a noticeable visual impact during the lifetime of the working, including from the Thames Path, properties to the north of and overlooking the site, and footpaths in the vicinity of the site, therefore its impact on openness is considered to be more acute than at the appeal site. However, the reversibility of the impact on openness and the absence of permanent built development are consistent elements of both schemes.
108. Members are advised that it is for the decision-maker to determine, on the basis of the facts of the individual case, whether the tipping point in paragraph 146 of the NPPF has been reached. Officers have re-considered the scheme in light of the recovered appeal decision and have concluded that, in this case, the impact on openness does exceed the threshold for applying paragraph 146 of the NPPF and that the scheme represents inappropriate development in the Green Belt due to its impact on openness.
109. If members conclude, contrary to officer advice, that the scheme falls within the exception criteria in paragraph 146 of the NPPF, then the development would be in accordance with Green Belt policy and very special circumstances would not need to be evidenced to overcome Green Belt harm and, as such, reason for refusal iv) would no longer apply.

110. However, if members conclude that the development does exceed the threshold or tipping point for applying paragraph 146 of the NPPF, the development should be considered as inappropriate development in the Green Belt and very special circumstances must therefore exist to outweigh Green Belt harm, and any other harm, if planning permission is to be granted.
111. The officer's report for application MW.0039/16 previously advised members that very special circumstances did overcome all harms and therefore recommended that planning permission was not withheld on Green Belt grounds, however the committee did not agree with this view. Therefore, Members will need to consider whether the amendments to the scheme (listed in paragraph 8), the additional supporting information provided by the applicant (summarised in paragraphs 9-13), the need for additional mineral workings to come forward to maintain supply (set out in paragraphs 77-88) and the very special circumstances advanced by the applicant (listed in paragraph 12) are sufficient, or not, to overcome the fourth reason for refusal of application MW.0039/16.

Other Matters

Grade II Listed Building

112. In the addenda to the committee report for application MW.0039/16 (paragraphs 8-16), members were advised that, since the main report was published, Fullamoor Farmhouse had been designated as a Grade II listed building. At the time the decision was made on the application, the applicant had provided an assessment of the effects of the development on the listed building, but this had not been subject to consultation and the views of the Conservation Officer and other interested parties were therefore unknown.
113. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
114. Paragraph 190 of the NPPF states that local planning authorities identify and assess the particular significance of any heritage asset that may be affected by the proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
115. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The same

paragraph states that this great weight should be applied irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

116. Paragraph 196 of the NPPF goes on to state that *“where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.
117. Policies CON5 and CON7 of the SOLP, CSEN3 of the SOCS and C9 of the OMWCS collectively seek to protect listed buildings from harmful development.
118. Fullamoor Farmhouse is summarised by Historic England in the list entry as a *“house, probably originating in the C17, with a major enlargement in 1769, a Victorian extension, and subsequent additions”*. It is listed principally for its architectural and historic interest, as follows:

Architectural Interest:

*“A multi-phase building that retains a significant proportion of fabric from its principal stages of development, which pre-date 1840; *The north/south range retains timber framing, and so has the potential to provide evidence of the date and the vernacular tradition for this type of construction;* The early plan forms remain legible and clearly illustrate the development of the building, reflecting the changing modes of use of domestic buildings from the C17 onwards”*.

Historic Interest:

*“*The high-quality construction of the east/west range may reflect the prosperity of the farm during the mid to late C18, and so has the potential to contribute to our understanding of the historic agricultural economy of the region”*.

119. The proposed development would not result in any direct harm to the listed building itself and would not impact upon its architecture, however the application site forms an important part of the setting of the building and makes a positive contribution to the significance of the designated asset. The Conservation Officer considers the relationship between the listed building and the adjoining agricultural land is important for the following reasons:
 - It is clear that the architectural design of the listed building was intended to command and benefit from views over the farmland to the south. The house is situated on the highest point of the land making its south elevation visible from across the wider farmland. In addition, the

alterations to the internal layout clearly indicates that the rooms were re-planned to benefit from views to the south with the stairwell and landings on the north site where the views are less dramatic;

- Historic mapping shows the extent to which the farmhouse managed the land with the small domestic garden sitting between the attractive south elevation and the functional land consisting of an orchard, grazing and cultivation separated from the domestic land by a haha. This pattern remains clearly legible on current mapping and likely dates from the 1770 enclosure indicating that the land and its relationship to the main farmhouse has been consistent and unchanged for a very long period of time;
- Continued management of the landscape for the benefit of the farmhouse is also evident in the location of the Grasshill Covert and Fullamoor Plantation which screen and channel the landscape views from the higher status rooms of the house. These areas of woodland not only frame views south to The Downs but also effectively obscure the settlements of Long Wittenham and Appleford leaving just the distinctive steeple of Appleford parish church visible in views from the garden.

120. The Conservation Officer further considers that the setting of the farmhouse would be considerably impacted by the development because the earth bunds would alter the landscape and the command of the house over it; and the longer-term, permanent changes to the character of the landscape (loss of field boundaries and additions of new woodland and water bodies) would have an impact on the contribution the setting makes to the significance of the building. However, members are reminded that the restoration scheme would return the majority of the site, nearest to the listed building, to agricultural land at existing levels with the proposed water bodies being located adjacent to the River Thames at the southern extent of the site, albeit still within the setting of Fullamoor Farmhouse.
121. The development would result in less-than-substantial harm to the significance of the listed building and therefore, in accordance with paragraph 196 of the NPPF, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The development would not affect the viability of the use of the listed building and would offer public benefit through ensuring a steady and adequate supply of minerals in an area of Oxfordshire that is expected to experience significant levels of growth. The economic benefits of mineral extraction are also to be given “great weight” in accordance with paragraph 205 of the NPPF and the local need position is set out in paragraphs 77-88 of this report.
122. Taking into account the need to give special regard to the desirability of preserving the setting of the listed building and the temporary and/or minor nature of the mineral working operation, along with the great weight to be attached to the economic benefits of mineral extraction and the suitability of the restoration scheme, the proposal is considered to be in accordance with the NPPF and local policies that seek to protect designated heritage assets.

123. At the time that application MW.0039/16 was determined, members were advised that although there would be some adverse visual and landscape effects, including on the setting of the North Wessex Downs AONB, these effects were not significant and, overall, the development was not in conflict with landscape policies and policies aimed at protecting AONBs and their settings. This conclusion included consideration of comments made by the AONB Officer during early rounds of consultation, and which are echoed in the objection lodged to this application. Members did not refuse the application for reasons relating to landscape and visual impacts or the impact on the AONB.
124. Since the decision on application MW.0039/16 was made, the applicant has amended the dimensions of one of the noise attenuation bunds to reduce its visual prominence in the landscape such that it is now 8m rather than 10m tall and is also reduced in length. The applicant submitted an addendum to the LVIA to assess the effects of this change, which concludes it would have a negligible effect on the conclusions of the landscape impact assessment and would make no changes to the overall conclusions of the visual impact assessment. Members are therefore advised to refer to the officer's advice set out in paragraphs 130-147 of the committee report for MW.0039/16 which provide substantive advice on these issues.
125. In summary, the development would have a short-term visual impact, principally through the creation of screening and soil storage bunds, although this impact is temporary and reversible and would be necessary if mineral is to be extracted in this location. In the longer term, the proposed restoration scheme would result in a change to the landscape character in that it would make changes to the field boundaries, trees and hedgerows within the site and would introduce water bodies to the southern part of the site adjacent to the River Thames. Officers do not consider that the introduction of the water bodies would result in a change to the landscape character that is so substantial or adverse that it should result in the refusal of the scheme; and, additionally, some weight should be attached to the flood storage, recreational, and biodiversity benefits offered by the scheme, all of which are appropriate to the location.
126. The officer advice therefore remains that the development is acceptable in landscape and visual impact terms and with consideration to the site's location within the setting of the North Wessex Downs AONB.

Potential Amenity & Health Impacts

127. The Planning & Regulation Committee did not refuse application MW.0039/16 for reasons relating to amenity and health. However, as a result of the amendments to the physical dimensions of one of the bunds, the applicant submitted an addendum to the Noise Assessment document to assess the impact of this change on the amenity, which concludes that the bund can be reduced to the level proposed without adverse effects by way of noise. Members are therefore advised to refer to the officer's advice set out in

paragraphs 172-187 of the main committee report and paragraph 7 of the addenda in Annex 3, in addition to this report which provide advice on these issues. Unless the awaited advice of the Environmental Health Officer indicates otherwise, the advice from officers is that the development remains acceptable in terms of amenity and health issues.

Flood Risk & Water Environment

128. Paragraphs 188-210 of the committee report for application MW.0039/16 set out the officer advice on flood risk matters and the water environment, including the requirement for the Council to conduct a sequential test exercise where development is proposed in areas of flood risk. Annex 5 of the report includes a sequential test, which identifies potential alternative sand and gravel extraction sites as those which would extract 1.8mt or above or mineral and have been nominated in Minerals and Waste Local Plan evidence base documents. The sequential test concluded that there was one alternative site available in an area of a lower probability of flooding at New Barn Farm, Cholsey and therefore that the sequential test was not passed. However, it was concluded that even if development was permitted at New Barn Farm, there would continue to be a need for an additional mineral extraction site such as at Fullamoor Quarry and, as such, the sequential test was not put forward as a reason for refusal of the application.
129. Since the decision was made on application MW.0039/16, planning permission has been granted for mineral extraction at the New Barn Farm site, therefore this site is no longer available as an alternative. However, the following three sites have been nominated for extraction of over 1.8mt of sand and gravel since the previous report was published, and were not therefore considered in the previous sequential test exercise:
 - SG59 & SG09: Land north of Drayton St Leonard and Berinsfield, and land at Stadhampton
 - SG65 & SG11: Land NE of Sonning Eye (Caversham Phases D & E)
 - SG42: Nuneham Courtenay
130. Large parts of all of the above nominations are located within flood zones 2 and 3, therefore none of the sites offer a preferential alternative to the application site with consideration to flood risk. Additionally, none of the sites have the benefit of planning permission, or have been submitted as planning applications, therefore they are not currently considered to be deliverable. Accordingly, it is concluded that the sequential test is passed.
131. Members are advised to refer to paragraphs 188 to 210 of the main report in Annex 3 and paragraph 5 of the addenda to that report for advice on other matters related to flood risk and the water environment.

Further Technical Issues

132. The following issues were discussed in the committee report and addenda for MW.0039/16 at the paragraph numbers noted in brackets and were not advanced as reasons for refusal by members of the Planning and Regulation Committee. There have been no changes to the application, decision-making process, and/or the planning policy context, that would amount to a material change in circumstances that would suggest these matters need to be re-considered:

- Rights of Way (paragraphs 164 to 171)
- Archaeology and Historic Environment, other than the impact on the setting of Grade II Listed Fullamoor Farmhouse which is discussed above (paragraphs 211 to 232)
- Biodiversity (paragraphs 233 to 242)
- Restoration (paragraphs 243 to 248)
- Soils and Agriculture (paragraphs 249-252)
- Socio-economic (paragraphs 253 to 258)
- Cumulative Impact (paragraphs 259 to 262)

Conclusion on Environmental Effects

133. As stated above, the application falls within the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and is accompanied by an Environmental Statement. Officers of the Council have reviewed the submitted environmental information and have consulted with competent experts in the relevant fields, who other than where specifically noted, have accepted the methodology and conclusions of the reports.

134. Taking the above into consideration, it is concluded that the residual environmental effects of the development would not be significant and subject to the inclusion of the recommended conditions and legal agreement to control and monitor environmental effects where appropriate there is no basis of the refusal of planning permission on environmental grounds.

Overall Conclusion

135. As the previous application no. MW.0039/16 was refused contrary to officer advice and the current application is essentially for the same proposed development with amendments as set out and addressed above, it is considered that the determination of this application should proceed on the basis of members' consideration as to whether the reason for refusal have now been addressed. The officer's previous advice is set out in the reports attached as Annex 3 and it remains that conditional planning permission should be granted subject to the provisos set out in Recommendation b).

RECOMMENDATION

136. That members consider whether the application overcomes their previous concerns and so reasons for refusal with regard to application no. MW.0039/16; and EITHER

- a) if not, refuse for one or more of the following reasons:
- i) The additional vehicle movements arising from the development would lead to severe highways impacts contrary to paragraph 109 of the National Planning Policy Framework; would not maintain the safety of road users and the efficiency of the road network contrary to the Oxfordshire Minerals and Waste Core Strategy policy C10 and would contribute to congestion, disruption and delays on the road network, contrary to Local Transport Plan policy 02.
 - ii) The additional vehicle movements arising from the development would worsen queuing at local junctions leading to stationary vehicles with associated air emissions, causing unacceptable adverse impacts on environmental amenity, contrary to Oxfordshire Minerals and Waste Core Strategy policies C5 and C10.
 - iii) The development would prejudice the future development of a new link road and Thames crossing along one of the routes safeguarded by policy TRANS3 of the emerging South Oxfordshire Plan 2033 and core policy 18 of the adopted Vale of White Horse Local Plan 2031 Part 1 contrary to these policies.
 - iv) The development is inappropriate in the Green Belt contrary to Oxfordshire Minerals and Waste Core Strategy policy C12, South Oxfordshire Local Plan policy GB4 and National Planning Policy Framework paragraphs 143, 144 and 146 and no very special circumstances exist to justify making an exception to these policies.

OR

- b) if so,
- i) subject to the consultation period closing without any new material considerations arising following consultation with the committee Chairman and deputy Chairman; and,
 - ii) if members conclude the development is inappropriate development in the Green Belt, the application first being referred to the Secretary of State to provide the opportunity for the application to be called in for his own determination, as required under the Town and Country Planning (Consultation) (England) Direction 2009; and
 - iii) the Secretary of State not calling in the application for his own determination following referral to him as set out in

point ii) a routeing agreement to ensure the vehicle movements from the new development use only the HGV routes on the A-Road network as proposed by the applicant and a Section 106 legal agreement to cover the matters outlined in Annex 1; and

- iv) The Director of Planning and Place being authorised to refuse the application if the legal agreements referred to in iii) above are not completed within 10 weeks of the date of this meeting on the grounds that it would not comply with OMWCS policy M10 in that there would not be satisfactory provisions for the long term management of the restored site

that planning permission for application no. MW.0074/18 be granted subject to conditions to be determined by the Director for Planning and Place to include the matters set out in Annex 1 to this report.

SUE HALLIWELL
Director for Planning and Place

Annex 1 - Recommended conditions & Heads of Terms for Legal Agreements (S106 and Routeing Agreement)

Conditions

1. Complete accordance with approved plans
2. Commencement within 3 years
3. End date for extraction (12.5 years after commencement)
4. Restoration in accordance with approved plans within 24 months of end of mineral working
5. Operating hours as proposed
6. Removal of all associated plant and development upon cessation of mineral working
7. Depth of working as proposed
8. Submission and approval of detailed working plans prior to commencement of extraction in each phase; implementation of approved plans
9. Submission and approval of detailed restoration plans prior to commencement of extraction in each phase, including specifications for trees and hedgerows; implementation of approved plans
10. 5-year aftercare in accordance with approved plan to be submitted and approved, including provisions for agricultural, water bodies and nature conservation areas
11. No import of mineral to the site
12. Restriction of permitted development rights
13. Access, including visibility splays, to be constructed in accordance with approved plans prior to the extraction of any mineral from the site
14. No vehicles to enter or leave the site between 7.30am-9.15am and 4pm-6.30pm Mondays to Fridays
15. Submission and approval of a scheme detailing the location of a video camera to be installed and maintained at the site access to monitor vehicle movements into and out of the site prior to the first extraction of mineral. Provision of time and date verified video footage to the Minerals Planning Authority on request
16. Submission of Construction Traffic Management Plan [pre-commencement]
17. Sheeting of lorries
18. Submission of details of location, contours, volumes and soil types of bunds prior to soil stripping, and measures to prevent erosion/protect stability and implementation in accordance with approved details
19. Bunds to be grassed and kept weed free
20. Submission of detailed landscape mitigation proposals and advance planting [prior to commencement]
21. Submission of an arboriculture method statement to include details of tree protection fencing and maintenance measures for existing and proposed trees and other planting [pre-commencement]
22. Maximum noise limits at the closest dwellings, as specified in ES
23. Maximum noise limit for temporary operations measured at the closest dwellings, as specified in ES
24. Noise monitoring scheme prior to soil stripping
25. No reversing beepers other than white noise

26. Submission and implementation of detailed dust management plan, including monitoring provisions prior to soil stripping
27. Detailed scheme for external lighting at plant site to be submitted prior to erection of lighting
28. Written scheme of archaeological investigation [prior to commencement]
29. Staged programme of archaeological investigation in accordance with WSI
30. Fencing to protect area of archaeological interest
31. Details of how a viewing gap will be maintained in the hedge adjacent to the Thames Path and of a heritage interpretation board to be provided in this location to be submitted for approval and implemented.
32. Submission of a Construction Environmental Management Plan [prior to commencement]
33. Submission of an Ecological Restoration and Management Plan [prior to commencement]
34. Protected species surveys and mitigation proposals to be submitted prior to soil stripping in each phase
35. Biodiversity monitoring and remediation strategy [prior to commencement]
36. No dewatering in flood conditions
37. Detailed groundwater monitoring plan, including additional groundwater monitoring borehole, submission of information from groundwater monitors, details of the protection of railway and details of mitigation measures [prior to commencement]
38. Submission of drainage plan and supporting assessment based on groundwater monitoring results for restored site, prior to completion of extraction
39. Complete accordance with Flood Risk Assessment
40. 25 metre buffer to the River Thames
41. Submission of a detailed soil movement and handling scheme prior to soil stripping
42. No plant or vehicle movements over areas of topsoil or subsoil
43. 5 working days' notice to be given to MPA of intention to strip soils
44. All topsoil, subsoil and soil forming material to be retained on site
45. Restored soil depths as proposed
46. 5 working days' notice to be given to MPA of final subsoil placement in each phase
47. Compliance with final settlement contours
48. Details of local liaison committee to be submitted for approval and implemented
49. The restored site shall not be used for recreational purposes until details of the recreational use have been submitted and approved.

Heads of terms for legal agreements (Section 106 Agreement and Routeing Agreement)

- Highway Improvements

Payment of £20,000 towards highway improvements for the widening of the footpath on the south side of the A415 at the location of the Clifton Hampden school gate, as shown on plan 4200/SK/202

- Bird Management Plan

Implementation of a Bird Management Plan, detail to be agreed with the Ministry of Defence representatives, for the duration of the operation of RAF Benson or as otherwise agreed between the landowner and Ministry of Defence.

- New Public Rights of Way

The dedication of new public rights of way as shown on Restoration Plan C6 LAN 007 upon the completion of restoration at the site.

- Long Term Management Period

A long term management period of 20 years, subsequent to the statutory 5 year aftercare management period, shall be undertaken across the site for the areas not restored to agriculture.

- Routeing

Vehicles travelling to or from the site in connection with either the construction of the development or transportation of mineral product from the development site shall only do so via agreed roads as detailed in the transport assessment Figure 4200/203.

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Annex 2 - Environmental Statement

1. An Environmental Statement was submitted with the planning application.
2. Chapter 1 sets out the background to the Environmental Statement.
3. Chapter 2 considers hydrology and hydrogeology and provides an assessment of the potential effects of the development to the surface water and ground water environments, both during working and restoration. Receptors were identified as the River Thames and three ditches on the site, individual properties and land around the site including at Clifton Hampden, Appleford and Long Wittenham, private water supply/licensed extractions and aquifers. Effects considered include the impact of pollutants and settlement arising from the working and restoration phases, changes to flows from dewatering, and amendments to the ditches. The assessment concludes that the predicted effects can be mitigated such that they would not be significant.
4. Chapter 3 assesses the impact of the development on flood risk both during working and on restoration and includes a Flood Risk Assessment. Potential receptors were identified as land and properties in the vicinity of the site including at Clifton Hampden, Appleford and Long Wittenham and the potential effects were identified to arise due to changes to flood storage capacity and groundwater levels, changes to the drainage and flood regime, and the introduction of stockpiles and storage/attenuation bunds. The assessment concludes that, subject to mitigation measures, the majority of receptors would experience no significant change or small betterment in fluvial flood risk, although there would be a small but not significant increase in fluvial flood risk to areas of agricultural land and floodplain surrounding the site. Mitigation measures for the operational and restoration phases have been incorporated into the design and include the location of stockpiles and bunds with scalloping to direct flood water towards bund gaps and the monitoring and management of the water level in restored lakes.
5. Chapter 4 assesses the impact of the development on archaeology and cultural heritage, including six Scheduled Ancient Monuments within 3km of the site, the historic settlements of Clifton Hampden, Appleford and long Wittnham, and the grade II listed Fullamoor Farmhouse. Potential effects to the settings of heritage assets are assessed, along with the impact of the removal of deposits of archaeological interest. The chapter concludes that, with mitigation including archaeological investigation and recording, the effects of the development would be negligible to minor adverse.
6. Chapter 5 assesses the impact on soils and agriculture. The assessment concludes that the development would lead to the permanent loss of 15 hectares of best and most versatile agricultural land which, along with residual the impact on farm holdings within the

site, is considered to be a minor adverse impact. Mitigation measures are proposed to preserve the quality of soils, including a soil handling scheme and suitable methods for bund construction and excavation.

7. Chapter 6 assesses the impact of the development on bird strike hazards, in particular in relation to the impact of the restored landform on flights in and out of RAF Benson. It describes mitigation which has been incorporated into the design to reduce the attractiveness of the habitat to potential hazardous breeds of bird, including the lack of islands, the provision of footpaths to encourage human activity, goose proof fencing, and the use of reed fringes to the lakes. A bird management plan would be needed to manage the site in the long term. Subject to these measures, the chapter concludes that the development would not significantly increase bird strike risk.
8. Chapter 7 of the EIA, including an associated addendum document, contain a Landscape and Visual Impact Assessment (LVIA). The LVIA considers the impact of the development on the landscape, including the setting of North Wessex Downs AONB and also the impact on visual receptors which include public footpaths and nearby dwellings. The report sets out measures proposed to reduce the potential impacts, which include advance planting, the retention of woodland where possible, and the construction of temporary screening mounds. It concludes that, despite mitigation, there would be adverse impacts to some receptors (including major adverse effects to users of the Thames Path and minor adverse effects to Clifton Hampden Village and Conservation Area), although the effects would reduce to negligible or minor adverse in the longer term (15 years post restoration). The long term minor adverse effect arise from the creation of a large lake as part of the restoration scheme, which represents a permanent change in landscape character.
9. Chapter 8 considers transport and access and assesses the proposals in terms of traffic levels, vibration, severance and pedestrian delay, driver stress and delay, pedestrian amenity, fear and intimidation and accidents and safety. The residual effect in all cases is found to be negligible during construction and operation and will reduce further in the long term once the site is restored. This assessment includes consideration of the proposed mitigation measures which comprise a routing agreement, speed reduction measures along the site access road, improved footway/cycleway at the site entrance, peak hour vehicle movement restrictions, and footway improvements in Clifton Hampden.
10. Chapter 9 of the EIA, including an associated addendum documents, comprises a noise assessment. The assessment provides the results of noise surveys conducted at noise sensitive properties and suggests noise limits based on those existing background noise levels and on the advice on appropriate noise standards contained in the Planning Practice Guidance. In some cases, the calculated noise levels exceed the suggested limits and so mitigation is proposed, including the construction of temporary noise attenuation bunds. With mitigation in place, the residual noise effect is assessed to be in accordance with proposed noise limits.
11. Chapter 10 considers biodiversity and sets out the desk-based review, Phase 1 Ecology survey, Phase 2 Ecology survey and ecological

assessment which have been undertaken in relation to the site. The assessment considers the potential impact and significance of the development on key ecological receptors and protected species and concludes that the residual adverse effect relates to the loss of hedgerow, plantations, a stream, and field, which would be significant in a local (site) context; however these effects would be compensated through the provision of new habitats. In the longer term, the effect of the development on biodiversity would be significantly positive at a local (site) context, expanding to a district/county context over time.

12. Chapter 11 comprises a geology and mineral resources assessment. It presents the results of borehole analysis and provides estimations of the total sand and gravel reserves as well as the estimated depth and thickness of the mineral. The report concludes that there is an approximate total sales tonnage of 2.42 million tonnes.
13. Chapter 12 contains an air quality assessment. Part 1 of chapter 12 considers dust and air quality effects; whilst part 2 considers traffic related air quality effects. The dust related air quality section concludes that the cumulative dust impacts are considered to be localised and of negligible significance with appropriate mitigation. Mitigation measures include sheeting vehicles, maintaining haul roads, use of a water bowser in dry conditions, minimisation of drop heights, screening bunds and undertaking temporary operations such as soil stripping only in appropriate weather conditions. The traffic related air quality assessment considers the impact on air quality on local roads and in air quality management areas which vehicles may pass through. It concludes that the impact of the quarry traffic on local air quality, including the Abingdon AQMA would not be significant.
14. Chapter 13 considers alternative sites, working methods and supply options. It concludes that a meaningful alternative site or supply option has not been found and the application site is available for immediate development.
15. Chapter 14 considers climate change and explains that the proposals have taken climate change into account through site design and operation and in the assessment work.
16. Chapter 15 considers the socio-economic impacts of the proposals on the local community. It confirms the findings of the individual assessments that the proposals would not have an unacceptable impact on the local community. It states that there would be benefits in terms of employment and the supply of construction materials into the local market.
17. Chapter 16 contains an arboricultural assessment. This provides details of trees on site, including their age, condition and classification. It then confirms which trees are proposed for removal. It concludes that there would be an adverse landscape and environmental impact associated with the removal of 44 trees/tree groups, of which four oak trees are classified as category A (good quality).

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For: PLANNING AND REGULATION COMMITTEE – 27 NOVEMBER 2017

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

The extraction of sand, gravel and clay, creation of a new access, processing plant, offices with welfare accommodation, weighbridge and silt water lagoon system with site restoration to agriculture and nature conservation including lakes with recreational afteruses and the permanent diversion of footpath 171/15 and creation of new footpaths

Division Affected: Berinsfield and Garsington

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

Location: Land at Fullamoor Plantation, Clifton Hampden, Abingdon, OX14 3DD

Application No: MW.0039/16 P16/S1192/CM

District Council Area: South Oxfordshire

Applicant: Hills Quarry Products Ltd

Application Received: 23 March 2016

Consultation Periods: 7 April – 13 May 2016
26 January – 16 February 2017
13 July – 3 August 2017
12 October – 2 November 2017

Contents

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

Recommendation: The report recommends that application MW.0039/16 be refused

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

1. The application site is located in the south of the county, between the A415 and the River Thames, to the west of Clifton Hampden and the east of Culham railway station. The site lies approximately 4 km south east of Abingdon and 4km west of Dorchester.

Site and Setting (see Plan 2)

2. The application site area is approximately 104 hectares in area and lies 47-49 metres above ordnance datum (AOD).
3. The site lies within the Oxford Green Belt.
4. To the west of the site boundary lies agricultural land containing an early Bronze Age Barrow cemetery which is a Scheduled Monument (SM) and beyond that the Oxford to Didcot railway line. The River Thames forms the southern boundary of the western part of the site. To the east and south east the site is surrounded by agricultural land. The A415 and residential properties along it lie to the north. The application area does not extend as far north as the A415, except to allow a new access onto that road. The road and properties are situated at the top of a slope overlooking the application area, which lies approximately 10 metres lower.
5. The closest properties include Fullamoor Farm, South Cottage, Warren Farm cottage to the north, Lock Cottage and Home Farm to the East, Meadow House and Manor Farm in Appleford to the south and Zouch Farm to the West. Warren Farm Cottage is the closest, at 30 metres north of the northern application area boundary near the north east corner. The second closest is Fullamoor Farmhouse, 140 metres north of the northern application area boundary near the north west corner. There is also a property immediately opposite the proposed new access onto the A415, which is set back 60 metres from the road.
6. The River Thames lies immediately to the south of the application site.
7. The application area includes land in flood zone 2 and flood zone 3, including land in zone 3b, the functional floodplain. The southern part of the site towards the river contains the land in zone 3. Small areas within the site are in zone 1, the area of least risk. The Flood Risk Assessment states that, according to the model used, 20% of the site is in FZ1, 24% in FZ 2 and 56% in FZ 3. This compares to 5% in FZ1, 42% in FZ 2 and 53% in FZ 3 according to the Environment Agency definition.

8. The site comprises agricultural land classified as grades 2, 3a and 3b. Grades 1, 2 and 3a are defined as 'best and most versatile agricultural land' and the application states that 62.5 hectares of the site are best and most versatile land. The site also contains some areas of trees, two tracks, a drain and a number of hedgerows.
9. The closest SSSI is Little Wittenham, 2.4 kilometres to the south east of the application site. This is also designated as a Special Area of Conservation (SAC). Culham Brake SSSI lies 2.8 kilometres to the north west.
10. Nuneham Park lies 1.3 kilometres to the north of the application site, beyond Culham Science Centre. This is a grade 1 registered 18th century landscape park surrounding a country house. It covers 480 hectares.
11. The villages of Clifton Hampden and Long Wittenham are designated Conservation Areas and each contains a number of listed buildings, the closest being grade II listed Lower Town Farmhouse and associated barn and granary at the west end of Clifton Hampden High Street approximately 220 metres from the north eastern application boundary. Culham station overbridge and ticket office 480 metres west of the application boundary are also listed (grade II and II* respectively.) Appleford also contains a number of listed buildings, but does not have a conservation area.
12. Public footpath 171/15 crosses the site from the north east to the south, connecting with the Thames Path. This would need to be diverted. There are no other rights of way within the site, but the Thames Path national trail runs along the north bank of the Thames immediately to the south.
13. The site is located approximately 11 km (7 miles) from RAF Benson, and it is therefore within the statutory safeguarding zone for managing bird strike risk.
14. The site is not within an AONB, however, the boundary of the North Wessex Downs AONB lies approximately 1.5 kilometres to the south east, at Little Wittenham. Wittenham Clumps lies approximately 3 km south east of the site.
15. The site is currently agricultural land and there are no other gravel workings in the immediate vicinity. The closest existing quarry is Bridge Farm, Appleford, which lies to the south west on the other side of the railway line and River Thames.

Details of Proposed Development

Mineral Extraction

16. It is proposed to extract 2.5 million tonnes of sand and gravel over a ten year period, with an average annual extraction rate of 250 000 tonnes. The proposed extraction area covers 76 hectares and would be worked in ten phases, each taking between 6 and 18 months to work. The site would be progressively restored as working was completed in each phase. Clay would be extracted along with the sand and gravel and used for onsite engineering works and would not be sold or transported off site. Phases would be worked in numerical order starting in the north west of the site and then progressing south and east around the plant site. The mineral under the plant site would be worked last.
17. The sand and gravel deposit is anticipated to be up to 4 metres deep, with Gault Clay lying beneath to be worked to provide an engineering material for sealing the sides of the excavations and restoration.
18. The remaining 28 hectares of the site area which would not be subject to extraction would be used for access, soil storage, landscaping and other operational uses.
19. 44 hectares of best and most versatile agricultural land would be disturbed and there would be an overall net loss of 15 hectares of best and most versatile agricultural land.
20. The working area would be dewatered by pumping the groundwater, to allow the mineral to be extracted dry, maximising recovery. Water would be pumped to settlement ponds in the centre of the site and then discharged to the adjacent ditch.
21. Soils and overburden would be stripped to expose the mineral and sand and gravel would then be dug using a mechanical shovel and transported to the plant site using a conveyor. Soil and overburden would be stored in noise and visual attenuation bunds up to 10 metres high.
22. Upon arrival at the plant site, extracted mineral would undergo initial screening at the head of the conveyor and then be processed through the wash plant to grade it into various sizes. It would then be stored in stocking areas before being exported by road.
23. It is proposed that there would be a 25 metre buffer between the quarry workings and the River Thames.

Minerals Processing Plant

24. The sand and gravel processing plant would be located in the central north part of the site closest to the access road.

25. The plant site would also include offices, welfare accommodation, and a weighbridge. There would be external lighting in this area, operational when necessary during working hours.
26. There would be a system of silt lagoons in two silt management areas to settle out the particles removed from the mineral in the processing. A clean water pond would also be required to feed the processing plant.
27. There would be parking spaces for 20 cars, 10 HGVs and 6 bicycles. The plant site would be surrounded in soil bunds between 5 and 10 metres high. There would be a 10 metre bund along the western plant site boundary, an 8 metre bund north of the silt lagoons, and 7 metre bunds to the east of the track running south east from the plant site, along which a diverted footpath would run. The bunds along the footpath would have gaps with straw bale acoustic barriers behind. The access road would have 2 metre high bunds on either side. There would also be 5m and 7m bunds on the northern plant site boundary, a 7m high bund in the north east corner and 5 and 7m high bunds on the plant site eastern boundary.
28. The development would create 5 jobs at the quarry and 10 driving jobs, for the duration of the development.
29. The processing plant would comprise a series of conveyors and screens. The sand and gravel would be screened into different sizes and washed using water to produce a variety of products for sale. The processing plant would be up to 7.5 metres high, up to 40 metres wide and 130 metres long.
30. It is proposed to raise land in the area where the access road and site office would be located, in order to bring them out of predicted peak flood levels. The plant and stockyard would be surrounded by bunds to mitigate noise impacts and these would be staggered with gaps between them to allow flood waters to flow.
31. The application originally included a concrete plant within the plant site, but the application was amended to remove this element of the proposals.

Flood compensation

32. An area in the north east corner of the site is identified for compensatory flood storage. This would involve the removal of soil over a 1.8 ha area to a maximum depth of 1.5m in order to level the area to 48m AOD.

Vegetation Removal and Landscaping

33. Sandy Bury vegetation strip would be removed to allow for mineral working. However, Grasshill Covert in the northern part of the site and

an unnamed wooded area in the south east of the site would be retained. The Environmental Statement identifies 43 trees and tree groups that would be removed.

34. There would be landscaping works to screen the development from the surrounding area. The landscaping works proposed include a quick growing tree belt on the eastern boundary and on the northern boundary between the site and the residential properties at Fullamoor Farm and Barns, gapping up the existing hedge to the west of the application site, a hedge along the length of the southern boundary which would screen the Thames Path from the workings, a new hedge along the concrete track with the re-routed footpath, improved planting around the site access and a tree belt and hedge along sections of the concrete track on the western boundary.

Restoration and Afteruse

35. The quarry void would be restored using materials from within the site. It is not proposed to import inert waste to achieve the proposed restoration. It is anticipated that restoration would be complete eleven years after the commencement of extraction.
36. The north western and north eastern parts of the site would be restored to agriculture. There would be a large lake to the south, which would be used for a quiet recreational use such as fishing or sailing. There would be a smaller wildlife lake surrounded by reed marsh and lowland meadow in the central/eastern part of the site. The silt ponds would be allowed to revegetate and develop into reed marsh and then wet woodland. The restoration would incorporate additional woodland planting. The applicant has offered long term (20 years) management of the part of the site to be restored to nature conservation.
37. Restoration would include woodland planting to replace vegetation removed during the operational phases. The area of woodland and length of hedgerows would increase by the completion of restoration compared to the current situation.
38. A bird management plan is proposed to minimise bird strike hazard from the water bodies left by the restoration.
39. There were some minor changes to the restoration plan following comments made during consultation. These changes included amended restoration contours in the eastern agricultural area, additional planting and minor changes to the shape of the lake.

Rights of Way

40. It is proposed to permanently divert the existing footpath 171/15 along an alternative route to the east of the workings to avoid the proposed area

of mineral extraction. No diversion would be needed to the Thames Path, which runs along the edge of the site.

41. New footpath routes would be created as part of the restoration. It is also proposed to provide an interpretation board as part of the restoration, including around the new lake with access from the Thames Path and from Clifton Hampden village. This would be located on the north westerly point of the footpath around the southern lake near to the SM. It would provide information about the archaeology of the area.

Traffic and Access

42. It is proposed to create a new access from the A415 and a 250m long internal road between the access and the plant site. This would have space for two vehicles to pass for the first 50 metres and then reduce to single track with passing places.
43. The development would typically generate 95 vehicle movements per day. The Transport Assessment states that on average there would be an additional 4 HGV movements per hour through Abingdon and an additional 6 HGV movements per hour along the A415 to the east of the site.
44. The applicant has proposed vehicle routeing to ensure that HGVs use only suitable routes. They have proposed that vehicles would turn either left or right out of the site onto the A415. Other suitable roads would be the A34, the A4074 and the A4183. The routeing would therefore ensure that construction traffic and HGVs related to the quarry operation would not travel on local roads through villages, including Culham, Clifton Hampden and Long Wittenham. The B4015 would also be prohibited.

Hours of Operation

45. The proposed hours of operation are 07.00-18.00 Mondays to Fridays and 07.00-13.00 on Saturdays. There would be no operations on Sundays or on Bank or Public holidays. These hours would apply to the quarry, the plant and to vehicle movements.

Highways Mitigation

46. The applicant has proposed improvements to the footway alongside the A415 at its junction with High Street in Clifton Hampden. The proposals include reclaiming a stretch of the northern verge as footway, widening the southern verge from 0.8 metre to 2 metres, installation of bollards to provide protection from passing vehicles and relocation of existing road signs and telegraph poles to accommodate this. These mitigation works would be funded by the applicant.

Environmental Impact Assessment

47. The application is supported by an Environmental Impact Assessment (EIA) and an Environmental Statement (ES) was submitted with the application. This covers the range of potential environmental impacts of the proposal. A summary of the findings can be found in Annex 2.

PART 2 – OTHER VIEWPOINTS

48. There were four periods of public consultation. The application was originally consulted on in April and May 2016. This resulted in a number of requests for further information which was submitted and consulted on.
49. Amendments made to the application when the further information was submitted included minor changes to the plans showing the development stages and the restoration plan. Most of the further information compromised amended chapters for the Environmental Statement.
50. The full text of the consultation responses can be seen on the eplanning website¹, using the reference MW.0039/16. These are also summarised in Annex 3 to this report.
51. The application is being reported to this Committee as objections have been received from a number of Parish and Town Councils, South Oxfordshire District Council, the local County Councillor, a local objector group, Oxford Green Belt Network, CPRE, Transport Development Control and the Transport Strategy and Policy team.
52. A total of 580 third party representations were received during the first round of consultation, these are summarised in Annex 4. 273 representations were received during the second round of consultation, primarily from people who had already objected who wished to reiterate their concerns. 128 representations were received during the third consultation. Objectors had been advised that their original comments would be taken into account and they only needed to write again if they had specific comments on the new information that was being consulted on.
53. The main concerns raised in representations were the impact on the countryside and historic environment, traffic, that the mineral provided is not necessary, flooding, amenity, inappropriate restoration, inadequate engagement with local communities, Green Belt and impact on ecology.
54. In addition to comments made by local residents, objections were received from local businesses including UKAEA at Culham Science Centre, these are also summarised in Annex 4. Representations were

¹ <http://myeplanning2.oxfordshire.gov.uk/swiftlg/apas/run/Wphappcriteria.display>

also received from John Howell MP for Henley, in which area the application site lies, and also from Ed Vaizey MP for Didcot and Wantage, which covers the villages of Long Wittenham and Appleford immediately adjacent to the site but on the other side of the Thames. Nicola Blackwood MP for Oxford West and Abingdon also wrote to forward a number of objection letters which had been sent to her. Simon Hoare MP for North Dorset also forwarded a letter sent to him.

PART 3 – RELEVANT PLANNING DOCUMENTS

Relevant planning documents and legislation (see Policy Annex to the committee papers)

55. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan Documents

56. The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 (saved policies) (OMWLP)
 - South Oxfordshire Local Plan 2011 (saved policies) (SOLP)
 - South Oxfordshire Core Strategy (adopted 2012) (SOCS)
57. The OMWCS was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies. It is anticipated that Part 2 of the Plan will include Site Allocations and any further development management policies that may be necessary in relation to the allocated sites.
58. The OMWLP was adopted in July 1996 and covered the period to 2006. 46 policies within the OMWLP were 'saved' until the adoption of the OMWCS and 16 of these policies continue to be saved until the Part 2 Site Specific document is adopted. The saved policies are non-strategic site-related policies and none of them apply to the area proposed in this planning application. Therefore, they are not relevant to the determination of this planning application.

Other Policy Documents

59. The National Planning Policy Framework (NPPF) is a material consideration in taking planning decisions. Relevant sections include those on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment.

60. The National Planning Policy Guidance (NPPG) contains specific advice on matters including flood risk, minerals, conserving and enhancing the historic environment, determining a planning application and natural environment.
61. Clifton Hampden and Burcot has been designated as a neighbourhood area by South Oxfordshire District Council and Clifton Hampden Parish Council is in the process of developing a Neighbourhood Plan. The area identified includes the application site and once approved the Neighbourhood Plan would form part of the development plan for the area. Clifton Hampden and Burcot have a Village Plan. This is not part of the development plan.
62. The publication version of the emerging South Oxfordshire Local Plan 2011-2033 (SOLP 2033) was published on the 11th October 2017. Following the publicity period it will be submitted to the Secretary of State after which there would be an Examination in Public with a view to adoption in summer 2018. Therefore, this emerging plan is a material consideration and its policies should be given the appropriate weight. Therefore, this emerging plan is a material consideration, although as it is not yet adopted its policies should be given limited weight.
63. Connecting Oxfordshire: Local Transport Plan 2015 – 2031(LTP) sets out Oxfordshire County Council's policy and strategy for developing the transport system in Oxfordshire to 2031 and is a material consideration.

Relevant Development Plan Policies

- OMWCS:

- M2 – Provision for working aggregate minerals
- M3 – Principal locations for working aggregate minerals
- M5 – Working of aggregate minerals
- M10 – Restoration of mineral workings
- C1 – Sustainable development
- C2 – Climate Change
- C3 – Flooding
- C4 – Water environment
- C5 – Local environment, amenity and economy
- C6 – Agricultural land and soils
- C7 – Biodiversity and Geodiversity
- C8 – Landscape
- C9 – Historic environment and archaeology
- C10 – Transport
- C11 – Rights of way
- C12 – Green Belt

- The saved policies of the SOLP 2011:

G2 – Protection and enhancement of the environment
GB4 – Visual Amenity in the Green Belt
C3 – The River Thames and its valley
C6 – Biodiversity conservation
C9 – Landscape features
CON5 – The setting of listed buildings
CON7 – Conservation areas
EP1 – Pollution prevention
EP2 – Noise and vibrations
EP3 – Light pollution
EP6 – Surface water protection
EP7 – Groundwater protection
R8 – Public rights of way

•SOCS

CSEN1 – Protection of landscape character
CSEN2 – Green Belt
CSEN3 – Historic Environment
CSB1 – Biodiversity
CSG1 – Green Infrastructure
CS1 – Presumption in favour of sustainable development

Relevant Emerging Plan Policies

•South Oxfordshire Local Plan 2011-2033 – Final Publication Version
(SOLP 2033)

TRANS3 – Safeguarding land for strategic transport schemes

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Director for Planning and Place

64. The NPPF sets out a presumption in favour of sustainable development (paragraph 14), which is supported by policy C1 of the OMWCS and CS1 of the SOCS. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise.
65. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.
66. The key planning issues are:
 - i) Prematurity

- ii) Need for sand and gravel
- iii) Green Belt
- iv) Location
- v) Landscape
- vi) Visual impacts
- vii) AONB
- viii) Traffic
- ix) Rights of way
- x) Potential amenity impacts
- xi) Flood risk and water environment
- xii) Archaeology and historic environment
- xiii) Biodiversity
- xiv) Restoration
- xv) Soils and agriculture
- xvi) Socio- economic
- xvii) Cumulative impact

Prematurity

67. A number of representations have raised an objection to the application on the grounds of prematurity, stating that it pre-empts the Oxfordshire Minerals and Waste Local Plan.
68. Most of the representations on this topic were received in response to earlier rounds of consultation. Prematurity is no longer an issue in relation to the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy (OMWCS), which was adopted in September 2017, which was after the initial consultation periods but prior to the determination of this application.
69. Paragraph 216 of the NPPF states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans.’
70. There is not yet a published draft of the Oxfordshire Minerals and Waste Local Plan Part 2, which will include specific sites. Therefore, it is not possible to give weight to any policies in that plan and prematurity is not a consideration in relation to the Part 2 plan at this stage.
71. The NPPF sets out the presumption in favour of sustainable development and the NPPG provides guidance on the circumstances where it may be justifiable to refuse planning permission on the grounds of prematurity (paragraph 14):

‘...arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
72. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.'
73. With regard to part a) the OMWCS paragraph 4.19 identifies a need for approximately 5 million tonnes (Mt) of additional sand and gravel provision over the plan period). This has since increased to around 5.98 Mt due to permitted reserves at Thrupp Farm Quarry no longer being included in the landbank. The 2.5 Mt of mineral proposed to be produced by this development would comprise almost 50% of this identified mineral need. Whilst it is considered that the development proposed is significant in relation to the provision currently identified within the OMWCS, it would not satisfy the entire assessed need. It would not prejudice the policies of the OMWCS and a policy concerning sharp sand and gravel will be required in any event.
74. Further, it is not considered that part b) is met. The Part 1 plan is adopted and the Part 2 plan is not yet published in draft form.
75. The Council sought Counsel's advice on the concerns relating to prematurity. Having taken into account the legal advice as well as the NPPG, the NPPF, the ongoing need to plan for mineral extraction, and all of the representations concerning prematurity, I do not consider that this application would undermine the emerging local plan process in the circumstances, particularly in light of the very early stage of Part 2 of the Core Strategy, and that a refusal on prematurity grounds would not be justified.

Need for the Mineral

76. The NPPF contains a 'presumption in favour of sustainable development,' and Section 13 specifically promotes 'facilitating the sustainable use of minerals'. It clearly sets out at paragraph 144 that when determining planning applications, local planning authorities should 'give great weight to the benefits of mineral extraction, including to the economy', which is one of the strands of sustainable development.

77. Paragraph 142 of the NPPF states that ‘minerals are essential to support economic growth and our quality of life.’ The mineral industry plays a large part in the construction industry and is vital to support the current demand for new housing, schools, roads and major infrastructure projects.
78. Paragraph 145 of the NPPF states that minerals planning authorities (MPAs) should plan for a steady and adequate supply of aggregates by, amongst other things:
 - Preparing an annual Local Aggregate Assessment (LAA);
 - Making provision for the land-won and other elements of their LAA in their minerals plans...such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;
 - Taking account of National and Sub National Guidelines on future provision;
 - Using landbanks of aggregate minerals reserves principally as an indicator of the security of supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;
 - Making provision for the maintenance of landbanks of at least 7 years for sand and gravel... taking into account productive capacity of permitted sites;
 - Ensuring that large land banks bound up in very few sites do not stifle competition; and
 - Calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.
79. OMWCS policy M2 requires that planning permissions be granted to enable a landbank to be maintained for sharp sand and gravel with at least 7 years supply in accordance with the annual requirement rate in the most recent Local Aggregate Assessment (LAA), taking into account the need to maintain sufficient productive capacity to enable that rate to be realised. It also states that provision will be made to enable the supply of 1.015 million tonnes per annum (mtpa) of sharp sand and gravel.
80. OMWCS policy M2 identifies the total requirement over the Plan Period 2014 to 2031 for sharp sand and gravel to be 18.270 Mt. Taking into account sales in 2014 and 2015, permitted reserves at the end of 2015 (excluding those that are expected to be worked after the plan period) and permissions granted in 2016, OMWCS paragraph 4.19 identifies a need for a further 5 Mt of sharp sand and gravel over the plan period. Taking into account sales from 2016 and permitted reserves at the end of 2016, this has now been recalculated as 5.979 Mt. The increase in the remaining requirement is due to permitted reserves at Thrupp Farm

Quarry no longer being included in the landbank due to the planning permission going into suspension.

81. The NPPG makes it clear that landbanks are principally a monitoring tool to provide MPAs with early warning of possible disruption to the provision of an adequate and steady supply of aggregate. It should be used as a trigger for a MPA to review the current provision and consider a review of the allocation of sites. At paragraph 82, the NPPG says that low landbanks may be an indicator that suitable applications should be permitted as a matter of importance.
82. The NPPG makes it clear that there is no maximum landbank level and each application for minerals extraction must be considered on its own merits (paragraph 84). It goes on to set out reasons why an application for mineral extraction might be brought forward where an adequate landbank exists, these include:
 - Significant future increases in demand that can be forecast with reasonable certainty;
 - The location of the consented reserve is inappropriately located relative to the main market areas;
 - Known constraints on the availability of consented reserves that might limit output over the plan period.
83. The Aggregates Monitoring Survey 2016: Quarry Sales and Reserves in Oxfordshire shows that permitted reserves of sharp sand and gravel in Oxfordshire totalled 11.383 Mt at the end of 2016. No additional reserves have been granted permission so far in 2017. Sales of sharp sand and gravel in 2016 are recorded as 651 000 tonnes and although they fell back from this level in 2015, from 2009 there has been a trend of increasing sales. The average of 10 years sales of sharp sand and gravel (2007-2016) was 595 000t and the average of 3 years sales (2014-2015) was 686 000t. The current Local Aggregate Assessment provision rate for sharp sand and gravel, in the Oxfordshire Local Aggregate Assessment 2014, is 1.015 Mt per annum. Based on this figure (in line with OMWCS policy M2), the landbank for sharp sand and gravel at the end of 2016 was 11.2 years.
84. Therefore, new permissions are not currently needed to maintain a landbank of at least 7 years. However, the NPPF is clear that a 7 year landbank is a minimum and not a maximum level to be maintained. The fact that the landbank is currently more than 7 years is not a reason to refuse planning permission.
85. Objections have been raised in representations received regarding the lack of need for mineral. However, as set out above, landbanks are a minimum and provide an indicator for when reserves are critically low. They are not to be used as a reason to refuse applications for further mineral extraction.

86. Approximately half of the current permitted reserves of sharp sand and gravel are at a single site (Gill Mill Quarry) and those reserves are expected to be worked over a period up to 2036. Therefore, it would not be possible for Oxfordshire's production of sharp sand and gravel to be maintained at the LAA level of 1.015 mtpa throughout the theoretical period of the current landbank (11.2 years available from the end of 2016), since the reserves at other sites are expected to be worked out within a shorter period. Some quarries are expected to be worked out in less than 7 years (the minimum landbank period required by the NPPF), which would result in a decrease in production as quarries close. Currently, it is expected that production capacity will fall below the policy M2 provision level (LAA requirement) of 1.015 mtpa in 2019. In accordance with OMWCS policy M2, and the NPPF paragraph 145 requirement that MPAs should ensure that large landbanks bound up in very few sites do not stifle competition, consideration must be given to the need to maintain sufficient productive capacity to enable the annual requirement rate in the LAA to be realised.
87. In view of this, notwithstanding the current sharp sand and gravel landbank being significantly more than 7 years, there is a strong argument that there is a need for further reserves to be permitted to ensure the continuation of a steady and adequate supply of aggregates at the required level established in the LAA, and in accordance with OMWCS policy M2.
88. The Inspector's Report on the Examination of the Core Strategy (Appendix A – Interim Report, paragraph 117) noted that Oxfordshire is an area likely to experience considerable growth with potential housing construction well above recent rates.
89. National policy and guidance make it clear that the existence of a landbank greater than 7 years is not in itself justification for a refusal of permission. It also indicates that the productive capacities of the sites that make up the landbank, and the consequent limitations this imposes on overall output, and having a large part of the landbank contained at a single site are factors that may justify additional reserves being permitted notwithstanding the existence of a landbank of more than 7 years.
90. OMWCS policy M5 (first paragraph) is also relevant. This states the circumstances in which permission will be granted for the working of aggregate minerals in advance of the Site Allocations Document being adopted, these being where it would contribute towards meeting the requirement for provision in policy M2, provided the proposal is in accordance with the locational strategy in policy M3. The application site lies within 'The Thames and Lower Thame Valleys area from Oxford to Cholsey' sharp sand and gravel strategic resource area that is identified in policy M3 as a principal location for aggregate minerals extraction. The last paragraph of policy M3 seeks to achieve an approximately equal split of production capacity for sharp sand and gravel between northern and southern Oxfordshire by 2031. The current situation is that

significantly more than half of permitted reserves and production capacity are at sites in northern Oxfordshire, whereas the split of demand between northern and southern Oxfordshire is believed to be approximately 50:50. To achieve an equal split of production capacity between northern and southern Oxfordshire, policy M3 seeks to locate approximately 75% of the additional tonnage requirement in southern Oxfordshire and 25% in northern Oxfordshire. The application would contribute towards achieving this and would be in line with the spatial strategy in policy M3.

