



To: Members of the Planning & Regulation Committee

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

Monday, 9 September 2019 at 2.00 pm

County Hall, New Road, Oxford

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

Yvonne Rees
Chief Executive

August 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:

- **Date of next meeting: 21 October 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 - 14)

To approve the minutes of the meeting held on 15 July 2019 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Serving of the Prohibition Order for the Review of the Mineral Planning Permission (ROMP) at Thrupp Farm and Thrupp Farm, Radley** (Pages 15 - 36)

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

This report brings to Committee the issue of serving a Prohibition Order for the Review of the Mineral Planning Permission (ROMP) at Thrupp Farm and Thrupp Farm, Radley having first set out the issue to be considered which is whether the minerals development has permanently ceased or not and, therefore, the duty to serve a Prohibition Order or not.

It is RECOMMENDED that it be determined that mineral working on the site has permanently ceased and that accordingly there is a duty on the Mineral Planning Authority to serve a Prohibition Order of the mineral permissions covering areas DD1 (Plan 1) and DD2 (Plan 2).

7. **Provision of a new 64 space carpark, comprised of a 43 space formally laid out paved parking area with an overflow grass-protected area providing the additional 21 spaces. Works include the adaption of the existing site opening and installation of an access barrier at field area directly to the West of St Georges Road and North of Millington Road, Wallingford, Oxon, OX10 8HL - Application R3.0143/18** (Pages 37 - 56)

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

The report considers whether permission should be granted for the provision of a new

64-space car park, 43 spaces formally laid out and 21 spaces in an overflow grass protected area. Works are to include the adaption of the existing site entrance and installation of an access barrier (planning permission no. R3.0143/18). It is a full application to allow the creation of staff-only parking, in connection with the planned expansion of Wallingford School, St Georges Road, Wallingford (an Academy school) and is required as the development for the extension of Wallingford School will remove some of the existing parking currently provided.

The application is being reported to Committee because Sport England, South Oxfordshire District Council and ten third party objections to the application have been received, during the first consultation phase. Those objections were based on loss of playing field provision, noise and visual impacts of additional traffic, increased air pollution and the requirement for a car park there, or at all. A second consultation on a reduction in car parking spaces from 100 to 64 is still ongoing ending on 6 September. The objections over loss of playing field space and impact on air quality have not been removed. Officers will update the Committee orally on any comments received subsequent to this report being published.

This report outlines comments received together with a recommendation by the Director for Planning and Place.

It is RECOMMENDED that the Director for Planning and Place be authorised to EITHER:

A i) should planning permission to application no. P19/S0191/FUL be approved by South Oxfordshire District Council and this 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 the Secretary of State not calling in the application for his own determination following referral to him, APPROVE application no. R3.0143/18 subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to this report.

ii) should South Oxfordshire District Council be minded to approve P19/S/0191/FUL, that they are advised that the County Council considers a condition should be attached, that the school extension shall not be brought into use until a car park has been provided for additional staff parking in the vicinity of the school and such car park is available for use;

OR

B should planning permission to application no. P19/S0191/FUL be refused by South Oxfordshire District Council to REFUSE planning permission for application no. R3.0143/18 for the following reasons:

- 1. The proposed development would lead to significant impacts on amenity, including air quality and would be contrary to policies CSWAL1 of the SOCS and policies EP1, WAL1, and ENV12 of the ESOLP.***
- 2. The proposed development would lead to pollution emissions, noise***

and vibration, and would therefore be contrary to saved policies EP1 and EP2 of the SOLP, and policies ENV12 and DES6 of the ESOLP.

3. ***The proposed development makes no provision for a modal shift to public transport, cycling or walking. It is therefore contrary to policy CSM1 of the SOCS, and policy TRANS5 of the ESOLP.***
4. ***The development would lead to a loss of playing field space and so existing recreational provision contrary to policy CF1 of the SOLP.***

8. Request for Prior Approval of the installation and use of a concrete batching plant to produce ready-mixed concrete for sale at land at Faringdon Quarry, Fernham Road, Faringdon, Oxfordshire, SN7 7LG - Application MW.0068/19 (Pages 57 - 72)

Report by the Director for Planning & Place (PN8).

This report considers whether Prior Approval should be granted for the installation and use of a concrete batching plant to produce ready-mixed concrete at Faringdon Quarry (planning permission no. MW.0068/19). It is an application for Prior Approval of Permitted Development under Part 17, Class B of the General Permitted Development (England) Order (As Amended) 2015.

The application is being reported to Committee because the local County Councillor, Little Coxwell Parish Council, Faringdon Town Council and three third parties have objected to the application on the grounds of use of the planning system, traffic, local amenity and need citing that the application has been submitted in a mis-application of the planning system, there is no need for the development as there is no indigenous materials to be used, the amenity of local residents will be impacted by noise dust and visual intrusion and that the increase in HGV movements will be dangerous and the highways network is already at and above capacity.

The development accords with the provisions of the General Permitted Development (England) Order (As Amended) 2015; Part 17, Class B as an installation of plant that is ancillary to the existing mining operations using indigenous material from the existing quarry. However, prior approval is required from the Mineral Planning Authority on the siting, design, and external appearance of the plant to be installed under Permitted Development. There is limited scope for the council to condition or refuse the application.

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

Schedule of Approved Plans and Documents

- (i) Request letter dated 09.07.19***

- (ii) *Location Plan – Drawing No. DG.EST.FAR.CBP.01*
- (iii) *Concrete Batching Plant Location Plan – Drawing No. DG.EST.FAR.CBP.02*
- (iv) *MCM60 & MCS50 Silo Layout Plan – Drawing No. Wiltshire MCM60 Layout*
- (v) *MCM60 & MCS50 – Silo Elevation Plan – Drawing No. Wiltshire MCM60 Elevation Layout*
- (vi) *Technical Note dated 29.05.19*
- (vii) *Faringdon CBP Technical Note Addendum Noise 21.08.19*

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

9. Use of land for manufacture of recycled aggregate and soils at D & M Plant Hire Ltd, Dix Pit, Linch Hill, Stanton Harcourt, OX29 5BB - Application R3.0059/19 (Pages 73 - 92)

Report by the Director for Planning & Place (PN9).

This application is for the temporary use of 0.32ha of land for the manufacture of recycled aggregate and soils and the local member has requested that the application be determined by the Planning & Regulation Committee.

Objections have been received from Northmoor Parish Council due to the transport, dust and noise impacts.

The report outlines the relevant planning policies along with the comments and recommendation of the Director for Planning and Place.

The development accords with the Development Plan as a whole and with individual policies within it, as well as with the NPPF. It is considered to be sustainable development in terms of environmental, social and economic terms. The proposed development would be beneficial in terms of contributing towards Oxfordshire's supply of recycled aggregate material and that potential impacts can be adequately addressed through planning conditions and the routeing agreement prohibiting HGVs associated with the site passing along the B4449 through Sutton during peak hours.

It is RECOMMENDED that subject to a routeing agreement first being entered into planning permission for Application MW.0059/19 be approved subject to conditions to be determined by the Director for Planning and Place including the matters set out at Annex 3 to the report.

10. Relevant development Plan and Other Policies (Pages 93 - 116)

Paper by the Director for Planning & Place (PN10).

The paper sets out policies in relation to Items 6, 7, 8 & 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 9 September 2019** at **12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

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PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 15 July 2019 commencing at 2.00 pm and finishing at 6.30 pm

Present:

Voting Members:

Councillor Jeannette Matelot – in the Chair

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

Other Members in Attendance:

Councillor Lynda Atkins (for Agenda Item 6)
Councillor Lorraine Lyndsay-Gale (for Agenda Item 6)

Officers:

Whole of meeting J. Crouch (Law & Governance); D. Periam (Planning & Place)

Part of meeting

Agenda Item

6

Officer Attending

S. Whitehead (Law & Governance) & E. Catcheside (Planning & Place)

7.