91. This is also supported by NPPG paragraph 084, which includes amongst the reasons why an application for mineral extraction might be brought forward where an adequate landbank exists: 'The location of the consented reserve is inappropriately located relative to the main market areas.'
92. It is not necessary to consider policies relating to clay extraction as clay would only be extracted for use in on-site engineering works.

Green Belt

Green Belt Policy

93. NPPF paragraph 79 confirms that the Government attaches great importance to Green Belts and states that the essential characteristics of Green Belts are their openness and permanence.
94. NPPF paragraph 80 sets out the five purposes that Green Belts serve. These are to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
95. NPPF paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is also set out in OMWCS policy C12.
96. NPPF paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
97. NPPF paragraph 90 states that certain forms of development are not inappropriate in the Green Belt providing that they preserve the openness of the Green Belt and do not conflict with the purposes of

including land in the Green Belt. Mineral extraction and engineering operations are listed as examples of these forms of development that are not necessarily inappropriate.

98. SOCS policy CSEN2 states that the special character and landscape setting of Oxford will be protected by the Oxford Green Belt.
99. SOLP policy GB4 states that where new development is permitted in the Green Belt it should be designed and sited in such a way to minimise its impact on the open nature, rural character and visual amenity of the Green Belt.
100. OMWCS policy C12 states that proposals that constitute inappropriate development in the Green Belt, will not be permitted except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Consideration of whether development is inappropriate in the Green Belt

101. NPPF paragraph 90 states that mineral extraction is not inappropriate in the Green Belt, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. Therefore, it must be considered whether development would preserve the openness of the Green Belt and whether it would conflict with the purposes of including land in the Green Belt, in order to confirm whether the development proposed for this mineral extraction operation is inappropriate development in the Green Belt. This is considered below in relation to each element of the proposals.

Mineral Extraction and conveyors

102. It is not considered that the extraction of mineral would conflict with the five purposes of including land in the Green Belt as set out in NPPF paragraph 80. The development is not urban in nature and would not conflict with the purposes of checking unrestricted sprawl of large built up areas, preventing towns merging into each other or safeguarding the countryside from encroachment. There has been no objection from the relevant heritage consultees and it is considered that the development would not conflict with the purpose of preserving the setting and special character of historic towns, the fourth purpose of including land in the Green Belt. The fifth purpose is to assist in urban regeneration by recycling derelict and other urban land. The development would not conflict with this purpose.
103. Mineral would be extracted from the land using a hydraulic excavator and transported on a field conveyor. It is considered that the extraction of the mineral and transport within the site would not have an impact on the openness of the Green Belt as neither the excavator nor the conveyor would enclose any space or land and they would be mobile

and relatively small and low. The mineral extraction plant and conveyor are considered to be reasonably necessary and integral to the extraction of mineral in any case.

104. Mineral can only be extracted where it is found and this is one reason why it is not necessarily inappropriate in the development in the Green Belt. It is also by its nature temporary development, although this does not preclude the need to consider whether it would be inappropriate.
105. Therefore, the mineral extraction, mobile plant required to undertake mineral extraction and the field conveyor system are not considered to be inappropriate development in the Green Belt.

Processing Plant

106. Following extraction, mineral would be transported by conveyor within the site and processed for export. The plant site includes the wash plant and associated hardstandings and temporary buildings. The height of the wash plant would be up to 7.5 metres. Therefore, it is considered that this structure would have an impact on the openness of the Green Belt. Therefore, it is considered to be inappropriate development in the Green Belt.

Soil storage bunds

107. The soil storage bunds would be an integral and necessary part of the mineral extraction operation. They would also be temporary and their volume and alignment would vary at different phases of the development. However, I consider that they would have some impact on the openness of the Green Belt whilst they are in place as they would be up to 10 metres high and limit views across the site. Therefore, this aspect of the development would also be inappropriate development in the Green Belt due to its impact on openness.

Access, hardstandings, silt ponds

108. The development would also involve the formation of a new access, silt ponds and hardstandings. It is considered that these would comprise an integral part of the mineral extraction development and also comprise engineering operations and therefore fall under paragraph 90 of the NPPF. They would not enclose space or be high and therefore would not have an impact on the openness of the Green Belt. Therefore, these elements are not considered to be inappropriate.

Conclusion – inappropriate development

109. As set out above it is concluded that the mineral extraction itself, including machinery used to remove the mineral and conveyors used to transport it across the site, is not inappropriate development. Neither is the proposed access, hardstandings and silt ponds.

110. The proposed processing plant and soil storage bunds are considered to be inappropriate development in the Green Belt and therefore NPPF paragraphs 87 and 88 must be considered.

Very Special Circumstances

111. NPPF paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Case law has established that if one element of a proposal is inappropriate then the whole development must be assessed as if it is inappropriate. Therefore very special circumstances are required in relation to the development as a whole, not only the specific elements assessed above as inappropriate.
112. NPPF paragraph 88 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations.

Applicant's position on Green Belt

113. The applicant has provided very special circumstances in relation to the processing plant and bunding elements of the proposal, because they conclude that these would be inappropriate development in the Green Belt, because of the effect on openness and because they could be perceived as encroachment for the period of working, contrary to the third of the listed purposes of the Green Belt in NPPF paragraph 80. The applicant concludes that the other elements of this development are not inappropriate development.
114. In summary, the applicant's very special circumstances comprise:
- a. The proposed plant and bunds are necessary infrastructure for a quarry and it would be nonsensical for the NPPF to state that mineral extraction need not be inappropriate development in the Green Belt, if this did not include some associated infrastructure.
 - b. The buildings have been designed to minimise their physical presence and a condition could be used to ensure that they are only used for mineral worked from this quarry.
 - c. On-site processing is necessary because if the mineral dug from this site was processed elsewhere it would not be possible to implement a satisfactory restoration, because reject material would not be available from the processing, also there would be additional vehicle movements and a suitable site elsewhere would need to be found for processing.

- d. Bunds cannot be placed in the quarry voids to eliminate impact on openness because this would delay restoration and prevent the bunds from mitigating amenity impacts.
- e. The temporary nature of the development means that there would be no permanent encroachment or impact on openness.
- f. The restoration proposals would enhance the beneficial use of the Green Belt, by increasing access, opportunity for outdoor recreation and biodiversity, as encouraged by NPPF paragraph 81.

Officer view on Green Belt

115. As set out in the section on need, although Oxfordshire currently has sufficient permitted reserves of sharp sand and gravel to meet the minimum required landbank of 7 years, it is considered that there is a need for further reserves to be permitted in order to ensure the continuation of a steady and adequate supply of aggregates at the level established in OMWCS policy M2.
116. At present over half of the permitted reserves are at a single site (Gill Mill Quarry) in the west of the county. The annual production capacity is limited by the plant at this site which the operator has stated has an output of up to 400,000 tonnes per year and it is estimated that it will take at least until 2035 to extract all of the permitted reserves.
117. NPPF paragraph 145 requires that MPAs should ensure that large land banks bound up in very few sites do not stifle competition. The large permitted reserves at Gill Mill Quarry are due to be worked over a long time period, limiting the amount of aggregate that can be supplied to the market in each year. Most other permitted sites are expected to be worked out within a shorter period than the 7 year minimum landbank period required by the NPPF. This would result in a fall in the total number of production sites and therefore a fall in production capacity within coming years. OMWCS policy M2 states that permission will be granted for sharp sand and gravel working to enable a landbank of at least 7 years to be maintained in accordance with the annual requirement rate in the LAA, taking into account the need to maintain sufficient production capacity to enable the rate to be realised. The current LAA rate for sharp sand and gravel is 1.015 mtpa. The total annual production capacity of quarries with permitted reserves in Oxfordshire was estimated to be approximately 1.16 Mt at the start of 2017, but on the basis of current permissions this is expected to fall to approximately 0.81 Mt by 2023 towards the end of the 7 year landbank period and to approximately 0.55 Mt within ten years.
118. On the basis of current permitted reserves, despite there being a landbank of sharp sand and gravel of more than 7 years, the total production capacity would not be sufficient to enable the annual

requirement rate in the LAA to be maintained at least throughout the minimum landbank period, as required by OMWCS policy M2.

119. In addition, quarries sometimes produce mineral at levels under what is anticipated and permitted, for example due to temporary factors such as being closed due to flooding in winter months, as was the case at Gill Mill quarry in early 2014. Therefore, to meet OMWCS policy M2, in practice it might be necessary to have permissions equating to a higher total production capacity.
120. OMWCS policy M3 states that sites allocated for sharp sand and gravel working to meet the requirement in policy M2 will be located such that approximately 25% of additional tonnage is in northern Oxfordshire and 75% of the additional tonnage requirement is in southern Oxfordshire, to achieve an approximately equal split of production capacity between northern and southern Oxfordshire by 2031. Northern Oxfordshire is defined as West Oxfordshire and Cherwell Districts and southern Oxfordshire comprises South Oxfordshire and the Vale of White Horse Districts. At the start of 2017 75% of the total permitted reserves of sharp sand and gravel were in northern Oxfordshire.
121. OMWCS policy M5 states that, prior to adoption of the Site Allocations Document, proposals for aggregate mineral working should be in accordance with the locational strategy in OMWCS policy M3. Therefore, there is policy support for additional reserves to be permitted in the southern part of the county. This application could contribute towards that.
122. Taken together, the need for additional permissions to enable annual requirement rates to be met at least throughout the minimum landbank period and the need to rebalance supply between the north and south of the county are considered to comprise a need for new mineral permissions in this area of the county. This need for the development is considered to be a very special circumstance for this development to take place in the Green Belt.
123. Although mineral extraction can be carried out without an on-site processing plant, it is usual for sand and gravel extraction operations to include on-site processing and extraction would only generally take place without on-site processing if there was a specific reason that it could not take place. The presence of the processing plant makes the development more sustainable as it avoids the additional vehicle movements which would be needed to take the mineral to be processed elsewhere. Overall, the processing plant is considered to be an integral part of the mineral extraction, for which there is a strong need, therefore it is considered that very special circumstances also apply to the processing plant.
124. The extraction of mineral will inevitably lead to soils which would need to be stockpiled during the extraction period prior to use in the site's

restoration. The soil storage bunds are proposed be located in a position which would mitigate impacts from the quarry, including noise and dust and although this would lead to an impact on openness, it is considered to be outweighed by the fact that the storage of soils is an integral part of the mineral extraction. It is considered that the very special circumstances applying to the development as a whole extend to the proposed bunds, as the development would not be able to take place without them.

Green Belt Conclusions

125. NPPF paragraph 88 and OMWCS policy C12 states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. There would be some harm to the Green Belt through inappropriateness of the processing plant and bunds. However this harm would be limited by the temporary and phased nature of the development and the fact that in the long term the proposals have the potential to enhance the beneficial use of the Green Belt, in accordance with NPPF paragraph 81. The harm that would be caused by the development by reason of inappropriateness would be outweighed by the need to rebalance the supply of mineral in the county and to provide sufficient processing capacity to meet annual requirements. It is not considered that there would be any other harm.

Location

126. The application site lies within 'The Thames and Lower Thame Valleys area from Oxford to Cholsey' sharp sand and gravel strategic resource area that is identified in policy M3 of the OMWCS as a principal location for aggregate minerals extraction within which sites for mineral working will be allocated in the Part 2 Minerals and Waste Local Plan.
127. Policy M3 seeks to rebalance supply and demand of sharp sand and gravel across the County, by setting out that site allocations will be located such that approximately 25% of additional tonnage requirements will be in northern Oxfordshire and 75% in southern Oxfordshire. The current situation is that significantly more than half of permitted reserves and production capacity are at sites in northern Oxfordshire (and mainly within West Oxfordshire District) whereas the split of demand between northern and southern Oxfordshire is believed to be nearer 50:50. This indicates that any additional reserves and production capacity should preferably be provided within southern Oxfordshire, as set out in paragraphs 4.28 – 4.30 of the OMWCS. This application would therefore help to achieve this aim, enabling local supplies of aggregate for construction and economic growth in this part of the county, including the Science Vale area and therefore accord with policy M3.

128. Mineral can only be worked where it is found. At this time the Site Allocations Plan (Part 2 of the Core Strategy) is not yet available, even in a draft form.
129. OMWCS policy M5 states that prior to the adoption of the Part 2 Minerals and Waste Local Plan permission will be granted for the working of aggregate minerals where it would contribute towards the requirement for provision identified in policy M2 and is in accordance with the locational strategy in policy M3 and the core policies for minerals and waste (C1-C12). The proposed development would contribute towards the requirement for provision as identified within policy M2 and as discussed elsewhere in this report, it is also considered to accord with policies C1 – C12.

Landscape

130. Policy C8 of the OMWCS requires that minerals development respects and where possible enhances local landscape character and are informed by landscape character assessment. It states that proposals shall include adequate and appropriate measures to mitigate adverse impacts.
131. SOLP policy C3 states that the distinctive character of the River Thames and its valley will be maintained and where possible enhanced. Proposals for any form of development which detracts from its special character will not be permitted. SOLP policy C9 states that development will not be permitted if it would cause the loss of a landscape feature which makes an important contribution to the local scene, or contains important wildlife habitat, or has important historical value.
132. SOLP policy G2 states that the district's countryside, settlements and environmental resources will be protected from adverse developments. SOCS policy CSEN1 states that the district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced. The landscapes and waterscapes of the River Thames corridor will be maintained and where possible enhanced.
133. The application site does not lie within an AONB, but is within 1.5km of its boundary and therefore could be considered to be within its setting. The southern part of the site is adjacent to the Thames. The land is currently agricultural and falls into three Oxfordshire Wildlife and Landscape Study (OWLS) landscape types; river meadowlands (southern part of site and river corridor), terrace farmland (majority of the site), and vale farmland (area to the north including site access).
134. The applicant's Landscape and Visual Assessment (LVIA) acknowledges that without mitigation there would be adverse landscape impacts resulting from the disturbance of land, changes to landform, loss of hedgerow and diversion of footpath, changes to the landscape character,

intrusion to scenic beauty and disturbance to the recreational experience. However, it concludes that the mitigation measures proposed would adequately mitigate most landscape effects. The proposed mitigation measures include retention of some woodland, advance planting, woodland management, stand-off from the Thames Path, progressive restoration, restoration of the field pattern and biodiversity gains through the site restoration.

135. The council's landscape advisor initially raised concerns about the methodology and conclusions of the applicant's LVIA and advised that he considered it highly likely that that proposals would lead to significant adverse landscape and visual effects over an extended period, leading to major and unacceptable impacts.
136. In response to the landscape advisor's concerns, the applicant amended the proposals to provide for increased advance planting to improve the screening and mitigation and increase the enclosure of the site during the workings. The Landscape Advisor confirmed that subject to minor amendments to the detail, to be developed through detailed proposals required by condition, the revised landscape mitigation measures were sufficient to remove the previous objection. Therefore, subject to a condition requiring the implementation of agreed landscape mitigation measures, the development is considered to be acceptable in terms of impacts on landscape and it is not considered that there is a conflict with policies protecting landscape including OMWCS policy C8; SOLP policies C3, C9 and G2 and SOCS policy CSEN1.

Visual Impacts

137. In addition to the impacts on the wider landscape, the proposals would have visual impacts for individual properties in close proximity to the site. OMWCS policy C5 states that proposals for mineral development shall demonstrate that they will not have an unacceptable adverse impact on residential amenity, the local environment or the local economy including from visual intrusion.
138. The quarry workings themselves would have the potential for visual impacts, and so would the proposed screening bunds in the plant site area, which would be up to 10 metres high.
139. A number of high soil bunds are proposed in the plant site area in order to store soils and reduce the impacts of noise from the processing plant. The highest bund would be 10 metres and there would be an 8 metre high bund directly south of the residential properties at Fullamoor Farmhouse and bunds. Concerns have been raised about the visual intrusion caused by these bunds.
140. These potential visual impacts are also assessed in the LVIA, which found that there would be major/moderate adverse effects in the winter and spring on properties at Fullamoor Farmhouse and Barns. This would

be reduced by foliage in the summer and autumn. The visual impact would principally come from views of the grassed bunds.

141. The amended advance planting proposals would provide additional screening of the quarry and bunds for the properties at Fullamoor Farm and Barns as it is proposed to implement a quick growing willow and poplar block up to 4.5 metres high between the 8m high bund and the properties. A supplement to the LVIA concludes that this would provide additional screening of the bunds and would be effective in winter as well as summer. It would reduce views across the valley, but these could be re-instated if the woodland is removed following restoration.
142. Overall, it is considered that the visual impacts on individual properties would be reduced to acceptable levels given the mitigation proposed. The advance planting proposals would be secured by planning condition. Subject to this, the development is considered to be in accordance with OMWCS policy C5, in terms of amenity impacts arising from visual intrusion.

AONB

143. Paragraph 115 of the NPPF places great weight on conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs), which have the highest status of protection in relation to landscape and scenic beauty. Paragraph 116 states that planning permission for major development in these areas should be refused except in exceptional circumstances.
144. Policy C8 of the OMWCS states that great weight will be given to conserving the landscape and scenic beauty of AONBs, with high priority given to the enhancement of their natural beauty. Policy CSEN1 of the SOCS, requires that planning decisions have regard to the setting of AONBs. It goes on to say that proposals which support the economies and social well-being of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.
145. The application site could be considered to be within the setting of the AONB as it is within 1.5km of its boundary.
146. The North Wessex Downs AONB unit raised concerns during the original consultation. They were concerned that the development might harm views in and out of the AONB, in particular from Wittenham Clumps. They were also concerned about the impact on users of the Thames Path. They asked for changes to the size and shape of the restoration waterbodies and woodland areas. The applicant did not amend the waterbodies or woodland in response to these comments and stated that the restoration scheme is limited by the availability of restoration material and the woodland planting reflects the configuration of existing planting

on site. The North Wessex Downs AONB unit did not respond to subsequent consultations.

147. It is considered that the development has the potential to affect the setting of the AONB, however impacts would be limited by the fact that extraction would be phased and progressively restored, minimising the amount of land in active quarrying use at any point in time. The presence of the quarrying operation in the setting of the AONB would also be temporary and the restoration to agriculture and lakes is considered generally compatible with the location in the setting of an AONB. Overall, the proposals are not considered to conflict with development plan policy aimed at protecting AONBs and their setting.

Traffic

148. NPPF paragraph 32 states that all development that generates a significant amount of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to state that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.
149. Connecting Oxfordshire: Local Transport Plan 2015 – 2031 (LTP) policy 02 states that Oxfordshire County Council will manage and, where appropriate, develop the county's road network to reduce congestion and minimise disruption and delays, prioritising strategic routes.
150. Transport Development Control (commenting in the County Council's statutory role as Local Highway Authority) has objected to this application because they consider it does not comply with NPPF paragraph 32 and LTP policy 02. They consider that the impacts of the development would be severe, so as to justify refusal. They note that excessive queuing has been observed at the Clifton Hampden junction at peak times and at peak times queuing at the Culham Bridges results in blocking of the bridge and adjacent junctions, therefore given the existing flows on the local highway network, the addition of even a few additional vehicle movements is disproportionate and may add to significantly to delays. The Transport Development Control team are concerned about the impact on road safety due to the increased likelihood of rear end shunt collisions resulting from queuing. They are also concerned about amenity and health impacts of the increased vehicle movements due to increased particulate and carbon dioxide emissions from idling vehicles.
151. Policy C10 of the OMWCS states that minerals development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Routes Maps, in ways that

maintain and, if possible lead to improvements in, the safety of all road users, the efficiency and quality of the road network and residential amenity including air quality. The objection from Transport Development Control indicates that the proposal would not maintain the safety and efficiency of the network, or amenity. Therefore, it is considered that the proposal is contrary to OMWCS policy C10 in this respect.

152. OMWCS policy C10 also requires that where minerals will be transported by road, they should be located so as to minimise road distance to locations of demand. The proposals are considered to comply with this part of the policy as the proposed quarry would serve the local area where there is expected to be demand, including Wallingford, Didcot, Abingdon, Oxford and other parts of south Oxfordshire.
153. Regarding sustainable transport modes, it is considered that there are no practical opportunities for more sustainable transport modes at this site. Although it is in close proximity to a railway line, there is no rail head or siding to facilitate loading or unloading. Although the site is also adjacent to the river, the mineral worked here is bound for local markets and so transport by river is not practical to take the mineral to construction sites in the local area.
154. A new access road is proposed and measures have been incorporated into the design to mitigate the impacts, including a kink to prevent direct views into the site and bunds on either side to reduce visual impact. The new access road is acceptable in technical terms and it is concluded that the development provides suitable access into the site from the highway network.
155. The applicant has submitted a plan showing which routes would be used by HGVs, these are the A415, A34, A4183 and the A4074. Other roads, including the B4015 and minor roads through local villages would not be used. Transport Development Control have confirmed that these routes are acceptable and that if permission is granted for the development a routeing agreement would be needed to ensure that other routes are not used.
156. Improvements to the existing transport network have been proposed to mitigate the impact of additional HGVs. These include the new access to the site and footway improvements in Clifton Hampden. Notwithstanding their overall objection, Transport Development Control has welcomed the highways mitigation measures proposed.
157. In terms of the new access, the proposed highway mitigation works and the routeing arrangements, the proposals, subject to conditions and legal agreements, are considered to comply with relevant transport policy, including the NPPF and OMWCS policy C10.

158. However, the proposal is contrary to relevant transport policy, including NPPF paragraph 32, LTP policy 02 and OMWCS policy C10 in terms of the impacts that the proposed additional vehicle movements would have on the road network. It is considered that these impacts would be severe and would include increased delays, increased likelihood of accidents and health and amenity impacts due to emissions from idling vehicles. Therefore, overall the proposals are considered to be contrary to policy due to severe impacts arising from the proposed additional vehicle movements.

Proposed new road and Thames Crossing

159. An objection has been received from Oxfordshire County Council's Transport Strategy and Policy Team, expressing concern that the quarry site area could overlap with proposed options for a new road linking the A415 with the A4130 in Didcot and incorporating a new bridge over the River Thames and this would prejudice the route of a Link Road and Thames River Crossing and as such would harm the County Council's ability to deliver its Local Transport Plan and support future growth within the County. Concerns have also been raised in relation to this by South Oxfordshire District Council and Vale of White Horse District Council and members of the public.
160. Draft policy TRANS3 of the South Oxfordshire Local Plan 2033 Final Publication Version (SOLP 2033) safeguards a route for a new Thames road crossing between Culham and Didcot Garden Town. The safeguarding map shows two potential routes as safeguarded for this development, one of which includes land within the application site. The alternative safeguarded route is to the west of the railway line. Parts of the potential routes to the south of the River Thames fall within the Vale of White Horse District Council area and land in this area has been safeguarded by the Vale of White Horse Local Plan 2031 (VLP 2031). However, the application site falls entirely within South Oxfordshire.
161. A consultation on the SOLP 2033 is being held between 11th October and 30th November 2017, following which the plan will be submitted for independent examination. Following this there would be an Examination in Public with a view to adoption in summer 2018. The draft plan is a material consideration, but it is not adopted and therefore at present the weight that can be given to policy TRANS 3 and the safeguarding map is limited. However, although limited, it should be given enhanced weight due to the fact that part of the proposed route is already safeguarded by the adopted VLP 2031, and the safeguarded corridor in the Vale of White Horse District would not enable a complete route unless land was also safeguarded in South Oxfordshire District.
162. The applicant has stated that the quarry proposals have been designed around the major road construction proposals and that a new road could be accommodated on the site post restoration as most of the land affected by the potential alignment would be restored back to original

ground levels. Any new road would need to be raised on pillars to cross the southern lake, however the restoration proposals were amended to provide extended peninsulas on the lake banks which could accommodate pillars.

163. At present the alignment for the proposed new route has not been finalised and there is no adopted policy within South Oxfordshire that safeguards specific land for this development. In any case, it is considered that the quarry proposals would not prejudice the delivery of the new road and river crossing. The timescale for the quarry workings means that it is likely that working could be completed and the affected area restored before any new road would be built. The restoration plan submitted would not prevent a new road and bridge being built on the restored site. Therefore, although it is acknowledged that the proposed quarry restoration would create a lake which would affect the design and engineering requirements of any new road, it is not considered that the proposed new road crossing could be sustained as a reason to refuse the quarry application, as the quarry proposals would not prevent it from going ahead.

Rights of Way

164. NPPF paragraph 75 states that planning policies should protect and enhance public rights of way and access and local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
165. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and where possible routes shall be retained in situ in a safe and usable condition. Improvements and enhancements will be generally encouraged and public access sought to restored mineral workings.
166. SOLP policy R8 states that the retention and protection of the existing rights of way network will be sought and where possible proposals to improve it will be supported.
167. A representation was received from a local resident who queried the dimensions of the proposed disabled kissing gate referred to in the supporting statement. They were concerned that the British Standard BSI5709 – 2006 kissing gate would be too short and too narrow to accommodate the cross county electric scooters which would be needed on this type of path. This is a detailed matter which could be dealt with through condition on any permission granted. The applicant has confirmed that they would be willing to accept a condition specifying that the proposed disabled kissing gate must be wide enough to accommodate mobility scooters, to allow wheelchair users to access the countryside in this location.

168. The Rights of Way Team have no objections. They urged the applicant to investigate the possibility of creating an additional footpath link between the diverted footpath and the Thames Path. This was also suggested by CPRE. However, the applicant was unable to progress this as the land is not in their ownership.
169. OMWCS policy C11 states that where possible routes should be retained in situ. This is not possible in this case as there is an existing footpath route through a proposed extraction area. The policy requires that routes are kept safe and usable and it is considered that this would be achieved through the proposed diversion and stand-offs between the working and rights of way.
170. OMWCS policy C11 also protects the amenity value of the rights of way network. The proposals have the potential to change the experience of using the Thames Path and footpath 171/15 in this area, particularly at the stages of the development when extraction is close to the route. Concerns were raised during earlier consultations about a potential tunnel effect on the diverted footpath as bunds were proposed on either side. Amendments were made to the proposals so that soil bunds would be on the east side of the path only, and a hedge would be planted on the west side to remove the tunnel effect. allowing views in the other direction. The amendments also include the replacement of some of the soil bunds with straw bale acoustic screens, which could potentially suit the rural context better. Overall, it is considered that the measures proposed to protect the amenity of users of the rights of way in the area are adequate.
171. Although it is disappointing that the applicant could not do more to progress the footpath link sought by the Rights of Way team, it is considered that the provision made for rights of way on the site both during and after the development, is sufficient to meet the policy requirements. The proposed diversion of the existing footpath is suitable and additional access is proposed following restoration, in accordance with OMWCS policy C11 which encourages improvements, enhancements and public access to restored workings. The proposals are considered to be in accordance with relevant development plan policy.

Potential Amenity and Health Impacts

172. Policy C5 of the OMWCS states that proposals for minerals development shall demonstrate that it will not have an adverse effect on the local environment; human health and safety; residential amenity; and the local economy from impacts including noise, dust, visual intrusion, light pollution, traffic and air quality. Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

173. NPPF paragraph 125 states that by encouraging good design planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
174. NPPF paragraph 144 states that when determining planning applications, planning authorities should ensure that there are no unacceptable adverse impacts on human health and that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source. Local planning authorities should establish appropriate noise limits for extraction in proximity to noise sensitive properties.
175. NPPF paragraph 143 states that in preparing Local Plans, local planning authorities should, when developing noise limits, recognise that some noisy short term activities, which might otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction. In the absence of an adopted Local Plan which specifies noise limits, this is considered to also be relevant to decision making.
176. SOLP policy EP1 states that proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented.
177. SOLP policy EP2 states that proposals which would have an adverse impact on occupiers by reason of noise or vibrations will not be permitted, unless effective mitigation measures will be implemented.
178. SOLP policy EP3 states that proposals for new floodlighting or other external lighting which would have an adverse effect on neighbouring residents, the rural character of the countryside or biodiversity will not be permitted, unless effective mitigation measures will be implemented.
179. Objections have been received from a number of local residents, concerned about amenity impacts at their properties. There has also been an objection on behalf of Culham Science Centre due to concerns that dust from the development would have adverse effects on sensitive scientific equipment. Details of the concerns of residents of nearby properties and Culham Science Centre can be found in Annex 4.
180. Following the submission of further noise monitoring information, the Environmental Health Officer confirmed that they have no objection to the application in terms of noise. The proposed bunds will be necessary to ensure that noise levels can be kept to the limits specified in the application and a condition can be applied to ensure that these are constructed and maintained. Subject to this, the development is

acceptable in terms of noise and accords with the NPPF and SOLP policy EP2 in this regard.

181. The ES included a lighting strategy, which concludes that external lighting on site would comply with the relevant British Standards and spill lighting from the site should not exceed 1 Lux through windows. There has been no objection from consultees in relation to this, however the residents of the properties closest to the plant site have expressed concern about the level of detail. Therefore, it is recommended that a condition be added to any permission granted requiring full details of external lighting to be submitted, approved and implemented. The hours of operation would limit the impact of external lighting.
182. The Air Quality Officer has confirmed that the potential dust impact on nearby receptors was sufficiently addressed in the original assessment and they have no objection subject to the implementation of the mitigation set out in the Environmental Statement. This can be secured by condition. Public Health England has also confirmed that there is no objection to the proposals and there would not be a significant impact on public health, subject to good dust management practices. Further information was submitted in relation to the concerns that Culham Science Centre had not been included in the original dust assessment and it is considered that this issue has now been satisfactorily addressed. Therefore, subject to the necessary conditions, including for a Dust Management Plan for the duration of the operations, the development is considered to be in accordance with NPPF paragraph 144 in terms of dust emissions and the potential impact on amenity and health.
183. The buffer zones between the nearest properties and the operational areas are considered to be appropriate because the detailed assessment work in the ES has shown that there would not be unacceptable impacts as a result of working at the distances proposed. The development is therefore considered to be in accordance with OMWCS policy C5 with respect to buffer zones.
184. Concerns have been raised about adverse impacts on amenity arising from increased HGV traffic. Transport Development Control has objected to the proposals due to severe impacts and expressed concern that idling vehicles would add to particulate and carbon dioxide emissions.
185. It is acknowledged that the A415 runs through Clifton Hampden village and HGVs can create an unpleasant and potentially dangerous environment particularly for vulnerable people. The applicant has proposed mitigation works in the form of footway improvements and bollard installation at the intersection between the A415 and the High Street in Clifton Hampden. This is welcomed by Transport Development Control.

186. Overall, it is considered that the development would be unacceptable in terms of the impacts caused by the additional HGV movements associated with this development, contrary to the requirement in OMWCS policy C5 that minerals proposals should demonstrate that they will not have an unacceptable impact in terms of the local environment, human health and safety and residential amenity including from traffic.
187. The development is considered to be acceptable in respect of the other criteria listed in OMWCS and other relevant policies protecting amenity, including in terms of noise, light nuisance and dust emissions. This is subject to planning conditions to ensure that the development is carried out as proposed and that the measures in the ES are adhered to.

Flood Risk and Water Environment

Sand and Gravel Extraction

188. OMWCS policy C4 requires that applications demonstrate no unacceptable adverse impact on the quantity or quality of surface or groundwater resources required for habitats, wildlife and human activities; water abstraction; flow of groundwater; and waterlogged archaeological remains. It goes on to say that the River Thames and other water courses of significant landscape, nature conservation or amenity value should be adequately protected from unacceptable adverse impacts.
189. Policy EP1 of the SOLP states that proposals should not have an adverse effect on underground water supplies or watercourses, similarly SOLP policy EP7 protects groundwater resources. Policy EP6 of the SOLP requires that development accords with sustainable drainage principles.
190. The application is supported by a Flood Risk Assessment (FRA). This was revised to reflect revisions to the operational and restoration layouts. It states that the risk of fluvial flooding from the River Thames to the site is high. There is also a minor risk of flooding from groundwater and surface water. It identifies elements of the development which could affect flood risk, including a decrease in floodplain storage capacity due to stockpiling and mineral processing, increase in surface water due to new access roads and changes to the drainage and flood regime from the removal of soil, overburden and mineral. The FRA also details the mitigation measures which have been built into the design of the development, including gaps in bunds to allow flood water to pass and the retention of separation between the main and secondary floodplain to prevent a new flood route opening up. The FRA reports the findings of a 1D-2D flood model used to assess the impacts of working and restoration phases on flood levels and river flows.
191. The FRA concludes that subject to the mitigation proposed, there would be no significant effects. It confirms that there would be an increase in

flood storage during the quarry operation at every level. Risk from surface water flooding would remain low and there would be no increase in risk of groundwater flooding. Fluvial flood risk is also assessed including the differences in peak flood levels and velocities. It is confirmed that there would be no increase in peak velocities in most locations. No significant effects are recorded.

192. The Environment Agency has responsibility to provide advice on the risk of fluvial flooding and does not have an objection to this application. The EA initially objected to the application on the basis that the FRA did not comply with the NPPF as it did not demonstrate that level for level flood plain compensation was not achievable before resorting to a loss of flood plain storage at certain levels. The objection was withdrawn, subject to a number of conditions, following the submission of the revised FRA.
193. The Lead Local Flood Authority has responsibility for surface water, ground water, ordinary watercourses and sustainable drainage and has no objection subject to conditions to cover the staggering of bunds to allow flood water to pass around them, dewatering to go through settlement before discharge, no dewatering in flood conditions and provision of information from groundwater monitors. The response on the further information confirmed that there should be a condition for monitoring boreholes in the Greensand. The applicant confirmed in their additional information that they would be prepared to install this and a condition is recommended to cover this. Further advice has been sought on groundwater in relation to comments made during the consultation period. This was not available at the time of finalising this report, but will be included in an addendum.
194. OMWCS policy C2 states that proposals for minerals or waste development, including restoration proposals, should take account of climate change for the lifetime of the development. This includes accounting for anticipated more frequent, short duration, high intensity rainfall events and periods of long duration rainfall in the future. The FRA includes a 15% allowance for climate change during operational phases and 35% allowance during restoration phases, in agreement with the Environment Agency and in accordance with this policy.
195. Subject to the additional advice with regard to groundwater, it is therefore considered that, subject to the mitigation measures as proposed, the proposed development would not result in adverse impacts to the surface or groundwater quantity or quality and accords with OMWCS policies C3 and C4, SOLP policies EP1, EP6 and EP7 and the NPPF.

Sequential Test

196. NPPG 066 Reference ID: 7-066-20140306 Table 2 classifies sand and gravel working as 'water compatible' and Table 3 confirms that this

means that it is appropriate in all flood zones, including the functional floodplain.

197. Regardless of the water compatible classification of sand and gravel extraction, the NPPG Notes to Table 3 confirm that the sequential test should be applied. OMWCS policy C3 states that mineral development will, wherever possible, take place in areas with the lowest probability of flooding. Where development takes place in an area of identified flood risk this should only be where alternative locations in areas of lower flood risk have been explored and discounted using the sequential test and where a flood risk assessment is able to demonstrate that the risk of flooding is not increased.
198. As set out above, the FRA demonstrates that the risk of flooding is not increased. However, OMWCS requires that a Sequential Test is undertaken by the County Council to assess whether there are other sites reasonably available for the extraction of sand and gravel in an area of less flood risk. This is contained in Annex 5 to this report and it concludes that there is a potential alternative site located in an area of lesser flood risk, at New Barn Farm, Cholsey.
199. The proposal is therefore not in complete accordance with OMWCS policy C3, which states that where development takes place in an area of identified flood risk this should only be where alternative locations in areas of lower flood risk have been explored and discounted. However, it should be noted that even if permission was granted for the extraction of 2.5 million tonnes of sand and gravel at New Barn Farm, there would still be the need for additional permissions for sand and gravel extraction before the end of the OMWCS plan period. There have been no objections from the Environment Agency or Lead Local Flood Authority following the provision of a site specific Flood Risk Assessment.
200. The conflict with OMWCS policy C3 needs to be weighed against the compliance with other relevant policies and the need for the development.

Sand and Gravel Processing

201. Sand and gravel processing is classified as 'less vulnerable' rather than 'water compatible' in the NPPG. NPPG 066 Reference ID: 7-066-20140306 Table 3 shows which land uses are compatible with which flood zone and states 'less vulnerable' development should not be permitted in the functional floodplain (3b).
202. The application does not propose all elements of 'less vulnerable' development to be restricted to Flood Zone 1. The proposed sand and gravel processing area would be partly in Flood Zone 2 and partly in Flood Zone 3. The weighbridge and offices and most of the processing plant is proposed to be located in flood zone 2, with part of the processing plant falling into zone 3a. Some bunds and conveyors in the

plant site area would fall into the area of highest risk of flooding, zone 3b.

203. The applicant has stated that due to the high proportion of the site covered by floodplain it has not been possible to locate all 'less vulnerable' development outside of it. They state that where possible stockpiles and bunds have been located in Flood Zone 1, however some are proposed in Flood Zones 2 and 3 (including 3b) where they are required to reduce the noise impact on neighbours around the plant site. These bunds are proposed to be staggered with gaps to allow flood waters to flow. An area of lower ground would be created to direct floodwaters through the gaps and into the quarry void, away from residential properties.
204. The applicant has stated that although efforts have been made to locate the processing plant within an area of the site with lowest flood risk, it was not possible to locate it entirely outside of the floodplain. This is because it needed to be located close to the access onto the A415 in order to avoid vehicle movements through the site, which would have a visual and environmental impact. It also needed to be located in an area which could be well screened, as the plant itself would have a landscape and visual impact. It has been possible to locate most of the plant in flood zone 2, although parts of it fall into flood zone 3.
205. The Environment Agency have stated that they would prefer the processing plant to be located in an area at a lower risk of flooding within the site and that the planning authority will need to be satisfied with the reasons for locating the processing plant partly within zone 3a. However, they have also confirmed that they are satisfied with the mitigation provided for the location of the processing plant and the development is acceptable in terms of flood risk.
206. NPPF paragraph 103 states that development in areas at risk of flooding should only be considered where development is appropriately flood resilient and resistant, including safe access and escape routes where required. There would be no workings in the excavation during flood conditions, as it would be a requirement that water pumping must cease. The plant site is largely in flood zone 2 and access to flood zone 1 could be gained via the proposed access road. Therefore, it is considered that this requirement can be met and it is recommended that a condition be added to any permission granted requiring the submission and approval of a flood management plan including details of safe access and escape routes, in order to provide the details.
207. Although the location of the processing plant within the application site does not follow the sequential approach to locating different landuses within the development, it is accepted that it has been located in the area of lowest flood risk that was practically possible within the site, given the other factors and constraints. The FRA confirms that the location of the

processing plant does not give rise to an increased risk of flooding and there has been no objection from the Environment Agency.

Clay extraction

208. Clay extraction is also classified as 'less vulnerable' development, which should not be permitted in flood zone 3b. However, in this case the clay would be worked from the base of the sand and gravel workings in order to provide an engineering material for restoration. It would not be removed from the site or sold to the market. It would therefore be an integral part of the sand and gravel working and it is not necessary to consider it as a separate development for the purpose of applying flooding policy, especially given that the flood risk for the development has been assessed in the ES and it has been demonstrated that there would not be an increased risk of flooding.

Restoration

209. OMWCS policy C3 states that the opportunity should be taken to increase flood storage capacity in the flood plain where possible, particularly through the restoration of sand and gravel workings.
210. The restoration proposals incorporate areas of lakes and other wetlands, which would increase the flood storage capacity in this area of the flood plain, in accordance with OMWCS policy C3. Land levels would be raised in the area of the access road and site office, in order to bring these areas out of the floodplain, however the site specific flood risk assessment has demonstrated that the proposal would not increase flood risk. There has been no objection from the Local Flood Authority in terms of the effect of the restoration on groundwater levels or quality.

Archaeology and Historic Environment

211. NPPF paragraph 132 states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation. It confirms that significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to, or loss of, scheduled monuments should be wholly exceptional. Paragraph 133 states that consent should be refused, where development will lead to substantial harm or total loss of significance of a designated heritage asset, unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 134 states that where development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

Archaeology on-site

- 212. OMWCS policy C9 states that proposals for minerals and waste development will not be permitted unless it is demonstrated, including where necessary through prior investigation, that they or associated activities will not have an unacceptable adverse impact on the historic environment.
- 213. NPPF paragraph 141 states that planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost. Para 144 of the NPPF states that there should be no unacceptable adverse impacts on the historic environment from mineral development.
- 214. Policy CSEN3 of the SOCS seeks to conserve and enhance historic assets.
- 215. An archaeological desk based assessment has been submitted with the planning application, including a geophysical survey. Further information was requested in relation to archaeology and cultural heritage.
- 216. Following the submission of further information, the County Archaeology team confirmed that they had no objection to this application, subject to conditions to ensure that the proposed archaeological investigation is implemented.
- 217. Therefore, it is considered that the proposals make adequate provision for the recording of archaeology, as required by the NPPF paragraph 141.

Scheduled Monument

- 218. SOCS policy CSEN3 states that designated heritage assets, including Scheduled Monuments and conservation areas, will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.
- 219. Historic England has confirmed that the development is not likely to increase the risk of erosion to the monument through changes to the hydrology. They consider that there would be some harm to the monument, through the impact on the setting. There would be some residual impact even following restoration and the planting designed to screen the restoration lakes would itself cut across existing open views which make a minor contribution to the setting. The archaeology team have also expressed concern about the impact of the development on the setting of the scheduled monument. However, Historic England has concluded that the level of harm would be 'less than substantial' and have not objected.
- 220. NPPF policy 134 states that when a development will lead to less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

NPPG paragraph 020 (Reference ID: 18a-020-20140306) states that public benefits could be anything that delivers economic, social or environmental progress.

221. There are some public benefits of the proposal, including the economic benefits from a local supply of aggregate and the environmental benefits coming from the restoration and long term management. Therefore, these need to be balanced against the harm to the setting. Given the limited ('less than substantial') nature of the harm to the setting and the clear need for the mineral and the related economic benefits of the proposal, as set out elsewhere in this report, it is considered that the harm to the setting is outweighed.
222. Historic England have recommended a planning condition for the provision of a heritage interpretation board on the site adjacent to the Thames Path, which would provide information about the scheduled monument. They have also requested that a viewing gap be maintained in the proposed new hedge adjacent to the Thames Path. This would allow the public to view the site of the scheduled monument in its wider context and to learn about it. This is also considered to be a public benefit of the proposal. The applicant has confirmed that they would be willing to maintain the gap and provide and maintain the board.

Setting of Listed Buildings

223. Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
224. SOLP policy CON5 states that proposals which would adversely affect the setting of a listed building will be refused.
225. The ES included a chapter on cultural heritage, which was updated with the further information submitted by the applicant. This includes an assessment of the impact of the proposals on listed buildings. The assessment found that although there would be some impact on the setting of the closest listed buildings (specifically Lower Town Farm, barn and associated granary building) the noise and visual intrusion that the quarry could potentially cause would be mitigated by the proposed 7m bunds on the eastern boundary. The effects of the bunds themselves are also considered and it is concluded that the effects of the development on the significance of Lower Town Farm and granary would be minor adverse during the workings and reduce to negligible/neutral by the completion of restoration when the quarry operations would cease and the bund would be removed.

226. Overall, it is considered that there would be no significant effects on listed buildings or their setting, given the distance between the workings and listed buildings, the mitigation proposed and the limited views between the site and listed buildings.

Setting of Conservation Areas

227. Policy CON7 of the SOLP states that permission will not be granted where development would harm the character or appearance of a conservation area.
228. SOCS policy CSEN3 states that designated heritage assets, including Scheduled Monuments and conservation areas, will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.
229. The cultural heritage chapter submitted by the applicant states that there are no direct views from Clifton Hampden conservation area into the site, although there are glimpsed views from the lane outside Lower Town Farmhouse, on the western edge of the conservation area. The assessment states that there is no meaningful visible or contextual relationship between the site and the majority of the conservation area, therefore no further assessment of the effects of the development on the setting of the conservation area is required.
230. Impacts on Lower Town Farmhouse are assessed, as set out above. This found that this listed building and the character of the Conservation Area do derive some significance from their setting on a village edge defined by the gentle transition into the surrounding farmland. However, the proposals would not change this physical relationship. The proposed bund on the eastern extraction boundary would provide a visual screen to the quarry workings and reduce noise levels. The bund itself would be temporary. Overall, the assessment finds that there would be a minor adverse effect on the significance of the western edge of the Clifton Hampden Conservation Area which would lessen to a negligible/neutral impact once restoration is complete.
231. Concerns have also been raised about impacts on Long Wittenham conservation area, which lies on the other side of the River Thames. The cultural heritage assessment states that there is no functional or associative relationship between the villages of Long Wittenham or Appleford and the modern farmland separating them and therefore detailed consideration of the effects on the heritage assets of these villages is not necessary.
232. As the development would not give rise to significant adverse impacts on conservation areas or their setting, it is considered to be in accordance with the relevant policies, including SOLP policy CON7 and SOCS policy CSEN3.

Biodiversity

233. Policy C7 of the OMWCS states that minerals and waste development should conserve and where possible provide a net gain in biodiversity. The highest level of protection will be given to sites and species of international nature conservation importance and in all other cases development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity. Proposals shall demonstrate how the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity, including contributing to the objectives of the Conservation Target Areas wherever possible. Satisfactory long-term management arrangements for restored sites shall be included in proposals.
234. SOLP policy G2 states that the district's countryside and environmental resources will be protected from adverse development. SOLP policy C6 states that the maintenance and enhancement of the diversity resource will be sought and full account of the effects on wildlife will be taken. Where there is any significant loss in biodiversity new habitat will be required to ensure there is no net loss.
235. NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient to current and future pressures.
236. NPPF paragraph 118 states that when determining planning applications, planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided and by encouraging opportunities to incorporate biodiversity in and around developments.
237. NPPF paragraph 118 also states that planning permission should be refused for development resulting in the loss or deterioration in irreplaceable habitats, including ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.
238. SOCS policy CSB1 states that a net loss of biodiversity will be avoided and opportunities for net gain will be sought. The highest level of protection will be given to sites and species of international importance but damage to nationally and locally important sites and species will be avoided unless the importance of the development outweighs the loss. Policy CSG1 requires that new development takes into account the relationship to existing green infrastructure and where appropriate contributes to improvements. Net loss of green infrastructure and biodiversity will be avoided.

239. The Ecology Officer is satisfied that there would be a net biodiversity gain, in accordance with policy. She is also satisfied with the ecological surveys that have been submitted with the application, following the submission of further information. Therefore, the Ecology Officer has no objection to the development, subject to the conditions and a legal agreement securing 20 years of long term management after the 5 year statutory aftercare period.
240. Following the submission of an arboricultural assessment with the further information, the Arboricultural Officer confirmed that he has no objection to the proposals, subject to a condition for a detailed restoration plan for trees and hedgerows which should include specifications including planting, soil enrichment, replacement, protection and pruning. There would be an overall increase in tree cover following restoration.
241. Therefore, it is considered that the proposals comply with relevant policies relating to the protection of biodiversity. Although there would be an impact on the current ecology, including the loss of trees, the potential for an overall biodiversity gain in the longer term has been demonstrated. The commitment to an extended management period would ensure that the relevant areas of the site could be managed for biodiversity for long enough for habitats to establish. Therefore, the short term loss of habitat and impact on existing biodiversity is considered to be outweighed by the longer term gain in habitats and biodiversity.
242. The development is considered to be in accordance with relevant development plan policies and emerging policies relating to biodiversity including SOLP policies G2 and C6, SOCS policies CSB1 and CSG1 and OMWCS policy C7.

Restoration

243. OMWCS policy M10 states that mineral workings shall be restored to a high standard and in a timely and phased manner to an afteruse which is appropriate to the location and delivers a net gain in biodiversity. It contains criteria which the restoration must take into account.
244. NPPF paragraph 144 states that local planning authorities should provide for restoration and aftercare at the earliest opportunity, to the highest environmental standards.
245. The proposed restoration provides a balance of afteruses including agriculture, nature conservation and recreation. Areas of open water have been limited in accordance with the Ministry of Defence's (MOD) requirements with regard to bird strike risk. The applicant has agreed to fund 20 years of long term management following the statutory aftercare period to ensure that the areas restored to nature conservation develop successfully. Overall, it is considered that the restoration proposals are appropriate and in accordance with the relevant policies, including

OMWCS policy M10 and NPPF paragraph 144. Conditions would be used to ensure that the proposed restoration is implemented to high standards.

Birdstrike

246. NPPF paragraph 144 states that mineral development should not result in unacceptable adverse effects on aviation safety.
247. The application site lies within the safeguarding zone for RAF Benson and therefore the MOD was consulted on the application plans to confirm whether they had concerns about an increase in risk of bird strike, due to habitat creation.
248. The MOD has reviewed the amended restoration plan and does not object to the application. However, they state that the site has the potential to support large flocking bird species which could pose a risk of birdstrike to RAF Benson and therefore a robust bird hazardous management plan would be needed to cover the entire restored site. This can be covered by legal agreement. The MOD would also like to be consulted on detailed restoration plans for each phase of the working. Therefore, a condition can be used for the submission of detailed working and restoration plans, prior to the commencement of extraction in each phase. Subject to the bird management plan and conditions, the development is acceptable in terms of birdstrike and compliant with the NPPF in this regard.

Soils and Agriculture

249. OMWCS policy C6 states that the presence of best and most versatile (BMV) agricultural land should be taken into account, the permanent loss of BMV land will only be permitted where there is an overriding need and provision should be made to maintain agricultural land quality, soil quality and for the long-term conservation of soils.
250. The NPPF paragraph 143 states that worked land should be reclaimed at the earliest opportunity taking into account the safeguarding of the best and most versatile agricultural land to conserve soil resources, amongst other considerations including biodiversity and recreation. NPPF paragraph 112 states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land.
251. Following initial comments from Natural England, further information was sought to support the agricultural land classification and soil resources ES chapter. This information was provided by the applicant, and Natural England then confirmed that although there would be a net loss of 15 ha best and most versatile agricultural land, they have no objection to the proposals subject to conditions to cover soil handling, stripping, storage and replacement, and aftercare.