G. Warrington (Law & Governance) & M. Hudson (Planning & Place)

8.

G. Warrington (Law & Governance), N. Woodcock (Planning & Place), A. Elhachemi (Service Delivery Property)

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

26/19 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor Anda Fitzgerald-O'Connor Councillor Mike Fox-Davies	Councillor Nick Carter Councillor Hilary Hibbert-Biles

27/19 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE
(Agenda No. 2)

28/19 MINUTES
(Agenda No. 3)

29/19 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Ian Mason (Bachport & Fullamoor Residents))
Suzi Coyne (Clifton Hampden & Burcot Parish Council))
County Councillor Lynda Atkins) 6 – Fullamoor Plantation –
County Councillor Lorraine Lindsay-Gale) Application MW.0074/18
Alan Pardoe (Hills Quarry Products Limited))
Pete Andrew (Hills Quarry Products Limited))
Lucy Binnie (Environmental Consultant))
Katherine Evans (TLT Solicitors))
Fiona Wright (local resident))
Mike Wright - Shellingford Parish Meeting)
Gemma Crossley (Agent for the applicant)) 7. Shellingford Quarry – Application MW.0104/18
)

30/19 CHAIRMAN'S UPDATES

(Agenda No. 5)

Worton Farm, Cassington

The Committee were informed that an appeal against the decision to refuse planning permission at Worton Farm, Cassington had been upheld

31/19 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 FULLAMOR PLANTATION, CLIFTON HAMPDEN, ABINGDON, OX14 3DD - APPLICATION MW.0074/18

(Agenda No. 6)

The Committee considered (PN6) an 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.

Ms Catcheside presented the report along with an addenda setting out corrections to the report and points of clarification, further consultation responses and amended recommendations.

Suzi Coyne – SCP, speaking on behalf of Clifton Hampden & Burcot Parish Council spoke against the proposed application made the following key points of objection.

Landscape character. The proposals would have a detrimental effect on the North Wessex Downs.

Amenity value. Loss of the amenity value of the exiting footpaths and Thames Path route.

Harm to a scheduled monument.

There were no questions from the Committee.

Ian Mason – Bachport & Fullamoor Residents, opposed the application noting that the changes from the previous application did not address Parish Council concerns sufficiently. The reduction in bund size was marginal. The reduction in lorry movements and movement restrictions were not effective nor enforceable. Mr Mason argued that there was no need for a new quarry pointing out that production was 30% lower than forecast and the existing land bank figures ranged from 18 years to 22

years if a 10-year rolling average was used. There was clear harm to the landscape and heritage and very special circumstances are required to be demonstrated to overcome the harm to the green belt which he argued had not been shown.

Responding to a question Mr Mason explained that due to the topography of the site where the embankment looked down on the site the bunds had to be higher than normal.

Councillor Lindsay-Gale, local councillor for Berinsfield & Garsington spoke against the application on the grounds of the impact on roads and vehicular movements, damage to the green belt and the lack of need noting strong local opposition. Councillor Lindsay-Gale referred particularly to the danger posed by large vehicles causing an obstruction to children crossing at the A415 to access the school.

There were no questions from the Committee.

Councillor Lynda Atkins, local councillor for Wallingford, speaking against the application emphasised the following points: The application was for a processing plant, a huge concrete structure within the green belt. As such the regulations required that there be exceptional circumstances and she argued that there were none. There was a lack of need due to the land bank position. Councillor Atkins highlighted the traffic difficulties in the area that would be made worse by the application proposals with pollution and noise a constant problem. The mitigation referred to in the report was not satisfactory and the application was very little different to the earlier application that had been rejected.