252. Although the application affects a large area of BMV agricultural land, most of this (47ha) would be restored back to BMV land following the mineral working. The proposals for restoration and aftercare have been considered and assessed as suitable for achieving this. Therefore, subject to the conditions recommended by Natural England being added to any permission granted, the development would be in accordance with relevant policies regarding the protection of best and most versatile agricultural land, including OMWCS policy C6 and NPPF paragraphs 112 and 143.

Socio-economic

253. A number of objections have been raised in relation to the impacts on tourism in the area, especially in relation to the Thames Path and visitors to Clifton Hampden and Abingdon, with associated impacts for local businesses.
254. The SOLP contains a number of policies relating to tourist related development, including TSM1 which states that the prosperity of the area's tourist industry will be supported through encouraging enterprises based on the conservation and enjoyment of the inherent qualities and heritage of the area. However, this policy does not directly address the consideration of proposals with the potential to have an impact on existing tourist attractions and facilities. The concern of objectors is that the development proposed here will be detrimental to existing attractions which encourage visitors to the area.
255. It is not considered that the proposed development would have direct significant detrimental impacts on the attractiveness of the area for visitors specifically interested in walking the Thames Path or visiting historic villages. It is considered unlikely that potential walkers of the Thames Path, which passes through a variety of riverside settings, would be put off doing so due to the presence of a quarry along part of its length. Similarly it seems unlikely that significant numbers of potential visitors looking to explore and enjoy the historic interest and attractiveness of local villages would be deterred due to the location of a quarry in the vicinity.
256. The quarry would not be worked on Saturday afternoons, Sundays or Bank and Public Holidays, when it could be expected that there would be more recreational visitors. The quarry would be worked in phases and so at any point in time the workings would be small in scale compared to the scale of the application site. It is not visible from the historic core of Clifton Hampden village.
257. The ES includes a consideration of socio-economic impacts, including impacts on tourism. An impact on tourism is identified along the Thames Path, but this would be temporary and measures are proposed to mitigate the impacts on the Thames Path, including new planting to

screen the development from the path. The development would affect only a short section of the long distance route.

258. Overall, it is not considered that there would be a significant impact on the tourism industry in the local area as a result of this development. There is the potential for socio-economic benefits from employment and aggregate supply.

Cumulative Impact

259. NPPF paragraph 143 states that in relation to minerals, local plans should set out environmental criteria to assess planning applications against and the cumulative effect of multiple impacts from individual sites in a locality should be taken into account.
260. The ES takes into account potential cumulative impacts within the different assessments that it contains. Cumulative noise (including traffic noise) and dust impacts are assessed in relation to developments including the proposed new road crossing over the River Thames, proposals at Culham Science Centre and the proposed new quarry at New Barn Farm near Wallingford
261. The hydrogeological assessment did not identify any cumulative impacts, as the River Thames provides a hydraulic boundary to quarry areas south of the river. The archaeological assessment considers the potential cumulative impact of the proposed new road alignment.
262. A number of the assessments in the ES identify the proposed new Thames crossing road as a development with the potential for cumulative impacts, but state that it is not possible to assess these until a route is known.

Conclusions

263. The proposed development is contrary to NPPF paragraph 32, OMWCS policy C10 and LTP policy 02, as in the context of the existing flows on the local network the additional vehicle movements proposed would have severe impacts on the safety and efficiency of the highway network, leading to increased delays and accident risk.
264. The proposed development is contrary to OMWCS policies C5 and C10 in relation to the environmental and amenity impacts of the proposed additional vehicle movements. These additional movements would affect a local network already shown to experience peak time queueing (at the Clifton Hampden crossroads and junction of Abingdon Road and Tollgate Road) and therefore additional vehicle movements in these circumstances would lead to stationary and idling vehicles with associated air emissions.

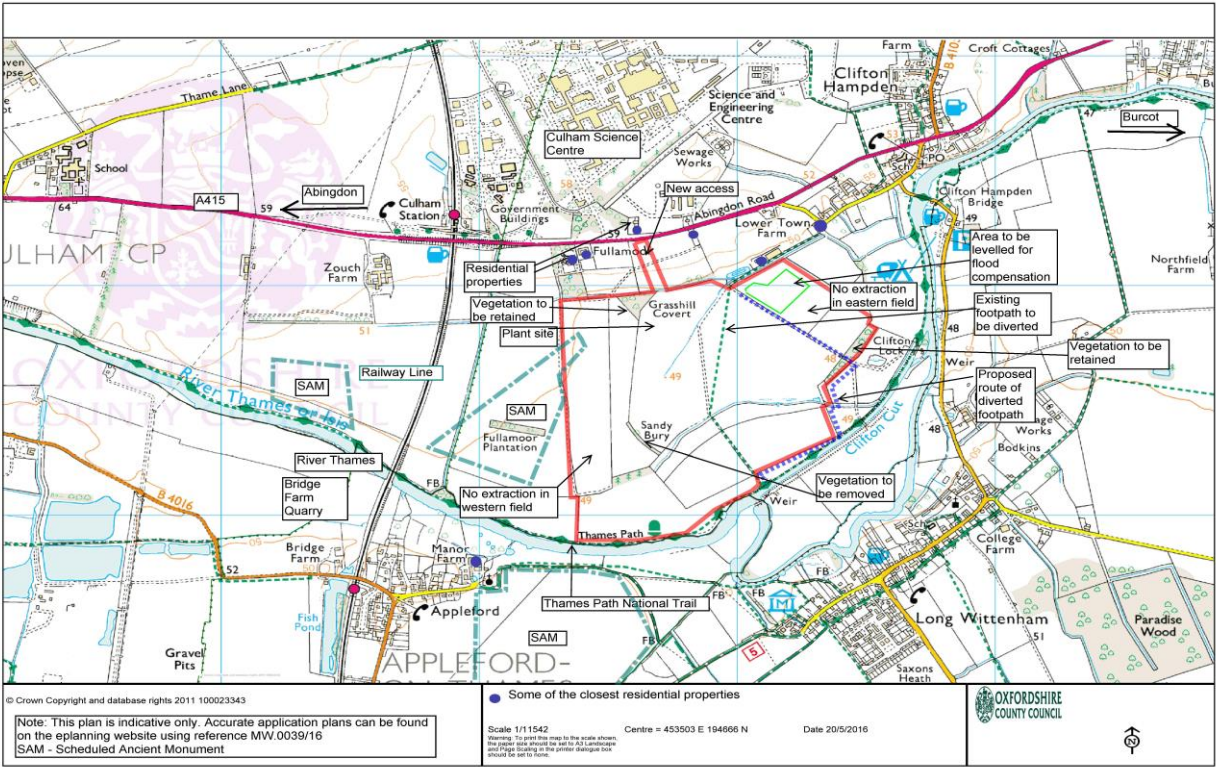
265. The proposed site does not pass the flooding sequential test and therefore there is a conflict with OMWCS policy C3. However, this is not considered to be a reason for refusing the application as detailed flood risk assessment work has shown that the development would not lead to an increased risk of flooding and there has been no objection from the Environment Agency or Lead Local Flood Authority.
266. The development is in accordance with the Development Plan and the NPPF in other respects, subject to conditions and legal agreements. It is considered that with the exception of traffic impacts, the potential impacts arising from the development could be adequately addressed through the use of planning condition and legal agreements. With the exception of the severe traffic impacts the proposed development is considered to be sustainable development in environmental, social and economic terms. The proposed development would be beneficial in terms of contributing towards Oxfordshire's supply of sharp sand and gravel and providing a high quality restoration.
267. However, due to the severe traffic impacts and the conflict with development plan policy that arises from these impacts, it is recommended that the application is refused.

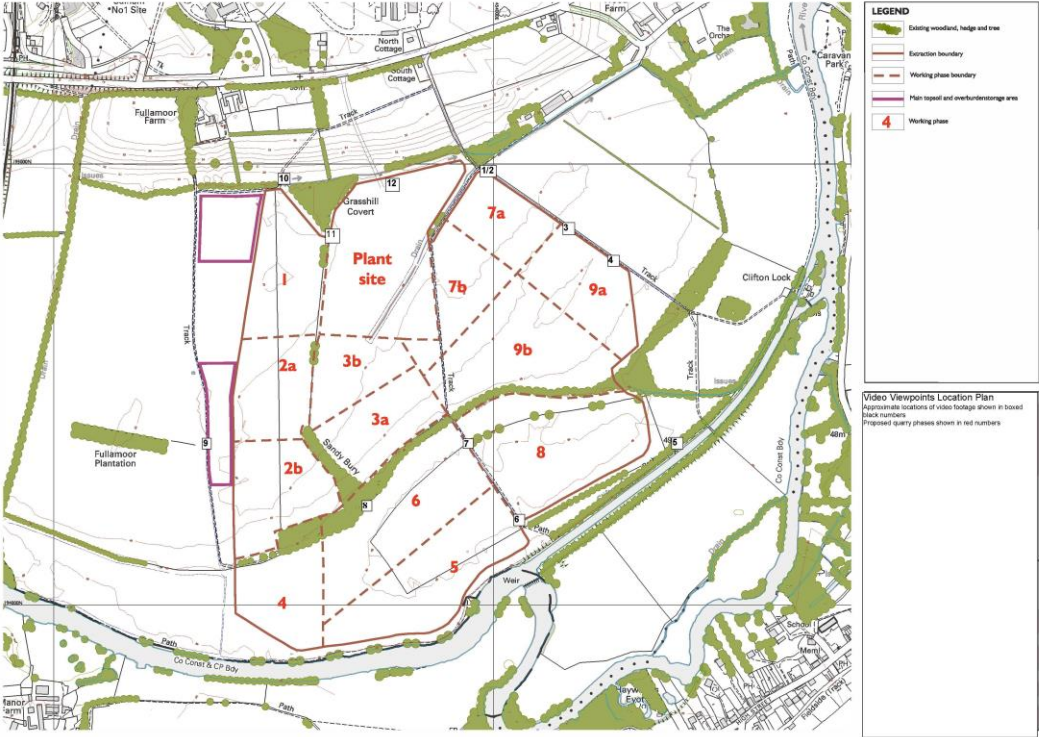
RECOMMENDATION

268. **It is RECOMMENDED that Application MW.0039/16 (P16/S1192/CM) be refused planning permission for the following reasons:**
- i) The additional vehicle movements arising from the development would lead to severe highways impacts contrary to paragraph 32 of the NPPF; would not maintain the safety of road users and the efficiency of the road network contrary to OMWCS policy C10 and would contribute to congestion, disruption and delays on the road network, contrary to LTP policy 02.**
 - ii) The additional vehicle movements arising from the development would worsen queuing at the local junctions leading to stationary vehicles with associated air emissions, causing unacceptable adverse impacts on environmental amenity, contrary to OMWCS policies C5 and C10.**

SUSAN HALLIWELL
Director for Planning and Place

November 2017





**Annex 1 - Compliance with National Planning Policy Framework
paragraphs 186 & 187**

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, as was the case with this application, and
- updating the agent and applicant of issues that have arisen in the processing of the application through meetings, phone calls and emails suggesting further information that could be submitted to overcome these concerns.
- This application was taken to committee for decision prior to the concerns of Transport Development Control being addressed by the applicant at the applicant's own request.

Annex 2 - Environmental Statement

1. An Environmental Statement was submitted with the planning application.
2. Chapter 1 sets out the background to the Environmental Statement.
3. Chapter 2 considers hydrology and hydrogeology. This includes details of the predicted effects of the development. Possible effects during the working phase which have been assessed include derogation of private water supplies and licensed abstraction, reduction in the water resource potential of the aquifer, change in stream and river flows, changes to groundwater quality and changes to surface water quality. It concludes that the predicted effects can be mitigated such that effects would not be significant. Mitigation measures are described, including the use of clay barriers.
4. Chapter 3 assesses flood risk. It identifies a number of activities with the potential to affect flood risk and assesses the potential effect on flood risk receptors. Mitigation measures for the operational and restoration phases are described. These have been incorporated into the design and include the location of stockpiles and noise bunds and scalloping to direct flood water towards bund gaps, management of the water level in restored lakes and maintenance of hydraulic continuity with the aquifer. The chapter concludes that subject to mitigation there would be no significant effects.
5. Chapter 4 covers archaeology and the historic environment and was revised following the Regulation 22 request. This submission set out the desk based assessment, geophysical survey and trial trench evaluation which have been carried out across area originally considered for the application. An area within the original area site was designated as a Scheduled Monument (early Bronze Age Barrow cemetery) and the extraction area was reduced to exclude this. The chapter considers the significance of the archaeological interest within the site and states that there would be a high adverse impact which without mitigation would result in a major adverse impact on the historic environment resource. However, a mitigation strategy is proposed including a programme of full archaeological excavation in the areas of most intensive levels of deposits (phases 5, 6 and 8) and a strip, map and sample programme in other areas. With mitigation the overall effects of the development, including in relation to the setting of Clifton Hampden Conservation Area and listed buildings, is assessed as minor. A minor adverse residual effect is also predicted in relation to the setting of the SM resulting from the alteration to the restored landscape.
6. Chapter 5 assesses the impact on soils and agriculture. This concludes that the development would lead to the loss of less than 10 hectares of

best and most versatile agricultural land and this is considered to be a minor adverse impact. 23.5 hectares would be restored to best and most versatile agricultural land. The impact on farm holdings within the site is assessed as minor adverse following restoration.

7. Chapter 6 considers bird strike. It states that most potential hazards relate to the restoration of the site following mineral working. It considers the potential impacts of the restored landform on flights in and out of RAF Benson. It describes mitigation which has been incorporated into the design to reduce the attractiveness of the habitat to potential hazardous breeds of bird. For example, no islands have been provided in the lakes, a public footpath is proposed around the two larger lakes to introduce a level of disturbance, goose proof fencing would be installed and the use of reed fringes to the lakes. A bird management plan would be needed to manage the site in the long term. Subject to these measures, the chapter concludes that the development would not significantly increase bird strike risk.
8. Chapter 7 contains the Landscape and Visual Assessment. This identifies the key visual receptors, including public footpaths and dwellings. It also sets out proposals to mitigate the potential impacts including advance woodland planting and retention of existing woodland where possible. Even taking into account the mitigation there would be a major adverse impact on visual effects from the Thames Path in the short to medium term. However, this only affects a 800 metre stretch of a long distance path. The visual impact on dwellings is considered to be minor adverse during the operational period and negligible 15 years post restoration. A supplement to the chapter was submitted to address changes to the proposals, which concluded that the removal of the concrete plant would have a negligible influence on the landscape and visual effects, and the amended advance planting proposals and changes to the bunds alongside the diverted footpath would have beneficial influences.
9. Chapter 8 considers transport and access and assesses the proposals in terms of vibration, severance and pedestrian delay, driver stress and delay, pedestrian amenity, fear and intimidation and accidents and safety. The residual effect in all cases is found to be negligible during construction and operation and will reduce further in the long term once the site is restored.
10. Chapter 9 is a noise assessment. This provides the results of noise surveys conducted at noise sensitive properties and suggests noise limits based on those existing background noise levels and on the advice on appropriate noise standards contained in the Planning Practice Guidance. In some cases calculated noise levels exceed the suggested limits and so mitigation is proposed. This includes noise attenuation bunds and barriers. Road traffic noise is assessed and is considered to be negligible.

11. Chapter 10 considers biodiversity. This sets out the desk based review, Phase 1 Ecology survey, Phase 2 Ecology survey and ecological assessment which have been undertaken in relation to the site. This states that the only residual adverse impact is the loss of 2350 metres of hedgerow. It concludes that in the long term the development would not alter the functioning of existing habitats and there would be habitat creation as part of the restoration. Overall, it is concluded that the residual ecological effect would be positive at the site level with benefits potentially becoming significant at the local, district or county scale.
12. Chapter 11 covers geology and mineral resources. This presents the results of boreholes and describes the investigations which have estimated the total reserves of sand and gravel and the estimated depth and thickness of the mineral. This provides an estimate of the mineral tonnage by phase with a total of 2.57 million tonnes.
13. Chapter 12 considers air quality and is split into two parts, one covering dust and the other traffic. The dust related air quality section concludes that the cumulative dust impacts are considered to be localised and of negligible significance with appropriate mitigation. Mitigation measures include sheeting vehicles, maintaining haul roads, use of a water bowser in dry conditions, minimisation of drop heights, screening bunds and undertaking temporary operations such as soil stripping only in appropriate weather conditions. The traffic related air quality assessment considers the impact on air quality on local roads and in air quality management areas which vehicles may pass through. It concludes that the impact of the quarry traffic on local air quality would not be significant.
14. Chapter 13 considers alternative sites, working methods and supply options. It concludes that a meaningful alternative site or supply option has not been found and the application site is available for immediate development.
15. Chapter 14 considers climate change and explains that the proposals have taken climate change into account through site design and operation and in the assessment work.
16. Chapter 15 covers the socio-economic impacts of the proposals on the local community. It confirms the findings of the individual assessments that the proposals would not have an unacceptable impact on the local community. It states that there would be benefits in terms of employment and the supply of construction materials into the local market.
17. A new Chapter 16 was provided as part of the additional information submitted. This contains an Arboricultural Assessment. This provides details of trees on site, including their age, condition and classification. It then confirms which trees are proposed for removal. It concludes that there would be an adverse landscape and environmental impact associated with the removal of 43 trees/tree groups, four of which are

classified as category A (good quality.) It states that a qualified arboricultural consultant must be retained during to inspect tree protection fencing prior to ground work on each phase commencing.

18. Additional technical work was submitted for a number of chapters in response to the Regulation 22 requests. There were no changes to the overall conclusions of the ES as a result of the additional assessment work, however, some additional mitigation measures were proposed as a result, including a new amenity bund on the north west boundary, an amendment to the extraction area to protect trees, additional planting and a change to the configuration of the southern lake on the restoration plan. Updates to a number of the assessments were also received following the amendment of the proposal to remove the concrete plant. There were no significant changes to the environmental impacts as a result of this change.

Annex 3 – Consultation Responses Summary

South Oxfordshire District Council - Planning

1. S
 eptember 2017 – Re-iterates strong objection, particularly in relation to the landscaping and bunds proposed. Concerns are reinforced by the August comments from OCC's landscape advisor. Whilst there is scope to consider a restoration scheme that is more sensitive to the surrounding landscape than currently proposed, it is not clear that harm associated with the operation and bunds can be overcome without reintroducing harm to amenity. The impact of the height and number of bunds is exacerbated by the topography of the site, and its prominence within the landscaping setting of the river corridor. Not clear what other mitigation could be provided that would satisfactorily safeguard nearby occupants from prolonged noise disturbance. Full consideration should be given to the 'in principle' landscape objection.
2. M
 arch 2017 – Object. The proposed development increases the risk of adverse impact to initiatives and investment associated with the Science Vale UK area and risks jeopardising infrastructure project aimed at addressing traffic congestion in the immediate area. The proposed bunds intended as mitigation would introduce landscape impacts. Also concerned about the removal of trees, noise, emissions and vibrations, insufficient information on the effectiveness of the proposed bunds, insufficient information regarding heritage assets.
3. May 2016 - Object. The proposals are contrary to development plan policy, including in relation to landscape, environmental protection and biodiversity. Although the site is within the 'Thames Valley (Oxford to Goring Gap) area identified in the draft Minerals and Waste Core Strategy, this application pre-empts the examination of that plan and any site allocation plan.
4. Strategic Issues - The site is within a key area of Science Vale, which is nationally significant. This has the potential to adversely impact emerging plans in both South Oxfordshire and the Vale of White Horse. The proposal has the potential to exacerbate traffic congestion and impact the delivery of an identified strategic opportunity to relieve that congestion and deliver planned growth. A new north-south link road at Clifton Hampden and bridge crossing the Thames is important to the delivery of Local Plans for both SODC and Vale of White Horse District Council. Allowing mineral extraction at this site could undermine identification of opportunities for this. Proposals should therefore ensure that the delivery of the river crossing is not prejudiced in any way.

5. Landscape – The River Thames is particularly picturesque around Clifton Hampden. Large scale development is inappropriate in river corridors and this is reflected in SODC Core Strategy policy CSEN1.
6. Historic environment – An assessment of the impact on the setting of designated heritage assets should be provided and this should demonstrate how the development would conserve and enhance their historic significance in line with policy.
7. Green infrastructure and biodiversity – There appears to be a conflict in conservation terms and the area is identified as important for birds and yet bird fencing and bird scarers are proposed for the restored lake. The applicant should undertake baseline surveys of the site to assess its current value and demonstrate how the proposals can avoid a net loss in biodiversity.
8. Neighbourhood Development Plan – Clifton Hampden has a designated Neighbourhood Development Plan area. Whilst gravel working is excluded from such plans, we encourage closer working between the applicant and the Parish Council.

SODC Environmental Health

9. November 2017 – Requests further information about impact of changes to bunds on noise impacts. Indicated verbally that clarifications provided by the applicant's noise consultants adequately resolve these concerns, but a written response had not been received at the time of drafting this report and will be included in an addendum if received.
10. February 2017 – No objection subject to conditions to control noise, including the implementation of the proposed bunds, and noise limits in accordance with submitted report.
11. May 2016 – Concerned that noise levels recorded at position 8 do not represent the background noise existing to the rear of Fullamoor Farm. Requires further noise monitoring to be carried out directly to the rear of Fullamoor Farm and also at the four houses to the east. Requires more detail about temporary operations. Will provide final comments once additional information is received.

SODC Air Quality Officer Response

12. May 2016 - The potential dust impact of the development on nearby receptors is a concern, however this has been sufficiently addressed in the assessment and therefore there are no objections provided the mitigation laid out in chapter 12 of the Environmental Statement is adhered to. Recommend condition for a detailed dust management scheme.

**Clifton Hampden Parish Council
Culham Parish Council
Long Wittenham Parish Council
Appleford Parish Council**

13. T
- These Parish Councils have confirmed that the detailed objection submitted by a planning consultant on behalf of the objector group Bachport (Burcot and Clifton Hampden for the Protection of the River Thames) was also submitted on their behalf. The Bachport response is summarised in the representations annex.

Long Wittenham Parish Council

14. L
- Long Wittenham Parish Council responded separately to the October 2017 consultation. They state that the removal of the concrete batching plant does not change their opposition to the quarry. Concerned that a concrete plant could be developed in the future under permitted development rights. Remain concerned about impact on the River Thames, Oxford Green Belt, traffic congestion, landscape, proposals for a new road and river crossing. Housing requirement figures have been revised downwards, undermining argument that the quarry is needed to meet additional demand.

Little Wittenham Parish Council

15. F
- February 2017 – Object – appears that nothing has changed. The noise survey does not take account of this side of the river. No survey has been carried out to take account of impact on village church and school. Concerned that no mitigation can be provided between the quarry and the river frontage and this would affect flood prevention.

16. M
- May 2016 - Object. Objection centres on traffic impact on already congested road network, particularly the A415. Although it is a designated lorry route it seems it cannot safely accommodate much additional traffic as it already suffers heavy traffic from Culham Science Centre and airfield industrial site. There are safety concerns regarding the junction in Clifton Hampden which is immediately adjacent to the school and doctors' surgery. The site is in the Green Belt and there must be alternative sites that would have less impact. Little confidence that Hills would not seek to extend working beyond the initial 10 year period. Not clear that the mineral is actually required bearing in mind other operational sites and increased supplies of recycled and marine aggregate.

Abingdon Town Council

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| 17. | October 2017 - In addition to the Town Council's previous objections, members expressed concerns about the volume of traffic through Abingdon and damage to buildings caused by vibration of HGVs. | O |
| 18. | August 2017 – Re-iterates strong objection for reasons previously stated. Emphasise serious concerns regarding impact of HGVs on Abingdon town centre, which is an air quality management area. HGV restrictions should be considered alongside new technologies such as electric HGVs. Concerned about impact on the structure of the bridges carrying the A415 over the Thames in Abingdon. | A |
| 19. | February 2017 – Re-iterates strong objection. Application not within Abingdon or in an adjoining parish, however the proposal is to access the site via the already busy A415 passing through Abingdon. Serious concerns regarding the potential effect of the proposals on Abingdon as a result of increased traffic. There will be congestion and a lorry breakdown would have the potential to cause long delays. Major adverse impact on air quality, noise pollution and overall environment in the town centre. Proposal does not take into account the scoping opinion which stated there should be a commitment to exclude lorry traffic passing through Abingdon town centre. | F |
| 20. | May 2016 - Object. Concerned about the potential increase in traffic. Proposed additional lorries would cause congestion, impact air quality, cause noise pollution and adversely affect the environment in the historic town centre, pedestrians, cyclists, residents, traders and motorists. Also concerned about the effect on villages. Oxfordshire County Council's scoping opinion stated that there should be a commitment to excluding HGVs from Abingdon town centre. This is not reflected in the application. | M |

Drayton St Leonard Parish Council

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| 21. | May 2016 - Fully support the application. Impressed by the proposals put forward at the public exhibition including the attention to detail and phased design. This proposal seems to offer a significant contribution to the county's minerals requirement with minimal environmental impact. | M |
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Sutton Courtenay Parish Council

22. F
 ebruary 2017 - Concerned about the impact of the development on the immediate rural area and locality. If approved HGVs could cross the Thames and travel through Sutton Courtenay. There should be a routeing agreement to prevent this.

Vale of White Horse District Council

23. Response on Further Information – Maintain previous comments and endorses the detailed comments made by SODC in March 2017. The proposed development would increase the risk of adverse impact to initiatives and investment associated with the Science Vale UK area. The proposed mitigation bunds introduce further concerns in terms of landscape. The Vale Local Plan 2031, Part 1 (adopted in December 2016) identified the need for a new river crossing as a necessary piece of infrastructure to support development in Science Vale UK and land to the south of the application site has been safeguarded for road development.
24. First Response - The site is not within the Vale District, but adjoins it. Would like to endorse the comments of SODC and specifically highlight concerns regarding the potential to exacerbate traffic congestion on important routes and the implications of this, for example on neighbours and air quality.

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)

25. J
 uly 2017 – No objection. Note that a number of survey updates have been carried out. Could not find reptile survey information, but content with avoidance mitigation measures proposed for reptiles. Also content with mitigation for other habitats and species. Support the comments of the County Ecology Officer on biodiversity net gain, extended aftercare and conditions. Note that much detail is proposed to be provided at later stage under condition. Recommend that the restoration management plan is developed sooner rather than later to provide confidence that ecological benefits can be achieved as stated and to provide clarity on management issues.
26. F
 irst Response - Further ecological survey work should be submitted in relation to reptiles, water vole, breeding birds, bat roosts and foraging/commuting routes. Support the guidance from the Ecologist Planner on further surveys needed. Consideration should be given to

the need to update survey work given that it was undertaken in 2013/14. The value of the arable margins should be further assessed as the report as identified the presence of wild pansy. The site has further potential to provide habitats for biodiversity.

Natural England

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| 27. | September 2017– No objection subject to conditions to safeguard soil resources. The development will lead to the net permanent loss of 15 ha best and most versatile agricultural land. However the restoration proposals are such that the application should not be considered inappropriate. The proposals should lead to the restoration of 47 ha of best and most versatile agricultural land. | S |
| 28. | February 2017– Additional information does not address all of the concerns about agricultural land. | F |
| 29. | June 2016 - Soil, Land Quality and Reclamation – Strong reservations about the proposal. Unable to advise on the reliability of the Agricultural Land Classification data provided unless the applicant provides further information. On the basis of the information provided, the development could result in the irreversible loss of at least 10 ha of best and most versatile agricultural land. The applicant has not provided enough evidence to confirm the maximum area of land would be restored to BMV agricultural land. Therefore, the submitted proposals do not meet with the requirements for sustainable minerals development. Soil information should be revised for the proposed site area, as submitted information is based on a larger site area. Any changes to restoration design resulting from changed soil volumes should be addressed. Information on post restoration underdrainage should be provided. Soils should not be handled between November and March inclusive. The submitted information on aftercare does not contain enough detail to meet the requirements of an outline scheme. Notwithstanding strong reservations regarding loss of BMV land, the proposed restoration may be capable of delivering significant biodiversity and green infrastructure benefits. | J |

Ministry of Defence - Defence Infrastructure Organisation

- | | | |
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| 30. | July 2017 –No objection. The applicant has identified that they will be preparing a bird management plan for the management of the entire restored site. As per previous response, no objection subject to this requirement. | |
| 31. | March 2017– The revised restoration plan does not appear to introduce | M |

new habitats but would increase the amount of wetland available to gulls and waterfowl. Therefore, as previously advised a robust bird management plan would be needed, including remedial action to be taken should trigger levels be exceeded. The MOD would also wish to review the detailed restoration plans submitted by the applicant, prior to the extraction of each phase of extraction.

32. J
- une 2016 - No objection. The site falls within the safeguarding consultation zone for RAF Benson. The proposed restoration would create 3 lakes and restore 8 silt lagoons to a mosaic of open water with reed marsh and wet woodland. Concerned that this scheme would create wetland habitats attractive to large and flocking birds which are hazardous to air traffic. The lakes are devoid of islands which would limit breeding habitat. However, the dimensions of the lakes would attract waterfowl and provide opportunities for roosting gulls. The lake banks would be shallow, but to inhibit the movement of geese, sides should be steep and planted with marginal vegetation. Once established the proposed reedbeds should reduce the area of open water. However, provisions will need to be made for managing these habitats to prevent roosting flocks of starlings or nesting geese. Therefore, there should be a bird management plan as part of a Section 106 legal agreement and this should be implemented for as long as RAF Benson remains in use. Would wish to comment on detailed restoration plans submitted under conditions.

Historic England

33. N
- ovember 2017 – No objection. Previous advice remains unchanged. One on small point of detail, the revised plans show a new hedge adjacent to the Thames Path to screen the quarry. A viewing gap should be maintained to allow users of the Thames Path to look towards the Scheduled Monument. This would also be an appropriate place for an information board about the monument and other heritage assets on the site. This would be in addition to the heritage interpretation scheme proposed as part of the restoration.
34. J
- uly 2017 – No objection. There would be some harm, but this would be less than substantial harm. Consider that there would be some residual effect on the scheduled monument due to the change in the landscape following restoration and the new woodland which would cut across existing open views. The rise in water level predicted is unlikely to have any impact on scheduled archaeology.
35. M
- arch 2017 – No objection. Groundwater levels would be reduced by 2-3 metres during quarrying and to a minor extent water levels will also be

lower after restoration due to evapotranspiration of the lake. These lower water levels would not directly impact on the erodibility of the monument, but there could be minor increased agricultural impacts due to a lower water table, for example plant roots extending deeper. The monument lies up-gradient of the proposed quarry, which would decrease any impacts. Backfilling the quarry workings with less permeable material would result in a rise in water levels up gradient. Overall, therefore the quarrying activity would not increase the risk of erosion to the monument. There would be some harm through the impact on setting to this monument and the one to the south of the river, this harm needs to be considered against public benefit.

36.

A

April 2016 – The quarry would extend to within 40 metres of the Round Barrow Cemetery Schedule Monument. There is a risk that the development could cause the monument to dry out and erode. Specialist advice is being sought on this issue. There would be some harm to the significance of the monument and another monument to the south of the river, through impact on their settings. There would be harm to the monument through the bunds and plant site and probably also through the restoration proposals. Permission should not be granted until further advice has been received regarding the risk of the monument drying out. The harm to the settings of the monument should be considered against public benefit by the Minerals Planning Authority.

Network Rail

37. August 2017 – No objection in principle, however have some concerns and request conditions to cover groundwater monitoring, trigger levels and contingency plans, submission of quarterly groundwater monitoring reports and provision of a clay lined barrier. Previous comments also remain.

38. March 2017- Provides comments and requirements for the safe operation of the railway including advice on drainage, safety, design of any works adjacent to Network Rail's property.

39. February 2017– Further information required regarding dewatering proposals.

40.

M

May 2016 - No objection provided comments and requirements for the safe operation of the railway including advice on drainage, safety, design of any works adjacent to Network Rail's property.

Environment Agency

41. November 2017 – No objection. Previous queries have been resolved following clarifications from the applicant. Comments and conditions from July 2017 response still apply. The proposed bund alignment is not likely to significantly affect flood flows and satisfied that biodiversity issues have been resolved.
42. October 2017 – Queries for the applicant about the additional information. A plan should be provided showing the 16m ecological buffer from the River Thames and the 25m standoff between the river and the edge of mineral extraction. Concerned about the proposed hedgerow parallel to the River Thames as there should not be formal landscaping within the buffer zone. It could also act as a barrier to habitat connectivity. Would like some clarification regarding the removal of bunds and the flood risk modelling.
43. August 2017 – The revised Landscape and Visual Impact Assessment includes proposals for the Thames Path to be screened from the site by a new hedgerow. We would not want to see any formal landscaping within the 25 metre buffer from the top bank of the Thames. Formal landscaping would include non-native species, trimmed shrubs and hedge lines and ornamental planting.
44. July 2017 – No objection. Previous objection on flood risk and biodiversity grounds is withdrawn, subject to conditions being imposed on any planning permission. Conditions are required to cover compliance with the FRA and mitigation measures, scheme to show the final design and alignment of bunds and stilts under the aggregate plant, plan to show implementation of surface and ground water pumping scheme, ecological protection and restoration scheme including details of a 25 metre buffer between the Thames and the quarry works. The Minerals Planning Authority should be satisfied that the sequential test is passed. Clay extraction is classified as 'less vulnerable' development which is not appropriate in flood zone 3b. Would prefer the processing plant to be located at an area of lower risk of flooding, however we are satisfied with the flood risk as mitigation is proposed.
45. A
April 2017 – Object to the development in fluvial flood risk and nature conservation grounds. The FRA does not comply with the requirements of the NPPF. This objection could be overcome by submitting a revised FRA. Object on the grounds of nature conservation because the assessment and mitigation of the risks to nature conservation is inadequate. The applicant should provide further information to demonstrate that the risks can be satisfactorily addressed.
46. A
August 2016 – Object due to flood risk. Further work is needed before the flood risk model can be accepted as fit for purpose. Object due to

nature conservation. The assessment and mitigation of risks to nature conservation are inadequate. The applicant should provide further information including ecological surveys, impacts of removing ditches, impacts on local wildlife sites, impacts of lighting, mitigation for protecting the River Thames. Clarifications are also needed to correct inconsistencies in the submission. The restoration scheme is inadequate and should be revised.

47. M
ay 2016 – Further information about fluvial flood risk modelling required before a full formal response can be given.

Public Health

48. N
o objection. On the basis of the information provided, and subject to good dust management practices, PHE does not anticipate that the operation of the site is likely to result in any significant impact on public health

North Wessex Downs AONB

49. C
Concerned about the quarry's location within the setting of the AONB and its potential to harm important views and vistas in and out of the AONB, in particular from Wittenham Clumps. Didcot Power Station is also visible from the clumps but is in the process of being demolished. The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area and the North Wessex Downs are particularly susceptible to developments which are visually prominent, noisy, or of an urban, suburban or industrial nature.
50. T
The development has the potential to have a negative impact on the Thames Path. It has not been demonstrated that noise levels would be appropriate in the very tranquil environment. The proposed advance planting would need to be planted significantly in advance to provide visual or acoustic screening. The development would alter the character of the large open field pattern. The restoration scheme should be improved. The bodies of water need to be more naturally contoured and reduced in size to create multiple ponds and a natural drop towards the Thames. The woodland belt to the north of the larger water body should be broken into smaller clumps to conserve views into the AONB. There is the potential for restoration of land to wildflower meadow or skylark plots.

Transport Development Control

51. November 2017 – Object. Recommend the application is refused in the interests of highway safety, convenience and sustainability and in accordance with Paragraph 32 of the National Planning Policy Framework and Policy 02 of the Oxfordshire Local Transport Plan. The submitted Transport Statement suggests that new trips from the proposed development would be insignificant in terms of highway impact given existing flows on the network. Although I previously agreed with this, recent County Council traffic surveys and modelling show excessive queuing and junction blocking bringing about a situation best described as gridlock. In such circumstances the impact of additional trips is disproportionate and very few trips may add to delay significantly. Frustrated drivers merging and manoeuvring indiscriminately will have an adverse impact on road safety as will the increased likelihood of rear end shunt collisions resulting from queuing, especially where forward visibility may be limited. In addition, idling vehicles would add to particulate and carbon dioxide emissions. The Local Highway Authority considers the traffic impact of this development would be unacceptable and would meet the NPPF criteria of ‘severe harm’ so as to justify the refusal of planning permission.
52. The proposed junction with the A415 is acceptable in principle, routeing is in accordance with County Council’s Lorry Routeing and footway improvements adjacent to Clifton Hampden Primary School are welcomed. Therefore, permission be granted conditions and legal agreements should be sought to secure these. However, the recommended obligations, conditions and informatives would not resolve the objection set out.
53. May 2016 - No objection subject to conditions and obligations to ensure the proposed routeing (routeing agreement) and the works to highway to achieve footway improvements and new access (Section 278 agreement). Routeing of HGVs is in accordance with OCC’s Lorry Routeing Strategy, there would be no significant traffic impact on the local highway network. The proposed footway improvements are welcomed. Conditions should be attached to ensure the new access and visibility splays are in accordance with approved plans and that the development takes place in accordance with an approved Construction Traffic Management Plan (CTMP). The access proposals comply with the required standards. Traffic impact on the local highway network would be minimal, with few trips coinciding with peak network hours. Given the background traffic on the local highway network the impact of the proposed additional movements is considered to be negligible. In relation to Abingdon town centre, the additional trips would not have a significant impact on flows but there may be an implication for air quality and advice should be sought from the relevant body.

Transport Strategy and Policy

54. November 2017 – Object. The proposal, as submitted, would prejudice the route of a Link Road and Thames River Crossing and as such

would harm the County Council's ability to deliver its Local Transport Plan and support future growth within the County. The response provided by the applicant on this issue does not alleviate concerns. Three options are offered to protect the alignment of the proposed road; to retain an undisturbed corridor, to reinstate the route of the road over the proposed water or to make a Section 106 contribution for the construction and maintenance of a piled viaduct or piled road.

55. May 2016 - Object. The proposal would prejudice a potential alignment for the route of a Link Road and Thames River Crossing and as such would harm the County Council's ability to deliver its Local Transport Plan and support growth. The proposed application area fully coincides with one of two route options being considered for a new road. The three options available are to retain a undisturbed corridor, to reinstate the route of the road over the proposed water or to make a Section 106 contribution for the construction and maintenance of a piled viaduct or piled road.

Oxford Green Belt Network

56. February 2017 – Object for the same reasons as given in first response. The principle remains the same despite the proposed changes.
57. May 2016 - This area is currently one of the most open and unspoilt parts of the Oxford Green Belt. It is a landscape of historic importance and is enjoyed by the public, for example those walking on the Thames Path. The quarry would transform this into an industrial landscape. Although it is temporary the landscape would not be the same afterwards and afteruses could impact on the openness of the Green Belt. The period of working is almost always extended.

58. T
 he Core Strategy has not yet been adopted and the examination has not been held. This application is premature. Extensive areas of the Oxford Green Belt landscape have been affected by quarrying and it would be wrong to open up an entirely new site at this point. The site contains good quality agricultural land, the development would disrupt villages, there would be additional traffic on the A415 and other roads. Application is in the wrong place at the wrong time.

CPRE

59. M
 arch 2017 – Object. Remain of the view that the application is premature given that Core Strategy and sites allocation document have not been agreed and there is no urgent need. Other issues of concern include impact on the Green Belt, loss of high grade agricultural land, loss and damage to trees and hedgerows, major adverse impacts on footpaths.

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| 60. | <p>esponse on footpaths February 2017 – The southern end of the circuitous temporary diversion of Clifton Hampden FP15 would run parallel and close to the Thames towpath for 400m without linking to it. A link would be highly desirable so that walkers do not need to walk back and forth along parallel paths.</p> | R |
| 61. | <p>ay 2016 - Object. The landbank is well in excess of the recommended 7 year supply. The need to increase stocks has not been shown. The application is premature before the new plan is agreed.</p> | M |

County Councillor for Berinsfield and Garsington - Cllr Lorraine Lindsay-Gale

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| 62. | <p>Object on the grounds of significant increase in existing traffic problems, safety of pedestrians, premature to grant permission ahead of agreement on the level of need, there are two alternative sites near Wallingford that would be more suitable.</p> | |
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County Archaeological Services

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| 63. | <p>ugust 2017 – Re-iterate previous recommendation.</p> | A |
| 64. | <p>February 2017 – No objection, subject to conditions for a written scheme of archaeological investigation, staged programme of archaeological investigation and fencing to protect archaeological interests in the area. Following the additional information, there are no longer any significant archaeological constraints.</p> | F |
| 65. | <p>April 2016 – Further information is required regarding the potential for further cropmarks. Should permission be granted conditions would be attached requiring further investigation into features corresponding to the cropmarks, advance of extraction. Concerned about the setting of the scheduled monument, the impact is not considered to be either temporary or minor as set out in the Environmental Statement. Further advice is needed from the Historic England Scientific Advisor to evaluate the impact on the hydrology of the monument.</p> | A |

Rights of Way and Countryside access

- | | | |
|-----|--|---|
| 66. | <p>Thames Path Manager May 2016 - It would be unacceptable to divert The Thames Path off its bankside position. The proposed 25 metre buffer zone would have to be adhered to at all times, and measures for</p> | T |
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screening noise pollution should be applied within the boundary of the site and not within the buffer zone. In the interests of public safety there should be no driving or crossing over onto the National Trail. Should any erosion of the river bank happen along this reach, then we would require a guarantee that the company be responsible to undertake any in keeping, fit for purpose revetment work and so maintain the 25 metre buffer zone. Should the company damage the surface of the National Trail they would need to repair and improve the damaged area to National Trail standards. Any maintenance along the buffer zone needs to be undertaken by the company, including vegetation management in accordance to National Trails standards. After extraction, any facilities should be open for use by the public and trail users with circular walks linking onto the Thames Path National Trail.

67. C
 ountryside Access Team – July 2017 – No objection. Would like the applicant to investigate the possibility of creating a new footpath link between the Thames Path and the proposed diversion route via the ‘pinch point’ located at the eastern end of the proposed lake. Previous concerns raised have now been addressed by the additional information.
68. J
 une 2016 - Based on the current proposals, accept the principle of the proposed permanent diversion of Clifton Hampden footpath 15. However, would like clarification as to whether it is possible to design the restoration such that this footpath could be accommodated back on its existing line following a temporary diversion during extraction.
69. W
 elcome the proposal to dedicate a number of new public footpaths on the restored site. The specifications, including structures and surfaces, should be agreed prior to implementation. The construction details for any bridge crossing points will also need to be agreed prior to installation and the landowner will need to take on the maintenance of these new structures.
70. T
 he applicant should investigate the possibility of creating a footpath link between the Thames Path and the proposed diversion route via the pinch point at the eastern end of the proposed lake and also of a dedication between the proposed diversion route and Clifton Lock.
71. S
 tandard conditions should be added to ensure that there are no obstructions on the public rights of way, no changes to the rights of way and no construction or demolition vehicle access along the rights of way.

County Drainage Engineer and Lead Local Flood Authority

72. J
 une 2017 – Would like a monitoring borehole in the Greensand as the removal of sand and gravel may allow a greater movement of flow between this aquifer and the overlying aquifer. Water will not free flow down to the river through the proposed backfill material as it does with the existing sand and gravel and ground water may rise to different heights across the site. This will affect the flow through ditches. The applicant show be aware of this when backfilling and material which is free flowing must be laid in within the back fill material to allow the passage of water through the back fill material.
73. M
 ay 2016 - No objection, subject to:
- Staggering of noise bunds so as not to cause flooding is required as stated
 - Environmental permits are required from the EA for the dewatering
 - All dewatering to go through settlement tanks or systems before discharging to the ditches
 - No dewatering in flood conditions as stated
 - All dewatering outfalls to be monitored regularly to measure the quality of the flow
 - Information from the network of Ground Water Monitors to be supplied for checking
 - Land Drainage Consent will be required for the temporary filling in of the Central Ditch from South Oxfordshire District Council

County Ecology Officer

74. A
 pril 2017 – No objection subject to conditions for an environmental management plan, revised restoration and management plan and ecological monitoring strategy and a Section 106 agreement for a funded 20 year management plan following the statutory 5 years of aftercare. Some outstanding detailed points which can be addressed through revised documents or condition submissions.
75. M
 ay 2016 – Further information required. Concerns regarding the survey scope and timings.

Arboricultural Officer

76. M
 ay 2017 – No objection subject to a condition for a detailed restoration scheme for the woodland and hedgerows and an informative to prevent removal of trees and hedgerows in bird nesting season. The tree survey did not identify any veteran trees. The proposals for tree

protection fencing are now satisfactory. The applicant has confirmed that tree T91 will be retained. The restoration plan shows an overall increase in tree cover. On balance, satisfied that the restoration proposal is sufficient to overcome the loss of tree cover caused by the development.

77. A
 pril 2016 – A tree survey is needed to properly assess the proposals.

County Landscape and Green Infrastructure

78. M
 ay 2016 - It is recommended that specialist landscape advice is sought to further review the landscape and visual impacts arising from the development. Concerned that the South Oxfordshire Landscape Character Assessment has not been used. It is not clear that new tree and hedgerow planting would grow to the point of successfully mitigating the development during its operational life, clarifications needed on methodology, further consideration of impact on AONB and Wittenham Clumps is needed.
79. I
 n terms of Green Infrastructure, the development provides for the creation of a range of new habitat and new recreational uses. Further information about the proposed afteruses would be helpful.

Landscape Advisor

80. O
 ctober 2017 – Previous concerns are partially allayed by the further mitigation proposals submitted. The ‘in principle’ landscape objection can be removed subject to conditions for detailed landscape mitigation measures based on those now proposed. Some concerns remain regarding the overall landscape and visual effects, and timescales of the proposed quarry development and some aspects of the LVIA methodology and impact recording processes. However the proposed mitigation measures should achieve a more positive balance of landscape and visual effects during working stages, and post restoration. Lists a number of matters to be accommodated in the detailed landscape mitigation proposals.
81. A
 ugust 2017 – Maintain an ‘in principle’ objection. The LVIA does not appear entirely objective. It seems likely that the proposals would lead to significant adverse landscape and visual effects over an extended period. Limited additional mitigation measures proposed require confirmation from the Environment Agency.

82. arch 2017 – Maintain an ‘in principle’ objection due to uncertainty over aspects of the LVIA and the need for further supporting data. M

83. uly 2016 - Objection – There is uncertainty over some aspects of the LVIA and a need for further supporting data. J

Letters from MPs (2016)

84. ohn Howell MP for Henley (2016) – Writing to register concerns on behalf of constituents and myself. Do not believe there is a need for a quarry as existing quarries are producing sufficient gravel to last 20 years and demand is in decline. Inappropriate to make a decision at this time given the current status of the OCC minerals strategy. Extremely concerned about traffic, the area is already congested and the large vehicles would present problems with lorries and cars being unable to pass each other at the crossroads. The location of the access point to the quarry seems to pose a problem as it is near a school. The positioning on the Thames floodplain seems very problematic. Risk of flooding is very real. J

85. John Howell MP for Henley (February 2017) – Concerned that issues previously raised have not been sufficiently addressed. The residents are ably represented by Bachport. Trust that these concerns will be taken to heart in the assessment of the application.

86. d Vaizey MP for Wantage and Didcot (2016) – Development would have a direct and adverse effect on constituents in Long Wittenham and Appleford. There would be a very significant increase in traffic on the A415, which is already over capacity. Traffic will also cause problems for those accessing Culham Science Centre, the place of work for many constituents. This is contrary to the aims of the County's Local Transport Plan 4. E

87. icola Blackwood MP for Oxford West and Abingdon (2016) – Whilst this development falls out of my constituency, a number of my constituents are concerned that the large lorries required to carry concrete through Abingdon will cause traffic disruption where there is already heavy traffic flow and congestion. Would be grateful if the objections in attached correspondence could be taken into account. N

88. imon Hoare MP for North Dorset (2016) – encloses a letter from a constituent who formerly resided in Clifton Hampden. S

Annex 4 – Representations Summary

1. A total of 580 representations have been received during the first period of consultation. These were mostly from individuals living close to the site in Clifton Hampden and surrounding villages such as Long Wittenham. However, there were also some letters from people who visit the site from locations including London, Cambridgeshire and Devon and people who are originally from the area but currently reside in others areas. All representations received were objections, there were no letters of support.
 2. 273 representations were received during the second consultation period. The majority of the points made in these letters were re-iterating or confirming points made during the first period of consultation.
 3. 126 representations were received during the third consultation period. The majority of these were stating that previous concerns had not been addressed by the additional information received and confirming points made during previous consultations.
 4. 128 representations were received during the fourth period of consultation. One of these was in support of the application and the others were objections.
 5. A petition containing 808 signatures was also received during the first round of consultation.
 6. The majority of representations were from local residents; however letters were also received from local businesses.
 7. Representations were received from John Howell MP, Ed Vaizey MP, Nicola Blackwood MP and Simon Hoare MP, Culham Science Centre, Clifton Hampden Neighbourhood Plan Steering Group and The University of Reading. A detailed representation was received on behalf of the objector group Bachport including reviews of various sections of the Environmental Statement.
 8. The points raised in representations during the first and second consultations are set out below, accompanied by an officer response.
- Impact on countryside
 - Eyesore in a scenic area

- Visual impact on the AONB and Thames Path
- Loss of trees and hedgerows – impact on biodiversity and on landscape and intervisibility
- Visual impact – worse because of floodplain location restricting screening bunds
- Impact on views from Wittenham Clumps and other sensitive viewpoints
- Impact on the tranquillity of the river
- Impact on Green Belt
- Large size of quarry would be out of proportion with the village
- Pollution of river
- Proposed buildings would dominate the skyline
- Effect on boaters on the Thames
- Measures to mitigate visual impacts would have their own visual impacts
- Duty to protect the countryside for the future
- Opposed to all industrial-type development in the countryside
- Area already blighted by the expansion of Didcot
- Impact on views should be more thoroughly assessed using a computer model
- Quarry at Sutton Courtenay already creates a nuisance and an eyesore and is in close proximity

Officer Response – Mineral workings are usually found in the countryside and the impacts would be temporary and phased. The site would be restored back to countryside following working. The EIA assesses the landscape and visual impacts of the proposals. Impacts on the water environment have also been fully assessed.

- Impact on historic landscape
 - Harm to the setting of a listed buildings (e.g. Lower Town Farm House)
 - Clifton Hampden Bridge is listed as a Grade II* building of historic interest and importance
 - This whole area is archaeologically rich and therefore unsuitable for mineral extraction, due to damage to undiscovered remains
 - Impact on pretty and historic Clifton Hampden village, including on the setting of listed buildings and the conservation area
 - Additional HGVs would harm Abingdon's historic centre

Officer Response – There has been no objection to this application from Historic England or the archaeology team. The impact of the development on listed buildings and conservation areas is assessed in

the applicant's Environmental Statement and covered in the main body of this report.

- Increase in HGVs

- Impact on road surfaces – there are already potholes
- No local roads are suitable, any proposed route has problems either local roads with damages to verges or roads through the already congested centres of Abingdon or Clifton Hampden
- Increased problems of mud and dust
- Already not safe in the area around traffic lights and school
- Access near Culham Science Centre could result in accidents, the access to CSC already unsafe
- Cumulative impact on traffic congestion with expansion at Culham Science Centre, new housing in Didcot and regeneration in Berinsfield, new housing next to the Science Centre
- Noise from traffic
- Air pollution, especially in Abingdon and Clifton Hampden – would particularly affect those with breathing difficulties and asthma, impact on children outside school. OCC has a statutory responsibility to reduce exhaust emissions
- Danger to pedestrians and cyclists, especially vulnerable pedestrians – does not appear to have been properly considered
- Mud, diesel and oil on the road – dangerous slippery surface – who would check this
- Mud and debris would be thrown up from the road onto pedestrians on rainy days
- Wide vehicles prevent traffic queuing at the lights from forming two lanes
- Undermine strategies to improve movement around the Science Vale
- HGVs speed on the approach to Clifton Hampden – the police are aware of this problem
- Existing weight and speed restrictions not adhered to despite complaints
- A new bridge over the river is needed to remove traffic from Clifton Hampden
- Impact of HGVs on businesses and residents in Abingdon
- Impact on residents of The Close nursing home and Masfield House care home
- How will restrictions on Culham and Clifton bridges be enforced?
- HGV numbers understated in application
- Material would need to be imported to the site to make concrete, this would lead to additional HGVs above what the application suggests
- Increased congestion might lead to further bus route cuts

- Near a number of schools – safety and health of children
- Vibration
- Pressure on road infrastructure is the reason why housing development at north Didcot was refused.
- Village hall, school and doctors surgery next to congested traffic junction
- Will take even longer to get to doctors' surgery, which may mean people switch surgeries reducing its viability
- Concerned that parents would think twice about sending their children to the school, due to traffic, concerned about losing local school.
- Likely to be more HGVs than assessed through Clifton Hampden due to unsuitability of route through Abingdon
- HGV numbers likely to be higher than assessed as gravel would need to be imported to the concrete plant due to high sand content of indigenous material
- Hills have misunderstood the problems at the junction in their proposed remodelling. Their changes relate to the south side of the junction, whereas the issues are now related to the pedestrian crossing on the north side. Proposal to reclaim verge on northern footway is welcome, but of minor benefit. Main concern is width of footway at the crossing on the north side of A415.
- Queueing traffic bad for emergency vehicles, people trying to use village services, people trying to access their properties and local businesses which rely on passing trade
- Increase in traffic on A415 inconvenient for all users – not only local residents
- Would reduce ease of access to Culham Science Centre – contrary to OCC's aims
- Dangerous for the motorcyclists who meet at the café on the A415/44074 roundabout
- Effect on Abingdon, Burcot and Maud Hale bridges – historic structures
- HGV movements underestimated as it assumes all HGVs would be fully laden and does not include movements of staff and people visiting the concrete plant to pick up
- Transport assessment contains errors – for example the suggestion that Ock Street in Abingdon has two lanes in each direction
- Hill's proposals to improve the junction would not address the root problem- road is too narrow for HGVs
- Intimidating effect on pedestrians and cyclists not insignificant as claimed.
- Cyclists prefer to use the A415 rather than the cycle path – safety concerns

- TA not accurate because it is based on averages whereas in fact movements would have peaks
- TA does not take account of fact that large vehicles lead to slower vehicle movements in queues or additional delays to queue due to lorries crossing the A415 to get into the quarry
- TA assumes that only Hills vehicles would export from the site but it is likely that they would also sell to third parties, adding to vehicle movements and which Hills would not control the routing or timing of
- The s106 should include that only sand and gravel extracted at Fullamoor should be used on the cement plant and only Hills vehicles should be used
- Applicant's estimate of vehicle movements does not take into account vehicles associated with cement making
- It is a shame that rail cannot be used to export mineral from this site, as it is close to the railway line
- There should be cameras to ensure that lorries do not use the B4015.
- A415 is a village road
- Experience with LGVs travelling to Biffa site has shown that GPS tracking makes no difference, they consistently exceed the speed limit
- Should not be permitted until a village bypass is built

Officer Response – Transport Development Control have objected to this application as set out in the main report.

- Potential new Thames crossing
 - Application would be acceptable with new Thames crossing but this is not proposed
 - Application does not take account of proposed new road and Thames crossing/ should not proceed until it is built/ should reinstate land to allow for it to proceed.
 -

Officer Response – At this point in time the alignment for a proposed new road and Thames crossing has not been finalised and there is no adopted policy safeguarding a particular route within South Oxfordshire District. The applicant has stated that the quarry designed would allow for the proposed new road, although pillars would need to be built over the southern lake by any developer of such a road. This is covered in more detail in the main body of the report.

- Additional mineral is not needed
 - Demand in decline despite economic growth
 - 18 year supply planned for already
 - 18 year supply misleading as based on past supply

- Not clear what contribution recycled aggregate could make, therefore need is not clear
- As there is already sufficient sand and gravel the only objective is commercial interests of Hill's
- Mineral could be supplied from mothballed sites elsewhere in County
- Is gravel needed at all? Aren't there better building materials?
- Indications that housing demand is to be reviewed and could be decreased – this review should feed into consideration of quarry applications
- There are enough mineral permissions for the medium term and therefore no urgency to make a decision on increasing provision
- Mineral would not be used in local area as claimed but transported large distances
- Would be producing a third of the County's total output – disproportionate

Officer Response – This is covered in the main body of the report. The landbank requirement is a minimum and not a maximum and in Oxfordshire currently approximately half of the permitted reserve comes from one site belonging to one operator which is due to be worked until 2036.

- Other sites are better

- For example near Wallingford where access and flooding is better and outside Green Belt, access does not include HGVs through villages, closer to where the material would be used,
- Quarry at Sutton Courtenay could continue to supply mineral well into the future

Officer Response – The application needs to be considered on its merits. It is not a case of comparing it to other proposals or sites.

- Duration of works

- Believe that it would be extended in the future and the quarry would last longer than currently proposed
- Hills own surplus land on which to expand in future
- A legal agreement should be used to ensure 10 years is a maximum

Officer Response – The application needs to be determined on the basis of the details submitted. This is for a ten year extraction period. Any proposal to extend this would need to be the subject of a separate planning application which would be assessed on its merits at that

point. It would not be possible to seek a legal agreement to prevent an application being made in the future.

- Flooding

- Already a problem in the area, causing the closure of the local roads e.g. between Clifton Hampden and Long Wittenham and Culham Bridge
- Measures being taken to prevent flooding in Oxford might impact this area and this was not taken into account in the modelling
- Do not trust flood models
- Proposed banking to prevent flooding might cause a problem elsewhere
- Concerned that changes to the floodplain in this area would increase risk of flooding to properties
- Hill's confirmed that proposal would not lead to an improvement in terms of flood risk
- Would increase the duration of flooding even if it does not increase flood levels
- Would like written confirmation that compensation would be paid if property floods
- Allowing void to flood could lead to sediment escape
- Flooding cuts off communities and facilities
- Do not believe the proposed measures would prevent the site from flooding, and if they did the water would go to surrounding villages instead.
- More flood modelling work should be done to allay concerns
- Dust from HGVs would cause dirty water in the drains and add to flooding
- Development should not take place in the floodplain/this would reduce the floodplain
- Sequential test – does not stand up to scrutiny – rules sites out without justification
- Concerned that the operator would not allow the workings to provide flood storage capacity in times of flood as that would require them to cease operations for weeks

Officer Response – There has been no objection from the Environment Agency or the Lead Local Flood Authority. Flood Risk was assessed in the submitted Environmental Statement. This is covered in detail in the main body of the report.

- Not compliant with policy

- Not identified in the 1996 plan
- Premature to grant planning permission for this prior to the adoption of the Minerals Core Strategy, sites should be assessed and selected through the minerals strategy
- The plan inspector has indicated that applications should be refused until preferred sites have been identified and if granted permissions would be subject to legal challenge (para 37 in letter dated 22nd January)
- OMWCS bias towards extraction in the Thames and Lower Thame Valley is not approved, not compliant with government guidelines and suggests that the application will not be considered on its merits.
- OMWCS fails to identify sites, contrary to government guidelines
- Not appropriate in the Green Belt, particularly the concrete plant

Officer Response – The current policy position is set out in full in the main body of the report. Legal advice has been sought and it has been confirmed that a refusal on the grounds of prematurity would not be legally tenable. The concrete plant proposal has been removed from the application.

• Impact on ecology

- Otters nearby
- Lodden Lily
- Badgers
- Skylarks and lapwings
- Loss of trees and hedges, including protected and ancient trees
- Although site is agricultural many birds can be seen there – kingfisher, robin, buzzard
- Removal of Sandy Bury woodland, which is BAP priority habitat
- Concerned about deficiencies in the Biodiversity chapter of the ES
- Impacts on other areas of BAP priority habitat, such as the Earth Trust's meadows

Officer Response – The Ecology Officer has confirmed that the restoration proposals would result in a net biodiversity gain as a result of this development. The applicant has confirmed that they are willing to enter into a legal agreement for 20 years long term management of the site (excluding areas restored to agriculture.)

• Impact on amenity

- Impact on rights of way – diversions affecting walkers and cyclists, would make the area unpleasant to walk through

- Impact on the Thames Path – a National Trail and tourist attraction – should not be diverted from river
- Noise impacts – can already sometimes hear the quarry at Appleford from Long Wittenham
- Noise impacts – no noise barrier proposed to protect residents south of the Thames
- Dust impacts, including health implications particularly for residents with health problems such as asthma
- Noise and dust impacts worse in Clifton Hampden due to prevailing south westerly winds
- Impact on church users – will affect weddings and other events
- Long operating hours including Saturdays – other Hills sites seem to close at 5pm
- Dust assessment is oversimplified. Details of mitigation measures not provided.
- Noise assessment does not take account of short term variation in noise levels
- Impact on enjoyment of property – restricts outlook, noisiest operations nearest houses, long time period, silt ponds near properties would remain a quicksand hazard

Officer Response – The impact on amenity is assessed in the Environmental Statement and mitigation measures are proposed. Conditions can be used to secure these. There has been no objection from the Environmental Health Officer, Public Health, or the Countryside Access (Rights of Way) team. The hours proposed are standard operating hours for minerals sites in Oxfordshire.

• Economic Impact

- Does not create that many jobs compared to the disruption caused
- Impact on tourism in the immediate area and also in Abingdon
- Impact on Culham Science Centre which is a major employer – noise, dust (many uses particularly sensitive), impact on only road to access it (A415)
- Concerned about effect on local businesses (e.g. Post Office) by reducing tourists in village, increasing flood risk, increasing traffic,
- Loss of community
- Blow for employers in the area as it is important to have an attractive area for people to live
- Impact on nursery – traffic could make it difficult to recruit, might not be able to provide quiet village location for children, health impacts

Officer Response – The EIA includes a chapter on socio-economic impacts. An impact on tourism is identified along the Thames Path, but this would be temporary. Impacts on sensitive receptors are assessed in the EIA.

- Restoration proposals

- Not developed with the input of local residents
- Radical and inappropriate altering of landscape, permanently and in the Green Belt
- Further lakes are not needed in this area, land might be needed in future for agriculture, business use or housing
- Built development including club house and boat storage would have permanent visual impacts
- Access road would remain in constant use
- Restoration plan aims to attract fishermen and walkers – types of visitors that already use the village. Village aspiration is to attract new tourist visitors
- Does not secure public access
- Not enough detail on the long term ownership of restored site
- Have financial safeguards been put in place to ensure that long term management is secured and the site is not abandoned after the mineral is extracted?

Officer Response – The restoration proposals are considered to be acceptable and would be secured by condition and long term management through a section 106 agreement.

- Criticism of Hill's engagement with local communities

- Misleading and unhelpful information when Hill's have attended public meetings, question honesty of Hill's for example the claim that no significant archaeology was found when there is a nationally significant monument
- Hills did not engage with the Burcot and Clifton Hampden Neighbourhood Plan steering group
- Exhibition was held too far away from affected communities
- Lack of consultation by Hills is clear from their not understanding how increased traffic would impact sustainability of local businesses
- Views of locals weren't taken into account – a footpath between Clifton Hampden and Long Wittenham would have offered some compensation for loss of ROW on the site

This proposal has been the subject of pre application consultation carried out by the applicant. Local views were sought then, and since through the Council's consultations on the planning application, and are considered in this report

- Green Belt

- Although the NPPF does not rule out minerals development in the Green Belt, it should only be permitted if there are no alternatives which does not seem to be the case OCC preliminary site options mostly not in the Green Belt
- Concrete plant not justifiable and could end up requiring imports Creeping development associated with commercial uses in the restoration scheme – would conflict with Green Belt policy

Green Belt policy is addressed in detail in the main body of the report. It is no longer proposed to include a concrete plant.

Miscellaneous

- Impact on property price, already having problems selling due to the threat of the quarry

Property prices are not a material consideration in planning decisions.

- Area has had enough – gravel pits, waste sites, housing development, power station, proposed prison, JET project etc.

Each application must be considered on its merits and the specific impacts of the proposed development assessed.

- Site is too close to the Thames to be suitable

Sand and gravel is often found in close proximity to rivers. In this case a stand-off from the river is proposed, which could be secured by condition.

- High grade agricultural land should not be used when other sites are available

This is a relevant issue and is considered in the main report.

- Changes to groundwater could affect foundations at Culham Science Centre
- Potential impact on private wells

The EIA assessed potential impacts on groundwater and there has been no objection on these grounds from the relevant consultees.

- Impact should be assessed alongside proposed new residential development next to Culham Science Centre
- Representation from a company promoting a strategic housing allocation on land adjacent to Culham Science Centre – consider the decision is premature in relation to the emerging SOLP and further information should be requested to assess the impact of the proposals on this land. Also concerned about impacts on potential new river crossing and improvements to the railway line.

Land adjacent to the Culham Science Centre has been identified as a possible site for 3500 new homes in the South Oxfordshire emerging Local Plan 2011-2033 Final Publication Version (October 2017) (policy STRAT7). However, any new housing in that area would be further from the site than existing residential dwellings and it is not considered that the quarry proposal would prejudice future proposals in this area. This policy has limited weight as the plan is not yet adopted.

- Quarry would sterilise the plot for future housing development for Culham Science Centre employees

The application submitted for determination is for mineral extraction. There is no proposal for housing development on this site, which is in the Green Belt and floodplain. There are policies protecting sand and gravel resources from sterilisation by other forms of development. The proposed quarry would not prevent other land being released for housing nearer the Science Centre.

- Property specific concerns
 - Warren Farm Cottage concerned about flooding to their property and septic tank which is controlled by a water pumping system which is sensitive to changes in water levels
 - Stable House, Fullamoor Barns – background noise measurements were not taken from properties on the ridge to the north of the site. Concerned about the noise from temporary stripping and soil moving operations. LVIA underestimates visual impact from this property – can be seen all year not just in winter. Mitigation measures referred to in LVIA would not be seen. Challenge other assumptions in this chapter. Not clear how a bund will mitigate noise when the house is on a ridge above the level of the bund.
 - Fullamoor Farmhouse – concerned about working scheme –although it was revised so the last phases of working weren't behind the property,

the new scheme proposes the noisiest works at the back of the property, restricts outlook to large bunds for ten years or potentially dangerous silt ponds close to properties.

- Fullamoor Farmhouse – is a heritage asset and the riverside farmland to the south is an important part of its setting.
- Lights from lorry headlights illuminating property opposite access (3 Fullamoor Cottages)
- Old Dairy, Fullamoor Barns – Concerned about noise and dust due to close proximity

Consultees with specialist technical expertise have considered the proposals and have no objection in terms of flood risk to properties, heritage impact or noise and dust impact on dwellings. Silt ponds would need to be safe and fenced-off under health and safety legislation. Overall, the Landscape Advisor has no objection to the proposals. There would be a condition limiting HGV movements to working hours, which would ensure that lorry headlights would only be noticeable on winter afternoons and would not cause disturbance into the evening. The impact on the heritage significance of Fullamoor Farmhouse is assessed in the cultural heritage ES chapter, which records a minor temporary adverse effect on the significance of the historic farmhouse.

July 2017 consultation – specific points raised in relation to additional information

- Additional information fails to address original concerns, for example no reduction in hours or alternative method of gravel transport, no winter landscape assessment; the applicant has not listened to the community
- Additional information shows a much greater loss of high grade agricultural land than previously stated - no justification for this loss.
- Hill's have refused permission for a tree expert to access the site, their original assessments on archaeology and agricultural land were shown to be wrong so their tree survey might be too. Concern about loss of trees and impact on bats.
- Details of the bunds show that they will be very high – visually intrusive and prone to slumping
- Transport concerns have grown since original consultation, due to proposals for housing at Culham, Didcot and Long Wittenham
- Recent increase in traffic should have been picked up in an updated assessment
- Contrary to the aims of Didcot Garden Town

Natural England were consulted on the revised information on agricultural land and do not object to the proposals. The landscape impact of the bunds has been considered by the Landscape Advisor who does not object, subject to mitigation. Transport Development Control has objected to this application, as set out in the main report. The trees on the site were assessed as part of the EIA and OCC's Arboricultural Officer has confirmed that he has no objection to the application. There is also no objection from the Ecology Officer regarding impact on bats. The site is located some distance from Didcot and there are no specific policies related to its Garden Town status which are relevant to the determination of this application.

October 2017 consultation – comments in relation to additional landscape mitigation proposals and amendment to remove concrete batching plant

Most representations during this consultation re-iterated concerns about the development which had previously been raised including in relation to the conflict with the proposed new road and river crossing and landscape impacts of the bunds. These points are addressed above.

- Removal of concrete batching plant does not change anything
- Expect concrete batching plant will be implemented in future in any case

This application must be assessed on its merits and the application under consideration now does not include a concrete batching plant. If the applicant did wish to construct one in the future they would need to apply and that application would also be considered on its merits. There are some permitted development rights for concrete batching plants at quarries, however it is proposed that a condition be attached to any permission granted for this development to remove permitted development rights. This would ensure that any proposed new plant would be the subject of a planning application that could be assessed against all relevant policies including those relating to Green Belt and amenity.

- Proposed landscaping would destroy openness and limit views with adverse impacts on Green Belt and footpaths

The Landscape Advisor has removed his previous objection, subject to the implementation of the proposed landscaping. It is considered that this would mitigate the landscape impacts of the development. It is not considered that there would be an impact on the openness of the Green Belt.

- Government has recently revised housing needs calculations downwards, no need for this quarry

The relevant figures for need are those relating to the sand and gravel landbank requirement, this is fully addressed in the main report.

- Concerned about the impact of HGVs in the village given recent central government statements on air quality and noise pollution from road traffic

There has been no objection from the public health team in terms of air quality.

Summary of Bachport Objection

1. A detailed objection was submitted by a planning consultant on behalf of the objector group Bachport (Burcot and Clifton Hampden for the Protection of the River Thames). This response also contains the response from four Parish Councils. Clifton Hampden and Burcot, Culham, Long Wittenham and Appleford Parish Councils have confirmed that the Bachport objection has been submitted on their behalf. A number of individual representations also stated that they agree with Bachport, including a representation prepared by a planning consultant representing the residents of 5 of the closest properties to the site.
2. The Bachport objection includes appendices reviewing a number of the Environmental Statement chapters including those on hydrology and flood risk, agriculture, geology and mineral reserves, alternatives, biodiversity and birdstrike. The objections made by Bachport are summarised in this section and the full report and appendices is available to read on the e-planning website.
3. The Bachport objection is summarised below with an officer response in italics beneath each topic.
4. Policy and need - Bachport consider that the proposal is not in accordance with development plan policy as it is not in an area identified in the OMWLP, it is not needed to maintain the landbank and has not been allocated through the new plan.

Compliance with relevant development plan policies and other material considerations, including emerging plan policies, are fully considered in the main report. This also explains the landbank position and how it should be applied to decision making.

5. Balance of supply - The objection states that the objective in the OMWCS to rebalance supply between the north and the south of the county is intended to be achieved through site allocations not decisions on applications, that the balance of supply objective is already met by the existing location of quarries in Oxfordshire, that there is no immediate need to find new sites to shift the balance of supply, and that the application site is not well located to reach the growth areas in south Oxfordshire.

Compliance with material considerations, such as the supporting text in the submitted OMWCS, is covered in detail in the main report

6. Quality and quantity of mineral – The deposit is not gravel rich and would only produce a limited range of products and require the import of aggregates from elsewhere adding to HGV movements and that the yield per hectare is lower than at other sites meaning more land needs to be disturbed for the same amount of mineral.

The applicant has confirmed that they would be willing to accept a planning condition preventing the import of minerals from elsewhere to this site. The application must be assessed on its merits. The fact that other schemes might result in a higher yield per hectare is not relevant if it is found that the environmental impacts of this development would be acceptable.

7. Alternative options – The applicant's assessment of alternatives is inadequate and does not appreciate the advances in the quality of recycled aggregate.

Following the submission of additional information as requested, the applicant's EIA is considered adequate.

8. Landscape and Visual Impact – The applicant's LVIA does not take proper account of the South Oxfordshire Landscape Assessment or North Wessex Downs AONB landscape assessment. Important viewpoints have been missed. Length of Thames Path affected by the development is more than stated. No proper assessment of the landscape impact of soil storage mounds or tree assessment, insufficient assessment of hedgerows.

Further information was sought in relation to the LVIA until the information provided was sufficient for the Landscape Advisor to confirm he no longer objected to the proposals.

9. Historic environment – No assessment of the consequences of changes to groundwater on the SM or of the impact on its setting. Assessment underplays the impact on heritage assets which derive some significance from the surrounding farmland and the impact of the 7m landscape bund.

Historic England has assessed the impact of changes to groundwater to the SM on the basis of the submitted information. They have not objected. The impact on the setting on the SM is addressed in the report.

10. Green Belt – The development would not maintain the openness of the Green Belt and would conflict with the purposes of including land within it. Very special circumstances have not been demonstrated to justify this as there is no definite and immediate need for the mineral that warrants opening up a quarry in this area.

Green Belt policy is fully assessed in the main report

11. Traffic – The Traffic Assessment has not been produced to an adequate standard or scope, it fails to recognise the queueing problems at the Clifton Hampden junction or consider air quality and environmentally sensitive areas. There are flaws in the accident data. Slow turning HGVs would pose a safety hazard on the congested A415.

Transport Development Control was originally satisfied with the scope and standard of the Traffic Assessment, then later objected to the application due to highways impacts, as set out in the report.

12. Health and quality of life – The site is in close proximity to sensitive receptors. Noise assessment does not take account of tonal or impulsive factors. Concern about amenity impact of floodlighting.

There has been no objection from the Environmental Health Officer. As set out in the report, it is considered that potential impacts on amenity could be satisfactorily addressed by condition.

13. Water Management – The sequential test provided is not fit for purpose, flood model is not capable of accurately predicting floodplain levels, predicted increase in flow velocity would increase erosion risk, modelling does not assess potential floodplain interactions between this development and the proposed new road and river crossing. There

are a number of areas of weakness in the ES sections on water management.

There has been no objection from the Environment Agency or the lead local flood authority on flood risk grounds.

14. Agricultural land – Sufficient evidence not provided on the percentage of the site that is best and most versatile land and the figures provided contain discrepancies. Alternatives that do not lead to the loss of BMV land have not been properly considered.

Natural England also originally requested further information with relation to the information on agricultural land. When this was provided they confirmed that they had no objections to the proposals.

15. Rights of Way – Insufficient justification for proposed permanent diversion of footpath, proposed new routes do not provide a direct access onto the Thames Path and are likely to be affected by flooding. There would be harm to the enjoyment of the Thames Path due to visual, noise and dust impacts during operations and unnatural lake feature following restoration. Stand off from the path should be 50m not 25m as there is a hedgerow providing a natural barrier.

The Countryside Access team also initially queried the permanent diversion of the footpath, however following submission of further information on this point they had no objections. There has been no objection from the Thames Path officer, and the amenity of users of the path would be protected by a buffer zone and additional landscape planting, secured by condition.

16. Biodiversity – Survey data provided with the application is insufficient to assess the impacts.

The Ecology Officer also considered that the biodiversity information submitted with the application was insufficient, and further details were requested. Following the submission of further information the Ecology Officer confirmed that there was no objection on biodiversity grounds.

17. Restoration – The potential contradiction between biodiversity and management of bird strike risk is not resolved. It seems inevitable that the large lake would lead to pressure for further development which would be contrary to Green Belt policy and further impact the landscape. Scheme would draw visitors away from the village, contrary

to the aims of the Neighbourhood Plan. There is no need for further water based recreation in this area.

This application does not propose any further development associated with the lake. It is considered that overall the restoration could potentially attract more visitors to the village through the provision of additional access. There has been no objection to the restoration proposals from the MOD on bird strike grounds or the Ecology Officer on biodiversity grounds.

18. Cumulative Impacts – The ES does not systematically assess cumulative impacts with other future development taking place around the site.

Following the submission of additional information as requested, the applicant's EIA is considered adequate. Individual assessments within the EIA consider potential cumulative impacts.

19. The objection concludes by listing further information considered to be necessary to allow a full assessment of the proposals, a summary of the reasons for objecting to the application and a list of requirements for conditions should the planning application be granted.

Summary of Bachport response to March 2017 consultation

1. Landscape and visual impact – No winter viewpoints have been provided. Key viewpoints have been missed. Large bunds should have been assessed separately. Details of the flood compensation feature are incomplete. Does not recognise the extent of landscape change, rate that the restored site would mature is overestimated, do not accept that footpath 171/15 needs to be diverted.
2. Trees and hedgerows – Tree survey did not inform development of the application scheme, some trees have been omitted, does not consider cumulative impact, does not include classification of veteran trees, hedgerows meet 'important hedgerow' criteria.
3. Noise – Further information on temporary works is unsatisfactory, noise impacts associated with afteruse too readily dismissed, some noise monitoring figures considered to be unreliable.
4. Agricultural land – amount of best and most versatile agricultural land has been underestimated, requirement for soil drainage not addressed.

5. Water management – sequential test has not been revisited, number of detailed matters of concern regarding the assessments provided for example the model is not reliable enough.
6. Wildlife – insufficient information regarding wintering and migrant birds, no additional breeding bird surveys, no consideration of cumulative impact on bats, inconsistencies and omissions on the revised ES chapter.
7. Traffic – Information submitted does not address concerns previously raised.
8. Cumulative impacts - Information submitted does not address concerns previously raised.

Further information was sought where considered necessary to address Bachport's remaining concerns, which in some cases were shared by the relevant consultee. In each case the relevant consultee is now satisfied with the information provided.

Summary of Bachport response to July 2017 consultation

9. Landscape and Visual Impact Assessment – Consider that this is not a thorough or robust document. Value and importance of existing landscape character not recognised and effects of proposed development therefore underestimated.

Further information was sought in relation to the LVIA until the information provided was sufficient for the Landscape Advisor to confirm he no longer objected to the proposals.

10. Visual amenity – No attempt to address the significant visual intrusion which would be caused by the bunds. These would be too steep and high to be properly maintained. Despite height, they would not screen the Fullamoor properties. Visual impact of silt lagoons has not been assessed. Retaining all the mature and significant hedgerow and tree cover at the site would mitigate the harm, but instead vegetation is to be removed and views opened up.

The applicant has proposed additional planting as mitigation for the impacts on landscape and visual impact.

11. Flood compensation feature – More details should be provided and LVIA underplays its impact.

Further details were provided on the area for flood compensation following these comments.

12. Trees and hedgerow – Bachport would like a further arboricultural assessment by their own advisor. However, the applicant has not permitted access to the land for this purpose.

The Council's Arboricultural Officer has confirmed that the arboricultural assessment submitted by the applicant is sufficient and there is no need for further assessment work.

13. Noise – still no information provided on the proposed nature of the noise controls for temporary works. Therefore, it has not been demonstrated that the temporary works would not cause unacceptable amenity impact.

There has been no objection from the Environmental Health Officer. There would be noise and time limits to the temporary works, in line with national policy. Operations would not be permitted at the higher noise level associated with temporary works for more than 8 weeks in any 12 month period. The noise limit for temporary works is 70 dB.

14. Best and most versatile agricultural land – Bachport continues to disagree with the applicant's assessment of the amount of best and most versatile agricultural land on the site. Additional drainage should be included in the restoration scheme, rather than the need for it being assessed during the aftercare, as proposed by the applicant.

Natural England have confirmed that they have no objection to the proposals.

15. Silt lagoons – Remain concerned about the proximity of the silt lagoons to residential property and public rights of way.

It is usual for quarries to have silt lagoons and these would be required by other legislation to be safe and secure.

16. Wildlife habitats – Some survey requirements from the Regulation 22 request have not been complied with. There continues to be no appropriate quantification of the impact of the proposed development

on breeding birds in terms of numbers and diversity and impacts on vulnerable or protected species.

The Council's Ecology Officer has considered the information provided and following a site meeting with the applicant's ecologist has accepted that some additional information originally required is not needed.

17. Traffic – No further assessment work of the traffic controlled signal junction at Clifton Hampden, as originally required in the Scoping Opinion. Traffic is the highest source of concern for local residents. The Highway Authority recently raised an objection to the proposed access arrangements for a new sand and gravel quarry at New Barn Farm, Cholsey. The same level of scrutiny should be applied here.

Transport Development Control has objected to this application, as set out in the main report.

18. Water Environment – Bachport submitted a technical review of the Oxfordshire County Council Drainage/Lead Local Flood Authority consultation response.

Further groundwater advice has been sought in response to the technical work submitted by Bachport. This further advice has not been received at the time of drafting the report; however it will be reported in an addendum.

Summary of Bachport Response to October 2017 consultation

1. The LVIA supplement does not address the deficiencies in the original LVIA. It fails to appreciate the baseline landscape character, continues to ignore the South Oxfordshire Landscape Assessment and does not consider SOCS policy CSEN1. Large scale development of any kind is inappropriate in areas identified as 'conserve' in this document, which the application area is. The loss of existing trees and hedgerows is underplayed in the LVIA. These should have been retained.
2. Concerned about proposed additional planting – would enclose footpaths, remove the connection between Fullamoor Farmhouse and the agricultural land to the south, tree screen to west would be ineffective, planting to north would not mature in time to be effective, not clear that it would be possible to secure planting on land outside of applicant's control.

3. Assessment of landscape impact of bunds is not objective, these would affect the landscape character and the openness of the Green Belt. Concerned about flood risk in relation to the proposed changes to bunds and straw bales.
4. Removal of the concrete plant is welcomed. However, a condition would be needed to remove permitted development rights to ensure that it is not put up anyway. The layout of the plant site could be improved now that the concrete plant is no longer proposed to reduce bunding and provide better screening.
5. Development Stage Plans do not clearly show the retention of a ridge of high ground to prevent floodwater entering the northern part of the floodplain as advised by applicant. Concerned that the proposal to manage aquatic vegetation could increase the erosion potential of the river during flood events.
6. Application does not show that the quarry proposal would not harm the delivery of the river crossing transport scheme, which is safeguarded by SOLP 2033.
7. There is no immediate need for new reserves of sand and gravel to be permitted. Although there is no maximum landbank level, caution should be exercised in interpreting this as meaning that there can be no justification for refusing an application for mineral extraction on the basis of lack of need. Additional reserves should be found through the allocation of sites in the Part 2 plan.
8. The plans show the existing farm track being blocked. If the quarry access is to be used for the agricultural operations as a result of this development, this should be included in the Transport Statement.
9. There are some inconsistencies in the revised Planning Statement which cause uncertainty about the nature of the proposed development and its effects.

Although OCC's Landscape Advisor also initially had some concerns about the LVIA methodology and assessments, sufficient information has now been submitted for him to remove his in principle objection. The applicant has confirmed that the landowner has indicated willingness to enter into a Section 106 agreement to secure planting on areas outside the control of the applicant. The Environment Agency has provided advice on the amended bund configuration and flood risk and does not consider that there would be a significant impact. The

need for the mineral and the impacts on the proposed Thames crossing are covered in detail in the main report. The applicant has confirmed that the farmer would use the new quarry access to transport animals, and has provided comments from the transport consultants confirming that this is not considered to pose a risk to highway safety. Transport Development Control has confirmed that the proposed access would accommodate those movements appropriately and they would not have any significant traffic impact as although they would travel along the A415 for a short distance, they would not use the junction in Clifton Hampden or Tollgate Road. There are some instances where the Planning Statement has not been updated to reflect changes recorded elsewhere in the application. However, it is not considered that these give rise to uncertainties about what is proposed. The concrete batching plant is no longer referenced in the description of development and the planning statement is clear that it is no longer proposed, so subsequent references included in error can be disregarded. The applicant has confirmed that it is the intention to maintain a ridge of high ground as set out elsewhere in the application, but the Development Stage plans do not include this level of detail. Detailed working schemes would be required by condition for each phase. The applicant has confirmed that it would not be possible to change the location of the processing plant following the removal of the concrete plant from the plans, as the processing plant has a bigger footprint.

Summary of Representation on behalf of residents of Fullamoor Farmhouse and 1-4 Fullamoor Barns

- The operations, including extensive bunding, and the restoration would cause wholesale landscape change in an unspoilt and attractive area which includes heritage assets, well used footpaths, old hedgerows and woodland.
- Visual intrusion to the properties, which site on elevated land with open views over the extraction site, which is not properly assessed in the LVIA
- Location of silt ponds near these properties is of concern as they could present a long term quick sand hazard and any fencing to secure this would be a further visual intrusion
- Floodlighting of the plant site could cause light spillage and sky glow close to properties. This could also impact bats.
- Proposed quarry access in close proximity to access to properties and potential new access to proposed new road and river crossing
- Concerned that the quarry proposals prejudice the route options for the new road, making it the junction closer to properties

- Noise and dust would be worse due to the natural amphitheatre effect of the topography
- Concerned about open ended nature of 'temporary' works for which the noise limit would be raised to 70dB LAeq 1hr
- Concerned about prospect of soil and overburden storage in front of homes for the duration of the works, with visual, noise and dust implications.
- Concerned about noise from reversing beepers and tonal or impulsive factors in the noise from the plant
- No consideration of additional nuisance should the route for the new road and river crossing also pass close to these properties
- If permission is granted, request conditions as set out in the Bachport response.

Representation on behalf of residents of Fullamoor Farmhouse and 1-4 Fullamoor Barns March 2017 consultation

- Particular issues of concern are landscape impact, harm to visual amenity and noise
- Comments in earlier submission still stand
- No winter views have been provided, despite request
- The bunds needed to mitigate noise and dust would be visually intrusive and incongruous in the landscape
- Concerned about the noise levels during temporary works

Representation on behalf of residents of Fullamoor Farmhouse and 1-4 Fullamoor Barns July 2017 consultation

- Principal concerns relate to landscape impact, visual amenity and noise, which are interrelated
- 8 metre bund proposed on length of the Fullamoor properties would be visually intrusive and prone to slumping. Maintenance would be noisy and invade privacy. Visual impact has not been properly assessed
- Visual impact on fencing and signage on silt lagoon has not been assessed
- No winter views have been provided, these were required in the Regulation 22 request.
- Fullamoor Farmhouse is being considered for listing as an historic building and a decision is pending. Impact on this building not adequately considered
- Not convinced that proposed noise mitigation would be effective – properties above the height of bund
- Not demonstrated that it is realistic to complete temporary works within the permitted 8 weeks

- Concerned that the applicant appears reluctant to do proper assessments
- Also support the Bachport submission

Representation on behalf of residents of Fullamoor Farmhouse and 1-4 Fullamoor Barns October 2017 consultation

- Support the Bachport comments
- Previous comments still stand, additional information does not address concerns
- If the purpose of removing the concrete plant was to mitigate visual impacts, the plant site area and bunding should be reduced
- The illumination proposed in the lighting strategy could be highly visible and intrusive to the residences
- Proposed new planting would not screen views into the site from the Fullamoor properties as it would take time to develop
- Continue to have concerns about unnecessary clearance of woodland within the application area. Proposed new planting would lead to unwelcome outcomes.
- Do not agree with the LVIA conclusions on the impacts of additional planting
- Noise impacts of changes to bunding have not been assessed
- A decision is pending for Fullamoor Farmhouse to be added to the list of registered historic buildings, potential harm needs to be addressed, the farmland outlook is key to the setting

There has been no objection from the Environmental Health Officer or Public Health England. It is considered that impacts on residential properties in close proximity to the site could be adequately managed through planning conditions.

Objections from the United Kingdom Atomic Energy Authority (UKAEA)

October 2017:

- Concerns about transport and potential dust impact in previous letters still stand
- Acknowledges that concerns about prematurity in relation to the OMWCS have been superseded by the adoption of that plan
- Consider the proposal premature in relation to the South Oxfordshire Local Plan, the final publication version of which proposes the removal of Culham Science Centre (CSC) from the Green Belt to enable the redevelopment and intensification of the site and the allocation of land west of CSC for approximately 3500 new homes

- The allocation of land adjacent to CSC for housing is predicated on a new Thames crossing, one of the safeguarded routes passes through the proposed quarry site
- The allocation of land adjacent to CSC would also contribute to a Clifton Hampden bypass, which is important to the UKAEA's plans for growth.

The proposed new road crossing is considered in the main report.

April 2017:

- Additional information does not overcome concerns about dust or transport
- Remain concerned about prematurity in relation to OMWCS and also the emerging SODC plan, including the proposal to allocate land for 3500 new homes west of CSC

The EHO is satisfied that dust can be adequately controlled by condition. Transport Development Control has objected to the application and this is considered in the main report. The issue of prematurity is also discussed in the main report.

May 2016:

- Effect of wind borne dust on sensitive scientific equipment.
- Implications of the proposed new link road not considered
- Premature in relation to the emerging Oxfordshire Minerals and Waste Local Plan and SOLP
- Would deter businesses from locating in the area, contrary to the SODC's policies
- Culham No 1 identified as a potential site for new housing
- Concern about traffic
- Concern that the EIA does not recognise the importance of CSC

Following this objection, an updated air quality assessment was requested to take into account the potential impact of airborne dust on science and technology businesses located at Culham Science Centre. When consulted on this further information, CSC responded that the ES now recognises the significance and likely sensitivity to dust at CSC, and efforts have been made to assess potential impacts. Although CSC had remaining concerns about the assessment criteria used, they acknowledged an absence of recognised dust assessment criteria and recommended that should permission be granted, a suitable Dust Management and Monitoring Plan (DMMP) should be implemented throughout the life of the site. This can be secured by condition. The SCS representation had proposed that the site access junction be upgraded to a ghost island right turn arrangement. However, this is not proposed by the applicant and Transport Development Control commented that it is not something that could be insisted upon due to the number of turning movements. However, there has subsequently been an objection from Transport Development Control and this is discussed in the main report.

It is considered that the businesses and organisations within the Culham Science Centre will be adequately protected by virtue of the distance between the CSC and this development, and by conditions imposed to protect amenity.

Annex 5 - Sequential Test

Introduction

1. The National Planning Policy Framework (NPPF) paragraph 101 states that a sequential approach should be used in areas known to be at risk from any form of flooding and that the aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
2. NPPF paragraph 103 states that local authorities should only consider development appropriate in areas at risk of flooding where, informed by a specific flood risk assessment following the sequential test, it can be demonstrated that within the site the most vulnerable development is located in the areas of lowest flood risk, unless there are overriding reasons to prefer a different location.
3. OMWCS policy C3 states that development will, wherever possible, take place in areas with the lowest probability of flooding and that where development takes place in an area of identified flood risk this should only be where alternatives in areas of lower flood risk have been explored and discounted, using the sequential test and exception test as necessary and where a flood risk assessment is able to demonstrate that the risk of flooding is not increased from any source.
4. As part of the application site extension area falls within Flood Zones 2 and 3 and the site has not previously been sequentially tested through a development plan allocation, it is necessary to undertake a sequential test exercise to establish whether there is an alternative site in an area of lesser flood risk which could accommodate the proposed development and also to establish whether the most vulnerable development is located in the areas of lowest flood risk within the site.
5. NPPG paragraph 018 (Reference ID: 7-018-20140306) states that, 'planning authorities should apply the sequential approach to the allocation of sites for waste management and, where possible, mineral extraction and processing. It should also be recognised that mineral deposits have to be worked where they are (and sand and

gravel extraction is defined as ‘water-compatible development’ in Table 2, acknowledging that these deposits are often in flood risk areas). However, mineral working should not increase flood risk elsewhere and needs to be designed, worked and restored accordingly. Mineral workings can be large and may afford opportunities for applying the sequential approach at the site level. It may be possible to locate ancillary facilities such as processing plant and offices in areas at lowest flood risk. Sequential working and restoration can be designed to reduce flood risk by providing flood storage and attenuation. This is likely to be most effective at a strategic (county) scale.’

6. The NPPF paragraph 105 indicates that the Local Planning Authority Strategic Flood Risk Assessment (SFRA) will provide the basis for applying the Sequential Test. Oxfordshire County Council Minerals and Waste Level 1 Strategic Flood Risk Assessment was published in August 2015 to support the Oxfordshire Minerals and Waste Local Plan – Core Strategy. In March 2015 an initial assessment of potential minerals and waste sites and broad areas was undertaken in the Initial Assessment Tables.
7. The applicant has provided a sequential test document to provide evidence to allow the minerals planning authority to determine whether the application site passes the sequential test. This concludes that the site passes the sequential test as there are no other reasonably available alternative sites. However, it is the responsibility of the minerals planning authority to conduct their own sequential test and this is set out below.

Potential Alternative Sites

8. Local Plan evidence base documents have been used to identify possible alternative sites. The applicant has provided details of 44 alternative sites taken from the March 2015 Initial Assessment Tables.
9. The proposed quarry would provide approximately 2.4 million tonnes of sand and gravel. Many of the nominated sites have a significant lower estimated yield and therefore would not be capable of providing an alternative to the development proposed at Fullamoor. Therefore, sites containing a significantly (25% or more) lower yield were eliminated at stage 1 of the sequential test. The full list of sand and gravel sites assessed including details of their yield is set out in Table 1.

10. The applicant's sequential test eliminated sites with a significantly higher or lower yield (+/-25%). However, it is not considered appropriate to eliminate sites with a significantly higher potential yield as they are considered capable of producing the quantity of sand and gravel proposed at the application site. As the estimated yield of the application site is 2.4 million tonnes, sites with 1.8 million tonnes or more can be taken forward for further assessment, unless the nomination has been withdrawn.

Table 1

Site Name and Location	Site Ref.	Estimated Yield (million tonnes)	Site Status	Is the yield comparable
Land west of A420, Faringdon	SG-01	0.4	Nomination withdrawn	N/A
Land west of Wicklesham and south of A420	SG-02	0.3	Nomination withdrawn	N/A
Land adjacent to Benson Marina	SG-03	0.07	Active nomination	No
Extensions to Sutton Wick	SG-06	0.25	Nomination withdrawn	N/A
Land at Lower Road, Church Hanborough	SG-08	2.5	Active nomination	Yes
Land north of Drayton St Leonard	SG-09	4.5	Active nomination	Yes
Benson Marina	SG-11	0.07	Nomination withdrawn	N/A
Land South of Chazey Wood, Mapledurham,	SG-12	3.0	Active nomination	Yes

Land at Shillingford	SG-13	5.3	Active nomination	Yes
Stonehenge Farm, Northmoor	SG-14	1.7	Nomination withdrawn	N/A
Dairy Farm, Clanfield	SG-15	5.4	Active nomination	Yes
Land at Culham	SG-17	4	Active nomination	Yes
Bridge Farm, Appleford,	SG-19	0.5	Active nomination	No
Land between Eynsham & Cassington	SG-20	1.5	Active nomination	No
Wharf Farm, Cassington	SG-20a	1.6	Active nomination	No
Land at Eynsham	SG-20b	1.9	Active nomination	Yes
Sutton Farm, Sutton	SG-29	5.0	Active nomination	Yes
New Barn Farm, South of Wallingford	SG-33	4.0	Active nomination	Yes
Land at Friars Farm, Stanton Harcourt	SG-36	0.4	Active nomination	No
Land at Grandpont	SG-37	1.5	Active nomination	No
North of Lower Radley	SG-41	1.5	Active nomination	No
North of Lower Radley	SG-41a	2.3	Not a nominated site	N/A

Nuneham Courtenay	SG-42	4.4	Not a nominated site	N/A
Land at Marcham	SG-43	8.7	Not a nominated site	N/A
Land at Little Wittenham	SG-44	24.4	Not a nominated site	N/A
Land at Appleford	SG-45	17.7	Not a nominated site	N/A
Land northeast of Cholsey	SG-46	1.5	Not a nominated site	N/A
Land at Wallingford Benson	SG-47	2.5	Not a nominated site	N/A
Land North of Didcot Perimeter Road, Didcot,	SG-53	0.75	Not a nominated site	N/A
Land south of River Thames near Radcot	SG-54a/b	31.0	Not a nominated site	N/A
Thrupp Lane, Radley	SG-56	0.2	Nomination withdrawn	N/A
New Barn Farm, Cholsey	SG-57	0.4	Nomination withdrawn	N/A
Chestlion Farm, Clanfield	SG-58	5.0	Active nomination	Yes
Manor Farm, Clanfield	SG-58a	12.0	Active nomination	Yes
Stadhampton	SG-59	1.0	Active nomination	No

White Cross Farm, Wallingford	SG-60	0.5	Active nomination	No
Mains Motors, Ewelme	SG-61	Not known	Not known	Not known
Appleford, Didcot,	SG-62	1.1	Active nomination	No

11. As shown in Table 1, following the elimination of sites which could not provide a comparable yield and sites for which the nomination had been withdrawn or not taken forward, there were 11 potential alternative sites remaining:

SG08 Land at Lower Road Church Hanborough
 SG09 Land North of Drayton St Leonard
 SG12 Land South of Chazey Wood
 SG13 Land at Shillingford
 SG15 Dairy Farm
 SG17 Land at Culham
 SG20b Land at Eynsham
 SG29 Sutton Farm
 SG33 New Barn Farm
 SG58 Chestlion Farm
 SG58a Manor Farm Clanfield

12. Flood Risk status was categorised using a Red, Amber, Green (RAG) approach, as used in the Oxfordshire Minerals and Waste Plan Background Paper: Flooding and Minerals, to enable a comparative appraisal of flood risk at different sites. The criteria for the RAG approach was as follows:

- RED: up to 25% deliverable area in Flood Zone 1 (FZ 1) and more than 75% deliverable area in Flood Zone 3 (FZ 3).
- AMBER: 20-50% deliverable area in Flood Zone 1 (FZ 1) and 30-75% deliverable area in Flood Zone 3 (FZ 3).
- GREEN: more than 50% in Flood Zone 1 (FZ 1) and less than 30% in Flood Zone 3 (FZ 3).

13. Not all of the sites fit neatly into these three categories. Where a site does not fit any of the definitions exactly the RAG rating has been assigned on the basis of the percentage of land in flood zone 3 and this has been noted.

14. According to the Environment Agency definitions, the application site has 53% of land in flood zone 3, 42% in flood zone 2 and 5% in flood zone 1. Therefore, it is classified as amber on the basis of the percentage in flood zone 3.
15. The applicant's flood risk assessment includes a flood model, which has different flood risk classifications for the site. According to the model 56% if the site is in flood zone 3, 24% in flood zone 2 and 20% in flood zone 1. The site is therefore also classified as amber when the flood risk assessment proportions are used.
16. Potential alternative sites with a flood risk classification of red are considered to have a higher flood risk status than the application extension site and therefore can be eliminated.

Table 2

Site	Site Ref	% FZ1	% FZ2	%FZ3	RAG	Further assessment needed?
Land at Lower Road Church Hanborough	SG-08	66.63	1.91	31.46	Amber (on basis of FZ3)	Yes
Land North of Drayton St Leonard	SG-09	52.24	19.39	28.37	Green	Yes
Land South of Chazey Wood	SG-12	0	8.18	91.83	Red	No
Land at Shillingford	SG-13	42.47	45.59	11.94	Green (on basis of FZ3)	Yes
Dairy Farm	SG-15	40.46	8.71	50.84	Amber	Yes
Land at Culham	SG-17	14.78	47.43	37.8	Amber (on basis of FZ3)	Yes
Land at Eynsham	SG-20b	0	9.37	90.63	Red	No
Sutton Farm	SG-29	43.9	8.33	47.77	Amber	Yes
New Barn Farm	SG-33	76.35	20.44	3.21	Green	Yes
Chestlion Farm	SG-58	94.29	0.67	5.04	Green	Yes
Manor Farm	SG-	65.4	6.16	28.43	Green	Yes

Clanfield	58a					
Application site - Fullamoor	20	24	56	Amber		

17. Following the assessment of potential alternative sites against flood risk status, it can be seen that two sites - Land south of Chazey Wood and Land at Eynsham – have a higher flood risk than the application site and can be eliminated. Therefore, there are nine remaining sites to be taken forward for further assessment.

Further Assessment

18. Constraints on the delivery of these sites were identified by checking for designated or protected sites and with reference to the Preliminary Assessment of Minerals Site Nominations revised in April 2016 undertaken in support of the work done for the Oxfordshire Minerals and Waste Core Strategy. This document only considers sites located within the Strategic Resource Areas identified in the draft Core Strategy policy M3. Three of the nominations (SG-15, SG-58 and SG-58a) are for land near Clanfield, which falls outside these areas, therefore the 2012 revision to the Preliminary Sites Assessment was used for these sites.

19. The potential constraints on the alternative sites are set out below.

20. Alternative 1- Land at Lower Road Church Hanborough SG08 – Part of the site lies within Church Hanborough conservation area and the site adjoins listed buildings and bridges. The site lies less than 1km from Cotswolds AONB and within 5km of the Oxford Meadows SAC.

21. Alternative 2- Land North of Drayton St Leonard SG09 - The southern part of this site is in close proximity to Drayton St Leonard village and Berinsfield and potential impacts arising from this would also need to be assessed. It contains archaeological remains of equivalent value to a scheduled monument. The site comprises best and most versatile agricultural land (grade 2)

22. Alternative 3- Land at Shillingford SG13 – This site contains 3 scheduled monuments and other remains considered of being of equivalent value. The presence of valuable archaeological deposits is considered to pose a significant constraint on this site. The site is in close proximity to the North Wessex Downs AONB. Parts of the site are also in close proximity to Shillingford village and potential impacts arising from this would also need to be assessed. The site comprises best and most versatile agricultural land (grades 1 and 2)
23. Alternative 4- Dairy Farm SG-15 – The northern part of the site is in close proximity to Clanfield village.
24. Alternative 5- Land at Culham SG-17 – This site nomination covers a larger area that includes the land in the application site area, encompassing additional land to the west. Although the site nomination area contains a lower percentage of land in FZ3, the application was made on a smaller area than the site nomination due to constraints such the barrow cemetery scheduled monument (scheduled in 2014) and in order to safeguard proposed alignments for the new road and river crossing. Therefore, it is not considered feasible for the proposed development to be provided for in areas of the site nomination area with a lesser flood risk.
25. Alternative 6- Sutton Farm SG-29 –the site adjoins Stanton Harcourt and Sutton conservation area.
26. Alternative 7- New Barn Farm SG-33- This site is subject to a planning application (MW.0094/16) which was submitted in July 2016 and at the time of writing this report, is undetermined. The application for sand and gravel extraction at New Barn Farm proposes the extraction of 2.5 million tonnes of sand and gravel from a 34 hectare site over an 18 year period.
27. Alternative 8- Chestlion Farm SG-58 – This site was precluded from further assessment in the 2012 preliminary site assessment document, on grounds of archaeology advice, distance from lorry network and from markets. The site contains valuable archaeological deposits considered to pose a significant constraint on this site and on the basis of the assessment work which has already been undertaken it seems likely that this site would not be available for mineral working given that constraint. The eastern parts of the site are also in close proximity to Clanfield village and potential impacts arising from this would also need to be assessed.