Alan Pardoe, Chairman, Hills Quarry Products Limited speaking in support of the application highlighted his pride in being part of a successful family business. The company employed 700 people and was part of the local communities, supporting 350 community projects where the company was working. Mr Pardoe stressed that the company took their responsibilities seriously, had delivered some great landscapes and would contribute here to the local environment.

Pete Andrew, Managing Director, Hills Quarry Products Limited, speaking in support of the application addressed the technical issues set out in the report and highlighted that it was a sound proposal for local production to support local developments. Mr Andrew recognised that traffic was clearly of concern and commented that they invested heavily in their fleet meeting Euro 6 Emission standards. They were used to operating to strict routing agreements and drivers were trained and tracked. The company had won awards for its restoration of sites and the application would bring meaningful and tangible benefits.

Lucy Binnie, Environmental Consultant, spoke on behalf of the applicants highlighting the changes that had been made to address environmental/traffic concerns. Ms Binnie recognised that traffic was a concern but stated that with development there would be construction traffic. The application would save one million lorry road miles and reduce carbon emissions. She added that the land bank figures were not the whole picture referring to paragraphs 80-88 of the report. There would be a shortfall in 2022 and there was a need for increased production.

Katherine Evans, TLT Solicitors, spoke on behalf of the applicants highlighting the officer responses in the report and that in the special circumstances of need, that there was no reason to refuse the application.

The applicants then responded to questions from:

Councillor Carter – the application improved the crossing by the school and there was a 20% change in traffic levels.

Councillor John Sanders – In relation to the statement that company fleet vehicles were Euro 6 compliant, private contractors would mostly be using their own vehicles.

Councillor Johnston – Case law supported the need for aggregates constituting special circumstances. In addition, the application was for a temporary use and the site would be restored leading to gains in bio-diversity and increased public access.

Councillor Roberts – the bunds would be visible but were necessary for mitigation purposes. Although they would be visible this did not necessarily mean that the site was not open in green belt terms.

Councillors Thompson & Webber – the additional years to the proposed lifetime of the site allowed for a lower volume of traffic. The 20% reduction was about a balance between a viable level of extraction and lower traffic movements. The restoration would be done with local consultation. The proposed buildings were hypothetical at this stage.

Councillor Haywood – In response to concerns about bunching of vehicle movements between 9.15 am and 4 pm it was recognised that the restrictions would affect the rates of vehicles going out, but these had been discussed with the highway engineers.

Councillor Carter – Subject to highways approval the company was happy to add to the route fencing.

Councillor John Sanders – The quarry hours would finish at 6 pm and it was expected that most lorries would be out by 4 pm.

Ms Catcheside, Peter Day and Ian Marshall, Principal Engineer then responded by way of clarification to a number of questions from:

Councillor Hibbert-Biles – Paragraph 36 of the report makes it clear that there would be harm in the absence of the peak hour and other restrictions. If conditions are applied, then essentially those objections could be withdrawn.

Councillor Carter – Paragraphs 112 -122 assess the impact on the Grade II listed building and heritage assets and officers do not recommend that as a reason for refusal.

Councillor Gawrysiak – The figures used for the land bank are calculated using the figures in the Local Aggregate Assessment and set out at paragraph 84.

Councillor Haywood – Oxfordshire had been able to consistently maintain a land bank over the minimum figure but the amount by which it exceeded the minimum varied.

Councillor Carter – The impact on the primary school would be considered as a material consideration. Factors including emissions. Pollution, noise, dust and vibrations had been assessed and officers are satisfied that there are no harmful levels of impact. There was no expectation that a pedestrian crossing would be funded from the £20k that had been identified for footway improvements

Responding to questions from several councillors on the impact of the SODC Local Plan Ms Catchside explained the status of the emerging plan and the weight they were able to attach to it. Officers were unable to recommend the previous ground (iii) set out in the addenda relating to prejudice to the future development of a new link road and Thames crossing.