28. Alternative 9- Manor Farm Clanfield SG-58a –This site was precluded from further assessment in the 2012 preliminary site assessment document, on grounds of archaeology advice, distance from lorry network and from markets.
29. There is no certainty that any of the nine potential alternative sites identified in Table 2 above are capable of being delivered. With the exception of New Barn Farm (SG-33) none of these sites have been the subject of a planning application and so would first have to go through the planning process. It typically takes months to years for an applicant to compile a new planning application and the Environmental Impact Assessment for a large minerals development. Ecological survey work can often only take place at certain times of year and data from a number of years of groundwater monitoring work can be required. It would then typically take a number of months to determine an application of this type after it has been submitted by the applicant. Therefore, with the exception of New Barn Farm, it is considered that the potentially alternative sites would not be capable of providing a genuine alternative to the application site, as they could only be provided on a different timescale.
30. However, the New Barn Farm site could potentially be delivered on the same timescale as the application site, as it is also subject to a planning application. Following the submission of further information and a number of consultation periods, the New Barn Farm application is ready for determination.

Conclusions

31. Having considered the constraints on the potentially available alternative sites, it is concluded that the majority of the alternative extraction sites identified cannot be demonstrated to be capable of delivery within the same timescale as the application site. In addition, further assessment work is needed in each case and should this work be undertaken in the future it is possible it could find the alternative sites to be unsuitable, or significantly reduce the area of the site which could be worked. However, one alternative site, at New Barn Farm is at a similar stage to the application site.
32. The application site cannot pass the sequential test; there is at least one reasonably available site appropriate for the proposed development in areas with a lower probability of flooding, at New Barn Farm, Cholsey.

Annex 6 – 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, the habitat on and around the proposed development site and ecological survey results indicate that a European Protected Species (otter) is likely to be present.

The mitigation measures detailed within the survey are considered to be convincing and in your officers opinion will secure “offence avoidance” measures.

Our records, the habitat on and around the proposed development site and ecological survey results indicate that a European Protected Species (bat species) may be present.

Your officers would therefore recommend the following conditions to secure the implementation of the offence avoidance measures to ensure that no offence is committed:

- ☐ additional surveys in later phases of extraction

Your officers consider that sufficient information has been submitted with the application which demonstrates that measures can be introduced which would ensure that an offence is avoided. The application is therefore not considered to have an adverse impact upon protected species provided that the stated mitigation measures are implemented.

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Planning & Regulation Committee **Monday, 27 November 2017** **ADDENDA**

1. Apologies for Absence and Temporary Appointments

<i>Apology for absence</i>	<i>Temporary Appointment</i>
Councillor Stefan Gawrysiak	None as yet
Councillor Kirsten Johnson	Councillor John Howson
Councillor Mark Iygo	Councillor John Sanders
Councillor Dan Sames	Councillor Lawrie Stratford

4. Petitions and Public Address

<i>Speaker</i>	<i>Item</i>
Suzi Coyne – SCP)
Kirsten Berry – Hendeca)
Ian Mason – Bachport)
Katherine Canavan (or a)
Councillor) – SODC and Vale DCs)
Jason Sherwood – OCC)
)
Applicants - Peter Andrew) 6. Fullamoor Quarry
Bill Finnlinson)
Kevin Archard)
Nigel Jackson)
Lucy Binnie)
Keith Hampshire)
)
Councillor Lynda Atkins)
Councillor Lorraine Lindsay-Gale)

Contd.

<i>Speaker</i>	<i>Item</i>
Councillor Adrian Lloyd – Wallingford TC Henry Thornton))))
Applicants – Andrew Short, (Grundons) Peter Wilsdon (Agent)))7. New Barn Farm))
Councillor Lynda Atkins Councillor Mark Gray))
John Salmon – Agent for the Applicant))
Councillor Charles Mathew)8. Dix Pit)

- 6. Proposed extraction of sand, gravel and clay including the creation of new access road, processing plant, offices with welfare accommodation, weighbridge and silt water lagoon system with site restoration to agriculture and nature conversation including lakes with recreational afteruses and the permanent diversion of footpath 171/15 and creation of new footpaths on land at Fullamoor Plantation, Clifton Hampden, Abingdon, OX14 3DD - Application No. MW.0039/16 (Pages 1 - 14)**

An addenda including an amended recommendation is attached.

- 7. Proposed extraction of sand and gravel with associated processing plant, conveyors, office and weighbridge, parking areas. Construction of new access onto the A4130. Restoration to agriculture, incorporating two ponds, using imported inert materials on land at New Barn Farm, Cholsey, Nr Wallingford, Oxfordshire, OX10 9HA - Application No. MW.0094/16 (Pages 15 - 16)**

An addenda is attached

PLANNING AND REGULATION COMMITTEE – 27TH NOVEMBER 2017 ADDENDA

Land at Fullamoor Plantation, Clifton Hampden

1. At the time of drafting the report further responses were awaited from Oxfordshire County Council's drainage consultants and the Environmental Health Officer (EHO). This addendum provides details of those responses.
2. Since the report was drafted, Historic England has provided notification of the designation of Fullamoor Farmhouse, which is one of the closest properties to the site, as a Grade II listed building. This addendum also addresses that designation.
3. Following the publication of the report, the applicant has sought to address the concerns raised in the objection from Transport Development Control. This has led to updated comments from Transport Development Control which leads to a change to the recommendation.
4. This addendum also provides some clarifications to the report and details of further representations received after the report was published.

Further response on ground water concerns

5. Paragraph 193 of the report refers to further advice which was sought in relation to groundwater and drainage. This had not been received at the time of drafting the report, but was received on 17th November. This further advice was provided by the consultants WSP as Oxfordshire County Council Lead Local Flood Authority did not have the necessary capacity to comment within the timeframe. WSP have advised that none of the concerns raised by Bachport in relation to drainage and groundwater are critical or grounds for refusing the application. Conditions are recommended to cover groundwater monitoring, a drainage plan and supporting assessment prior to restoration based on the results of the groundwater monitoring, proposals for monitoring erosion of banks of the proposed lake, drainage strategies for all stages of the development to demonstrate no increase in surface water runoff from the site for events between the 1 year and 100 year (including appropriate climate change allowances) and details of how bunds would be constructed and drained to avoid erosion and siltation of runoff.

6. It is recommended that if permission is granted for this development, it is subject to the conditions recommended by WSP. These are conditions 40-43 in Annex 1.

Further response from Environmental Health Officer

7. Paragraph 9 of Annex 3 to the report (consultation responses summary) notes that the Environmental Health Officer (EHO) had requested clarification regarding the impact of changes to bunds on noise impacts. The applicant's noise consultant confirmed that no further assessment was needed as the changes to the bunds would have little or no consequential effect. At the time of drafting the report there had been no further response from the EHO. This response was received on 17th November and confirms that the EHO requires conditions to set maximum noise levels and require noise monitoring to ensure these are complied with. This is in line with previous comments from the EHO and it is recommended that if permission is granted for this development, it is subject to the recommended noise conditions.

Listing of Fullamoor Farmhouse

8. Historic England has provided confirmation that Fullamoor Farmhouse has been designated a Grade II listed building. The setting of this building was considered in the Cultural Heritage Assessment; however at the time that it was assessed it was a non-designated heritage assessment.
9. South Oxfordshire District Council (SODC) were informed of this designation and comments were sought from their Conservation Officer. These were provided on 17th November and are as follows:

The statement (December 2016) did identify that Fullamoor Farmhouse was a non-designated heritage asset and that some of its significance is derived from its setting. As a designated heritage asset, the setting of the listed building where it contributes to the building's significance, warrants special consideration when considering whether or not to grant planning permission. This is a statutory duty under s.66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

As such, Chapter 4 of the Environmental Statement is out-of-date in this regard and should be updated to reflect the new designation and to ensure that the designated asset has been given special regard in the determination of the planning application.

The statement had not been revised or updated in response to the recommendations given in February 2017 (inserted into the SODC response

dated 28 March 2017) and as such those previous comments were still valid and no updated comments were provided.

10. On 23rd November, the applicant provided an assessment on the setting of a listed building in relation to Fullamoor Farmhouse written by their heritage consultant on 23rd November. In summary, this states:

- *The significance of Fullamoor Farmhouse is chiefly informed by its architectural and historical values, as a good example of 17th and 18th century vernacular domestic architecture.*
- *The building does derive some significance from its setting, as the wider agricultural landscape (including the proposed quarry) is part of the historical landholding associated with Fullamoor Farm*
- *The earliest post-medieval landscape, which was contemporary with the development of the farmstead, can no longer be perceived*
- *Existing vegetation along the northern boundary of the proposed quarry site means that immediate views from and to the farm are already partially screened with the more open views of the landscape primarily focused on middle and longer distance views*
- *The former agricultural use of the farm is no longer clearly legible due to the loss of many of the associated agricultural buildings and its original courtyard layout.*
- *Location next to a main road near large scale modern developments which erode what would have been a fairly isolated location at the time of its original construction.*
- *The character of the property is now domestic in nature and its rural setting can be considered to make only a limited contribution to its significance.*
- *Proposed bunds and woodland planting within the mitigation measures will screen views to the northern part of the proposed quarry. Longer distance views will incorporate the early phases of extraction, though these impacts would lessen over time*
- *Restoration lake and wetland would not be seen from the farmhouse due to additional woodland planting*

11. The assessment concludes:

Overall, the change within the setting of Fullamoor Farm resulting from the quarry development is considered to be minor and the residual effect on the significance of the Listed Building would be limited and commensurate with less than substantial harm, and at the lower end of that scale

12. The full text of all documents submitted by the applicant and the consultation responses are available to read on the e-planning website using reference MW.0039/16.
13. Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
14. NPPF paragraph 132 states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation. It confirms that significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Paragraph 133 states that consent should be refused, where development will lead to substantial harm or total loss of significance of a designated heritage asset, unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 134 states that where development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
15. Taking into account the need to give special regard to the desirability of preserving the setting of this newly listed building, it is considered that the proposals would result in less than substantial harm to the significance of the newly listed building. It is accepted that the change to the setting would be minor given the findings of the submitted assessment. Therefore, the proposal is not considered to conflict with the NPPF requirement to give great weight to the conservation of designated heritage assets.
16. It is considered that the further response from the applicant's heritage consultant comprises further additional information under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Therefore, any approval should be subject to this additional information first being the subject of the publicity requirements and 21 day consultation period set out in that regulation.

Updated comments from Transport Development Control Team

17. Following consideration of the objection raised by Transport Development Control, the applicant has confirmed that they would be willing to accept a condition prohibiting peak hour HGV movements between 8-9am and 5-6pm Mondays to Fridays.

18. The applicant's highways consultant has confirmed that the prohibition of peak time HGV movements would not affect the findings of the Environmental Statement. There would be an average of 10 movements per hour, which is the same as that assessed in the Transport Assessment for the development when it included a concrete batching plant. An amended version of the site access plan was also provided, showing 'keep clear' markings on the A415.
19. In response to this, Transport Development Control has amended their response to confirm that whilst prohibiting peak hour trips would increase the off-peak trip rate generated by the proposed quarrying, they are satisfied there is sufficient capacity available in the network such that the impact of development traffic would not be significant. They conclude that prohibiting peak hour trips would resolve the reason for refusal. They request that there is a prohibition on all vehicle movements (including HGVs, staff trips and any trips associated with third party sales and delivery) and that the operator is required to install a camera at the site entrance and provision of time and date verified video footage on request, in order to monitor compliance.
20. The applicant has confirmed that this is acceptable to them. Therefore, subject to conditions to secure the proposed complete prohibition on peak movements and the monitoring of this, the Transport Development Control objection can be resolved and this is no longer considered to be a reason for refusal of the application. An amended recommendation is set out below to reflect this.
21. The recommendation for approval is subject to conditions and legal agreements. The details of these are set out in Annex 1 and 2 respectively. The conditions required to secure the prohibition of vehicles and the effective monitoring of these are conditions 80-82. The detailed wording of the conditions would ensure that the requirements are precise and enforceable.

Transport Strategy and Policy – Further Comments

22. The Transport Strategy and Policy team have submitted further comments to support their objection to the application. These comments provide greater detail in relation to the increase in the cost of delivering the proposed Culham to Didcot crossing across the application site, should the quarry go ahead. There would be additional engineering costs related to the need to cross the proposed lake and to prepare the ground on the rest of the route, compared to building on undisturbed agricultural land. The current estimated costs are £125 million. The additional cost is estimated as £44,508,457. This assumes a 250m lake span with viaduct construction and 850m of road passing over ground restored from mineral working to agriculture. The Transport Strategy

and Policy team believe that this increase in cost could prevent the road going ahead in this location.

23. The committee is advised that the deliverability of the proposed road and river crossing is a material consideration and that the further detail in relation to the increase in costs lends further weight to the objection from the Transport Strategy and Policy team. In this case the financial considerations related to the increased cost in providing the proposed road can be taken into account as they relate to the deliverability of infrastructure for which a route is safeguarded in an emerging plan (policy TRANS3 of South Oxfordshire Local Plan 2033 (SOLP 2033)).
24. Consideration has been given to the further detail provided in relation to costs. However, no change is proposed to the recommendation in relation to this objection. It is not considered that the increase in cost in providing the proposed road in this location would necessarily prevent the new road and crossing being delivered. A decision has not yet been taken on which route the proposed road would take and therefore the alternative safeguarded route west of the railway line which does not affect the quarry might be selected. This would avoid the increased costs associated with building on land which had been previously used as a mineral working. Even if the route which runs across the quarry site is selected, it is not considered that the increase in costs would necessarily prevent the proposed road and river crossing from going ahead in this location as details of funding for the scheme are not yet clear.
25. Therefore, although the potential impact on the deliverability of the new road and crossing is a material consideration which can be taken into account in making a decision, the officer view is that the application should not be refused for this reason as there is no certainty about which route will be chosen for the proposed new road and no funding is yet in place.

Clarifications to report text

26. Transport Strategy and Policy have asked for clarifications to be made to report paragraphs 162 and 163. Paragraph 162 states that the restoration proposals were amended to provide extended peninsulas on the lake banks which could accommodate pillars. Transport Strategy and Policy would like it to be clarified that although the amended design reduces the distance that the road would need to span across the proposed lake, the pillars would not be sufficient to span the gap and further engineering would be required. Paragraph 163 states that the quarry proposals would not prevent the road from going ahead. This could be better phrased as the quarry proposals would not *necessarily* prevent the road from going ahead. The quarry is a

temporary development and the western part of the site could be worked and restored prior to the development of a new road. The road could be designed to cross the lake; however these engineering solutions are likely to add to the cost. The Transport Strategy and Policy have advised that the increased cost of delivery could prevent the road from going ahead.

27. Other drafting errors have been identified as follows:

- Paragraph 62 - The final two sentences give different descriptions of the weight to be given to the emerging SOLP. For clarification, the plan referred to should be given limited weight as it is not yet adopted.
- Paragraph 73 – Following the adoption of the Oxfordshire Minerals and Waste Core Strategy. The second half of the final sentence is no longer relevant and can be deleted.
- Paragraph 83 - The middle part of the third sentence should read: 'although they fell back from *the* level in 2015' (rather than *this* level)

Late Representations

CEG

28. A late representation was received on 22nd November on behalf of CEG. This states that further reasons for refusal should be added to those listed in the committee report and is summarised below:

CEG is promoting land adjacent to Culham Science Centre (STRAT7) which is a proposed strategic housing allocation in the South Oxfordshire Local Plan 2033 – Final Publication Version. Culham Science Centre (STRAT6) is also identified as a site for significant employment generating development. These sites are linked to the provision of a new Clifton Hampden bypass and new Culham to Didcot river crossing. It is surprising that the report concludes that the quarry proposals would not prejudice the proposed road and river crossing and does not reference the Clifton Hampden bypass. A firm programme for the delivery of the new river crossing has not been agreed, but OCC and SODC are pushing for a start date much sooner than the 15 years it would take for the quarry to be worked. Network Rail has ambitions to 4-track the line between Didcot and Oxford and the existing line marks the boundary with Fullamoor Quarry so one option for this might be running additional lines through the Fullamoor Quarry site. CEG's view is that the Fullamoor Quarry development is so substantial/significant that to grant permission in advance of the adoption of the emerging SODC Local Plan would seriously undermine the plan making process by predetermining/influencing decisions

affecting SODC's emerging Housing and Employment Strategy. The prematurity argument has not been considered in relation to the emerging Local Plan. There is no need to bring this site forward for mineral extraction now and the site should be considered in the context of the Oxfordshire Minerals and Waste Local Plan Part 2: Site Allocations.

29. Officer Response – The position on the road crossing is set out in the main report and in the above section. As it is not considered that the quarry necessarily prejudices the proposed road and river crossing, it is not considered that it prejudices the proposed allocations in the emerging South Oxfordshire plan that are linked to this, particularly as the plan safeguards two potential alternative routes for this road. The application site boundary is 400 metres from the railway line and not immediately adjacent as suggested, therefore the point raised about possible new lines is not considered relevant.

Bachport

30. Bachport (making comments on behalf of Clifton Hampden and Burcot Parish Council, and supported by Long Wittenham, Appleford and Culham Parish councils) submitted a further letter on 22nd November. This expresses concern about the proposal to limit lorry movements by condition. Concerns raised include:
- *Unclear if there would be a change to the operating hours, any change to working hours in morning would disturb residents*
 - *Peak hours at the critical A415 junctions is not confined to the hours proposed*
 - *Proposed prohibition of peak hour movements would exacerbate traffic impacts, it wouldn't apply to third party vehicles, would encourage the queuing of lorries on the road, influx of lorries either side of prohibited window would worsen congestion and cause safety issues, increase in vehicle flows during non-peak hours would exacerbate harm during those hours*
 - *Would be difficult to enforce*
 - *Concern that Hill's now refer to third party vehicles; these would be outside the routeing provisions and could lead to higher overall vehicle movements than assessed.*
31. Officer response – No change is proposed to the site operating hours, only to the hours during which vehicles could enter or leave the site. This would apply to all vehicles, including staff cars and third party vehicles. The peak hours have been identified for this site by Transport Development Control using traffic data. The increase in vehicle movements during non-peak hours has been considered and is comparable to the vehicle movements assessed for

the quarry and concrete plant prior to the removal of that element of the development. Planning conditions can be enforced through a breach of condition or enforcement notice with potential for criminal prosecution.
United Kingdom Atomic Energy Authority (UKAEA)

32. A late representation was received on 23rd November on behalf of UKAEA. This states that further reasons for refusal should be added to those listed in the committee report and is summarised below:
- *Regardless of the adoption of the Oxfordshire Minerals and Waste Local Plan, it is considered premature to bring this development forward prior to the site allocations document*
 - *Consider that the development could severely prejudice the delivery of the river crossing, which could undermine allocations STRAT6 and STRAT7 of the Final Publication Version South Oxfordshire Local Plan 2033.*
 - *It is not clear why the report concludes that the timescale for the quarry workings means that it could be completed before the road would be built*
 - *Clifton Hampden bypass is important for UKAEA's growth and the emerging SOLP 2033 is looking to the STRAT 7 allocation to contribute to this*
 - *Therefore, consider the Fullamoor Quarry development is so substantial/significant that to grant permission in advance of the adoption of the emerging SODC Local Plan could seriously undermine the plan making process by predetermining/influencing decisions affecting SODC's emerging Housing and Employment Strategy*

33. Officer Response - The position on the road crossing is set out in the main report and in the above section. As it is not considered that the quarry necessarily prejudices the proposed road and river crossing, it is not considered that it prejudices the proposed allocations in the emerging South Oxfordshire plan that are linked to this, particularly as the plan safeguards two potential alternative routes for this road. The quarry development would be phased and the areas in the west of the site, in the area of the potential route for the proposed road would be worked in the early part of the development.

Referral to the Secretary to State

34. If committee resolve to grant permission for this development, it is recommended that this is subject to it first being referred to the Secretary of State. This is because the application could be considered to fall under the criteria set out in the Town and Country Planning (Consultation)(England) Direction 2009, as elements of the development are considered to be inappropriate in the Green Belt and would affect its openness.

Amended recommendation

35. Further to the updated comments from Transport Development Control, stating that their objection can be resolved by a condition prohibiting all vehicle movements during peak hours, the reasons for refusal in the original recommendation have been overcome.
36. A revised recommendation is set out below; this replaces the recommendation set out in paragraph 268 of the report.

Recommendation

It is RECOMMENDED that subject to:

- (i) Additional environmental information being subject to the publicity and consultation requirements set out in Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and this not raising any new significant issues, following consultation with the committee Chairman and deputy Chairman; and**
- (ii) no new significant issues being raised further to point (i) the application first being referred to the Secretary of State to provide the opportunity for the application to be called in for his own determination, as required under the Town and Country Planning (Consultation)(England) Direction 2009; and**
- (iii) the Secretary of State not calling in the application for his own determination following referral to him as set out in point (ii) a routing agreement to ensure that vehicle movements from the new development use only the HGV routes on the A-Road network as proposed by the applicant and a Section 106 legal agreement to cover the matters outlined in Annex 2; and**
- (iv) The Director for Planning and Place being authorised to refuse the application if the legal agreements referred to in (i) and (ii) above are not completed within 10 weeks of the date of this meeting on the grounds that it would not comply with OMWCS policy M10 and the guidance set out in paragraph 118 of the NPPF (in that there would not be satisfactory provisions for the long term management of the restored site)**

that planning permission for application no. MW.0039/16 be granted subject to conditions to be determined by the Director for Planning and Place to include the matters set out in Annex 1.

Annex 1 - Recommended conditions

1. Complete accordance with approved plans
2. Commencement within 3 years
3. End date for extraction (11 years after commencement)
4. Restoration in accordance with approved plans within 24 months of end of mineral working
5. Operating hours as proposed
6. Removal of all associated plant and development upon cessation of mineral working
7. Depth of working as proposed
8. Submission and approval of detailed working plans prior to commencement of extraction in each phase; implementation of approved plans
9. Submission and approval of detailed restoration plans prior to commencement of extraction in each phase, including specifications for trees and hedgerows; implementation of approved plans
10. 5 year aftercare in accordance with approved plan to be submitted and approved, including provisions for agricultural and nature conservation areas
11. No import of mineral to the site
12. Restriction of permitted development rights
13. Access to be constructed in accordance with approved plans
14. Implementation of highway improvements
15. Submission of detailed landscape mitigation proposals and implementation
16. Maintenance of new and existing screening vegetation
17. Bunds constructed and maintained in locations approved with height, steepness and other specifications as approved
18. Maximum noise limits at the closest dwellings, as specified in ES
19. Maximum noise limit for temporary operations measured at the closest dwellings, as specified in ES
20. Noise monitoring
21. No reversing beepers other than white noise
22. Submission and implementation of detailed dust management plan, including monitoring provisions
23. Written scheme of archaeological investigation
24. Staged programme of archaeological investigation
25. Fencing to protect area of archaeological interest
26. Environmental Management Plan
27. Ecological restoration and management plan for ecology
28. Ecological monitoring strategy
29. Submission of further details on rights of way provisions – including gate wide enough for mobility scooter
30. No obstructions or large vehicles on the rights of way
31. Traffic Management Plan
32. New access and visibility splays in accordance with approved plans
33. No mud or dust on highway
34. Sheeting of lorries
35. Dewatering to go through settlement tanks or systems before discharging to the ditches
36. No silt discharged to main watercourses
37. No dewatering in flood conditions

38. Dewatering outfalls to be monitored regularly to measure the quality of the flow
39. Submission of a flood management plan including details of safe access and escape routes
40. Detailed groundwater monitoring plan, including additional groundwater monitoring borehole, submission of information from groundwater monitors, details of the protection of railway and details of mitigation measures
41. Submission of drainage plan and supporting assessment based on groundwater monitoring results for restored site, prior to completion of extraction
42. Submission of drainage strategies for all stages of development to demonstrate no increase in surface water run-off from site
43. Submission of details of how bunds would be constructed and drained
44. Tree protection fencing as specified in the arboricultural impact assessment
45. No ground works, storage or parking within the root protection zones as marked by the tree protection fencing
46. After the erection of tree protection fencing two days' notice shall be given to the minerals planning authority to inspect it before ground works commence in that phase
47. Notices to be affixed to tree protection fences stating no access permitted
48. No storage of fuel within 10m of retained trees
49. No heavy mechanical cultivation within the root protection areas
50. A copy of the conditions shall be kept on site
51. Arboricultural supervision as proposed in arboricultural impact assessment
52. Measures to prevent the spread of soil-borne plant or animal diseases
53. Submission of a soil movement scheme prior to soil stripping in each phase
54. Soil handling in accordance with methodology in approved details
55. Submission of details of location, contours and volumes and soil types of bunds following their formation
56. Soils only moved when in a dry and friable condition
57. No soil handling when there are puddles on the soil surface
58. No soil handling between 1st October and 31st March inclusive
59. No plant or vehicle movements over areas of topsoil or subsoil
60. Topsoil and subsoil to be stripped prior to excavating site
61. Soil stripping depths as proposed
62. Soils identified for use as a subsoil substitute to be stripped and stored separately
63. 5 working days' notice to be given to MPA of intention to strip soils
64. Bunds for storage of agricultural soils to meet requirements
65. Bunds to be grassed and kept weed free
66. All topsoil, subsoil and soil forming material to be retained on site
67. Soil forming material to be recovered and used in restoration
68. Restored soil depths as proposed
69. Stones in excess of 100mm to be removed
70. 5 working days' notice to be given to MPA of final subsoil placement in each phase
71. Compliance with final settlement contours
72. Complete accordance with Flood Risk Assessment
73. Scheme to show final design and alignment of bunds and design and height of processing plant above ground level

74. Scheme to show surface water and groundwater pumping scheme, including details of how it will cease prior to onset of flooding
75. Ecological protection and mitigation scheme for protection of ecological buffer zones
76. 25 metre buffer to the River Thames
77. Detailed scheme for external lighting at plant site to be submitted, approved and complied with
78. Details of local liaison committee to be submitted for approval and implemented
79. Details of how a viewing gap will be maintained in the hedge adjacent to the Thames Path and of a heritage interpretation board to be provided in this location to be submitted for approval and implemented.
80. No vehicles to enter or leave the site between 8am-9am and 5pm-6pm Mondays to Fridays
81. Submission and approval of a scheme detailing the location of a video camera to be installed and maintained at the site access to monitor vehicle movements into and out of the site
82. Provision of time and date verified video footage to the Minerals Planning Authority on request

Annex 2 - Heads of terms for legal agreements (Section 106 Agreement and Routeing Agreement)

- Highway Improvements

Payment of £20,000 towards highway improvements for the widening of the footpath on the south side of the A415 at the location of the Clifton Hampden school gate, as shown on plan 4200/SK/202

- Bird Management Plan

Implementation of a Bird Management Plan, detail to be agreed with the Ministry of Defence representatives, for the duration of the operation of RAF Benson or as otherwise agreed between the landowner and Ministry of Defence.

- New Public Rights of Way

The dedication of new public rights of way as shown on Restoration Plan C6 LAN 007 upon the completion of restoration at the site.

- Long Term Management Period

A long term management period of 20 years, subsequent to the statutory 5 year aftercare management period, shall be undertaken across the site for the areas not restored to agriculture.

- Advance woodland planting on land outside the control of the applicant

The advance woodland planting shown on the Advance Planting Scheme and located to the west of the proposed site access road is on land outside of the applicant's control. Therefore, it would need to be secured as part of the Section 106 agreement.

- Routeing

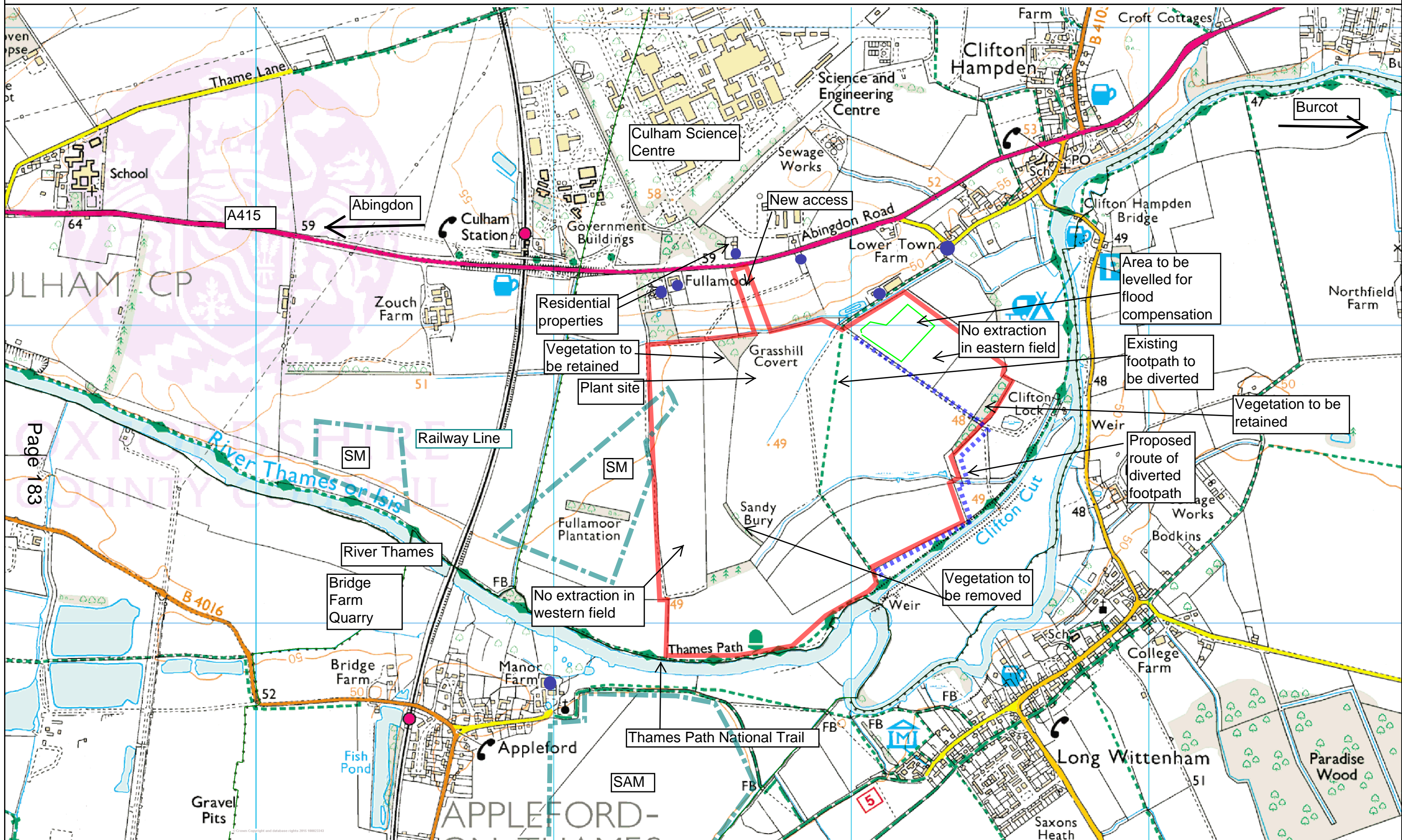
Vehicles travelling to or from the site in connection with either the construction of the development or transportation of mineral product from the development site shall only do so via agreed roads as detailed in the transport assessment Figure 4200/203.

PLANNING AND REGULATION COMMITTEE – 27TH NOVEMBER 2017 ADDENDA

Land at New Barn Farm, Cholsey

1. There are some clarifications and corrections to the report.
2. Paragraph 12 states that planning application P16/S4275/0 was considered by South Oxfordshire's planning committee on 8th January 2017. This should read 8th November 2017.
3. Paragraph 54 - Following the adoption of the Oxfordshire Minerals and Waste Core Strategy. The second half of the final sentence is no longer relevant and can be deleted.
4. Paragraph 64 - The middle part of the third sentence should read: 'although they fell back from *the* level in 2015' (rather than *this* level)
5. Paragraph 75 should be deleted. Policy W3 is not applicable to the application as it does not cover deposit of waste to land.
6. There is no change to the recommendation.

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Note: This plan is indicative only. Accurate application plans can be found on the eplanning website using reference MW.0039/16
SAM - Scheduled Ancient Monument

● Some of the closest residential properties

Scale 1/11542

Warning: To print this map to the scale shown, the paper size should be set to A3 Landscape and Page Scaling in the printer dialogue box should be set to none.

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For: PLANNING AND REGULATION COMMITTEE – 15 JULY 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Proposed extraction of mineral and restoration by infilling with imported inert materials to agriculture and nature conservation

Division Affected: Kingston & Cumnor

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

Location: Shellingford Quarry, Stanford Road, Stanford in the Vale, Faringdon, SN7 8HE

OCC Application No: MW.0104/18
VOWH Application No: P18/V2610/CM

District Council Area: Vale of White Horse District Council

Applicant: Multi-Agg Ltd

Application Received: 30 August 2018

Consultation Periods: 16 October – 15 November 2018
30 May – 1 July 2019

Contents

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

Recommendation: The report recommends that application MW.0104/18 be approved

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

1. The existing Shellingford Quarry covers a 38-hectare area immediately south of the A417 approximately 600 metres west of Stanford in the Vale. It is also 700 metres east of Shellingford and 3.2 km (2 miles) south east of Faringdon. The proposed extension area would be immediately west and south west of the existing quarry, bringing the working closer to Shellingford.

Site and Setting (see Plan 2)

2. he proposed extension area measures 30 hectares and is currently in agricultural use. It is adjacent to the existing quarry which includes areas of mineral extraction, waste infilling, mineral recycling, mineral processing and stockpiling, offices, carparking and waterbodies.
3. The closest buildings to the site are agricultural buildings immediately west of the site boundary. The closest residential properties are in Shellingford village and lie approximately 250 metres west of the site boundary. Shellingford Primary School also lies a similar distance from the boundary, also in Shellingford village. Quarry Cottage also lies approximately 250 metres from the extension area, to the north east, on the B4508/A417 crossroads. The closest properties in Stanford in the Vale are approximately 1km (0.6 mile) from the extension site and 400 metres from the existing quarry.
4. Stanford in the Vale Household Waste Recycling Centre (HWRC) lies on the other side of the A417, approximately 650m from the extension area.
5. The White Horse Business Park lies immediately to the east of the southern part of the proposed extension area. The existing quarry lies immediately east of the northern part of the extension area.
6. Holywell Brook lies approximately 100 metres south of the application boundary. Public footpath 338/6 lies close to the southern boundary outside of the site.
7. The application site falls entirely in flood zone 1 which is the area of least flood risk. There is a corridor of higher flood risk along the Holywell Brook, however this is outside of the application area.
8. The site slopes gently to the south, falling from 89m AOD in the north to 74m AOD in the south.

T

9. The closest SSSI is the Shellingford Crossroads SSSI designated for its geological interest. This lies 80 metres north of the existing quarry, north of the A417. Wicklesham and Coxwell Pits SSSI lies approximately 2.8 km (1.7 miles) east of the site. Fernham Meadows SSSI lies approximately 3.5km (2 miles) south west of the quarry. Chaslins Copse Local Wildlife Site lies approximately 600 metres west of the site on the other side of the B4508.
10. T
he North Wessex Downs Area of Outstanding Natural Beauty lies approximately 6km (3.7 miles) south of the site.
11. The site is predominantly agricultural and also includes an area of woodland plantation. 4.9 hectares of the site is subgrade 3a agricultural land, which is classified as 'best and most versatile' agricultural land. This comprises 16% of the total site area.
12. Part of Shellingford village has been designated as a conservation area which also contains a number of listed buildings. This lies approximately 250 metres from the site boundary. St Faith's church in Shellingford is Grade I listed and lies approximately 270 metres from the site boundary.
13. Stanford in the Vale also has a designated conservation area containing listed buildings, this is 1.2 kilometres (0.7 mile) from the extension area site boundary at the closest point. There are five listed buildings located in close proximity west of the A417 in Stanford in the Vale, these are approximately 1 km from the application site.
14. An existing vehicle track runs close to the site boundary around the northern and eastern boundaries. This forms the eastern boundary south of the agricultural buildings and then swings east so that the southern section of the extension area lies south of the track.
15. The extension area lies within Shellingford Parish and Stanford in the Vale Parish lies immediately east. The existing quarry includes land in both parishes.

Planning History

16. T
he proposed extension area is adjacent to the existing Shellingford Quarry. Quarrying at this site was originally permitted in 1986. The current quarrying operations were permitted granted consent in 2009 (planning permission reference STA/SHE/8554/8-CM OCC ref MW.0132/09), and this consent has since been varied by a new permission issued in 2011 (STA/SHE/8554/12-CM OCC ref MW.0020/11). An eastern extension to the quarry was permitted in 2011 (permission reference STA/SHE/8554/11-CM OCC ref MW.0021/11).

17. here are a number of other permissions at the quarry related to the mineral extraction, including separate permissions for the sorting and export of inert material, a screening bund, a security caravan and a site office and weighbridge. T
18. he application site forms the majority of a site (SS-08 / CR-16) which has been nominated to the County Council by Multi-Agg Limited for possible allocation in the Site Allocations Plan as a site for working soft sand and crushed rock and is one of the site options in the consultation document. Preparation of the Site Allocations Plan is ongoing. A consultation on issues and options was undertaken in August-October 2018 and the site options are currently being assessed, prior to the publication of a draft plan with preferred sites in September 2019. The target date for adoption of the Sites Plan is December 2020. T

Details of Proposed Development

Overview

19. t is proposed to extract limestone and soft sand from the site over a 22-year period and to restore to original ground levels using imported inert fill. I
20. he development would involve the temporary loss of 38.6 ha of agricultural land and 0.38 ha of woodland. T
21. nder the current consent for the main quarry, extraction must end by the end of 2028, with restoration completed by the end of 2029. The eastern extension has permission for extraction and deposit of waste until the end of 2020 and restoration by the end of 2021. This application proposes that mineral would be extracted from a new western extension for 22 years until 2041, with three further years for the completion of restoration by 2044. U
22. The western extension is proposed in order to ensure continuity of supply as mineral extraction has already been completed in the eastern extension area and the main quarry is now also nearing completion.

Mineral Extraction

23. t is anticipated that the site would yield 1.8 million tonnes of limestone and 1 million tonnes of sand over a 22-year period until 2041. It is proposed that there would be a maximum rate of extraction of 135 000 tonnes per annum. The site would be divided into six phases with I

working starting in the north east before moving west and then south. The final area to be worked would be in the southeast adjacent to the White Horse Business Park. The depth of working would be 15 metres.

24. T
he methods of working would be the same as the existing operation. Sand would be extracted using a 360-degree excavator. Limestone would be broken up using a hydraulic breaker or ripper. Both materials would then be loaded into dump trucks for transport to the processing plant via internal haul road. Overburden would be backfilled using loading machines and dump trucks.
25. T
he plant site is already at the lower level and it is proposed to access the mineral in the extension area from the lower level by working sideways from the plant site.
26. T
he site would be dewatered with groundwater being pumped to attenuation ponds within the existing quarry. These are not within the application area but are within other land under the control of the applicant.

Waste Disposal

27. T
he application states that up to 50% of the imported waste used to infill and restore the quarry would be builders' waste and the remainder would be naturally occurring excavated material. It would be from local construction and demolition projects. The void to be filled would be approximately 1.6 million m³. Phases would be progressively restored as mineral was being extracted from the next phase.

Mineral Processing Operations

28. M
inerals extracted from the western extraction area would be processed in the processing plant in the adjacent quarry. The existing consent requires the restoration of this site by the end of 2028 and therefore, should this application be successful, a Section 73 application would be required to seek consent for the retention of the processing plant, site office, silt ponds, car park, access onto the A417 and access through to the proposed new extraction areas. These activities are located in the north-western corner of the existing site, adjacent to the eastern boundary of the extension area.

Main Quarry and Eastern Extension

29. M
ineral reserves in the eastern extension are worked out and this area is

being restored. The western extension would initially be worked simultaneously with the existing main quarry, however remaining reserves are now low in the main quarry and therefore this area is anticipated to progress to restoration shortly.

Hours of Operation

30. T
he proposed hours of operation are standard operating hours, in line with the existing quarry, i.e. 7am-6pm Mondays to Fridays and 7am-1pm on Saturdays with no working on Sunday or Bank/Public holidays. The applicant subsequently agreed not to work on Saturday mornings, as requested by Shellingford Parish Meeting.

Restoration

31. T
he site would be restored to original ground levels using imported inert materials. Restoration would be phased and take place alongside mineral extraction. It is anticipated that it would take 12 years to infill the site, with three years of this being following the completion of extraction. Therefore, the total period of operations would be 25 years. The restoration proposals include a range of semi-natural habitats including species rich grassland, open water, woodland and hedgerows.
32. T
he restoration would provide 20.63 ha of agricultural grassland and it is proposed to restore this to sub grade 3a quality. The part of the site south of the track would be restored to species rich grassland for nature conservation, including a new area of woodland adjacent to Rogue's Pits Copse and a pond in the south-east corner. There would also be additional woodland along the eastern boundaries.

Long Term Management

33. The application includes details of a five-year agricultural aftercare and drainage scheme. The applicant subsequently further agreed to a 20-year ecological management plan.

Rights of Way

34. T
here are no rights of way within the application site, although footpath 338/6 runs south of the site boundary.

Traffic and Access

35. No changes are proposed to the current HGV movements. The existing consent limits movements to 200 per day (i.e. 100 in and 100 out).

36. The existing quarry and processing plant have an access onto the A417. This is not within the application site but is within other land under the control of the applicant.

Environmental Impact Assessment

37. T
 he application is supported by an Environmental Impact Assessment (EIA) and an Environmental Statement (ES) was submitted with the application. This covers the range of potential environmental impacts of the proposal. A summary of the findings can be found in Annex 3.
38. F
 urther information was requested and submitted in relation to dust monitoring.

PART 2 – OTHER VIEWPOINTS

39. There were two periods of public consultation. The first was held during October and November 2018. The second consultation was held following the submission of further information on dust monitoring and ran from 30 May-1 July 2019.
40. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0104/18. These are also summarised in Annex 4 to this report.
41. T
 he application is being reported to this Committee as it is EIA development. It has also received objections from the Parish Council and local residents.
42. A
 total of 17 third party representations expressing concern or objection were received during the first consultation, with 4 new representations received during the second consultation. The points raised are covered in Annex 5.
43. A
 representation was also received from the governors of Shellingford Primary School during the first consultation. This objected to the application due to impacts on the health and wellbeing of pupils and staff, especially in relation to air-borne silica dust. It states that children are at greater risk and no detailed study of dust had been undertaken at the school.

¹Click here to view application MW.0104/18 [MW.0104/18](#)

PART 3 – RELEVANT PLANNING DOCUMENTS

Relevant planning documents and legislation (see Policy Annex to the committee papers)

44. I
 in accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan Documents

45. T
 the Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 saved policies (OMWLP)
 - The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies
 - The Vale of White Horse Local Plan 2031 Part 1 (VLP)
46. The OMWCS was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies. It is anticipated that Part 2 of the Plan will include Site Allocations and any further development management policies that may be necessary in relation to the allocated sites.
47. The OMWLP was adopted in July 1996 and covered the period to 2006. 46 policies within the OMWLP were 'saved' until the adoption of the OMWCS and 16 of these policies continue to be saved until the Part 2 Site Specific document is adopted. The saved policies are site-related policies and none of them apply to the area proposed in this planning application. Therefore, they are not relevant to the determination of this planning application.
48. Some policies of the VLP 2011 were saved following the adoption of VLP in 2016. These will be replaced when the emerging VLP2 is adopted.

Emerging Plans

- Draft Vale of White Horse Local Plan 2031 Part 2 (VLP2)
49. The Vale of White Horse Local Plan 2031 Part 2 (VLP2) was submitted to the Secretary of State for independent examination in February 2018. Hearings closed in September 2018 and the inspector has written to VOWDC regarding potential modifications to ensure the plan can be adopted in due course. Therefore, although it is not yet

adopted, this document is at an advanced stage and can be given appropriate weight.

Other Policy Documents

50. The National Planning Policy Framework (NPPF) was first published in 2012 and revised in July 2018 with minor further revisions made in February 2019. This is a material consideration in taking planning decisions. Relevant sections include those on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment.
51. The National Planning Policy Guidance (NPPG) contains specific advice on matters including flood risk, minerals, conserving and enhancing the historic environment, determining a planning application and natural environment.
52. There is no neighbourhood plan affecting the site area.

Relevant Development Plan Policies

- OMWCS:

- M2 – Provision for working aggregate minerals
- M3 – Principal locations for working aggregate minerals
- M5 – Working of aggregate minerals
- M10 – Restoration of mineral workings
- W1 - Oxfordshire waste to be managed
- W2 - Oxfordshire waste management targets
- W6 - Landfill and other permanent deposit of waste to land
- C1 – Sustainable development
- C2 – Climate Change
- C3 – Flooding
- C4 – Water environment
- C5 – Local environment, amenity and economy
- C6 – Agricultural land and soils
- C7 – Biodiversity and Geodiversity
- C8 – Landscape
- C9 – Historic environment and archaeology
- C10 – Transport
- C11 – Rights of way

- The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies

- DC9 – The impact of development on neighbouring uses
- DC12 – Water quality and resources
- HE1 – Development affecting setting of conservation areas
- HE4 – Development within the setting of listed building
- HE9 – Archaeological evaluation
- NE9 – Lowland Vale

L10 – Rights of way

- The Vale of White Horse Local Plan 2031 Part 1 (VLP)

Core Policy 1 – Presumption in favour of sustainable development

Core Policy 35 – Promoting public transport, walking and cycling

Core Policy 39 – Historic environment

Core Policy 42 – Flood risk

Core Policy 43 – Natural Resources

Core Policy 44 – Landscape

Core Policy 45 – Green infrastructure

Core Policy 46 – Conservation and improvement of biodiversity

Relevant Emerging Plan Policies

- Vale of White Horse Local Plan 2031 Part 2 (VLP2) (Publication Version)

Development Policy 16 – Access

Development Policy 23 – Impact of development on amenity

Development Policy 25 – Noise pollution

Development Policy 26 – Air quality

Development Policy 30 – Watercourses

Development Policy 36 – Heritage assets

Development Policy 37 – Conservation areas

Development Policy 38 – Listed Buildings

Development Policy 39 – Archaeology and scheduled monuments

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Director for Planning and Place

- | | | |
|-----|---|---|
| 53. | <p>he NPPF sets out a presumption in favour of sustainable development (paragraph 10), which is supported by policy C1 of the OMWCS and Core Policy 1 of the VLP. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise.</p> | T |
| 54. | <p>ll planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.</p> | A |
| 55. | <p>he key planning issues are:</p> <ul style="list-style-type: none"> i) Minerals | T |

- ii) Waste
- iii) Landscape and visual impacts
- iv) Transport
- v) Rights of way and public access
- vi) Amenity and health
- vii) Flood risk and water environment
- viii) Archaeology and historic environment
- ix) Biodiversity
- x) Soils and agriculture
- xi) Carbon emissions, natural resources and waste
- xii) Sustainable development

Minerals

56. OMWCS policy M2 states that permission will be granted for aggregate mineral working to enable landbanks of reserves with planning permission to be maintained of at least 7 years for the extraction of soft sand and at least 10 years for the extraction of crushed rock.
57. There were 3.105 million tonnes of permitted reserves of soft sand in Oxfordshire at the end of 2017. Based on the 2018 Local Aggregate Assessment (LAA) annual requirement rate of 0.189 million tonnes, this is a landbank of 16.4 years. Recent annual sales of sand have exceeded the LAA rate and based on average annual sales for the three years from 2015 to 2017 of 237,000 tonnes (25% higher) the permitted reserves are equivalent to 13.1 years.
58. Permitted reserves of crushed rock in Oxfordshire at the end of 2017 were 9.318 million tonnes. Based on the LAA annual requirement rate of 0.584 million tonnes the landbank at the end of 2017 was 16 years. Based on average annual sales for the three years from 2015 to 2017 of 832,000 tonnes (42% higher) these permitted reserves were equivalent to 11.2 years.
59. Therefore, there are already landbanks of over 7 years for soft sand and 10 years for crushed rock, which are the minimum required by OMWCS policy M2. However, these are minimum requirements and the policy does not set a ceiling on the maximum reserves to be maintained. Therefore, although the figures show that there is no urgent need for new permissions for soft sand or limestone extraction, the proposal is in accordance with OMWCS policy M2 with regards to landbanks.
60. OMWCS policy M2 also states that the need to maintain sufficient productive capacity to enable the LAA rates to be realised will be taken into account. Regarding the permitted reserves of soft sand, nearly 50% is held at a single quarry and a total of 70% of these reserves are held in two quarries. These two quarries account for approximately 35% of Oxfordshire's soft sand production capacity. There are four other quarries, one of which produces only small quantities of soft sand and two of which have reserves which would last less than 5 years at current

rates of working. This indicates that there will not be sufficient production capacity to allow the LAA rate to be maintained throughout the 7-year landbank period. On that basis, there is a need for further soft sand extraction to be permitted in order to maintain sufficient productive capacity.

61. There are 14 quarries with permitted crushed rock reserves in Oxfordshire. Approximately 65% of these reserves are held in three quarries which account for approximately 60% of Oxfordshire's production capacity. Based on current levels of sales, which are significantly higher than the LAA rate, the remaining reserves at most of Oxfordshire's crushed rock quarries will last for less than 10 years; in two cases for only one year. This indicates that the distribution of the remaining permitted reserves of crushed rock is such that there will not be sufficient productive capacity to enable the LAA rate to be maintained throughout the 10-year landbank period. On this basis there is a current need for further reserves of crushed rock to be permitted.
62. Therefore, there is a current need for new permissions for limestone and soft sand to ensure that there is sufficient production capacity to deliver the LAA rates over the landbank period. The extension to Shellingford Quarry would make a significant contribution towards that need.
63. OMWCS policy M3 details the principal locations for working aggregate minerals. The application site is within the 'Corallian Ridge area from Oxford to Faringdon' soft sand strategic resource area. It is also within the 'area south and south east of Faringdon' strategic resource areas for crushed rock. These areas are listed in policy M3 as principal locations for aggregates mineral extraction. The application is therefore in accordance with this policy. The supporting text for this policy states that provision should preferably be made through extensions to existing quarries rather than from new quarries. This lends further support to the application.
64. OMWCS policy M4 is not relevant as it relates to how specific sites will be selected through the Part 2 plan document. OMWCS policy M5 confirms that prior to the adoption of the Part 2 document, permission will be granted for working of aggregate minerals where this would contribute towards meeting the requirement for provision and in accordance with M3 and policies C1-C12.
65. OMWCS policy M10 states that mineral workings shall be restored to a high standard and in a timely and phased manner. It lists criteria which the restoration and afteruse of mineral workings must take into account, including the character of the landscape, the conservation and enhancement of biodiversity and the quality of agricultural land. It states that planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and afteruse of the site.

66. The restoration proposals are considered appropriate. The use of inert fill takes into account the existence of best and most versatile agricultural land and ensures that there would be no loss of this in the restoration. The long-term management proposals would also ensure that the restoration was acceptable in terms of biodiversity. The proposals are in accordance with OMWCS policy M10.

Waste

67. OMWCS policy W1 states that provision will be made to provide capacity for Oxfordshire to be self-sufficient in the management of principal waste streams, including commercial and industrial waste. The policy provides forecasts of the capacity required to 2031 and therefore would contribute towards Oxfordshire's self-sufficiency in dealing with its inert waste, in accordance with OMWCS policy W1.
68. OMWCS policy W2 sets targets for the diversion of waste from landfill. The target for the 'permanent deposit of inert waste other than for disposal to landfill' is 25%. The proposal falls within this category as the deposit of waste would enable the restoration of the quarry. The OMWCS does not quantify the additional capacity required, but provision of additional capacity for 'permanent deposit of inert waste other than for disposal to landfill' would reduce the need for disposal of inert waste to landfill, which comes at the bottom of the waste hierarchy. Provided the waste to be deposited cannot be recycled, and therefore does not prejudice achieving the target for inert waste recycling, the application would accord with OMWCS policy W2.
69. OMWCS policy W6 states that provision for the permanent disposal to landfill of inert waste that cannot be recycled will be made at existing facilities and at sites allocated in the Part 2 plan. The Part 2 plan is still in preparation and therefore this does not apply, however this part of the policy does indicate that there is a need for additional capacity within the plan period. OMWCS policy W6 goes on to state that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. Therefore, provided that the waste to be deposited cannot be recycled, the application is supported by OMWCS policy W6. The use of inert waste would allow the quarry to be restored to an agricultural after-use, preserving the best and most versatile agricultural land to ensure that the development is in accordance with OMWCS policy M10.

Landscape and Visual Impacts

70. OMWCS policy C8 states that minerals development shall demonstrate that it respects and where possible enhances the local landscape character and shall be informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts.

71. VLP core policy 44 states that the key features that contribute to the nature and quality of the landscape will be protected, these include trees, hedges, watercourses, views, tranquillity and areas of cultural and historic value.
72. The site is located within the Lowland Vale as shown in VLP 2011 saved policy NE9 which states that development in the Lowland Vale will not be permitted if it would have an adverse impact on landscape, particularly on the long open views within or across the area.
73. The Landscape and Visual Impact Assessment submitted with the application concludes that there would not be any significant impacts and the restoration would be beneficial. There has been no objection on landscape grounds from OCC's Environmental Strategy team, subject to conditions to vegetate and maintain the bund and limit the height of stockpiles and storage heaps. It is considered that subject to these conditions and the development being carried out in accordance with the submitted plans, the proposals would respect the local landscape character and not give rise to adverse impacts. Landscape impacts would be temporary for the duration of the development. Therefore, the development complies with relevant policies protecting the landscape including OMWCS policy C8, VLP policy 44, and VLP 2011 policy NE9.

Transport

74. NPPF paragraph 111 states that all development that generates a significant amount of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 109 states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
75. OMWCS policy C10 states that minerals development will be expected to make provision for safe and suitable access to the advisory lorry routes shown in the plan and if possible, lead to improvements in the safety of all road users, the efficiency and quality of the network and residential and environmental amenity. Where practicable minerals shall be transported by rail, water or conveyor. Where minerals are to be transported by road they should be in locations which minimise road distances.
76. VLP2 policy 16 states that development must demonstrate that adequate provision will be made for vehicle turning, loading, circulation and servicing and that where the highway infrastructure is not adequate to service the development acceptable offsite improvements should be demonstrated.
77. There would be no change to the number of HGV movements or the site access arrangements as a result of the proposed extension to the quarry area. The application does not include the plant site and therefore does

not include vehicle access, parking or manoeuvring areas, as this is covered by a separate consent. However, this area is within land controlled by the applicant and therefore conditions can be imposed as necessary to ensure safe and suitable access to the extraction area. No objections or concern have been raised by OCC Transport Development Control. The application is considered to be in accordance with relevant policies in relation to traffic and transport.

Rights of Way and Public Access

78. NPPF paragraph 98 states that planning policies should protect and enhance public rights of way and access and local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.
79. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and if possible, it shall be retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. Improvements and enhancements to the rights of way network will generally be encouraged.
80. VLP 2011 policy L10 states that development over public rights of way will not be permitted unless alternative provision can be made which is equally or more attractive, safe and convenient. VLP core policy 35 promotes public transport, cycling and walking.
81. There have been no objections from the OCC Rights of Way team as they consider that there would be no significant impacts on the footpath to the south of the boundary. They have also confirmed that there is no need for mitigation measures. There would be some noise and visual impacts on the footpath resulting from phases 4 and 6 of the extraction and filling, however this is not considered to be significant.
82. The Environmental Strategy team have commented that the proposal provides the opportunity for the creation of a new permissive footpath linking existing rights of way in the area. The applicant was not able to agree to a circular route within the restored site due to the proximity of dairy buildings, however has agreed that a permissive path could be provided along the southern edge of the existing quarry which will be explored further. It is recommended that if permission is granted for this development, it should be subject to a legal agreement requiring the provision of a permissive footpath along the southern quarry boundary.
83. Overall, it is considered that there would be no unacceptable impacts on rights of way and the proposals are in accordance with OMWCS policy C11, VLP 2011 policy L10 and VLP core policy 35.

Amenity and health

84. NPPF paragraph 180 states that decisions should ensure new development is appropriate for the location by taking into account the likely effects (including cumulative effects) on health, living conditions and the natural environment. This includes mitigating and reducing to a minimum potential noise impacts and limiting the impact of light pollution on amenity and nature conservation.
85. NPPF paragraph 205 states that when determining planning applications for mineral extraction, planning authorities should ensure that there are no unacceptable adverse impacts on human health and that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source. Appropriate noise limits should be established for extraction in proximity to noise sensitive properties.
86. OMWCS policy C5 states that proposals for mineral development shall demonstrate that they will not have an unacceptable adverse impact on the local environment, human health and safety, residential amenity and the local economy, including from a range of factors including noise, dust, visual intrusion, light, traffic, air quality and cumulative impact. Where necessary, appropriate buffer zones between working and residential development will be required.
87. VLP 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: loss of privacy, visual intrusion, noise or vibration, smell, dust, pollution or external lighting.
88. VLP2 policy 23 states that development proposals should demonstrate that they would not result in significant adverse effects on amenity of neighbouring uses including in relation to loss of privacy, visual intrusion, noise or vibration, odour, dust, pollution or external lighting. VLP2 policy 25 states that noise generating development that would have an impact on amenity or biodiversity should provide an appropriate scheme of mitigation and development will not be permitted if appropriate mitigation cannot be provided in line with the appropriate British standards.
89. VLP2 policy 26 states that development likely to have an impact on local air quality must demonstrate mitigation incorporated into the design to minimise impacts. An air quality assessment will be required for development in areas of existing poor air quality.
90. There have been no objections from the Environmental Health officer, subject to the mitigation for noise and dust proposed, including acoustic bunds, implementation of a Dust Management Plan and for better management of dust affecting the surface of the A417. Subject to these conditions, the proposals are considered to accord with OMWCS policy C5, VLP 2011 policy DC9 and VLP2 policies 23, 25 and 26.
91. Residents of Shellingford have raised a number of concerns about the amenity impacts of the quarry operations. The concerns about the

workings moving closer to the village are understood. However, the technical assessments submitted with the application demonstrate that impacts could be satisfactorily mitigated. Therefore, it is considered that the proposals are capable of complying with relevant policies, subject to conditions to control noise and dust being imposed and complied with.

92. The applicant has agreed not to work in the extension area on Saturday mornings, in response to local concerns. This can be secured by condition.
93. Concern has also been expressed about potential health impacts from the quarry workings, including from silica dust. An air quality and dust assessment was submitted with the planning application and there has been no objection from the Environmental Health Officer, subject to the submission, approval and implementation of a Dust Management Plan incorporating the mitigation measures in the submitted assessment. Further work on dust and air quality was submitted following a request from the public health team, which also concluded that there would be no significant impacts. There has been no objection from Public Health England, or OCC's public health team, subject to the provision of a detailed dust management plan which covers both operational and non-operational hours and includes details of how dust levels will be monitored, the weather conditions which would trigger the cessation of operations and the mitigation measures which would be in place. The provision of this plan could be required by a pre-commencement condition. It is considered that such a condition and the submission and implementation of a detailed dust management plan, would ensure that there would be no unacceptable impacts in relation to dust, air quality or public health on the residents of the village or children at the school, in accordance with the relevant policies.
94. Stanford in the Vale Parish Council responded to the second consultation and queried whether air quality monitoring had taken place in the direction of the prevailing wind, towards Stanford in the Vale. The applicant has confirmed that Stanford in the Vale was not included in the air quality assessment of the distance between the village and the quarry. Only receptors within 400 metres of the quarry were included as the Institute of Air Quality Management (IAQM) minerals guidelines indicate that this is the extent of dust impacts.
95. No additional external lighting is proposed for the extended quarry working areas. The permission for the main quarry consent, including the plant site allows for flood lighting to be erected with the prior consent of the Minerals Planning Authority and, therefore, there could be external lighting associated with the plant site. However, this is not part of this application. Therefore, the proposal is not considered to create any impacts in terms of lighting.
96. Concerns have been expressed about the potential for noise, especially given that workings would be moving closer to the village. There was not

a recent history of complaints about noise at this site, although some have been received since the application was submitted. The proposed extension area includes further noise mitigation through the provision of soil bunds and it is considered that noise impacts could be adequately controlled through conditions to cover noise limits and a noise management plan.

97. Complaints have been received since the application was submitted about noise from hydraulic breakers at the existing quarry. It is understood that noise from breakers at the quarry is noticeable when the wind is blowing from the quarry towards the village. It is recommended that a condition is added for a noise management plan. This could include further mitigation measures such as limiting breaker use when there is a moderate to strong north-easterly wind, to respond to any concerns about noise that arise during operations. The applicant has confirmed that they would be willing to commit to cease use of the hydraulic breaker when there is a moderate to strong north-easterly wind, although they do not consider this necessary to comply with statutory guidance, in order to satisfy the concerns of the local residents. It is recommended that such details are required as part of the noise management plan.
98. Concerns have been raised about the existing quarry operations causing mud on the public highway outside the site access. The quarry currently uses a wheelwash and a road sweeper as required to clear debris and mud on the A417. This is regularly monitored by the OCC monitoring team who have not found mud to be a significant problem. There can be staining on the road, however, this does not create a safety concern. There would be no increase in daily HGV movements as a result of this application and therefore it is not considered that the proposed development would worsen the situation. However, given the local concerns a condition could be used to require details of improved measures for keeping the public highway free of mud to be submitted, approved and implemented. This could be used in conjunction with a condition requiring that no mud is deposited on the public highway and this would be monitored in the usual way. It is considered that any potential impacts resulting from lorries depositing mud on the road can be adequately controlled and reduced through the use of these conditions.
99. A number of objections have raised concerns about the amenity impacts of the current operations. There is no currently active community liaison meeting for the representatives of the local community to meet with the site operator to discuss concerns about the quarry activities. If permission is granted for this extension, it is recommended that this is subject to a condition requiring the applicant to submit details of a local liaison meeting for approval. A regular meeting would improve understanding between the quarry operator and the community and help build relationships so that complaints and concerns can be raised and addressed. It would facilitate forewarning of noisy activities, investigation

of complaints and the sharing of information about monitoring visits, which Shellingford Parish Meeting have requested.

Flood risk and water environment

100. OMWCS policy C3 states that minerals development will, where possible, take place in areas with the lowest probability of flooding. Where development takes place in areas of flood risk, this should only be where other areas have been discounted using the sequential and exception tests as necessary and where a flood risk assessment demonstrates that risk of flooding is not increased from any source. The opportunity should be taken to increase flood storage capacity in the flood plain where possible.
101. OMWCS policy C4 states that proposals for mineral development will need to demonstrate that there would be no unacceptable adverse impact on surface or groundwater resources. Watercourses of significant value should be protected.
102. OMWCS policy C2 states that minerals development should take account of climate change.
103. VLP core policy 42 states that the risk and impact of flooding will be minimised through directing development to areas of lowest flood risk, ensuring that new development addresses the management of sources of flood risk and does not increase flood risk elsewhere and ensuring wider environmental benefits of development in relation to flood risk.
104. VLP 2011 policy DC12 states that development will not be permitted which would adversely affect the quality of water resources, including groundwater, rivers or disturbance of contaminated land.
105. VLP2 policy 30 states that development on or adjacent to watercourses will only be permitted where it would not have a detrimental impact on the function or setting of the watercourse or its biodiversity. Plans for development should include a 10m buffer along the watercourse. Development within 20m of a watercourse will require a construction management plan.
106. The Environment Agency has confirmed that they have no objection to this application, subject to conditions protecting groundwater and the underlying aquifer, including submission of a monitoring plan for groundwater and surface water, a scheme to secure the maintenance of spring-fed flows and a maximum extraction depth. There has been no objection to this application from the Lead Local Flood Authority, subject to conditions to cover a surface water and groundwater monitoring plan and a scheme to secure the maintenance of spring-fed flows to Holywell Brook. It is considered that the proposals are in accordance with relevant policies for the protection of the water

environment and flooding including OMWCS policy C4 and VLP 2011 policy DC12.

107. The site falls within flood zone 1, the area of least flood risk. It therefore complies with the sequential test, which is designed to direct development to areas of lesser flood risk. This is in accordance with VLP core policy 42 and OMWCS policy C3.
108. The submitted application has taken climate change into account, for example in the flood risk assessment, in line with OMWCS policy C2.
109. There are no watercourses within the site area and Holywell Brook lies 110 metres south of the southern boundary. Therefore, there are adequate buffers from watercourses in line with VLP2 policy 30.

Archaeology and Historic Environment

110. NPPF paragraph 189 states that where a site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
111. NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
112. OMWCS policy C9 states that minerals development will not be permitted unless it has been demonstrated that there would not be an unacceptable adverse impact on the historic environment. Great weight will be given to the conservation of designated heritage assets including scheduled monuments, listed buildings and conservation areas. Proposals for mineral working shall wherever possible demonstrate how the development will make an appropriate contribution to the conservation and enhancement of the historic environment.
113. VLP core policy 39 states that the council will ensure that new development conserves and where possible enhances designated and non-designated heritage assets in accordance with national policy.
114. VLP 2011 policy HE1 states that proposals within or affecting the setting of a conservation area will not be permitted unless they can be shown to preserve or enhance the established character or appearance of the area. Development will only be permitted in open spaces where it can be shown these areas do not make a positive contribution to the

conservation areas special interest or views. Levels of traffic and noise must be compatible with the preservation and enhancement of the character of the area. VLP 2011 policy HE4 states that planning permission for development within the setting of a listed building will not be granted unless it can be shown that the proposal respects the characteristics of the building in its setting.

115. VLP 2011 policy HE9 states that the applicant will be required to carry out an archaeological field evaluation where there are grounds to believe that important archaeological remains may be disturbed.
116. VLP2 policy 36 states that proposals for development which would affect heritage assets must demonstrate that they conserve and enhance the special interest or significance of the asset and its setting.
117. VLP2 policy 37 states that development within or affecting the setting of a conservation area must demonstrate that it would conserve or enhance its special interest, character, setting and appearance. VLP2 policy 38 states that development affecting the setting of a listed building must demonstrate that it will conserve and enhance the heritage significance and setting, respect features of special interest and be sympathetic in design.

Archaeology

118. A desk-based assessment was submitted with the application. The site is within an area of considerable archaeological potential, however there has been no objection from the archaeology team, subject to a condition for a written scheme of archaeological investigation including the processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication. Subject to this condition, the proposals are considered to be in accordance with relevant policies relating to archaeology including OMWCS policy C9, VLP 2011 policy HE9 and NPPF paragraph 189.

Conservation Area and Setting of Listed buildings

119. Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
120. There are no designated heritage assets on the site. However, it lies in the wider setting of a number of assets including the Grade I listed Church of St Faith and the Shellingford Conservation Area.

121. A heritage assessment was submitted as part of the ES. This concludes that the only designated site which could potentially be affected is the Church of St Faith, from which the application site is visible. However, it concludes that the potential impact is reduced due to the presence of the existing quarry.
122. The Conservation Officer has stated that it appears from historic mapping that movement to and from the village has commonly been from within the parish to the south and west where the landscape is more open and the church can be seen. This characteristic is not the same from the east and north of the village and therefore it is concluded that there would not be a visual impact on the experience of the setting of the listed buildings or the conservation area that would harm their significance.
123. There has been no objection to this application from the District Council's Conservation Officer, who considers that there would be no direct impacts on heritage assets and noise impacts would be minor resulting in less than substantial harm. NPPF paragraph 196 requires this harm to be weighed against the public benefits of the proposal and it is considered that public benefits would arise from the proposal's contribution to a steady supply of limestone and soft sand for construction in the wider area.
124. Given the limited impact on heritage assets, the temporary time frame and the public benefits, and taking into account the requirement of Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990, the proposals are considered to be acceptable in terms of the impact on the setting of the local listed buildings and conservation area, in accordance with the NPPF and relevant policies including OMWCS policy C9, VLP core policy 39, VLP 2011 policy HE1 and VLP2 policies 36, 37 and 38.

Biodiversity

125. NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
126. NPPF paragraph 175 states that when determining planning applications, planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided. Development resulting in the loss or deterioration in irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable strategy for compensation. Opportunities to incorporate biodiversity

improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

127. OMWCS policy C7 states that minerals development shall, where possible, lead to a net gain in biodiversity. It also states that all minerals development shall make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity and satisfactory long-term management for the restored site shall be included in proposals.
128. VLP core policy 45 states that a net gain in green infrastructure, including biodiversity, will be sought. VLP core policy 46 states that development which will conserve, restore and enhance biodiversity in the district will be permitted, opportunities for biodiversity gain will be sought and a net loss of biodiversity avoided.
129. There has been no objection from the OCC Ecology Officer, who considers that a net gain in biodiversity is achievable in the long term through the restoration proposals. Effects on ecological receptors within the site and adjacent habitats are localised and negligible. This is subject to a long-term management plan for 20 years after the statutory 5-year aftercare period covering management of the hedgerows, associated trees, agricultural field margins to be managed for the benefit of wildlife and the pond. The applicant has confirmed that they are willing to provide 20 years of long-term management for ecology, subject to this not impeding the agricultural management of the restored land. This would follow the 5-year statutory aftercare period and would need to be secured by legal agreement.
130. Subject to this provision in a legal agreement, the development is therefore considered to be in accordance with the relevant policies related to biodiversity including OMWCS policy C7 and VLP core policies 45 and 46.

Soils and agriculture

131. OMWCS policy C6 states that proposals for mineral development shall take into account the presence of any best and most versatile agricultural land. Proposals should make provision for the management and use of soils in order to maintain agricultural land quality (where appropriate) and soil quality.
132. The development would lead to the temporary loss of 28.6 hectares of agricultural land, including 4.8 hectares of best and most versatile land. The land would be restored to agriculture, and it is intended to reinstate soil profiles capable of restoring to agricultural land back to subgrade 3a quality. Therefore, the adverse impact would be limited in extent and temporary until the site was restored and there would be a long-term beneficial impact from the restoration of approximately 20.6 ha of

agricultural land to subgrade 3a quality. There has been no objection from Natural England, who do not wish to provide detailed comments due to the area and grading of land affected. The Environmental Strategy team has commented that specific actions should be taken during the aftercare period to enhance the soil condition for the agricultural restoration. This can be secured by condition.

133. The proposals are considered to be in accordance with OMWCS policy C6.

Carbon Emissions, Natural Resources and Waste

134. OMWCS policy CS9 states that all developments should seek to minimise their carbon emissions. VLP core policy 43 states that developers should make effective use of natural resources, including by minimising waste, efficient use of water, improvements to water quality, taking account of air quality management plans, remediating contaminated land where necessary, avoiding development of the best and most versatile agricultural land and use of previously developed land where possible. As set out elsewhere in the report, the proposals are considered acceptable in these regards and therefore it is considered that the development makes effective use of natural resources in accordance with this policy.

Sustainable Development

135. OMWCS policy C1 states that a positive approach will be taken to minerals development in Oxfordshire, reflecting the presumption in favour of sustainable development in the NPPF. It states that planning applications that accord with the policies in OMWCS will be approved unless material considerations indicate otherwise. VLP core policy 1 also reflects the presumption in favour of sustainable development. NPPF paragraph 10 states that a presumption in favour of sustainable development is at the heart of the NPPF and for decision taking this means approving development proposals that accord with the development plan without delay. The proposals are considered to be sustainable and in accordance with the development plan.

Processing plant site and access

136. The application area does not include the existing processing area, site office, silt ponds, car park or access onto the A417. It only includes the proposed extension to the extraction area. It is proposed to process the mineral extracted from this extension area at the existing processing site in the main quarry, however this has permission only until the end of 2028. The proposed extension to the extraction area would lead to extraction in the extension area until 2041. Should this application be approved, the applicant would clearly need to apply to extend the life of the processing plant, silt ponds, site office and access before 2028 when permission for those activities expire, so that the processing area

was available for processing material extracted from the extension area. Therefore, it is recommended that a condition is added to any consent granted further to this application to require that development does not commence until an application is made and approved to extend the processing site to 2044. This is because if the applicant commenced the development but by 2028 had not secured planning permission for an extension to the life of the plant site, it would not be possible to continue to implement this consent in accordance with the approved details, as there would be no on-site provision for washing and grading the extracted material, disposing of silt, stockpiling, lorry parking or access from the extraction area onto the road network. It is considered that there needs to be certainty about where the material will be processed for the duration of the permitted extraction period, to ensure that it can be implemented in accordance with the details provided in the application and the processing activities can be properly controlled.

Conclusions

137. The development is in accordance with relevant policies relating to minerals, waste, landscape, rights of way, flooding and water, the historic environment, biodiversity and soils and agriculture. Concerns have been raised regarding the impacts on amenity for residents of Shellingford. However, the assessments submitted with the application indicate that these can be adequately controlled and mitigated. Therefore, subject to conditions, the proposals are in accordance with policies protecting amenity.

RECOMMENDATION

138. **Subject to the applicant signing a Section 106 agreement for the matters outlined in Annex 2 to this report it is RECOMMENDED that planning permission for MW.0104/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include those set out in Annex 1 to this report.**

Susan Halliwell
Director for Planning and Place

July 2019

Annex 1 – Conditions

1. Complete accordance with plans and particulars
2. Commencement within three years
3. Temporary consent – extraction completed by 2041 and restoration completed by 2044.
4. No implementation until such a time that the processing plant, silt ponds, stocking areas and access have planning consent until 2044
5. No working outside approved hours (7am-6pm Mondays to Fridays with no working on weekends or public/bank holidays)
6. Restoration in accordance with plans and removal of all associated plant and development.
7. 5-year aftercare, in accordance with an aftercare scheme to be submitted and approved
8. Screening bunds to be constructed and maintained in accordance with plans
9. Soil screening bunds in situ for more than 6 months to be grassed and subject to weed control
10. Submission, approval and implementation of seed mix for the bund on the southern boundary and maintenance
11. Implementation of approved final contours
12. Submission, approval and implementation of a monitoring and maintenance plan for groundwater and surface water,
13. Submission, approval and implementation of a final report following the groundwater and surface water monitoring programme
14. Submission, approval and implementation of a scheme for the maintenance of spring-fed flows
15. No excavation below 64 AOD or into the Lower Calcareous Grit Formation.
16. Details of a liaison meeting to be set up and run by the operator, to be submitted for approval and implemented.
17. Written scheme of archaeological investigation
18. Acoustic mitigation to be implemented as proposed
19. Maximum noise limits at closest dwellings as specified in ES
20. Noise management plan, including details of monitoring, submission of noise monitoring data for inspection, mitigation measures and details of weather conditions during which specified noisy activities would stop
21. No reversing beepers other than those which use white noise
22. Servicing and maintenance of plant and machinery
23. Submission, approval and implementation of a detailed dust management plan covering operational and non-operational hours and incorporating proposed monitoring, mitigation and details of weather conditions that would cause working to stop
24. Submission, approval and implementation of measures for keeping the public highway free of mud, dust and debris
25. No mud, dust or debris to be deposited on the highway
26. Establishment and maintenance of a hedge to screen the footpath
27. Management of soils during the aftercare period

28. Maximum height of temporary storage mounds and mineral stockpiles
29. Progressive working and restoration, in accordance with plans
30. Submission, approval and implementation of an Environmental Management Plan for biodiversity
31. Pre-commencement walkover ecological surveys for badgers and other protected species
32. Submission, approval and implementation of a Landscape and Ecological Management Plan (LEMP) prior to restoration of each phase
33. Submission, approval and implementation of a Biodiversity Monitoring and Remediation Strategy

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible. We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, as was the case with this application, and
- updating applicants and agents of issues that have arisen in the processing of their application, for example in this case the request for a 20-year long term management plan was raised with the applicant and accepted in order to ensure that the proposals were in accordance with policies on biodiversity.

Annex 2 - Heads of terms for legal agreement

- Long term management – 20 years following statutory 5-year aftercare - for the hedgerows, associated trees, agricultural field margins to be managed for the benefit of wildlife and the pond, funded either through contributions to a ring-fenced OCC account, or commitment for the applicant to fund the implementation and monitoring of the management plan.
- Permissive footpath to be provided in the southern edge of the existing quarry

Annex 3 - Environmental Statement

1. A
 n Environmental Statement was submitted with the planning application. This contains chapters covering hydrology and hydrogeology, landscape and visual impact, ecology, cultural heritage, highways and traffic, noise, air quality and dust and agricultural land and soils. The findings are summarised below.
2. T
 he first chapter introduces the site and the proposals, discusses alternative working methods and briefly considers socio-economic effects, cumulative impacts and climate change.
3. H
 ydrology and hydrogeology – This section includes a consideration of the hydrological and hydrogeological baseline, flood risk, potential receptors, assessment of impacts and mitigation measures. It is concluded that there would be no flooding risks or significant detrimental impact on groundwater or surface water flows or quality. Monitoring and mitigation is proposed during the extraction phase as there is a risk that groundwater discharge to the Holywell Brook could be reduced. The relevant borehole would be monitored and if necessary mitigation measures put in place such as the early placement of fill material against the western faces and/or discharge of pumped water into recharge trenches.
4. L
 andscape and Visual Impact – This concludes that overall there would be moderate-slight adverse impacts on landscape value, which would become moderate-slight beneficial impacts following restoration. Effects on visual amenity are also assessed. Of 19 viewpoints assessed, significant adverse effects are predicted at 7. These effects would be temporary during the operational period.
5. E
 cology – The Ecological Appraisal includes the results of a desk-based review and field surveys. Impacts on important ecological receptors are assessed. It states that there is the potential for negative impacts during the operation phase and therefore mitigation is required. Proposed operational management mitigation is set out to ensure that impacts would be reduced so that they are not significant. Enhancement measures include new habitats created as part of the restoration, including hedgerows, woodland, grassland, scrub and a new pond. This assessment concludes that the impact of habitat loss is not considered to be significant.
6. C
 ultural Heritage – The Historic Impact Assessment describes an investigation consisting of examination of historic environment records,

historical maps, aerial photographs, LIDAR and a site visit. This identifies a low-moderate potential for archaeological remains within the application site. Therefore, a programme of archaeological strip, map and recording is proposed during extraction. This section also assesses the impact on designated sites including listed buildings and conservation area and concludes that the only designated site which could potentially be affected is the Church of St Faith, from which the application site is visible. However, it concludes that the potential impact is reduced due to the presence of the existing quarry.

7. H
 highways and Traffic – The Transport Statement confirms that the proposal would not lead to any increase in HGVs as there would be no increase to the rate of mineral production. Therefore, it concludes that there would be no impact on the safe operation of the local highway network.
8. N
 noise – The noise report describes a noise assessment undertaken at three properties close to the extension site. Noise levels are calculated for four locations for the combined extraction and infilling operations. At two of these noise levels are calculated to be above existing site noise limits, therefore mitigation is proposed in the form of 4 metre bunding on a 150m section of the western perimeter and 3 metre bunding on part of the eastern perimeter. It is shown that such bunding would reduce noise levels to within acceptable limits. Temporary operations are shown to be within the limits for temporary operations in government guidance.
9. A
 air quality – This section assesses impacts from dust, fine particulate measures and HGV emissions. The key pollutants considered are NO², PM¹⁰ and PM^{2.5}. It outlines a number of mitigation and good practice measures that would be incorporated into a Dust Management Plan. This concludes that any change in NO² emissions from the quarry is likely to be negligible. As HGV movements from the site would not change the effect of HGVs on PM¹⁰ and PM^{2.5} levels are assessed as negligible. Overall, the impact of the development is not considered to be significant in terms of air quality.
10. A
 agriculture and soils – A total of 4.8 hectares of the site, which is 16% of the total, is found to be grade 3a agricultural land, which is classified as best and most versatile. 78.5% of the site is grade 3b and 5.3% is non-agricultural. The impacts on best and most versatile agricultural land are assessed as minor adverse and temporary. It is predicted that once the restoration has taken place there would be no further impact. Details of soil handling measures that would be taken to protect soils are provided

11. The ES assessments have taken into account the main quarry workings. It states that there are not considered to be any cumulative impacts with other developments in the Faringdon area due to the nature of the development, its temporary nature and direct access onto the strategic highway network.

Further Information

12. An addendum to the air quality and dust assessment was submitted following the first period of consultation. This sets out the findings of quantitative air quality monitoring for PM10 and PM2.5 concentrations, carried out in two locations in Shellingford village for a one-month period. It records that the levels were low in both locations. It provides predictions of the increase in PM levels in the village as a result of quarry operations moving closer and concludes that the increase would be negligible. It states that continuous air quality monitoring is not needed, but that a Dust Management Plan required by condition could include details of regular ongoing monitoring during the operational period. It concludes that there would be no significant impacts on air quality.

Annex 4 – Consultation Responses Summary

Vale of White Horse District Council - Planning

1. No objection. Due to size and proximity to residential properties, please ensure that impact on local residents is fully considered.
2. Conservation officer – There will be no direct physical impact on the designated heritage assets. Views from within the conservation area and from listed buildings will be unchanged by this proposal. It appears from historic mapping that movement to and from the village has commonly been from within the parish to the south and west where the landscape is more open and the church can be seen. This characteristic is not the same from the east and north of the village and therefore I do not consider that there would be a visual impact on the experience of the setting of the listed buildings or the conservation area that would harm their significance. There would be some noise impact to the rural experience the conservation area and the associated assets. However, given presence of the existing quarry, I do not consider that this impact would be so severe, despite the closer proximity, as to significantly diminish the significance of the heritage assets. It is likely to be some minor adverse impact to the experience of the conservation area as a result of noise that is in closer proximity to the conservation area. However, this impact is considered to be quite low given the existing proximity of the working quarry and overall is not more than less-than-substantial harm, at the lower end of the scale, against the tests of the NPPF. Measures should be taken to limit the impact of the quarry on the experience of the nearby designated heritage assets.

Vale of White Horse District Council – Environmental Protection

Original Response

3. No objection, subject to acoustic mitigation as proposed in the acoustic report and a dust management plan incorporating the measures set out in the dust assessment. The noise assessment has followed appropriate guidance. There are frequently dust and soil deposits along the road

surface of the A417 and on vegetation. Dust is re-suspended by passing traffic. If permission is granted for the extension this impact must be better managed, mitigated and monitored.

Regulation 25 Consultation Response July 2019

4. No objection. The submitted dust report records that annual objectives would not be exceeded. Ongoing continuous or periodic monitoring will be required to demonstrate compliance with objectives and effective management of dust. Sand is not inherently dusty, as the sand is generally wet. Mitigation should only be necessary during periods of hot, windy weather where dust may be generated by wind whipping stockpiles. A planning condition should be used for a detailed Dust Management Plan, this should include a scheme for ongoing monitoring. Depositions of dust on the road need to be better controlled, haul routes need proper management and the A417 needs to be kept visibility clean and free from accumulations of mud and debris.

Shellingford Parish Meeting

Original Response

5. Object. Concerned about the proximity of the extension area to residents. The Environment Statement does not list all of the closest properties. Particularly concerned about pupils at the Primary School and residents of Church Street. Concerned about noise, the noise assessment carried out does not reflect the fact that noise levels vary significantly with wind direction. Concerned about the noise limits for temporary operations. The noise mitigation bund does not include any planting or screening. Noise levels could be reduced by planting a line of hardwood trees between the proposed extension and the village. Concerned about dust and the accuracy of the dust assessment. Concerned about hydrological problems which would only be identified after they had occurred. The actual HGV movements should be monitored to ensure that there is no increase and this monitoring should be paid for by the applicant. Vehicle wheel washing equipment should be improved and constructed so that it is impossible for HGVs to avoid them. Monitoring visits are not carried out as often as intended and this should be recognised when considering new applications.

Further detailed response December 2018

6. Sufficient evidence has not been supplied that amenity and health of Shellingford residents and pupils at the school would not be detrimentally affected. There should be a 250m buffer zone. The cumulative noise impacts have not been quantified. Oxfordshire County Council should monitor the site more regularly. The site is not a strategic site in the OMWCS. There are other quarried near Shellingford which could supply construction materials. There would be a detrimental impact on the character and peace of Fishpond Copse, south west of the

site. Bowling Alley plantation ancient woodland is closer to the site than stated in the ES. Noise levels are currently being breached. There has been no analysis of silica, PM2.5 or PM10 emissions, which have particular health risks. It is not possible to reduce dust to a safe level. Current wheel washing arrangements are ineffective, hence the need for a road sweeper. There is no pressing need for this application to be determined ahead of the assessment of sites being undertaken for Oxfordshire County Council's site allocations document and determination of the application should be delayed until it can be assessed within that plan. Further information is required before any consent be granted, including an analysis of silica dust, a further noise assessment and independent assessment of the appropriate height and composition of the bund. Should permission be granted there should be conditions for a 250m buffer zone from residential properties, the school, Holywell Brook, Bowling Alley plantation and Fishpond Copse.

Regulation 25 Consultation June 2019

7. Restate objection to proposed quarry extension. There is no requirement for further soft sand or crushed rock and the site is currently not an approved strategic site. The proposal conflicts with OMWCS policy C5 with regard to impacts on amenity. Errors in the application identified in previous response have not been corrected. The current operations continue despite frequent complaints and breaches of conditions. No explanation for the relaxation of the standard 250 metre buffer zone. No analysis of silica content of dust. Dust measuring should be more rigorous, independent and extended. Noise measurements should be reviewed, in relation to peak noise. Details of mitigation not provided, no confidence that they would be enforced. Application does not address many of the points in the scoping opinion. No independent monitoring of data and mitigation undertaken by the applicant. Concerned about amenity, especially children at the school and nursery.
8. If permission is granted, conditions should be used to secure a 250m buffer zone between the quarry and village, no working on Saturdays, measurement of peak noise, hydraulic breaker not to be used when wind is from north east, gravimetric dust monitoring, forewarning of noisy activities, dust and noise limits, submission of details of dust control outside working hours, quarry inspection reports to be sent to Parish, liaison meetings and use of a complaints procedure.

Stanford in the Vale Parish Council

Original Consultation

9. No response

Regulation 25 Consultation June 2019

10. Recognises the importance of quarrying to the local economy. Frequently have concerns about the state of the A417 and it appears that the wheel wash and mechanical sweeper in use have only a limited effect. The extension of the quarry can only exacerbate concerns about the road. The highways response does not relate to the quarry. Have been unable to identify any information regarding air monitoring in the direction of the prevailing wind, towards Stanford in the Vale.

Natural England

11. N
No objection. The proposed development will not have significant adverse impacts on designated sites or protected landscapes. The development would affect 4.9 hectares of best and most versatile agricultural land. An agricultural after-use is appropriate. Relevant guidance on soil handling and mineral restoration should be followed.

Health and Safety Executive (HSE)

12. HSE is a statutory consultee for certain developments within proximity to pipelines and major hazard sites. They provide advice on planning applications through a web app. This confirmed that the proposed extension site does not cross any consultation zones and therefore HSE has no comments.

Historic England

13. R
Responded but do not wish to offer any comments. Advice should be sought from specialist conservation and archaeological officers, as appropriate.

Environment Agency

14. No objection. The Hydrological and Hydrogeological Environmental Impact and Flood Risk Assessment provide confidence that it would be possible to suitably manage the risks posed to groundwater resources by the development. This development would only be acceptable if conditions are imposed requiring the submission and approval of further information before development commences. These conditions should cover a monitoring and maintenance plan for groundwater and surface water, a final report following the monitoring programme and a scheme for the maintenance of spring-fed flows. There should also be a condition requiring that no excavation takes place below 64AOD or into the Lower Calcareous Grit Formation. June 2019 – confirmed no further comments and original comments still apply.

SSE

15. Responded, no comments.

Oxfordshire County Council (OCC) Archaeology

16. N
 o objection. The application site is within an area of considerable archaeological potential. However, there are no known heritage assets within the application site. There should be a programme of archaeological investigation in advance of development, as proposed. This can be secured by condition on any permission granted.

OCC Public Health

June 2019

17. N
 o objection subject to the submission, approval and implementation of a detailed dust management plan. Given the strength of concern raised by local residents, recommend that this plan is provided and agreed prior to determination. The plan should cover both operational and non-operational hours and include details of how dust levels will be monitored, minimised and mitigated and details of weather monitoring including the triggers for cessation of operations.

February 2019

18. F
 urther information is required to satisfy the concerns and issues raised by Public Health England. The issues that have not been addressed are as follows. The cumulative effects of the extension along with the existing quarry and Hatford quarry need to be considered. A robust monitoring strategy is needed with quantitative monitoring commencing before the excavations are undertaken, to establish a baseline at the site boundary. This monitoring would be used to provide information about when dust prevention measures would need to be implemented. It is not clear how risk will be assessed without quantitative monitoring. There is no explanation of how dust will be managed outside of quarry working hours. The dust assessment does not include Busy Bees nursery in Shellingford, however this is a high sensitive receptor.

Public Health England

19. F
 urther letter June 2019 – Note the submission of further information providing the results of air quality monitoring. Comments on the monitoring report – the monitoring was in place for one month but annual

standards have been used, would not recommend this approach. Recommend that a detailed dust management plan is submitted and agreed to ensure that public health is protected both during and outside the hours of operation.

20. F
- First Response January 2019 – Unable to comment on whether the proposals would exceed air quality-based standards as the methodology used is not appropriate to assessing potential risks to public health. A robust quantitative monitoring strategy would be needed for the Air Quality and Dust Assessment. Specific detailed comments on this assessment, including that information has not been provided about out of hours mitigation. If air quality standards for PM10 and PM2.5s are not exceeded, no significant impact on public health would be anticipated. The greatest risk for respirable crystalline silica would be for site staff rather than local residents. Typically, at sites which are well managed by the operator and well-regulated with appropriate control measures in place environmental concentrations of particulate matter off-site remain below those associated with short or long-term health impacts. The local authority needs to be satisfied that the methodology taken by Dustscan is valid and appropriate in determining the “modelled” data which they have then used to inform their human health risk assessment.

OCC Transport Development Control

21. N
- No objection as there would be no increase in vehicle movements or change to the existing access.

OCC Rights of Way and Countryside access

22. N
- No objection. The proposed development does not significantly impact on the footpath to the south of the site, apart from some visual/noise impact, but this is not felt to be significant -and only for phases 4 and 6 of extraction/infilling. There's a reasonable distance of extraction away from the footpath and no vehicle access along the path – so no mitigation measures identified at this stage.
23. T
- The developer needs to ensure that any proposed earth bunds do not narrow or otherwise interfere/alter the legal route of any public right of way -and that any de-watering pipes or culverts do not interfere with the use of the footpath by the public.

OCC Drainage Team and Lead Local Flood Authority

24. N
- No objection, subject to conditions to cover a surface water and

groundwater monitoring plan and a scheme to secure the maintenance of spring-fed flows to Holywell Brook.

OCC Ecology

25. N
- o objection, subject to conditions and Section 106 agreement. The site is of a relatively low biodiversity value, with the potential to support badger, brown hare and nesting birds. A walkover survey should be undertaken prior to the commencement of any phase of the development. Effects on ecological receptors within the site and adjacent habitats are localised and negligible. A net gain in biodiversity should be achievable in the long term through the creation of new woodland, grassland and aquatic habitats. A section 106 agreement will be required for long term management for 20 years in addition to the 5 year aftercare period. Conditions required to cover an environmental management plan, protected species surveys, landscape and ecological management plan and a biodiversity monitoring and remediation strategy.

OCC Environmental Strategy

26. N
- o objection. Conditions should be added to cover the establishment and maintenance of a hedge to screen the footpath, for the maximum height of temporary storage mounds and stockpiles, a new permissive footpath and management of soils during the aftercare period.
27. L
- andscape and Visual Impacts - Broadly agree with the conclusions of the LVIA that landscape and visual impacts would not be significant and the restoration scheme would be beneficial. The assessment gives too much emphasis to the existing quarry given that this is due to be restored. Welcome that the adverse impact of screening bunds has been included in the assessment. There would be time to establish a hedge inside the site boundary to screen the works from the public footpath. Storage heaps of mineral are visible in the wider landscape at the existing quarry. Storage heaps related to the extension area should not be visually intrusive above longer-term storage mounds and bunds.
28. F
- urther comments on Landscape and Visual Impacts – Following discussions with the rights of way officer it is concluded that a new hedge would have negative impacts on the footpath. Instead request that the bund is planted with a diverse seed mix and maintained to ensure that the bund does not become an unsightly feature in its own right.
29. A
- rboriculture – No comments.

30. G
 reen Infrastructure – The creation of new areas of publicly accessible greenspace can make a positive contribution to the wellbeing of communities. A permissive footpath could be provided linking the existing right of way northwards as without this there is no obvious point of access to the existing quarry or extension. If this is not possible a circular route within the proposed extension area would be an alternative. This would be supported by OMWCS policy M10.
31. S
 oils and agriculture – Specific actions should be taken during the aftercare period to enhance soil condition for the agricultural restoration.

The following organisations were consulted, but did not respond:

Thames Water
 National Grid
 Ministry of Defence - Defence Infrastructure Organisation

Annex 5 – Representations Summary

1. 16 letters of objection have been received from local residents. The points raised are summarised below.

Visual impacts

- More tree planting is needed now to lessen impact, trees in existing copse are at the end of their lives
- Bunds should be higher (5m) as will settle after construction and to improve screening
- Landscape impacts of bunds

Officer Response – Landscape advice has confirmed that the proposals would not have a significant adverse effect. The impact of screening bunds was included in the assessment of landscape impacts. The material used to construct screening bunds is not likely to reduce in height significantly due to settling, however the heights in the application (4m on the western boundary and 3m adjacent to the business park) are post-settlement heights. The copse is not under the control of the applicant and therefore it is not possible to require additional planting there. However, the applicant did plant an additional tree belt in the field to the north west of the application site in 2015 and a new hedgerow along the farm track in the west of the site in 2017.

Amenity impacts

- Houses are within 300m of the site, understand that there should be a 250m/500m buffer
- A large landscaped bund is required between the extension area and the village
- Higher bunds are needed to mitigate noise

Officer Response – There is no set buffer zone between extraction and houses, the acceptability of proposals are assessed on the basis of the impacts that they would have. There has been no objection to this proposal from the Environmental Health Officer, subject to the proposed mitigation measures.

Impacts on historic environment

- Proximity to historic village, conservation area and listed buildings
- Strict controls should be in place to protect archaeological remains
- Potential Roman site to the east of Rosey Brook

Officer Response – Conditions would be used to ensure that any archaeological remains are excavated in accordance with an approved scheme of investigation. Impacts on the historic village, conservation area and listed buildings were assessed in the Heritage Impact Assessment and there has been no objection from the Conservation Officer.

Working hours

- Working should not take place on Saturday mornings,
- Working should not take place on weekends, holidays or after 7pm

Officer response – The proposal originally included working on Saturday mornings (until 1pm) but not on Sundays or public and bank holidays. Working would finish by 6pm each evening. These hours would be subject to conditions, which would be monitored and enforced. They are in line with standard hours at other quarries in Oxfordshire, including the existing quarry at Shellingford. However, following the concerns raised by Shellingford Parish Meeting during the public consultation, the operator has agreed not to work in the extraction area on Saturday mornings.

Traffic

- Mud on the A417 is already a problem, measures in place to remedy this are not effective
- HGVs do not abide by speed limits
- HGVs are driven aggressively
- The A417 is a country road and alternative roads should be used
- Wear and tear is a problem on the road at present – an appropriate road maintenance system needs to be in place
- Concern about increase in traffic on the A417, in terms of safety and pollution

Officer Response – The proposals would not lead to any additional HGV movements, however it would potentially extend the duration of HGV movements from the quarry, subject to a further consent also being issued to extend the life of the plant site. Further conditions can be added to address mud on the road.

Environmental Impacts

- Concerned about impacts on watercourses, especially Rosey Brook
- Impact on peace and character of local wood held in trust for village
- Disturbance to users of the rights of way

Officer Response – There has been no objection from the Rights of Way team in terms of impacts on the adjacent right of way, or the Lead Local Flood Authority or Environment Agency in terms of impacts on local watercourses. Conditions could be used to ensure appropriate mitigation should an impact on groundwater levels be identified.

Impacts on local schools and children

- Noise and dust would prevent outdoor lessons at the Primary School
- Impacts on day nursery on Church Street (Busy Bees)
- Potential health impacts for children

Officer response – There has been no objection to the proposals from either the Environmental Health Officer nor the OCC Public Health team. The application is accompanied by an Environmental Statement which includes assessments of air quality and noise. Busy Bees Nursery was not included as a receptor in assessments, but closer receptors were included.

Biodiversity

- Adverse impacts on deer, badgers, owls, rookery

Officer response – There has been no objection to the proposals from the Ecology Officer, who considers that the application offers the potential for a net gain in biodiversity.

Monitoring concerns

- Concerned that OCC does not visit the site as often as the target states. With pressures on budgets how can it be sure that the site will be adequately monitored?

Officer Response – The existing site has had regular monitoring visits in the past and this would continue under any new consent issued.

Nuisance and problems from existing quarry

- Noise, dust and traffic have all caused severe problems at times
- Conditions have been ignored and ineffectually implemented
- Reversing beepers cause disturbance
- Bunds have not been landscaped
- Wheel cleaning equipment has not been effective
- Road sweeper is not effective
- Damage to road verges from HGVs
- Lorries leave the site with loads uncovered

- Hydraulic breakers at the existing quarry make peak/impulsive noise, which should be controlled separately

Officer response – The enforcement and monitoring team have confirmed that there was no recent history of complaints at this site, prior to this application being made. The regular monitoring visits have picked up some areas of non-compliance, but these are related to the order in which the quarry phases have been worked. Mud on the road has been a problem in the past, but it was thought that this had been resolved through the widening of visibility splays and a barrier ensuring that vehicles are inside the wheel wash for a fixed period of time. Noise complaints were received in the past but not in recent years.

Regarding peak/impulsive noise from breakers, noise measurements undertaken for the Environmental Statement demonstrated that the site was complying with noise limits based on continuous noise limits and although breaker noise was audible it was not observed to be above 51 dB(A). It is understood that noise from breakers at the quarry is noticeable when the wind is blowing from the quarry towards the village. A condition could be added for a noise management plan which could include measures such as limiting breaker use when there is a moderate to strong north-easterly wind, to address this concern.

The Environmental Health Officer has confirmed that the submitted noise assessment follows the appropriate guidance, assesses the worst-case scenario and includes suitable mitigation measures. The assessment shows that noise impacts from the quarry at properties would be less than existing noise from other sources. It indicates that with the proposed new bunding in place noise levels from the extension area would be lower than existing noise levels from the quarrying operations.

Issues related to HGVs are covered by the permission for the plant site and access onto the highway. A new permission would be needed to extend the duration of those operations should this new extraction area be permitted. Conditions could be attached to any further plant site permission granted to ensure that lorries do not leave the site with uncovered loads and to control noise and dust. Compliance with these conditions would be monitored regularly and in response to any complaints.

Concerns at specific properties

- Quarry House – noise monitoring in the past has shown that listed high walls around garden amplify noise, dust is also trapped.
- Shellingford House – view from upper floors, proximity, amenity impacts, impact on it as a grade II listed building which is important in the landscape. Noise bund would be ineffective as house is higher, health hazard from dust

Officer Response – The technical assessment work submitted with the application confirms that there would be no unacceptable adverse impacts on sensitive receptors and there has been no objection from the Environmental Health Officer.

Adequacy of the submitted Environmental Impact Assessment

- The submitted EIA failed to properly consider alternative sites
- The submitted EIA fails to properly consider cumulative impacts
- The submitted EIA contains errors and omissions
- Silica dust has not been assessed

Officer response – The submitted EIA addresses alternative sites, application area and working methods. It does not assess specific alternative sites as the proposal is for an extension to an existing site and therefore cannot be located elsewhere. It is considered that the consideration of alternative sites is sufficient.

The EIA takes account of existing developments by including the existing operational quarries at Shellingford and Hatford in the baseline for the individual assessments. Cumulative impacts are also covered as relevant in the individual assessments. The EIA concludes that due to the nature of the development there would not be cumulative impacts. It is considered that cumulative impacts have been adequately considered.

Advice was sought from Public Health England in relation to the local concern about silica dust. They did not request any further information about this and advised that the greatest risk for respirable crystalline silica would be for site staff rather than local residents.

Further information was sought in relation to the submitted EIA, where this was considered necessary. It is now considered that sufficient environmental information has been submitted to make a decision.

Planning Policy

- The latest local aggregate assessment shows that there is no additional need for soft sand or crushed rock.

The planning policy position is set out in detail in the main report.