Councillor Johnston proposed refusal of the application for reasons (i), (ii) and (iv) on the addenda together with a reason based on paragraphs 21 -23 of the report relating to the impact on the Grade II Listed Fullamoor Farmhouse. He proposed that reason (iii) as set out on the addenda not be included in the grounds for refusal. Councillor Carter seconded the motion.

During discussion:

Councillor Reynolds supported reason (iv) but was concerned that with reasons (i) and (ii) the committee would be going against the advice of officers.

Councillor Sanders highlighted two issues. Firstly, he was not satisfied that the traffic mitigation was sufficient. Secondly in his view the bund was oppressive and did affect the openness of the green belt.

Councillor Carter stated that he had supported the motion refusing the application due to harm to the listed building and heritage site. He also expressed concern over routing issues.

Councillor Webber supported the motion but commented that the company had acted honourably and honestly throughout. It was simply that the application was not suitable.

Councillor Roberts in supporting the motion to refuse highlighted the impact of additional vehicle movements and also supported the inclusion of a reason for refusal linked to the impact on the landscape and the impact on heritage assets.

Councillor Handley indicated that he would be abstaining from the decision as in his view it was premature to bring the application to Committee before the consultation had been finalised and there was uncertainty around the SODC Local Plan. Officers advised that no decision would be issued on the application prior to the close of the consultation period and following consultation with the committee Chairman and

Deputy Chairman should any further responses be received. If necessary, the matter would come back to the September meeting for reconsideration.

Members voted on the motion proposed by Councillor Johnston, and seconded by Councillor Carter that the application be refused on the following grounds:

- 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 less than substantial harm caused to the setting of, and therefore the significance of, the Grade II Listed Fullamoor Farmhouse would not be outweighed by the public benefits of the proposal and the development would therefore be contrary to policies CON5 and CON7 of the South Oxfordshire Local Plan, CSEN3 of the South Oxfordshire Core Strategy, and C9 of the Oxfordshire Minerals and Waste Core Strategy and paragraph 196 of the National Planning Policy Framework.
- 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.

RESOLVED: subject to the consultation period closing without any new material considerations arising and following consultation with the committee Chairman and Deputy Chairman Application MW.0039/16 be refused for the following reasons:

- iii) 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.
- iv) 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 less than substantial harm caused to the setting of, and therefore the significance of, the Grade II Listed Fullamoor Farmhouse would not be outweighed

by the public benefits of the proposal and the development would therefore be contrary to policies CON5 and CON7 of the South Oxfordshire Local Plan, CSEN3 of the South Oxfordshire Core Strategy, and C9 of the Oxfordshire Minerals and Waste Core Strategy and paragraph 196 of the National Planning Policy Framework.

- 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.

Councillor Handley requested that he be recorded as having abstained from the vote.

32/19 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

(Agenda No. 7)

The Committee considered (PN7) an application for a western extension to an existing quarry near Shellingford in south west Oxfordshire to extract limestone and soft sand from a 30-hectare area over a 22-year period with the site progressively restored to agriculture using imported inert waste and extending the current restoration date of 2029 to 2044.

Mrs Hudson presented the report along with 2 changes as set out in the addenda sheet.

Mike Wright a local resident spoke on behalf of the Shellingford Parish Quarry Sub-Committee. They considered the proposed application to extend Shellingford Quarry unsatisfactory in many respects and in support of that made the following key points:

Need - the Oxfordshire Local Aggregate Assessment, published in November 2018, had clearly stated that there was no requirement for more soft sand or crushed rock for the period to 2031 and stating that the landbank in Oxfordshire for Soft Sand was 16.4 years and for Crushed Rock 16.0 years. With local demand for this product already met by the existing landbank and even with some increased demand it was likely that this excess product would have to be transported out of County which as defined in the Oxfordshire Minerals and Waste Local Plan Part 1, sections C1, C2, C5 and C10 would be environmentally unacceptable. The proposal was opportunistic and speculative and sought to circumvent the Oxfordshire Minerals and Waste Local Plan Part 2 which was yet to be published and adopted.