Other concerns

- Not clear that the eastern part of the application area is geological suitable for sand extraction
- Development not necessary
- No benefits for local people
- Object to any working past 2028 as the currently agreed end date

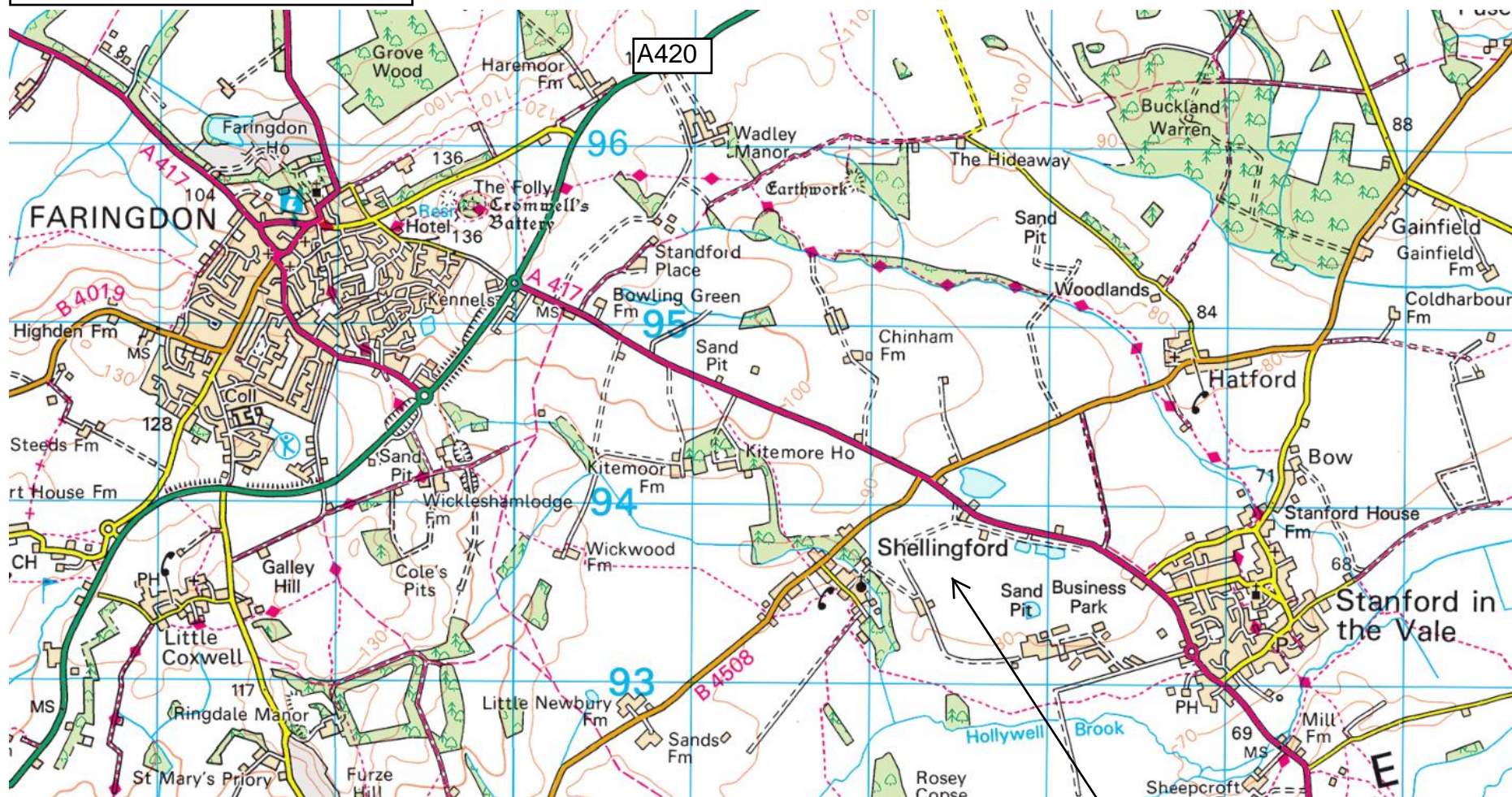
Annex 6 – European Protected Species

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 2017 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 consideration of the habitats within the site area indicate that European Protected Species are unlikely to be present. Therefore, no further consideration of the Conservation of Species & Habitats Regulations is necessary.

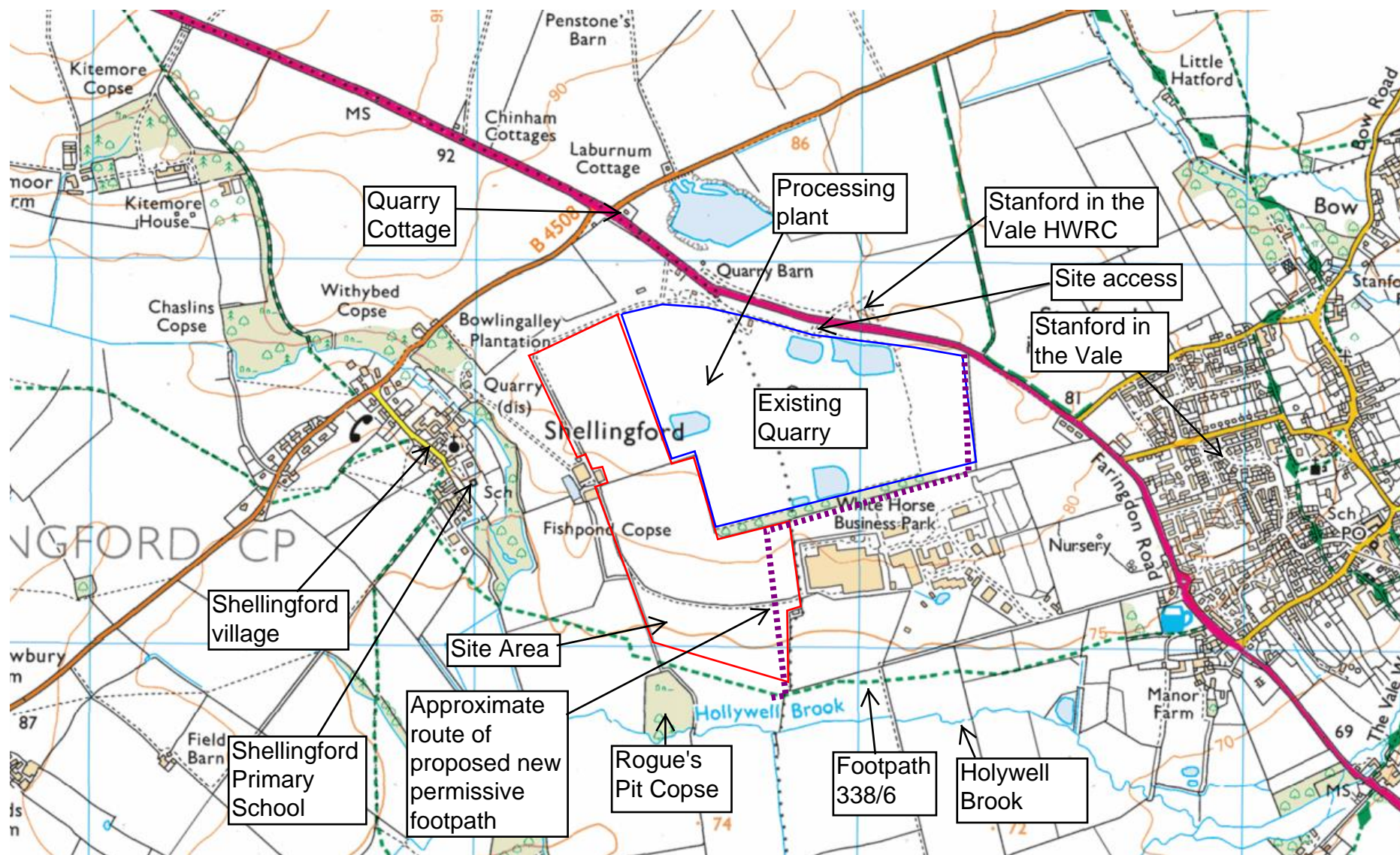
Shellingford Quarry - Location Plan 1



Application site

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Shellingford Quarry - Plan 2



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Planning Report

For: PLANNING AND REGULATION COMMITTEE – 15 July 2019

By: Director for Planning & Place

Development proposed:

Full permission for the development of a new 1FE primary school including nursery and SEN provision with details of vehicle access, hard and soft landscaping, car parking, cycle and scooter parking, external play areas, external lighting and boundary treatments

Divisions Affected: Banbury Grimsbury & Castle

Contact Officer: Naomi Woodcock **Tel:** 07754 103464

Location: Land of Southam Road, Banbury, OX16 1ST

Application No: R3.0034/19 **District Ref:** 19/00642/OCC

Applicant: Oxfordshire County Council

District Council Area: Cherwell

Date Received: 15 May 2019

Consultation Period: 11 April 2019 – 7 May 2019

Recommendation:

The report recommends that the application be approved

Contents

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

Part 1 –Facts and Background

Location (see Annex 1 site plan)

1. The application site is located at the northern edge of Banbury. It lies 1.2 miles¹ north east of Banbury Town Centre and 270 metres southwest of the M40.
2. The site lies 60 metres east of the A423 Southam Road.

The Site and its Setting (see Annex 1 site plan)

3. The application site comprises 2.2ha of open grassland which was subject to farm tenancy until 2013.
4. There is mature vegetation on the southern and western site boundaries.
5. The application site is immediately bounded by residential dwellings except for an area of open space to the west
6. The nearest residential dwellings are located 11m to the south, 18m to the east and 10m to the north.
7. The application site forms part of the Hardwick Farm, Southam Road (East and West) site, which is identified in the Cherwell Local Plan 2031 as Strategic Development: Banbury 2 (BAN2).
8. The strategic BAN2 site comprises approximately 25ha of development to the east of Southam Road and approximately 7ha of development to the west of Southam Road.
9. The development to the west was granted outline planning permission in 2018 for 90 residential units, Class A uses and Class D1 use² but does not appear to have been implemented.

Relevant planning history

10. The application site forms part of the Hanwell View Housing Development which was granted outline permission³ by Cherwell District Council on 18th December 2013 for the demolition of existing structures; development of up to 510 residential units (Use Class C3), D1 education use, with associated access, landscaping/open space, parking and related works.
11. All matters other than access were reserved. However, the submission included indicative layouts and design principles for the proposed development.

¹ All distances are approximate.

² See Cherwell District Council planning reference 18/00273/OUT.

³ Cherwell District Council Planning reference 13/00159/OUT

12. Much of the housing appears to have been built. The D1 education use is for primary school which is yet to be built. Similarly, a football pitch (to be located between Southam Road and the western boundary of the application site) is yet to be created.
13. Condition 1 of the 2013 outline permission requires the submission of full details of the layout, scale, appearance and landscaping.
14. Condition 2 of the 2013 outline permission stipulates that an application for the approval of the reserved matters shall be made no later than the expiration of 18 months of the date of the 2013 permission. The period for making an application for the approval of reserved matters relating to the new school has now lapsed.

Details of the Proposed Development

15. The Design & Access Statement explains that the principle of the construction of a new school was agreed when outline planning permission was granted in 2013.
16. This application seeks permission for the construction of a new 1FE primary school to complement the surrounding Hanwell View housing development. It is anticipated that the new school will provide places for 270 pupils (60 nursery places and 210 places in reception - year 6) with 30 pupils per class.

Construction of a 1FE primary school building

17. The new school building would be predominately 2 storeys in height, and would have a gross internal floor space of 1,655m² (gross external floor space of 1,800m²) comprising:
 - Classrooms (including nursery classrooms);
 - Group rooms;
 - Staff offices;
 - Workrooms
 - Hall
 - Kitchen;
 - Cloakrooms; and
 - A plant room.
18. The school building would be centrally located in the eastern section of the application site.
19. The building would have a flat roof design with 1.1metre high parapets.
20. At ground floor level the brick-built building would have buff bricks above a flush plinth of dark brick. At first floor level the walls would be finished in off white render.
21. Red cladding is proposed to the external walls of the entrance lobby with signage above the entrance door.

22. High level louvres would be integrated into the aluminium windows. It is proposed that the windows would be bronze/beige in colour.
23. A continuous glazed canopy is proposed along the western elevation to provide a covered outdoor area for the Key Stage 1 classrooms and to create the opportunity for a covered external dining area outside the school hall. Three glazed canopies are also proposed along the eastern elevation just outside the nursery classrooms and the foundation stage reception.
24. The Design & Access statement explains that the design of the building has been developed to meet the principles of BREEAM (Building Research Establishment Environmental Assessment Method) targets of 'Very Good' and would incorporate various sustainable features including:
 - Hybrid ventilation system which utilises natural ventilation and incorporates heat recovery;
 - Local temperature and ventilation controls;
 - Daylight linking and dimming controls with manual overrides;
 - Fully comprehensive metering, energy monitoring and report system interlined with the building energy management system; and
 - Use of high efficiency quick recovery units to provide hot water.

Construction of external play areas

25. It is proposed to construct a 20.25m x 35.5m hard games court with a tarmac surface in the south west corner of the application site.
26. An external hard foundation stage hard play area with tarmac surfacing is proposed immediately east of the foundation stage classrooms. Further external hard play areas with tarmac surfacing are proposed immediately north and west of the school building.
27. A large grassed area is proposed adjacent to the school's northern site boundary and north of the hard games court. A tarmac footpath leading from the school building to the north west site boundary would divide the grassed area into two sections.
28. Overall the external play provision for the 1FE school would comprise:
 - 7,615m² soft PE⁴;
 - 3,605m² soft informal⁵;
 - 715m² Hard PE⁶; and

⁴ Soft PE include sports pitches laid out to suit school preferred team games including winter pitches and summer pitches. As well as the grass pitches, the area may also include all weather pitches and other soft-surfaced facilities that can provide for the PE and sports provision. Source: Area guidelines for mainstream school Building Bulletin 103 dated June 2014.

⁵ Soft Informal and Social Play area are a variety of informal and social areas created to suit the learning development and cultural needs of pupils during breaks as well as before and after school, and for a range of more formal curriculum needs. These will include soft-surfaced, usually grassed, areas and hard-surfaced courtyards, paths and playgrounds. Source: Area guidelines for mainstream school Building Bulletin 103 dated June 2014.

⁶ Hard PE areas are for PE and team game areas and includes a porous macadam multi-use games area and further tennis/netball courts in larger schools. Source: Area guidelines for mainstream school Building Bulletin 103 dated June 2014.

- 543m² Hard informal⁷

29. The foundation stage external play provision would comprise:

- 490m² soft informal; and
- 420m² hard informal.

Access, Bicycle, visitor and staff car parks and bin store

30. It is proposed to create the following access points to the school site:

- Northern pedestrian/cycle/maintenance vehicles access close to the north west corner of the site;
- Reception access along the eastern site boundary, close to the north east site boundary;
- Eastern pedestrian and cycle access, south of the reception access; and
- Vehicular access, south of the eastern pedestrian and cycle access.

31. Cycle parking would be provided on the school site close to the northern access point. Additional cycle parking would be provided to the south of the school building.

32. A tarmac parking area facilitating 22 standard parking bays, 2 disabled bays and 1 motorcycle bay would be provided in the south east corner of the school site.

33. A bin store would be created at the western end of the parking area, immediately adjacent to the hard games court and west of the southernmost cycle parking area.

External Lighting

34. Wall mounted lights are proposed along each elevation of the school building. A total of 15 lights would be installed. The external lighting plan submitted with the application illustrates that there would be no light spillage outside of the school site from these lights.

35. 11 lights mounted on 4m high lighting columns would be installed in the following locations:

- 4 along the path between the school building and the northern site entrance;
- 3 between the eastern pedestrian entrance and the bin store; and
- 4 in the vehicular parking area.

36. The external lighting plan illustrates that there would be a maximum light spillage of 1 lux into a courtyard style residential parking area immediately south of the site.

⁷ Hard Informal and Social Play are hard-surfaced playgrounds for the encouragement of healthy, active, creative outdoor play, as well as for more formal learning activities including outdoor study groups and for pupils to engage in outdoor art, theatre, dance and design. Source: Area guidelines for mainstream school Building Bulletin 103 dated June 2014.

Community Use

37. The application explains that the opportunity would be taken to make the school hall and sports pitches accessible to the community outside of school hours
38. The applicant explains that the S106 Agreement associated with the surrounding Hanwell View housing development details the maintenance, management and community use of the sports pitches.

Fencing

39. A 4m high weldmesh fencing with double gates would be installed immediately east of the hard games court providing access to the car parking area. The northernmost half of this fence line would have timber inserts incorporated into the design of the weldmesh fencing.
40. The application also seeks to erect the following fencing and gates on the school site:
- 1.5m high bow top fencing and double gates to prevent access to the school playing fields from the reception site access;
 - 1.5m high bow top fencing between the eastern site boundary and the foundation stage classrooms;
 - 1.8m high bow top fencing with double gates between the eastern pedestrian site access and the school building;
 - 1.8m high bow top fencing running from the parking area to the eastern site boundary; and
 - 1.8m high close board timber fence is proposed around the bin store.

Landscaping

41. 17 new trees would be planted on the application site, 11 of which would be planted close to the eastern site boundary. 3 would be planted along the western site boundary and 3 in the north west corner of the site.
42. Native shrub planting with a maximum height of 1 metre is proposed adjacent to the eastern site boundary.

Ecology

43. The application explains that suitable enhancements such as bat boxes, bird boxes and suitable habitats for invertebrates will be developed through further ecological surveys.

Revisions to the application in response to consultation responses

44. In response to Cherwell District Council's consultation response it is now proposed to change the brickwork to the ground floor of the school building from buff to red. It is also proposed to change the entrance cladding from red to green.
45. Additional tree planting is proposed to the west of Southam Road to address the local member's concerns about air quality. At the time of writing this report the applicant was liaising with the district council to establish the best location for the additional tree planting.
46. Following the 21 day consultation period, the following information has been submitted for consideration:
 - landscaping scheme;
 - revised construction traffic management plan;
 - revised travel plan; and
 - revised drainage scheme.
47. Supporting information has also been submitted to demonstrate the highway infrastructure that will be in place surrounding the school site including: the location and layout of the on-street parking bays adjacent to the school site access as well as those on some of the surrounding streets, the location and layout of the coach parking bay and the location of the tactile pedestrian crossing points to be provided on the highway adjacent to the school site. This supporting information is for reference only and does not form part of the proposal.

Part 2 – Other Viewpoints

Third Party Representations

48. One third party response has been received. The response raises concerns about the impact that the development will have on the local highway network, particularly parking and congestion.

Consultation Responses

49. The consultation responses are set out in Annex 2 to this report.

Part 3 - Relevant Planning Documents

Relevant Development Plan and other policies

50. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
51. The Development Plan for this area comprises:
 - i. Adopted Cherwell Local Plan 2011 – 2031 (Part 1); and
 - ii. Adopted Cherwell Local Plan 1996 (saved policies).

52. Other documents that need to be considered in determining this development include:

- i. The Government's revised National Planning Policy Framework (NPPF) was updated on 19 February 2019. This is a material consideration in taking planning decisions. The CLG letter to the Chief Planning Officers dated 15 August 2011 is also relevant.
- ii. The CLG letter to the Chief Planning Officers dated 15 August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system.
- iii. The emerging Cherwell Local Plan (CLP) 2011 - 2031 Part 2 is also a material consideration. In this instance there are no relevant policies.
- iv. Adopted Banbury Vision and Masterplan Supplementary Planning Document December 2016 is also a material consideration. In this instance there are no relevant policies.

Relevant Policies

53. The relevant policies are:

Adopted Cherwell Local Plan 2011 - 2031 (Part 1) (CLP2031)

- BSC7 (Meeting Education Need)
- BSC12 (Indoor Sport, Recreation and Community Facilities)
- ESD10 (Protection and Enhancement of Biodiversity and the Natural Environment)
- ESD13 (Local Landscape Protection and Enhancement)
- ESD15 (The Character of the Built and Historic Environment)
- SLE4 (Improved Transport and Connections)
- Policy Banbury 2 (PB2) (Hardwick Farm, Southam Road (East and West))

Cherwell Local Plan (Saved Policies) (CLP1996)

- C28 (Layout, Design and Appearance of New Development)
- C31 (Compatibility of proposals in residential areas)
- ENV1 (Pollution Control)
- TR7 (Minor Roads)

The Government's revised National Planning Policy Framework (NPPF) was updated on 19 February 2019. This is a material consideration in taking planning decisions. The CLG letter to the Chief Planning Officers dated 15 August 2011 is also relevant.

The CLG letter to the Chief Planning Officers dated 15 August 2011 which sets out the Government's commitment to support the development of state funded schools and their delivery through the planning system is also a material consideration.

The Area Guidelines for Mainstream Schools Building Bulletin 103 produced by Department of Education and Education Funding Agency dated June 2014 is also a material consideration in the determination of this application.

Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

54. The CLG letter to the Chief Planning Officers dated 15th August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system. The policy statement states that:

“The creation and development of state funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.” State funded schools include Academies and free schools as well as local authority maintained schools.

It further states that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools;
- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions;
- Local Authorities should make full use of their planning powers to support state-funded school applications;
- Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
- Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;
- A refusal of any application for a state-funded school or the imposition of conditions, will have to be clearly justified by the Local Planning Authority.

This has been endorsed as part of the National Planning Policy Framework.

55. NPPF Paragraph 94 states that LPAs should take a proactive, positive and collaborative approach to ensure a sufficient choice of school places is available; they should give great weight to the need to create schools and work with school promoters to identify and resolve key planning issues prior to submission of applications.

56. The key policy issues to consider in determining this application are:

- i. Need for the development;
- ii. Built environment;
- iii. Local amenity impacts;
- iv. Highway impacts;

- v. Environmental impacts; and
- vi. The Natural Environment

Need for the development

57. Policy BSC7 of the CLP2031 requires the council to work with partners to ensure the provision of school facilities which provide for education.
58. Paragraph 94 of the NPPF explains that a sufficient choice of school places are to be available to meet the needs of existing and new communities and that Local Planning Authorities take a positive approach for meeting the requirement. In particular, great weight is to be given to the need to create schools through the decision on applications.
59. In my view, the proposed development accords with policy BSC 7 of the CLP2031 and Paragraph 94 of the NPPF as the proposed development would ensure the provision of school facilities which would provide for education to meet the needs of existing and new communities.

Built Environment

Design

60. Policy PB2 of the CLP2031 requires development proposals within BAN2 to comply with policy ESD15 of the CLP2031.
61. Policy ESD 15 of the CLP2031 and saved policy C28 of the CLP1996 require new developments to be sympathetic to the character of its context. In particular, it requires new development to reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette.
62. Policy ESD15 also requires development to create clearly defined active public frontages.
63. Both Cherwell District Council and Banbury Town Council have objected to the visual appearance and proposed materials for the new school building. In particular concerns were raised about the use of buff brickwork and render at 1st floor level above brick at ground floor as it gave the building a top-heavy appearance.
64. Following revisions to the application, the district council consider that full details of the render proposed to the upper level should be provided, alternatively timber should be considered. The district council maintain their concern regarding the design of the windows and request details of the shade of green proposed to the entrance cladding.

65. The applicant is currently working with the district council to resolve the design issues but the decision on whether the design is acceptable is one for this committee to take.
66. As some of the houses in the surrounding area have red brickwork, I am of the view that the use of red brickwork at the ground level would be sympathetic to the character of the surrounding area. However, to ensure that the shade of red brick is appropriate to the area, I consider that an appropriate condition should be imposed requiring the submission and approval of the brickwork. Similarly, to ensure that the render and entrance cladding is sympathetic to the character of the area an appropriate condition requiring the submission and approval of the render and cladding should be imposed.
67. Visually, the scale of the predominately two storey school building would be sympathetic to the surrounding housing development which are two and three storeys in height.
68. The siting of the school building in the eastern section of the site would maintain the openness of the western section of the site. The siting of the building close to the eastern site boundary would impact on the Wardington Road streetscape. However, given that the building would be respectfully set back from the road, I consider that the building would not be intrusive to the streetscape. In addition, the entrance cladding and the three eastern entrances would provide the development with an active public frontage.
69. I consider that subject to the imposition of conditions to require details of the materials to be used to be submitted for approval prior to the commencement of the development, this would ensure that the planning proposal accords with policy C28 of the CLP1996 and the design aims of policies PB2 and ESD 15 of the CLP2031.

Design against crime

70. Policy PB2 of the CLP2031 requires development proposals within BAN2 to comply with policy ESD15 of the CLP2031.
71. Policy ESD 15 of the CLP2031 requires new development to be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation.
72. The Crime Prevention Design Advisor is of the view that a condition should be imposed requiring the applicant to make an application for Secured by Design accreditation prior to the commencement of the development.
73. Whilst a condition cannot be attached to a planning permission requiring that approval be sought from another body, I agree that such a condition should be imposed to ensure that the proposed development accords with the security aims of policies PB2 and ESD15 of the CLP2031.

Outdoor play provision

74. The Area Guidelines for Mainstream Schools Building Bulletin 103 (BB103) produced by Department of Education and Education Funding Agency dated June 2014 sets out the recommended site area for schools.
75. BB103 explains that Soft PE includes sports pitches laid out to suit school preferred team games including winter pitches and summer pitches. As well as the grass pitches, the area may also include all weather pitches and other soft-surfaced facilities that can provide for the PE and sports provision.
76. BB103 also explain that Soft Informal and Social Play area are a variety of informal and social areas created to suit the learning development and cultural needs of pupils during breaks as well as before and after school, and for a range of more formal curriculum needs. These will include soft-surfaced, usually grassed, areas and hard-surfaced courtyards, paths and playgrounds.
77. BB103 further explains that Hard PE areas are for PE and team game areas and includes a porous macadam multi-use games area and further tennis/netball courts in larger schools.
78. BB103 also explains that Hard Informal and Social Play are hard-surfaced playgrounds for the encouragement of healthy, active, creative outdoor play, as well as for more formal learning activities including outdoor study groups and for pupils to engage in outdoor art, theatre, dance and design.
79. The minimum requirements for outdoor play for a school with 210 pupils (as provided by BB103) are set out below. The proposed play area is also tabulated below for ease of reference.

	Minimum requirement m ²	Proposed allocation m ²
Soft Outdoor PE	4200	7615
Soft Internal and Social	1325	3605
Hard Outdoor PE	715	715
Hard Informal and Social	410	543

80. Both Banbury Town Council and the local member are concerned that insufficient outdoor play areas would be provided as part of the development. In particular they are concerned that:
- The social, educational, environmental and exercise elements of play have not been incorporated into the proposals;
 - No provisions have been made for outdoor classroom area;
 - Insufficient information has been provided about the football pitch, located to the west of the application site, which would provide an additional area for sport.

81. The applicant explains that a football pitch is to be provided to the west for the application site by the housing developer as part of the approved S.106 agreement for the wider site and that it will initially be transferred to Cherwell District Council. The agent has advised that the football pitch would be leased to the school.
82. Given that the planning proposal includes hard and soft PE and hard and soft social and informal areas which do not fall below the minimum provision, I am of the view that the proposed development makes sufficient provisions for outdoor classroom areas and incorporates the social, educational, environmental and exercise elements of play. I also consider that the planning proposal accords with BB103.

Local Amenity Impacts

Residential amenity

83. Saved policy C31 of the CLP1996 seeks to ensure that new developments within existing and proposed residential areas do not cause an unacceptable level of nuisance or visual intrusion. Saved policy ENV1 of the CLP 1996 seeks to ensure that new development does not cause materially detrimental levels of noise pollution.
84. Policy PB2 of the CLP2031 requires development proposals within BAN2 to comply with policy ESD15 of the CLP2031.
85. Policy ESD15 of the CLP2031 requires new development to consider the amenity of both existing and future development, including matters of privacy and natural lighting.
86. The closest residential dwellings to the application site are located 11m to the south, 18m to the east and 10m to the north.
87. Although the precise location of the school building does not appear to be shown on the approved plans for the outline planning permission, it is believed that it is illustrated in Annex 1 Plan 2 of the S.106 Agreement titled 'Primary School Plan'.
88. In my view the proposed development would not cause an unacceptable level of visual intrusion to the surrounding residential area as the school building would be centrally located within the eastern section of the site and it would be set back from the streetscape.
89. I do not consider that the development would cause an unacceptable level of nuisance in terms of noise for residential dwellings to the east of the site as the activities which take place within the school building would occur within a controlled environment. In addition, the proposed tree planting to the east would soften any residual noise impacts. I do not consider noise to be an issue for the residential dwellings to the south of the site due to the current level of planting to the south of the site. Given that PE lessons which would take place on the

northernmost grassed area would take place within a controlled environment, and that pupils would only be playing in this area for a relatively short period of the day, I am of the view that the noise levels would not cause an unacceptable level of nuisance or materially detrimental noise pollution.

90. In terms of privacy and natural lighting, I do not consider that the proposed development would impact on the amenity of residential dwellings to the north, east or south of the application site as the school building would be centrally located within the eastern section of the school site and set back from the northern, eastern and southern school site boundaries.
91. I am therefore of the view that the planning proposal complies with planning Saved policy C31 of the CLP1996 and accords with the aims of policies PB2 and ESD15 of the CLP2031 in the consideration of amenity impacts and saved policy ENV1 of the CLP1996.

Lighting

92. Policy PB2 of the CLP2031 requires development proposals within BAN2 to comply with policy ESD15 of the CLP2031.
93. Policy ESD15 seeks to limit the impact of light pollution from artificial light on local amenity.
94. Cherwell District Council comment that consideration needs to be given to the hours of the operational use of the lighting.
95. In my view the external lights on the school building and lighting columns should be switched off when they are not in use to limit the impact of light pollution on local amenity. As no information has been provided about the hours of use or the control of the lights, I consider that a suitable lighting condition should be imposed.
96. There would be a maximum light spillage of 1 lux into a lit courtyard style residential parking area to the south of the site. I consider this level of light would have minimal impact on local amenity (e.g. impairing sleep), particularly given the mature trees on the southern site boundary.
97. I therefore consider that subject to such a condition, the proposed development accords with the aims of policies PB2 and ESD15 of the CLP2031 in terms of limiting the impact of light pollution.

Community Use

98. Policy BSC12 of the CLP2031 encourages the provision of community facilities to enhance the sustainability of communities.
99. Banbury Town Council has raised concerns about the maintenance of the community facility. They also comment that the 'proposals for site access show

that the hard court (or MUGA) would be used for overspill car parking which would not be appropriate to service the local community.'

100. The applicant explains that the hard-court area, to which the Town Council refers, is not included in the calculations in paragraph 79 above as the area falls outside the application site and is to be provided as part of the Hanwell View housing development. The details pertaining to the maintenance of this community facility are provided within the associated S.106 agreement.
101. I do not consider the issues raised about community use and maintenance to be a material consideration in this planning application as this falls outside this application and is covered by an existing S.106 agreement in any instance. Therefore, it would be unreasonable to place a burden relating to the maintenance of community use sporting facilities on the applicant.
102. As insufficient information has been provided about community use of the sport hall, it is difficult to establish whether this facility would enhance the sustainability of the community. Subsequently, I consider it necessary to impose a condition requiring the submission of full details of the use of the sports hall by the community. Subject to such a condition, I am of the view that the proposed development accords with policy BSC12 of the CLP2031.

Highway impacts

103. Saved policy TR7 of the CLP1996 explains that development that would regularly attract large number of cars onto unsuitable minor roads will not normally be permitted.
104. Policy SLE4 of the CLP2031 seeks to ensure that development proposals facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
105. Paragraph 109 of the NPPF explains that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
106. A public response is concerned that the school will attract large volumes of traffic onto unsuitable roads which will in turn rapidly deteriorate the condition of the road.
107. The public response also raises concerns about insufficient parking for parents and the impact that this could have on grass verges. Concern is also raised about parking associated with the football pitch to be located to the west of the application site.

108. Transport Development Control consider that a significant number of trips to and from the school can be made by sustainable modes as the school is intended to serve the wider BAN2 development, which is internal to the site.
109. Transport Development Control recognise that very localised short-term congestion on the streets directly adjacent to the school could be expected during school peak periods. However, they consider it unlikely to lead to traffic impacts on the wider highway network and subsequently is unlikely to lead to significant safety concerns. As such they do not consider the traffic impact to be 'severe.'
110. Transport Development Control also comment that the revised school travel plan does not address all of their initial concerns.
111. Given that a significant number of trips to and from the school site can be made by sustainable modes, I do not consider that the planning proposal is in conflict with policy TR7 of the CLP1996.
112. However, as the revised school travel plan does not yet address all of Transport Development Control's concerns, I am not confident that the development would adequately facilitate the use of sustainable modes of transport to make the fullest possible use of walking and cycling. To ensure full compliance with policy SLE4 of the CLP2031, I consider it necessary to impose a condition requiring the submission, approval and implementation of an updated School Travel Plan. I also consider it necessary for the applicant to make a financial contribution, through a Unilateral Undertaking, so that the travel plan can be monitored.
113. I consider that that planning proposal accords with paragraph 109 of the NPPF as the school would not have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe and would then comply with policy SLE4 of the CLP2031.

Environmental Impacts

Air Quality

114. Policy ENV1 of the CLP 1996 explains that development which is likely to cause materially detrimental levels of fumes or other type of environmental pollution will not normally be permitted.
115. The Environmental Protection officer is of the view that there will be no major air quality impact on the school from the road as stated in the Air Quality report provided with the application.
116. I consider that the development proposals do not conflict with the aims of policy ENV1 of the CLP1996 as the application site would be used for educational and leisure purposes. It is therefore unlikely that the site would emit materially detrimental levels of fumes or other type of environmental pollution.

117. The M40 runs to the north and north east of the application site and is accessed via Hennef Way which lies 1 mile south of the application site.
118. The A423 Southam Road runs northwards from Hennef Way, past the application site and then crosses over the M40. The point where Southam Road crosses the M40 is 0.2 miles north from the northern site boundary.
119. The local member comments that Southam Road is to have north facing slip roads onto/off the M40. When the highways works are completed this road will have very heavy traffic congestion just like Hennef Way, so children playing outdoors will be exposed to high levels of Nitrogen Dioxide'.
120. Transport Development Control are of the view that traffic flows on Southam Road will increase once the highway works are completed. However, they do not consider the traffic conditions to be comparable to the congestion currently experienced on Hennef Way.
121. Transport Development Control comment that the highway scheme would divert some trips towards the M40 (northbound) from Hennef Way onto Southam Road, but it is expected that Southam Road would continue to have free flowing traffic and that the impact on air quality on Southam Road would therefore not be comparable to that on Hennef Way.
122. The local member has confirmed that the planting of additional trees to the west of the external games court would address her concerns about air quality and the applicant has agreed to provide this. Discussions are currently taking place between the applicant and the district council to establish the best place for the additional tree planting. It is likely that an area to the west of the application site will be chosen.
123. In terms of air quality, I am of the view that the planning proposal does not conflict with the aims of policy ENV1. A condition requiring additional tree planting is therefore not necessary to make the application acceptable in planning terms. In addition, a tree planning condition for air quality purposes would not be relevant to the development being proposed as conditions should not be imposed for issues which are not created by the proposed development. However, the landscape impact of the development is discussed below and such planting could be incorporated as part of the detailed scheme to be submitted for approval to any planning permission granted.

Drainage

124. Policy ESD7 of the CLP2031 requires all development to use sustainable drainage systems (SuDS) for the management of surface water run-off. Policy ESD 7 of the CLP2031 explains that SuDS will require the approval of Oxfordshire County Council as LLFA.

125. The County Council as Lead Flood Authority considers that the revised drainage proposals are not in line with the Oxfordshire Local Standards and that more SuDS measures are required.
126. I consider that a suitably worded condition requiring the submission of a surface water drainage scheme should be imposed to ensure that the planning proposal complies with Policy ESD7 of the CLP2031.

Natural Environment

Biodiversity

127. Policy ESD10 of the CLP2031 seeks to ensure that development proposals incorporate features to encourage biodiversity.
128. Banbury Town Council and the Protected Species Officer have raised concerns about the lack of information relating to the incorporation of biodiversity features into the planning proposal.
129. The Protected Species Officer suggests the imposition of conditions to cover integrated bat boxes, integrated bird boxes and access holes for hedgehogs.
130. I agree with the comments made by Banbury Town Council and the Protected Species Officer and consider it appropriate to impose biodiversity enhancement conditions to ensure that the proposed development accords with policy ESD10 of the CLP2031.

Landscape

131. Policy ESD13 of the CLP 2031 requires new development to respect and enhance local landscape character.
132. Policy PB2 of the CLP2031 requires new development within BAN2 to comply with policy ESD15 of the CLP2031.
133. Policy ESD15 of the CLP 2031 ensures that well designed landscape schemes are an integral part of development proposals.
134. The landscape specialist considers the revised landscaping scheme to be inadequate. Cherwell District Council and the town council have also raised concern about the landscaping scheme.
135. I am of the view that the revised landscape scheme is not well designed and that a landscaping condition should be imposed requiring the submission, approval and implementation of a well-designed landscape scheme which would form an integral part of the development and enhance the local landscape character. In addition, the submitted landscape scheme could incorporate additional tree planting along the western site boundary to resolve the local member's concerns about air quality.

136. I therefore consider that subject to condition, the planning application accords with the principles of Policies ESD13 and ESD15 of the CLP2031 in respect of landscaping.

CONCLUSIONS

137. This application seeks permission for the construction of a new 1FE primary school.
138. Conditions requiring details of the external materials to be used would ensure that the development is sympathetic to the character of its context.
139. The external areas to be created for soft and hard PE and soft and hard informal and social areas comply with BB103.
140. In relation to residential amenity impacts, the planning proposal complies with planning Saved policy C31 of the CLP1996 and accords with the aims of policies PB2 and ESD15 of the CLP2031 and saved policy ENV1 of the CLP1996.
141. An external lighting condition would limit the impact of light pollution on local amenity.
142. A community use scheme would ensure that the development helps to enhance the sustainability of the community.
143. The development does not conflict with policy TR7 of the CLP1996 or paragraph 109 of the NPPF. A travel plan condition would ensure compliance with policy SLE4 of the CLP2031, and so that the travel plan can be monitored a financial contribution of £1,240 should be secured through a s106 Unilateral Undertaking.
144. In terms of air quality, the proposal does not conflict with policy ENV1 of the CLP1996.
145. Biodiversity enhancements and a landscaping condition would ensure the development is in accordance with policies ESD10, ESD13 and PB2 of the CLP2031 and in line with the aims of policy ESD15 of the CLP2031.
146. As such the proposed development generally accords with the Development Plan policies, emerging policies and national government policy and guidance and is considered acceptable on its planning merits.

RECOMMENDATION

Subject to the applicant first providing a Unilateral Undertaking for the payment of the Travel Plan monitoring fee of £1240, it is RECOMMENDED that planning permission for Application R3.0034/19 be approved subject to conditions to be determined by the Director for Planning and Place but to include matters set out in Annex 3 to this report.

SUE HALLIWELL

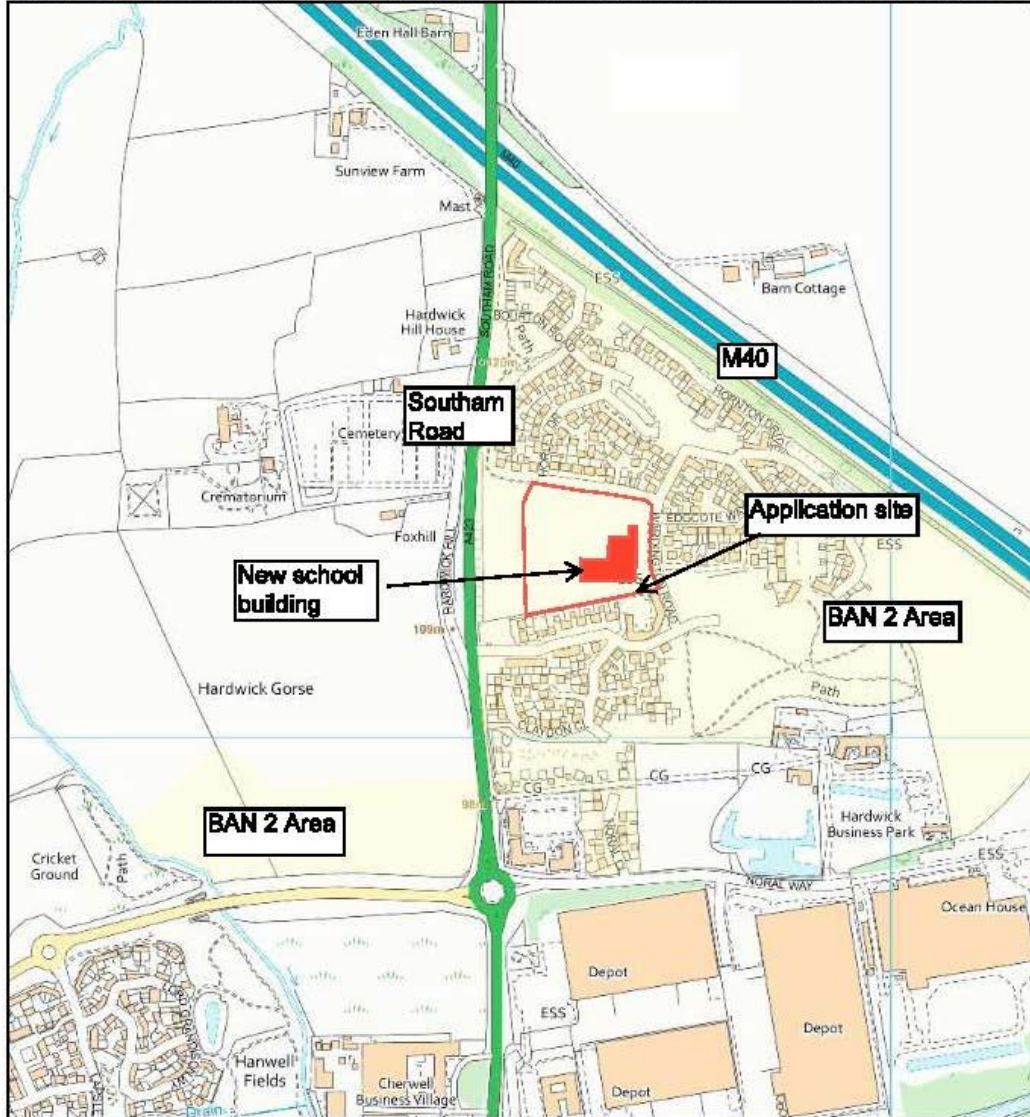
DIRECTOR FOR PLANNING & PLACE

July 2019



Annex 1: Location plan for a new primary school off Southam Road

Application No: R3.0034/19



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1:6,366

Note: This plan is indicative only. Accurate application plans can be found on the e-planning website using reference R3.0034/19.

Annex 2 – Consultation Responses

Local Member 1st response

147. Objects due to insufficient hard surface play and outdoor space for the provision of social and environmental education. In addition, this road is to have north facing slip roads off the M40. When these highways work are completed this road will have very heavy traffic congestion just like Hennef Way, so children playing outdoors will be exposed to high levels of Nitrogen Dioxide.

Local Member 2nd response

148. Objection maintained in relation to outdoor play provision for the reasons outlined by Banbury Town Council. The local member is happy to withdraw her objections if the town council's concerns are addressed. The local member confirms that the provision of additional tree planting to the west of the of the hard play area would address the nitrogen dioxide concerns.

Cherwell District Council (1st response)

149. Objects to the poor appearance of school building and the materials proposed. Suggest that consideration be given to natural ironstone or local/Banbury red brick. Use of render at 1st floor level about brick at ground floor would give the building a top heavy appearance. Consideration should be given to render at ground floor level. The fenestration is poor and would benefit from some refinement.

Cherwell District Council (2nd response)

150. The replacement of buff brickwork with red brick is welcome but the objection to the materials and fenestration is maintained. Consideration should be given to timber at upper level or additional detail should be provided about the colour and type of render proposed. The design of the windows remain a concern. Cherry red for the entrance cladding would not have been an issue – some shades of green would look poor. More information is required about the specific shade of green proposed. The development provides an appropriate balance of hard and soft surfaces. Further details of soft and hard landscaping need to be required by condition. Consideration needs to be given to the operational hours of the lighting.

The Environmental Protection Officer (Cherwell District Council)

151. 'Having read the noise report I agree with the findings and noise levels set in it which should be followed when selecting and installing plant'. I agree with the phase 2 land contamination report and all the recommendations in it should be followed. A Remediation Strategy should be provided and approved and verification report provided once works have been completed. I am satisfied

with the AQ report provided although we would like to see provision made for EV charge points on the site for staff to utilise the future potential of Electric Vehicles. There will not be a major impact on the school from the road as stated in the AQ report provided with the application.

Banbury Town Council

152. Objects the planning proposal and share the same concerns as Cherwell District Council about the visual appearance and materials. The town council raise concerns about: i) lack of details pertaining to community use; ii) insufficient provision of outdoor play space; iii) insufficient consideration given to biodiversity, landscaping and environmental issues, iv) use of the MUGA as an overflow parking area; and v) conflict between maintenance vehicles and pupils using outdoor facilities.

The Environmental Protection Officer (Cherwell District Council)

153. No comments to make on this application.

The Crime Prevention Design Advisor

154. 'Schools do tend to attract crime and anti-social behaviour (ASB), so to ensure that the opportunity to design out crime is not missed, I request that the following (or a similarly worded) condition be placed upon any approval for this application; Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority'.

Sport England

155. No comments to make on this application.

Thames Water

156. No objection to the planning proposals and request that the following informative be attached to this planning permission. 'Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development'.

Oxfordshire County Council as the Lead Flood Authority

157. No information has been provided to demonstrate the proposals are in line with the Oxfordshire Local Standards. We need to see more SuDS measures provided to serve the traffic areas at the very least, i.e. permeable paving or draining over the edge to swale and filter drains. Suggest a condition to cover

the submission, approval and implementation of a surface water drainage scheme.

The County Archaeologist

158. "The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme".

Transport Development Control (1st response)

159. Object to the planning proposal as insufficient information had been submitted about the highway infrastructure proposed at the site access. They considered that the applicant had not demonstrated safe and suitable access for all users as required under the NPPF. They comment that if permission is granted that a contribution should be made to enable the Travel Plan to be monitored for a period of 5 years following occupation. A significant number of trips to / from the school would be internal to the BAN2 site and therefore have the potential to be made by sustainable modes.
160. It is however recognised that very localised short-term congestion on the streets directly adjacent to the school within the residential development could be expected during peak pick up and drop off times. This is unlikely to lead to traffic impacts on the wider highway network and is not likely to lead to significant safety concerns in itself. As such this traffic impact could not be considered 'severe'.
161. They also comment 'it is understood that grass verges are proposed to the front of the school and adjacent to the on-street parking bays that are to be used for pick up and drop off purposes. We request that these verges are instead tarmac in order to provide a wider footway and enable suitable drop off facilities. We request an amendment to the CTMP in order to clearly ensure that construction traffic is restricted between peak network hours. Amendments to the Travel Plan for the school are required'.

Transport Development Control (2nd response)

162. Information has now been submitted which addresses this issue and therefore the Highway Authority's objection to the application can now be removed. Request a travel plan condition and a contribution for the travel plan monitoring fee. The revised Construction Traffic Management Plan addresses previous concerns and need to be adhered to for the duration of the development.

The Landscape Specialist (1st response)

163. Objected as insufficient information had been provided. 'It is considered that the landscape scheme does not deliver an attractive stimulating high-quality

environment as required by local policy and request for the design to be revised.'

The Landscape Specialist (2nd response)

164. Expresses disappointment that her previous comments on how to improve landscape design and planting have been taken into account. However, the proposed scheme will work but I remain of the view that the design is rather utilitarian and could be improved. Suggest a condition to cover the submission, approval and implementation of a hard and soft landscaping scheme.

The Protected Species Officer

165. 'There is a 'habitat area' shown on the landscape plan but other than this no ecological enhancements are detailed. Therefore, the following enhancements should also be included as part of the development: i) bird boxes; ii) bat boxes; and iii) access holes for hedgehogs'.

Annex 3 – Proposed Conditions

1. Development to be carried out in accordance with approved details, plans and drawings.
2. Development to commence within 3 years of the date of the permission.
3. Submission and approval of external building materials. Implementation of the approved details.
4. Submission and approval of an external lighting management scheme (to include hours of use and how the lights will be controlled). Implementation of the approved details.
5. Submission and approval of a Travel Plan. Implementation of approved details.
6. Submission and approval of the exact location of a bat box. Implementation of approved details.
7. Submission and approval of the location of integrated bird nesting bricks. Implementation of approved details.
8. Submission and approval of the location of access holes for hedgehogs. Implementation of approved details.
9. Submission and approval of a hard and soft landscaping scheme. Implementation of approved details.
10. Submission and approval of a feasibility report for the provision of onsite charge points for staff to utilise future potential of Electric Vehicles. If EV charge points are feasible, implementation to take place prior to the occupation of the building.
11. Submission and approval of methodology to ensure that the school building complies with Secured by Design Principles.
12. Submission and approval of intrusive investigation to establish presence of contamination. If contamination is found to be present, then a remediation strategy and/or monitoring shall be submitted for approval. Implementation of approved details.
13. Submission and approval of a community use scheme for the school hall.
14. Submission and approval of a surface water drainage scheme.

Annex 4 – 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 2017 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/ or the habitat on and around the proposed development site and/or 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.

The recommendation.

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

Annex 5 – Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible.

We work with applicants in a positive and creative 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 we updated the applicant and the agent on the issues that arose out of the consultation period and encouraged the applicant and agent to work with the third parties (such as Cherwell District Council and the Landscape Specialist) to overcome their concerns.

PLANNING & REGULATION COMMITTEE – 15 JULY 2019

Policy Annex (Relevant Development Plan and other Policies)

Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)

POLICY C1: SUSTAINABLE DEVELOPMENT

A positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework and the aim to improve economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the National Planning Policy Framework; or
- specific policies in the National Planning Policy Framework indicate that the development should be restricted.

POLICY C2: CLIMATE CHANGE

Proposals for minerals or waste development, including restoration proposals, should take account of climate change for the lifetime of the development from construction through operation and decommissioning. Applications for development should adopt a low carbon approach and measures should be considered to minimise greenhouse gas emissions and provide flexibility for future adaptation to the impacts of climate change.

POLICY C3: FLOODING

Minerals and waste development will, wherever possible, take place in areas with the lowest probability of flooding. Where development takes place in an area of identified flood risk this should only be where alternative locations in areas of lower flood risk have been explored and discounted (using the Sequential Test and Exceptions Test as necessary) and where a flood risk assessment is able to demonstrate that the risk of flooding is not increased from any source, including:

- an impediment to the flow of floodwater;
- the displacement of floodwater and increased risk of flooding elsewhere;
- a reduction in existing floodwater storage capacity;
- an adverse effect on the functioning of existing flood defence structures; and
- the discharge of water into a watercourse.

The opportunity should be taken to increase flood storage capacity in the flood plain where possible, particularly through the restoration of sand and gravel workings.

POLICY C4: WATER ENVIRONMENT

Proposals for minerals and waste development will need to demonstrate that there would be no unacceptable adverse impact on or risk to:

- The quantity or quality of surface or groundwater resources required for habitats, wildlife and human activities;
- The quantity or quality of water obtained through abstraction unless acceptable provision can be made;
- The flow of groundwater at or in the vicinity of the site; and
- Waterlogged archaeological remains.

Proposals for minerals and waste development should ensure that the River Thames and other watercourses and canals of significant landscape, nature conservation, or amenity value are adequately protected from unacceptable adverse impacts.

POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
 - human health and safety;
 - residential amenity and other sensitive receptors; and
 - the local economy;
- including from:
- noise;
 - dust;
 - visual intrusion;
 - light pollution;
 - traffic;
 - air quality;
 - odour;
 - vermin;
 - birds;
 - litter;
 - mud on the road;
 - vibration;
 - surface or ground contamination;
 - tip and quarry-slope stability;
 - differential settlement of quarry backfill;
 - subsidence; and
 - the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

POLICY C6: AGRICULTURAL LAND AND SOILS

Proposals for minerals and waste development shall demonstrate that they take into account the presence of any best and most versatile agricultural land.

Significant development leading to the permanent loss of best and most versatile agricultural land will only be permitted where it can be shown that there is a need for the development which cannot reasonably be met using lower grade land and where all options for reinstatement without loss of quality have been considered taking into account other relevant considerations.

Development proposals should make provision for the management and use of soils in order to maintain agricultural land quality (where appropriate) and soil quality, including making a positive contribution to the long-term conservation of soils in any restoration.

POLICY C7: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.

The highest level of protection will be given to sites and species of international nature conservation importance (e.g. Special Areas of Conservation and European Protected Species) and development that would be likely to adversely affect them will not be permitted.

In all other cases, development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity (or geodiversity). In addition:

- (i) Development that would be likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other development) will not be permitted except where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the Site of Special Scientific Interest and any broader impacts on the national network of Sites of Special Scientific Interest.
- (ii) Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees, will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.
- (iii) Development shall ensure that no significant harm would be caused to:
 - Local Nature Reserves;
 - Local Wildlife Sites;
 - Local Geology Sites;
 - Sites of Local Importance for Nature Conservation;
 - Protected, priority or notable species and habitats,
 except where the need for and benefits of the development in that location clearly outweigh the harm.

All proposals for mineral working and landfill shall demonstrate how the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity (including fossil remains and trace fossils), including contributing to the objectives of the Conservation Target Areas wherever possible. Satisfactory long-term management arrangements for restored sites shall be clearly set out and included in proposals. These should include a commitment to ecological monitoring and remediation (should habitat creation and/or mitigation prove unsuccessful).

POLICY C8: LANDSCAPE

Proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. Where significant adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements shall be made to offset the residual landscape and visual impacts.

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except in exceptional circumstances and where it can be demonstrated they are in the public interest, in accordance with the 'major developments test' in the NPPF (paragraph 116). Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

POLICY C9: HISTORIC ENVIRONMENT AND ARCHAEOLOGY

Proposals for minerals and waste development will not be permitted unless it is demonstrated, including where necessary through prior investigation, that they or associated activities will not have an unacceptable adverse impact on the historic environment.

Great weight will be given to the conservation of designated heritage assets: Blenheim Palace World Heritage Site; scheduled monuments; listed buildings; conservation areas; historic battlefields; registered parks and gardens; and non-designated archaeological assets which are demonstrably of equivalent significance to a scheduled monument; and the setting of those assets.

Where an application would affect a non-designated heritage asset, the benefits of the proposal will be balanced against the scale of harm to or loss of the heritage asset and its significance.

Where, following assessment of an application, the loss (wholly or in part) of a heritage asset is considered acceptable in principle, the applicant will be required to

record and advance understanding of that asset, proportionate to the nature and level of the asset's significance, and to publish their findings.

Proposals for mineral working and landfill shall wherever possible demonstrate how the development will make an appropriate contribution to the conservation and enhancement of the historic environment.

POLICY C10: TRANSPORT

Minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain and, if possible, lead to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network; and
- residential and environmental amenity, including air quality.

Where development leads to a need for improvement to the transport network to achieve this, developers will be expected to provide such improvement or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a)** mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b)** waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

Proposals for minerals and waste development that would generate significant amounts of traffic will be expected to be supported by a transport assessment or transport statement, as appropriate, including mitigation measures where applicable.

POLICY C11: RIGHTS OF WAY

The integrity and amenity value of the rights of way network shall be maintained and, if possible, it shall be retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. If permanent diversions are required, these should seek to enhance and improve the public rights of way network.

Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration and aftercare scheme.

POLICY C12: GREEN BELT

Proposals that constitute inappropriate development in the Green Belt, will not be permitted except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Conditions may be imposed on any permission granted to ensure that the development only serves to meet a need that comprises or forms an 'other consideration' in the Green Belt balance leading to the demonstration of very special circumstances.

POLICY M2: PROVISION FOR WORKING AGGREGATE MINERALS

Provision will be made through policies M3 and M4 to enable the supply of:

- sharp sand and gravel - 1.015 mtpa giving a total provision requirement of 18.270 million tonnes
- soft sand - 0.189 mtpa giving a total provision requirement of 3.402 million tonnes
- crushed rock - 0.584 mtpa giving a total provision requirement of 10.512 million tonnes from land-won sources within Oxfordshire for the period 2014 – 2031 inclusive.

Permission will be granted for aggregate mineral working under policy M5 to enable separate landbanks of reserves with planning permission to be maintained for the extraction of minerals of:

- at least 7 years for sharp sand and gravel;
 - at least 7 years for soft sand;
 - at least 10 years for crushed rock;
- in accordance with the annual requirement rates in the most recent Local Aggregate Assessment, taking into account the need to maintain sufficient productive capacity to enable these rates to be realised.

POLICY M3: PRINCIPAL LOCATIONS FOR WORKING AGGREGATE MINERALS

The principal locations for aggregate minerals extraction will be within the following strategic resource areas, as shown on the Policies Map:

Sharp sand and gravel

in northern Oxfordshire (Cherwell District and West Oxfordshire District):

- The Thames, Lower Windrush and Lower Evenlode Valleys area from Standlake to Yarnton;
- in southern Oxfordshire (South Oxfordshire District and Vale of White Horse District):

- The Thames and Lower Thame Valleys area from Oxford to Cholsey;
- The Thames Valley area from Caversham to Shiplake.

Soft sand

- The Corallian Ridge area from Oxford to Faringdon;
- The Duns Tew area.

Crushed rock

- The area north west of Bicester;
- The Burford area south of the A40;
- The area east and south east of Faringdon.

Specific sites (new quarry sites and/or extensions to existing quarries) for working aggregate minerals within these strategic resource areas will be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, in accordance with policy M4.

Specific sites for extensions to existing aggregate quarries (excluding ironstone) outside the strategic resource areas may also be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document provided they are in accordance with policy M4.

Sites allocated for sharp sand and gravel working (including both new quarry sites and extensions to existing quarries, including any extensions outside the strategic resource areas), to meet the requirement in policy M2 will be located such that approximately 25% of the additional tonnage requirement is in northern Oxfordshire and approximately 75% of the additional tonnage requirement is in southern Oxfordshire, to achieve an approximately equal split of production capacity for sharp sand and gravel between northern and southern Oxfordshire by 2031.

POLICY M5: WORKING OF AGGREGATE MINERALS

Prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2 and provided that the proposal is in accordance with the locational strategy in policy M3 and that the requirements of policies C1 – C12 are met.

Permission will be granted for the working of aggregate minerals within the sites allocated further to policy M4 provided that the requirements of policies C1 – C12 are met.

Permission will not be granted for the working of aggregate minerals outside the sites allocated further to policy M4 unless the requirement to maintain a steady and adequate supply of aggregate in accordance with policy M2 cannot be met from within those sites and provided that the proposal is in accordance with the locational strategy in policy M3 and the requirements of policies C1 – C12 are met.

Permission will exceptionally be granted for the working of aggregate minerals outside the sites allocated further to policy M4 where extraction of the mineral is

required prior to a planned development in order to prevent the mineral resource being sterilised, having due regard to policies C1 –C12.

Permission will exceptionally be granted for borrow pits to supply mineral to associated construction projects, having due regard to policies C1 – C12, provided that all of the following apply:

- the site lies on or in close proximity to the project area so that extracted mineral can be conveyed to its point of use with minimal use of public highways and without undue interference with footpaths and bridleways;
- the mineral extracted will only be used in connection with the project;
- it can be demonstrated that supply of the mineral from the borrow pit would have less environmental impact than if the mineral were supplied from an existing source;
- the borrow pit can be restored without the use of imported material, other than that generated by the project; and
- use of the borrow pit is limited to the life of the project.

Notwithstanding the preceding paragraphs, permission for working of ironstone for aggregate use will not be permitted except in exchange for an agreed revocation (or other appropriate mechanism to ensure the non-working) without compensation of an equivalent existing permission in Oxfordshire containing potentially workable resources of ironstone and where there would be an overall environmental benefit.

POLICY M9: SAFEGUARDING MINERAL INFRASTRUCTURE

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.

Safeguarded sites include the following rail depot sites which are safeguarded for the importation of aggregate into Oxfordshire:

- Hennef Way, Banbury (existing facility);
- Kidlington (existing facility);
- Appleford Sidings, Sutton Courtenay (existing facility); and
- Shipton-on-Cherwell Quarry (permitted facility);

as shown on the Policies Map; and

- any other aggregate rail depot sites which are permitted, as identified in the Annual Monitoring Report.

Other safeguarded sites will be defined in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document.

Proposals for development that would directly or indirectly prevent or prejudice the use of a site safeguarded for mineral infrastructure will not be permitted unless:

- the development is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan; or
- it can be demonstrated that the infrastructure is no longer needed; or
- the capacity of the infrastructure can be appropriately and sustainably provided elsewhere.

POLICY M10: RESTORATION OF MINERAL WORKINGS

Mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. The restoration and after-use of mineral workings must take into account:

- the characteristics of the site prior to mineral working;
- the character of the surrounding landscape and the enhancement of local landscape character;
- the amenity of local communities, including opportunities to enhance green infrastructure provision and provide for local amenity uses and recreation;
- the capacity of the local transport network;
- the quality of any agricultural land affected, including the restoration of best and most versatile agricultural land;
- the conservation of soil resources
- flood risk and opportunities for increased flood storage capacity;
- the impacts on flooding and water quality of any use of imported material in the proposed restoration;
- bird strike risk and aviation safety;
- any environmental enhancement objectives for the area;
- the conservation and enhancement of biodiversity appropriate to the local area, supporting the establishment of a coherent and resilient ecological network through the landscape-scale creation of priority habitat;
- the conservation and enhancement of geodiversity;
- the conservation and enhancement of the historic environment; and
- consultation with local communities on options for after-use.

Planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and after-use of the site, including where necessary the means of securing them in the longer term.

Proposals for restoration must not be likely to lead to any increase in recreational pressure on a Special Area of Conservation.

POLICY W1: OXFORDSHIRE WASTE TO BE MANAGED

Provision will be made for waste management facilities to provide capacity that allows Oxfordshire to be net self-sufficient in the management of its principal waste streams – municipal solid waste (or local authority collected waste), commercial and industrial waste, and construction, demolition and excavation waste – over the period to 2031.

The amounts of waste for which waste management capacity needs to be provided is as follows:

Forecasts of waste for which waste management capacity needs to be provided 2016 – 2031 (million tonnes per annum)

Waste Type	2016	2021	2026	2031
Municipal Solid Waste	0.32	0.34	0.36	0.38
Commercial and Industrial Waste	0.54	0.56	0.57	0.58

These forecasts will be kept under review and updated as necessary in the Oxfordshire Minerals and Waste Annual Monitoring Reports.

Provision for facilities for hazardous waste, agricultural waste, radioactive waste and waste water/sewage sludge will be in accordance with policies W7, W8, W9 and W10 respectively.

POLICY W2: OXFORDSHIRE WASTE MANAGEMENT TARGETS

Provision will be made for capacity to manage the principal waste streams in a way that provides for the maximum diversion of waste from landfill, in line with the following targets:

Oxfordshire waste management targets 2016 – 2031

		Year			
		2016	2021	2026	2031
MUNICIPAL WASTE	Composting & food waste treatment	29%	32%	35%	35%
	Non-hazardous waste recycling	33%	33%	35%	35%
	Non-hazardous residual waste treatment	30%	30%	25%	25%
	Landfill (these percentages are not targets but are included for completeness)	8%	5%	5%	5%
	Total	100%	100%	100%	100%
COM MERC IAL &	Composting & food waste treatment	5%	5%	5%	5%

	Non-hazardous waste recycling	55%	60%	65%	65%
	Non-hazardous residual waste treatment	15%	25%	25%	25%
	Landfill (these percentages are not targets but are included for completeness)	25%	10%	5%	5%
	Total	100%	100%	100%	100%
CONSTRUCTION, DEMOLITION & EXCAVATION WASTE	<i>Proportion of Projected Arisings taken to be Inert*</i>	80%	80%	80%	80%
	Inert waste recycling (as proportion of inert arisings)	55%	60%	65%	70%
	Permanent deposit of inert waste other than for disposal to landfill** (as proportion of inert arisings)	25%	25%	25%	25%
	Landfill (as proportion of inert arisings) (these percentages are not targets but are included for completeness)	20%	15%	10%	5%
	Total (inert arisings)	100%	100%	100%	100%
	<i>Proportion of Projected Arisings taken to be Non-Inert*</i>	20%	20%	20%	20%
	Composting (as proportion of	5%	5%	5%	5%

	non-inert arisings)				
	Non-hazardous waste recycling (as proportion of non-inert arisings)	55%	60%	65%	65%
	Non-hazardous residual waste treatment (as proportion of non-inert arisings)	15%	25%	25%	25%
	Landfill (as proportion of non-inert arisings) (these percentages are not targets but are included for completeness)	25%	10%	5%	5%
	Total (non-inert arisings)	100%	100%	100%	100%

** It is assumed that 20% of the CDE waste stream comprises non-inert materials (from breakdown in report by BPP Consulting on Construction, Demolition and Excavation Waste in Oxfordshire, February 2014, page 7). The subsequent targets are proportions of the inert or non-inert elements of the CDE waste stream.*

*** This includes the use of inert waste in backfilling of mineral workings & operational development such as noise bund construction and flood defence works.*

Proposals for the management of all types of waste should demonstrate that the waste cannot reasonably be managed through a process that is higher up the waste hierarchy than that proposed.

POLICY W6: LANDFILL AND OTHER PERMANENT DEPOSIT OF WASTE TO LAND

Non-hazardous waste

Provision for disposal of Oxfordshire's non-hazardous waste will be made at existing non-hazardous landfill facilities which will also provide for the disposal of waste from other areas (including London and Berkshire) as necessary. Further provision for the disposal of non-hazardous waste by means of landfill will not be made.

Permission may be granted to extend the life of existing non-hazardous landfill sites to allow for the continued disposal of residual non-hazardous waste to meet a recognised need and where this will allow for the satisfactory restoration of the landfill in accordance with a previously approved scheme.

Permission will be granted for facilities for the management of landfill gas and leachate where required to fulfil a regulatory requirement or to achieve overall environmental benefit, including facilities for the recovery of energy from landfill gas. Provision should be made for the removal of the facilities and restoration of the site at the end of the period of management.

Inert waste

Provision for the permanent deposit to land or disposal to landfill of inert waste which cannot be recycled will be made at existing facilities and in sites that will be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. Provision will be made for sites with capacity sufficient for Oxfordshire to be net-self-sufficient in the management of inert waste.

Priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. Permission will not otherwise be granted for development that involves the permanent deposit or disposal of inert waste on land unless there would be overall environmental benefit.

General

Proposals for landfill sites shall meet the requirements of policies C1 – C12.

Landfill sites shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings.

Oxfordshire Minerals & Waste Local Plan 1996 (saved policies)

There are no relevant saved policies.

Saved Policies of the Vale of White Horse Local Plan 2011 (VLP2011)

POLICY DC9: IMPACT OF DEVELOPMENT ON NEIGHBOURING USES

Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, gases or other emissions;
- v) pollution, contamination or the use of or storage of hazardous substances; and
- vi) external lighting.

POLICY DC12: WATER QUALITY AND RESOURCES

Development will not be permitted if it would adversely affect the quality of water resources, including groundwater, rivers and lakes, as a result of abstraction, or the

nature of related surface or waste water discharge, or the disturbance of contaminated land.

POLICY L10: SAFEGUARDING AND IMPROVING PUBLIC RIGHTS OF WAY

Development over public rights of way will not be permitted unless alternative provision can be made that is equally or more attractive, safe and convenient to rights of way users.

POLICY HE1: DEVELOPMENT AFFECTING THE SETTING OF CONSERVATION AREAS

Proposals for development or other works within or affecting the setting of a conservation area will not be permitted unless they can be shown to preserve or enhance the established character or appearance of the area. Development will only be permitted:

- i) on areas such as paddocks, greens, gapes between buildings, gardens and other open spaces where it can be shown that these areas do not make a positive contribution to:
 - a) the conservation area's special interest including its relationship with its landscape setting, or
 - b) views within, into, or out from the conservation area which would be lost or damaged were the development to be permitted.
- ii) where it respects its context through appropriate siting, scale, height, form and massing, design detailing and the choice and quality of materials and finishes and has regard to the desirability of:
 - a) preserving those features important to the special interest and character of the conservation area; and
 - b) removing or improving features in the conservation area which detract from its special interest and character; and
- iii) if levels of traffic, parking, noise or other environmental effects generated by the development are compatible with the preservation or enhancement of the established character or appearance of the conservation area.

POLICY HE4: DEVELOPMENT WITHIN THE SETTING OF LISTED BUILDING

Planning permission, for development within the setting of listed buildings will not be granted unless it can be shown that the siting, scale, design, form, finishes (including colour) and materials of the proposal respect the characteristics of the building in its setting, including any visual, functional, historic or architectural relationships it has.

POLICY HE9: ARCHAEOLOGICAL EVALUATION

Where there are reasonable grounds for believing that important archaeological remains may be disturbed or otherwise adversely affected by a development

proposal the applicant will be required to carry out an archaeological field evaluation of the site and its setting before the planning application is determined.

POLICY NE9: THE LOWLAND VALE

Development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on the long open views within or across the area.

Vale of White Horse Local Plan 2031 Part 1: Strategic Sites and Policies (VLP1)

CORE POLICY 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with this Local Plan (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, and unless:

- i. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
- ii. specific policies in that Framework indicate that development should be restricted.

CORE POLICY 35: PROMOTING PUBLIC TRANSPORT, WALKING AND CYCLING

The Council will work with Oxfordshire County Council and others to:

- i. encourage the use of sustainable modes of transport and support measures that enable a modal shift to public transport, cycling and walking in the district
- ii. ensure new development is located close to, or along, existing strategic public transport corridors, where bus services can then be strengthened in response to increases in demand for travel
- iii. ensure that new development is designed to encourage walking as the preferred means of transport, not only within the development, but also to nearby facilities and transport hubs
- iv. ensure that new development encourages and enables cycling not only through the internal design of the site, but also through the provision of cycle friendly infrastructure to link the new residents with nearby services, employment areas, educational facilities and public transport hubs where interchange can be provided for longer distance travel
- v. seek to support the provision of new cycling routes where the proposals are consistent with the other policies of this plan

- vi. ensure proposals for major development* are supported by a Transport Assessment and Travel Plan, in accordance with Oxfordshire County Council guidance**, and
- vii. ensure adequate parking is delivered on new developments in accordance with Oxfordshire County Council's published standards***.

*as defined by Development Management Procedure Order 2010

**Transport for new developments (Oxfordshire County Council)

***Parking standards for new developments (Oxfordshire County Council)

CORE POLICY 39: THE HISTORIC ENVIRONMENT

The Council will work with landowners, developers, the community, Historic England and other stakeholders to:

- i. ensure that new development conserves, and where possible enhances, designated heritage assets and non-designated heritage assets and their setting in accordance with national guidance and legislation*
- ii. ensure that vacant historic buildings are appropriately re-used as soon as possible to prevent deterioration of condition
- iii. seek to reduce the number of buildings on the "Heritage at Risk" Register
- iv. encourage better understanding of the significance of scheduled monuments on the "Heritage at Risk" Register and to aid in their protection
- v. better understand the significance of Conservation Areas in the district through producing Conservation Area Character Appraisals and Management Plans
- vi. identify criteria for assessing non designated heritage assets and maintaining a list of such assets as Locally Listed Buildings, and
- vii. encourage Heritage Partnership Agreements, particularly for Listed Buildings on any 'at risk' register.

*Planning (Listed Buildings and Conservation Areas) Act 1990

CORE POLICY 42: FLOOD RISK

The risk and impact of flooding will be minimised through:

- i. directing new development to areas with the lowest probability of flooding
- ii. ensuring that all new development addresses the effective management of all sources of flood risk
- iii. ensuring that development does not increase the risk of flooding elsewhere, and
- iv. ensuring wider environmental benefits of development in relation to flood risk.

The suitability of development proposed in flood zones will be strictly assessed using the Sequential Test, and, where necessary, the Exceptions Test. A sequential approach should be used at site level.

A site-specific flood risk assessment will be required for all developments of 1 hectare and greater in Flood Zone 1 and, for all proposals for new development, including minor development and change of use in Flood Zone 2 and 3 and, in Critical Drainage Areas and also where proposed development or a change of use to

a more vulnerable class that may be subject to other forms of flooding. Appropriate mitigation and management measures will be required to be implemented.

All development proposals must be assessed against the Vale of White Horse and South Oxfordshire Strategic Flood Risk Assessment and the Oxfordshire Local Flood Risk Management Strategy to address locally significant flooding. Appropriate mitigation and management measures must be implemented.

All development will be required to provide a drainage strategy. Developments will be expected to incorporate sustainable drainage systems and ensure that run-off rates are attenuated to greenfield run-off rates. Higher rates would need to be justified and the risks quantified. Developers should strive to reduce run-off rates for existing developed sites.

Sustainable drainage systems should seek to enhance water quality and biodiversity in line with the Water Framework Directive (WFD).

CORE POLICY 44: LANDSCAPE

The key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced, in particular:

- i. features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies
- ii. important landscape settings of settlements
- iii. topographical features
- iv. areas or features of cultural and historic value
- v. important views and visually sensitive skylines, and
- vi. tranquillity and the need to protect against intrusion from light pollution, noise, and motion.

Where development is acceptable in principle, measures will be sought to integrate it into the landscape character and/or the townscape of the area. Proposals will need to demonstrate how they have responded to the above aspects of landscape character and will be expected to:

- vii. incorporate appropriate landscape proposals that reflect the character of the area through appropriate design and management
- viii. preserve and promote local distinctiveness and diversity and, where practical, enhance damaged landscape areas.

High priority will be given to conservation and enhancement of the natural beauty of the North Wessex Downs AONB and planning decisions will have regard to its setting. Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes, will be encouraged, provided they do not conflict with the aims of conservation and enhancement.

CORE POLICY 45: GREEN INFRASTRUCTURE

A net gain in Green Infrastructure, including biodiversity, will be sought either through on-site provision or off-site contributions and the targeted use of other funding sources. A net loss of Green Infrastructure, including biodiversity, through development proposals, will be resisted.

Proposals for new development must provide adequate Green Infrastructure in line with the Green Infrastructure Strategy. All major applications must be accompanied by a statement demonstrating that they have taken into account the relationship of the proposed development to existing Green Infrastructure and how this will be retained and enhanced. Proposals will be required to contribute to the delivery of new Green Infrastructure and/or the improvement of existing assets including Conservation Target Areas in accordance with the standards in the Green Infrastructure Strategy and the Habitats Regulations Assessment.

CORE POLICY 46: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Development that will conserve, restore and enhance biodiversity in the district will be permitted. Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be actively sought, with a primary focus on delivery in the Conservation Area Target Areas. A net loss of biodiversity will be avoided.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species). Development that is likely to result in a significant effect, either alone or in combination, on such sites and species will need to satisfy the requirements of the Habitat Regulations*.

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:

- i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;
- ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and
- iii. measures can be provided (and are secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for, the adverse effects likely to result from development.

The habitats and species of importance to biodiversity and sites of geological interest considered in relation to points i) and iii) comprise:

- Sites of Special Scientific Interest (SSSI)
- Local Wildlife Sites
- Local Nature Reserves
- Priority Habitats and species listed in the national and local Biodiversity Action Plan
- Ancient Woodland and veteran trees
- Legally Protected Species

- Local Important Geological Sites

The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

It is recognised that habitats/areas not considered above (*i.e. Nationally or Locally designated and not priority habitats*) can still have a significant biodiversity value within their local context, particularly where they are situated within a Conservation Target Area and/or they have good potential to be restored to priority habitat status or form/have good potential to form links between priority habitats or act as corridors for priority species. These habitats will be given due weight in the consideration or planning applications. If significant harm to these sites cannot be avoided (through locating on an alternative site with less harmful impacts) it will be expected that mitigation will be provided to avoid a net loss in biodiversity or, as a last resort, compensation will be required to offset the impacts and achieve a net gain in biodiversity.

*Habitats Directive 92/43/EEC of 21 May 1992.

The Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites (VLP2)

DEVELOPMENT POLICY 16: ACCESS

All proposals for new development will be required to be of high quality design in accordance with Core Policy 37: Design and Local Distinctiveness. In addition to those criteria set out in Core Policy 37 and other relevant Local Plan policies, proposals for development will also need to provide evidence to demonstrate that:

- i. adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning, and
- ii. acceptable off-site improvements to the highway infrastructure (including traffic management measures), cycleways, public rights of way and the public transport network can be secured where these are not adequate to service the development.

DEVELOPMENT POLICY 23: IMPACT OF DEVELOPMENT ON AMENITY

Development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts in relation to the following factors:

- i. loss of privacy, daylight or sunlight
- ii. dominance or visual intrusion
- iii. noise or vibration
- iv. dust, heat, odour, gases or other emissions
- v. pollution, contamination or the use of/or storage of hazardous substances; and
- vi. external lighting.

DEVELOPMENT POLICY 25: NOISE POLLUTION

Noise-Generating Development

Noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take account of:

- i. the location, design and layout of the proposed development
- ii. existing levels of background noise
- iii. measures to reduce or contain generated noise, and
- iv. hours of operation and servicing.

Development will be permitted if mitigation cannot be provided within an appropriate design or standard^a.

Noise-Sensitive Development

Noise-sensitive development in locations likely to be affected by existing sources of noise^b will be expected to provide an appropriate scheme of mitigation to ensure appropriate standards of amenity are achieved for future occupiers of the proposed development, taking account of:

- i. the location, design and layout of the proposed development
- ii. measures to reduce noise within the development to acceptable levels, including external areas, and
- iii. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.

In areas of existing noise, proposals for noise-sensitive development should be accompanied by an assessment of environmental noise and an appropriate scheme of mitigation measures.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design.

^aCurrently set out in British Standards 4142:2014 and 8233:2014. The Council is currently developing guidance relating to noise mitigation.

^bBusy roads, railway lines, aerodromes, industrial/commercial developments, waste, recycling and energy plant, and sporting, recreation and leisure facilities.
Development Policy 24: Noise Pollution.

DEVELOPMENT POLICY 26: AIR QUALITY

Development proposals that are likely to have an impact on local air quality, including those in, or within relative proximity to, existing or potential Air Quality Management Areas (AQMAs) will need to demonstrate measures/mitigation that are incorporated into the design to minimise any impacts associated with air quality.

Where sensitive development is proposed in areas of existing poor air quality and/or where significant development is proposed, an air quality assessment will be required.

The Council will require applicants to demonstrate that the development will minimise the impact on air quality, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient through appropriate mitigation in accordance with current guidance.

Mitigation measures will need to demonstrate how the proposal would make a positive contribution towards the aims of the Council's Air Quality Action Plan.

Mitigation measures will be secured either through a negotiation on a scheme, or via the use of a planning condition and/or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.

DEVELOPMENT POLICY 30: WATERCOURSES

Development of land that contains or is adjacent to a watercourse will only be permitted where it would not have a detrimental impact on the function or setting of the watercourse or its biodiversity, or the detrimental impact can be appropriately mitigated.

Plans for development adjacent to or encompassing a watercourse should include a minimum 10 m buffer zone along both sides of the watercourse to create a corridor of land and water favourable to the enhancement of biodiversity.

Proposals which involve culverting a watercourse are unlikely to be considered acceptable.

Development which is located within 20 m of a watercourse will require a construction management plan to be agreed with the Council before commencement of work to ensure that the watercourse will be satisfactorily protected from damage, disturbance or pollution.

DEVELOPMENT POLICY 36: HERITAGE ASSETS

Proposals for new development that may affect heritage assets (designated and non-designated) must demonstrate that they conserve and enhance the special interest or significance of the heritage asset and its setting in accordance with Core Policy 39 (Local Plan 2031: Part 1), and particularly where they:

- i. make a positive contribution to local character and distinctiveness and/or
- ii. make a positive contribution towards wider social and economic benefits and/or
- iii. provide a viable future use for a heritage asset that is consistent with the conservation of its significance, and/or
- iv. protect a heritage asset that is currently at risk.

DEVELOPMENT POLICY 37: CONSERVATION AREAS

Proposals for development within or affecting the setting of a Conservation Area must demonstrate that it will conserve or enhance its special interest, character, setting and appearance. Development will be expected to:

- i. demonstrate that it contributes to the conservation areas special interest and its relationship within its setting
- ii. take into account important views within, into or out of the conservation area and show that these would be retained and unharmed
- iii. respect the local character and distinctiveness of the conservation area in terms of the developments: siting; size; scale; height; alignment; materials and finishes (including colour and texture); proportions; design; and form, in accordance with the Design Guide Supplementary Planning Document and any relevant Conservation Area Character Appraisal
- iv. be sympathetic to the original curtilage of the dwelling and pattern of development that forms part of the historic interest of the conservation area
- v. be sympathetic to important spaces such as paddocks, greens, gardens and other gaps or spaces between buildings which make a positive contribution to the pattern of development in the conservation area
- vi. ensure the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the conservation area, and
- vii. ensure no loss of or harm to any building or features that makes a positive contribution to the special interest, character or appearance of the conservation area unless the development would make an equal or greater contribution in terms of public benefit.

Wherever possible the sympathetic conservation or restoration and re-use of structure which make a positive contribution to the special interest, character or appearance of the Conservation Area, will be encouraged to prevent harm through the cumulative loss of features that are an asset to the Conservation Area.

DEVELOPMENT POLICY 38: LISTED BUILDINGS

Proposals for additions or alterations to, or the demolition of, a Listed Building (including partial demolition), or for development within the curtilage of, or affecting the setting of, a Listed Building must demonstrate that it will:

- i. conserve or enhance their heritage significance and setting
- ii. respect any features of special architectural or historic interest, including where relevant, the historic curtilage or context, such as burgage plots, or its value within a ground and/or its setting, such as the importance of a street frontage or traditional shopfronts, and
- iii. be sympathetic to the Listed Building and its setting in terms of its siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form, in order to retain the special interest that justifies its designation through appropriate design, in accordance with Core Policy 37 and the Design Guide Supplementary Planning Document.

Proposals for the change of use of a Listed Building or building within its curtilage will be viewed favourably where it can be demonstrated that the new use can be accommodated without any adverse effect on the special architectural or historic interest of the building and its appearance or character.

DEVELOPMENT POLICY 39: ARCHAEOLOGY AND SCHEDULED MONUMENTS

Development will be permitted where it can be shown that it would not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.

When researching the development potential of a site, applicants will be expected to undertake an assessment of appropriate detail to determine whether the site is known or is likely to contain archaeological remains, and demonstrate how the development proposals have had regard to any such remains.

Where the assessment indicates known archaeological remains on site, and development could disturb or adversely affect important archaeological remains and/or their setting, applicants will be expected to:

- i. submit an appropriate archaeological desk-based assessment, or
- ii. undertake a field evaluation (conducted by a suitably qualified, archaeological organisation) where necessary.

Nationally important archaeological remains (whether scheduled or demonstrably of equivalent significance) should be preserved in situ. Development proposals that would lead to harm or total loss of significance of such remains will only be permitted in exceptional circumstances where:

- iii. it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or
- iv. all of the circumstances of paragraph 133 of the NPPF apply.

For other archaeological remains, the effect of a development proposal on the significance of the remains, either directly or indirectly, will be taken into account in determining the application. As such assets are also irreplaceable, the presumption will be in favour of the avoidance of harm. The scale of the harm or loss will be weighed against this presumption and the significance of the heritage asset.

In exceptional cases, where harm to or loss of significance to the asset is considered to be justified, the harm should be minimised and mitigated by a programme of archaeological investigation, including excavation, recording and analysis. Planning permission will not be granted until this programme has been submitted to, and approved by, the local planning authority, and development should not commence until these works have been satisfactorily undertaken by an appropriately qualified organisation. The results and analysis of findings subsequent to the investigation should be published and made available to the relevant local and county authorities.

Cherwell Local Plan 1996 (CLP 1996) (saved policies)

POLICY C28: LAYOUT, DESIGN AND APPEARANCE OF NEW DEVELOPMENT

Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as Conservation Areas, the Area of Outstanding Natural Beauty and Areas of High Landscape Value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

POLICY C31: COMPATIBILITY OF PROPOSALS IN RESIDENTIAL AREAS

In existing and proposed residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted.

POLICY ENV1: POLLUTION CONTROL

Development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

POLICY TR7: DEVELOPMENT ATTRACTING TRAFFIC ON MINOR ROADS

Development that would regularly attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted.

POLICY TR10 – HEAVY GOODS VEHICLES

Development that would generate frequent heavy-goods vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted. The council will resist proposals for the establishment of heavy-goods-vehicle operating centres where they would create traffic problems or adversely affect the amenity of residential areas or villages.

Adopted Cherwell Local Plan 2011-2031 (Part 1) (CLP2031)

POLICY BSC 7: MEETING EDUCATION NEEDS

The Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New schools buildings should be located in sustainable locations. The co-location of other services and facilities with schools should be considered to create community hubs.

POLICY BSC 12: INDOOR SPORT, RECREATION AND COMMUNITY FACILITIES

The Council will encourage the provision of community facilities to enhance the sustainability of communities, and encourage partnership working to ensure that built sports provision is maintained in accordance with local standards of provision by the following means:

- Protecting and enhancing the quality of existing facilities
- Improving access to existing facilities
- Ensuring that development proposals contribute towards the provision of new or improved facilities where the development would generate a need for sport, recreation and community facilities which cannot be met by existing provision.

POLICY ESD 10: PROTECTION AND ENHANCEMENT OF BIODIVERSITY AND THE NATURAL ENVIRONMENT

Protection and enhancement of biodiversity and the natural environment will be achieved by the following:

- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources
- The protection of trees will be encouraged, with an aim to increase the number of trees in the district
- The reuse of soils will be sought
- If significant harm resulting from a development cannot be avoided (though locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted
- Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated
- Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity

- Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value
- Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution
- Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably
- A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management

POLICY ESD 13: LOCAL LANDSCAPE PROTECTION AND ENHANCEMENT

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

POLICY ESD 15: THE CHARACTER OF THE BUILT AND HISTORIC ENVIRONMENT

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their settings
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognizable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation

- Consider sustainable design and layout at the master planning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD1-5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

POLICY PSD 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

POLICY SLE 4: IMPROVED TRANSPORT AND CONNECTIONS

The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

We will support key transport proposals including:

- Transport Improvements at Banbury, Bicester and the Former RAF Upper Heyford in accordance with the County Council's Local Transport Plan and Movement Strategies
- Projects associated with East-West rail including new stations at Bicester Town and Water Eaton
- Rail freight associated development at Graven Hill, Bicester
- Improvements to M40 junctions

Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

POLICY SLE5: HIGH SPEED RAIL 2 – LONDON TO BIRMINGHAM

The design and construction of the High Speed 2 Rail Link must minimise adverse impacts on the environment, the local economy and local communities and maximise any benefits that arise from the proposal.

The implementation of HS2 will also be expected to:

- Deliver high quality design to protect communities and the environment from noise and visual intrusion

- Manage the construction to minimise the impact on communities and the environment
- Adopt sustainable procurement and construction methods
- Minimise adverse social and economic impacts, by maintaining accessibility and avoiding the severance of communities and agricultural holdings
- Ensure that community and other benefits are fully realised.

HS2 is a national infrastructure project. The line of the railway and associated works will be established and authorised by the way of primary legislation, requiring a Hybrid Bill to be introduced to Parliament, which, if passed, will become an Act of Parliament. Cherwell District Council will work with High Speed 2 Ltd, with the aim of influencing the design and construction of the route through Oxfordshire.

Recognising that the decision to authorise the railway and associated works will sit with Parliament, the Council's involvement will be focused on seeking the best outcome for the environment, local communities and businesses affected by the proposed railway scheme.

The Council will work with HS2 Ltd to:

- Develop a route-wide planning regime to be included within the Hybrid Bill, which supports the Council's aspirations for a well designed, sustainably constructed railway.
- Support work necessary to ensure a robust Environmental Impact Assessment is carried out to determine significant environmental effects of the railway in Cherwell District.
- Support the development and implementation of a Code of Construction Practice to address the construction impacts of the scheme.
- Achieve its sustainability objectives.

POLICY BANBURY 2: HARDWICK FARM, SOUTHAM ROAD (EAST AND WEST)

Development Area: 32 hectares

Development Description: The Development Area east and west of the Southam Road is located in a sustainable location, close to existing employment uses and north of Banbury town centre. Residential development (of approximately 600 dwellings) will be permitted provided it can be demonstrated that high quality design has been applied to address the potential landscape/visual impact issues and that careful consideration has been given to minimise the impact on historic assets/potential archaeological sensitivity of the sites. A masterplan for the whole development area (east and west) should be submitted which demonstrates that proposals meet with the design and place shaping principles set out below; the masterplan should also demonstrate the successful integration of the development area with the rest of the town as well as an integrated approach between the areas east and west.

Housing

- Number of homes: approximately 600 including no more than 90 homes to the western side of Southam Road

- Dwelling mix: A variety of dwelling types (see Policy BSC 4: Housing Mix)
- Affordable Housing – 30%
- The provision of extra care housing and opportunity for community self-building affordable housing.

Infrastructure Needs

- Education – primary school required on site, location to be negotiated, with contributions towards secondary school provision
- Health – no requirements anticipated
- Open Space – to include general greenspace, play space, allotments and onsite or offsite outdoor sports provision as outlined in Policy BSC 11: Local Standards of provision – Outdoor Recreation
- Community facilities – ideally an onsite community facility to include a community hall and with potential for a local shop. Off site contributions towards community hall at Hanwell Fields may also be required in addition. However the precise nature of the provision remains to be negotiated
- Utilities – off site improvements to utilities network may be required.

Key site specific design and place shaping principles

- Proposals should comply with Policy ESD 15
- A high quality residential District for the north of Banbury that is designed in configuration with the landscape setting and well integrated with the adjacent commercial and residential uses
- A well considered approach to mitigating the landscape sensitivities through good design, including consideration of lower density building typologies, building height and form
- Development that respects the landscape setting with particular attention to the west of Southam Road where the visual sensitivity is considered to be greater. Careful consideration should be given to address the topographical changes on the site to ensure minimal visual impact
- The landscape sensitivity needs to be fully understood and should include a full landscape and visual impact assessment which establishes the zones of visual impact and the development envelope
- A lower housing density is anticipated on parts of the site due to landscape constraints
- Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features (e.g. green buffer along the watercourse) to enhance, restore or create wildlife corridors and therefore preserve, enhance and increase biodiversity in the area
- A great crested newt survey will be required
- An archaeological survey will be required due to close proximity to heritage assets. Development should respect and have minimal impact on the historic environment, including listed buildings (Hardwick House) and area of archaeological potential north of Noral Way (Hardwick Deserted Medieval Village)
- Layout of development that enables a high degree of integration and connectivity between new and existing communities

- New footpaths and cycleways should be provided that link to existing networks, the wider urban area and community facilities, with a legible hierarchy of routes to encourage sustainable modes of travel
- Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops including the provision of a bus route through the site with buses stopping at the railway station and at new bus stops on the site
- A transport assessment and Travel Plan to accompany development proposals
- Consideration needs to be given to the traffic calming of Southam Road, including safe pedestrian crossing points and provision for walkers and cyclists to ensure ease of movement between the two sites
- Development that considers and addresses any potential amenity issues which may arise – including noise impact from the M40 (forming the north-east boundary), and any issues arising from the crematorium (to the north). The introduction of buffers/barriers/screening and the location of uses should be carefully considered to mitigate potential nuisances
- Public open space to form a well-connected network of green areas within the site suitable for formal and informal recreation, with the opportunity to connect to the Cherwell Country Park (Policy Banbury 14: Cherwell Country Park)
- Provision of Green Infrastructure links beyond the development site to the wider town and open countryside
- The provision of public art to enhance the quality of the place, legibility and identity
- A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside
- The incorporation of SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the Council's Strategic Flood Risk Assessment. The Council's Level 2 SFRA recommends for the east of Southam Road; combined infiltration and attenuation techniques are likely to be suitable in the north western corner, central and eastern areas, an attenuation SuDS techniques for the western, north eastern, south western, and south eastern areas. To the west of Southam Road, the Level 2 SFRA recommends combined infiltration and attenuation techniques are suitable for the north eastern corner, with the rest of the area incorporating attenuation SuDS techniques
- The Council's Level 2 SFRA asks for the adoption of a surface management framework as part of the masterplan to reduce surface water runoff
- The requirements in the level 2 SFRA need to be considered including the provision of dry access and egress and taking into account the Council's Emergency Plan
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies EDS 1-5
- A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.

South Oxfordshire Local Plan 2011 (Saved Policies)

POLICY G2: PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT

The district's countryside, settlements and environmental resources will be protected from adverse developments.

POLICY G4: DEVELOPMENT IN THE COUNTRYSIDE AND ON THE EDGE OF SETTLEMENTS

The need to protect the countryside for its own sake is an important consideration when assessing proposals for development.

POLICY C3: THE RIVER THAMES AND ITS VALLEY

The distinctive character of the River Thames and its valley and the settlements on its banks will be maintained and, where appropriate, enhanced. Proposals for any form of development which detracts from its special character will not be permitted

POLICY C4: THE LANDSCAPE SETTING OF SETTLEMENTS

Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered.

POLICY C6: BIODIVERSITY CONSERVATION

In considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought. Full account of the effects of development on wildlife will be taken. Where there is any significant loss in biodiversity as part of a proposed development, the creation and maintenance of new landscape features, habitat links and wildlife corridors of appropriate scale and kind will be required to ensure there is no net loss in biodiversity resources.

POLICY C9: LANDSCAPE FEATURES

Any development that would cause the loss of landscape features will not be permitted where those features make an important contribution to the local scene, and/or provide all or part of an important wildlife habitat and/or have important historical value. Where features are retained within the development site, conditions will be used to ensure that they are protected during development and have sufficient space to ensure their survival after development.

POLICY GB4: VISUAL AMENITY IN THE GREEN BELT

Where new development is permitted, either within or where it would be conspicuous from the Green Belt, it should be designed and sited in such a way that its impact on the open nature, rural character and visual amenity of the Green Belt is minimised.

POLICY CON5: THE SETTING OF LISTED BUILDINGS

Proposals for development which would adversely affect the setting of a listed building will be refused.

POLICY CON7: PROPOSALS AFFECTING A CONSERVATION AREA

Planning permission will not be granted for development which would harm the character or appearance of a conservation area.

The following will be required when considering proposals for development in conservation areas:

- (i) the design and scale of new work to be in sympathy with the established character of the area; and
- (ii) the use of traditional materials, whenever this is appropriate to the character of the area.

The contribution made to a conservation area by existing walls, buildings, trees, hedges, open spaces and important views will be taken into account. Proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted.

POLICY CON11: ARCHAEOLOGY AND HISTORIC BUILDING ANALYSIS AND RECORDING

There will be a presumption in favour of physically preserving nationally important archaeological remains, whether scheduled or not, and their settings.

POLICY CON12: ARCHAEOLOGY AND HISTORIC BUILDING ANALYSIS AND RECORDING

Before the determination of an application for development which may affect a site of archaeological interest or potentially of archaeological importance, prospective developers will be required, where necessary, to make provision for an archaeological field evaluation, in order to enable an informed and reasoned planning decision to be made.

POLICY CON13: ARCHAEOLOGY AND HISTORIC BUILDING ANALYSIS AND RECORDING

Wherever practicable and desirable, developments affecting sites of archaeological interest should be designed to achieve physical preservation in situ of archaeological deposits. Where this is not practicable or desirable, conditions will be imposed on planning permissions, or planning obligations sought, which will require the developer to provide an appropriate programme of archaeological investigation, recording and publication by a professionally-qualified body.

POLICY EP1: PREVENTION OF POLLUTING EMISSIONS

Proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented. In addition, development will not be permitted near to an existing or proposed polluting use, unless effective mitigation measures will be implemented to ensure that there would be no adverse effect on the health and amenity of future occupiers.

POLICY EP2: NOISE AND VIBRATIONS

Proposals which would by reason of noise or vibrations have an adverse effect on existing or proposed occupiers will not be permitted, unless effective mitigation measures will be implemented. In addition, noise sensitive development will not be permitted close to existing or proposed sources of significant noise or vibrations.

POLICY EP3: LIGHT POLLUTION

Proposals for new floodlighting and other external lighting that would have an adverse effect on neighbouring residents, the rural character of the countryside or biodiversity will not be permitted, unless effective mitigation measures will be implemented.

POLICY EP6: SURFACE WATER PROTECTION

Developers will be required, wherever practicable, to demonstrate that the surface water management system on any development accords with sustainable drainage principles and has been designed as an integral part of the development layout. The system should effectively mitigate any adverse effects from surface water un-off and flooding on people, property and the ecological value of the local environment.

POLICY EP7: GROUNDWATER PROTECTION

Development that may have an adverse effect upon groundwater resources will not be permitted unless effective preventative measures are taken to ensure that the quality and quantity of these resources are maintained.

POLICY R8: PUBLIC RIGHTS-OF-WAY

The retention and protection of the existing public rights-of-way network will be sought and where appropriate proposals to improve it will be supported.

POLICY T1: TRANSPORT REQUIREMENTS FOR NEW DEVELOPMENTS

Proposals for all types of development will, where appropriate:

- (i) provide for a safe and convenient access to the highway network;
- (ii) provide safe and convenient routes for cyclists and pedestrians;

- (iii) be accessible by public transport and have a safe walking route to nearby bus stops or new bus stops and appropriate infrastructure should be provided;
- (iv) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;
- (v) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, be constructed to adoptable standards and be completed as soon as they are required to serve the development; and
- (vi) make adequate provision for those whose mobility is impaired.

POLICY T2: TRANSPORT REQUIREMENTS FOR NEW DEVELOPMENTS

Proposals for development will, where appropriate, make provision for:

- (i) loading, unloading, circulation and turning space;
- (ii) parking for people with disabilities;
- (iii) the parking of vehicles in accordance with the Council's maximum parking standards;
- (iv) measures to reduce the need for vehicle parking where appropriate; and
- (v) cycle parking in accordance with the Council's standards.

POLICY T10: LORRIES AND FREIGHT DISTRIBUTION DEPOTS

Development which would significantly increase the number of lorries on unsuitable roads or where there would be serious and adverse effects on the environmental quality of the rural areas, towns and villages within the district will not be permitted.

South Oxfordshire Core Strategy

POLICY CS1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications which accord with the policies in the Development Plan (including, where relevant, Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Planning permission will also be granted where relevant policies in the Development Plan are out of date or silent unless:

- Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in the Framework or other material considerations indicate that development should be restricted.

POLICY CSM1: TRANSPORT

The Council will work with Oxfordshire County Council and others to:

- (i) in partnership with the Vale of White Horse District Council, actively seek to deliver the transport infrastructure and measures which improve movement in

Didcot and within the Didcot/Wantage and Grove corridor, in particular linking Didcot with the major employment sites at Harwell and Milton Park as identified in the County Council's LTP3 SVUK area Strategy and Southern Central Oxfordshire Transport Study;

- (ii) actively seek to ensure that the impact of new development on the strategic and local road network, in particular the Milton, Chilton and Marcham junctions of the A34 and the road links and junctions identified in the Council's Evaluation of Transport Impact and County Council's Southern Central Oxfordshire Transport Study is adequately mitigated (see Policy CSM2);
- (iii) support improvements for accessing Oxford;
- (iv) work with the authorities affected by cross Thames travel in the Reading area to ensure that traffic and environmental conditions in South Oxfordshire are improved by the implementation of measures which also improve access to Reading;
- (v) support measures which enable modal shift to public transport, cycling and walking particularly where these support the network of settlements in the district;
- (vi) promote and support traffic management measures and environmental improvements which increase safety, improve air quality, encourage the use of sustainable modes of transport and/or make our towns and villages more attractive;
- (vii) adopt a comprehensive approach to car parking aimed at improving the attraction of our town and village centres;
- (viii) encourage the use of sustainable modes of transport;
- (ix) promote electronic communications allowing businesses to operate throughout the district and to provide services and information which reduce the need to travel and encourage sustainable modes of transport; and
- (x) cater for the needs of all users.

POLICY CSM2: TRANSPORT ASSESSMENTS AND TRAVEL PLANS

Proposals for new developments which have transport implications that either arise from the development proposed or cumulatively with other proposals will need to submit a transport assessment. Appropriate provision for works and/or contributions will be required towards providing an adequate level of accessibility by all modes of transport and mitigating the impacts on the transport network.

The assessment should (notwithstanding OCC requirements):

- (i) illustrate accessibility to the site by all modes of transport;
- (ii) show the likely modal split of journeys to and from the site;
- (iii) detail the proposed measures to improve access by public transport, cycling and walking to reduce the need for parking and reduce transport impacts;
- (iv) illustrate the impact on the highway network and the impact of proposed mitigation measures where necessary; and
- (v) include a travel plan where appropriate.

Travel plans will be required, implemented and monitored (notwithstanding OCC requirements):

- (i) for all major developments comprising residential, employment, shopping or leisure uses or services; and
- (ii) for other small developments comprising residential, employment, shopping or leisure or education facilities which would generate significant amounts of travel.

POLICY CSEN1: LANDSCAPE

The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced:

- (i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.
- (ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the economies and social well-being of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.
- (iii) The landscapes and waterscapes of the River Thames corridor will be maintained and where possible enhanced as will the setting and heritage of the river for its overall amenity and recreation use.

POLICY CSEN2: GREEN BELT

The special character and landscape setting of Oxford will be protected by the Oxford Green Belt, the boundary is shown on the Adopted Policies Map.

A local review of the Green Belt will take place at Berinsfield.

Policy CSR1 allows for limited amounts of new housing through infilling in some Green Belt villages however planning permission will not be granted for development within the Oxford Green Belt that is contrary to national policy guidance in the NPPF and the purposes of including land within the Green Belt.

The following are key previously developed sites in the Green Belt:

- Oxford Brookes University campus at Holton
- Culham Science Centre
- Culham No. 1 Site
- Sandford Sewage Treatment Works

POLICY CSEN3: HISTORIC ENVIRONMENT

The district's designated historic heritage assets, both above and below ground such as:

- nationally designated assets including listed buildings, historic parks and gardens, historic battlefields and Scheduled Ancient Monuments;
- conservation areas; and
- their settings

will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.

This will be carried out through:

- conservation area appraisals/reviews;
- management plans;
- designating new conservation areas where appropriate;
- the determination of planning, listed building consent and other relevant applications.

Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

POLICY CSG1: GREEN INFRASTRUCTURE

A net gain in green infrastructure including biodiversity will be sought through developer works, developer contributions and the targeted use of other funding sources.

Proposals for new development must demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure. Where appropriate, proposals will be required to contribute to the delivery of green infrastructure and/or the improvement of existing assets including Conservation Target Areas in accordance with the standards in the South Oxfordshire Green Infrastructure Strategy and Didcot Natural Greenspaces Study.

A net loss of green infrastructure including biodiversity through development proposals will be avoided.

POLICY CSB1: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

A net loss of biodiversity will be avoided, and opportunities to achieve a net gain across the district will be actively sought.

Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be sought for all types of habitats, with a primary focus on delivery in the Conservation Target Areas.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species).

Damage to nationally important sites of special scientific interest, local wildlife sites, local nature reserves, priority habitats, protected or priority species and locally important geological sites will be avoided unless the importance of the development outweighs the harm and the loss can be mitigated to achieve a net gain in biodiversity.

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