Inadequate buffer zone - a 250 metre Buffer Zone between quarries and local residences was an Industry Standard, which had been relaxed in Oxfordshire in 2017. This sensible principle had helped to ensure that the amenity and health of local residents and school children were protected. Recent analysis clearly predicted that there would be increased dust experienced by residents and school children,

should an extension be permitted. Therefore, bringing the quarry closer than 250 metres was unacceptable and contrary to the distances of “approximately 250 metres” as quoted in the Council’s summary with distances to residences, school and Grade 1 listed church all substantially less than that.

Rigorous dust monitoring - At the insistence of Oxfordshire Public Health, gravimetric dust analysis had been undertaken at the Primary School during the wet month of April 2019. Official consultees have commented that measurement for one month would not be sufficient to predict annual dust levels and would not be representative of levels of dust generated during dryer summer months. Additionally, there was no dust monitoring undertaken on the adjacent A417 road, which was well known to be covered in dust and dirt generated by the cumulative effect of quarry lorries from Shellingford and the other nearby quarries of which there were 3. This dust exacerbated respiratory problems, especially for vulnerable adults and children containing carcinogenic silica.

Noise - with the wind from the North East, noise generated by the quarry was unacceptable, particularly when the hydraulic breaker was being used. Both the Council and the Applicant had acknowledged that the hydraulic breaker generated a distinguishable percussive noise and specific noise limits, as mandated by HSE and Government policy, must be imposed on this machine. They had noted that the applicant had offered to cease operation of the breaker when the wind was from a North East direction.

If permission were granted for the extension he asked that strict and clearly defined robust conditions were set for the operation, specifically when the wind was from the North East with robust systems established for both compliance, monitoring and complaints.

He then responded to questions from:

Councillor Reynolds – dust was a tangible issue often settling on car windscreens and windows some 230 meters away.

Councillor Gawrysiak – he couldn’t say specifically how often the breaker was used but he would estimate at least 20 – 30% of the time.

Fiona Wright a local resident urged the Committee not to approve the application. She felt the environmental statement could not guarantee safety for the school which was only 230 metres away. Dust would adversely affect the health of children and the elderly and the monitoring exercise carried out on a wet April day was wholly inadequate when in midsummer you could see clouds of dust. She considered it wrong to consider approval when levels of risk were unknown and the Committee should not abdicate it’s responsibility to residents asking whether approval would be given to an application to build a new school this close to a quarry. The environmental impact assessment had failed to mention a number of issues including impact of future development. There were 4 quarries along the length of the A417 and it was not right to approve something when the full picture wasn’t known. If the application were approved then conditions needed to be so tight as to remove any risk to children and other vulnerable residents.

Gemma Crossley then spoke on behalf of the applicants. The site had a long history with permitted reserves which were close to being worked out. That had led to this application with quarry output, vehicle movements etc all remaining the same. The report recognised that there was a need for the material. The western extension would move operations closer to Shellingford but measures proposed would mitigate its effect and reduce impact. There had been no adverse comments from strategic consultees. The site was well maintained and recent monitoring for noise had not identified any major issues and had, in fact, been abandoned due to traffic noise interfering with the monitoring. The application met social and environmental objectives and complied with development plans.

She then responded to questions:

Councillor Johnston – the village was some 230 metres away and there would be a bund along the boundary. There was a mature tree belt between the quarry and the village which would also help mitigate against noise and dust. Wind direction was usually south westerly which would carry dust away but if from a north easterly direction then the operator would cut down on operations as mentioned in the conditions to the report.

Councillor Carter – with regard to comments regarding the inadequacy of the environmental statement she confirmed that the statement had covered a number of issues including air quality and highway impact, had gone through a screening and scoping process and following a certain format using a baseline assessment had looked at the impact of the application above that baseline. Results had shown no significant impacts and that exercise had been reviewed by the County and District Councils. Community engagement had also been carried out before the application had been submitted.

Councillor Hibbert-Biles – regarding air quality assessment there had been objection from the health authority and Health England had been consulted. A number of monitoring localities had been included but levels had been so low as to be insignificant and well below guidelines. There was a management plan as conditioned with daily monitoring carried out and if wind direction was from the north east then work would cease until that changed.

Councillor Handley – the boundary was currently fenced as a farm but if approved then fencing would be improved in line with a duty of care.

Councillor Roberts – quarry operations would inevitably be dusty but 7 conditions were being carried over from the current permission which included sheeting of vehicles, road sweeping and damping down using a manual system. However, it would be unsustainable for water to be running continuously by installing an automated system. There was no standard policy for a 250 metre buffer zone with zones now agreed on merit and the applicants felt the zone now being proposed was sufficient in order to maintain acceptable limits.

Councillor Gawrysiak – the breaker machinery operated within the existing quarry but sometimes was sited round the edge of the site. The machinery operated within existing limits but there were conditions to help mitigate against that i.e. ceasing work when wind direction was from the north east and no Saturday am working. Condition

23 set out terms for a dust management plan. Information on dust data was on the website and monitoring would be undertaken at the school. She wasn't able to confirm information regarding Pm1s but added that the employer had a duty of care to employees so conditions would be monitored on the site and if those levels were acceptable on site then it seemed reasonable to expect that that would be the case some 230 metres away.

Councillor Hibbert-Biles – she confirmed Public Health England in their last response had stated they were satisfied with measures put forward with the application.

Responding to Councillor Hibbert-Biles Mrs Hudson confirmed that the OCC public health team had raised no objection to the proposals subject to submission and approval of a detailed dust management plan and how levels would be monitored. That had been set out in Condition 23.

Mrs Hudson then responded to a number of questions from Councillor Carter:

Condition 4 had been amended by replacing *implementation* with *extraction* as set out in the addenda in order to address an objection by the applicants

Condition 8 – officers felt that the height of bunds as proposed were high enough to mitigate against operations.

Condition 16 – the applicant would be submitting details for a liaison meeting.

Condition 23 – conditions would be regularly monitored and if breaches were identified they would be dealt with. In most cases breaches, when they occurred, were initially dealt with through negotiation with enforcement not always the best answer. Any issues raised would be investigated.

Routeing agreement – no routeing agreement was required as access was directly onto a main road/ There was no such restriction on the existing permission.

Councillor Handley supported calls for a routeing agreement and generally felt that further information was required on a number of issues.

Councillor Carter considered that any extension meant inevitable mean an increase in operations and that justified a routeing agreement to protect local villages and, therefore, should form an integral part of any new approval.

Councillor Johnston stated that as there was no history of problems on the existing site that could be considered an unreasonable condition.

Mr Periam confirmed that a routeing agreement would be a separate legal agreement which the applicant would need to enter into. That had not been raised as a requirement.

Councillor Hibbert-Biles reiterated her concerns regarding the inadequacy of information on the public health aspect and the need for further information.

Councillor Gawrsysiak felt that the report presented a fair summary of the situation. However, he would like to see a robust scheme for dust management including separate monitoring locations over an agreed and sensible length of time with agreement regarding levels when work should cease if breached. Subject to the

terms of such a condition coming back to the Committee for approval he moved the recommendation. Councillor Sanders seconded.

The motion having been put to the Committee and carried by 8 votes to 4 (Councillor Handley, Councillor Hibbert-Biles and Councillor Carter recorded as voting against) it was –

RESOLVED: that

- (a) subject to the applicant signing a Section 106 agreement for the matters outlined in Annex 2 to the report PN7 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 amended as follows:

4. No ~~implementation~~ *extraction* until such a time that the processing plant, silt ponds, stocking areas and access have planning consent until 2044, replacement of stripped soils if consent is not gained for this

15. No excavation below *the base of the Highworth Limestone* or ~~64 AOD~~ or into the Lower Calcareous Grit Formation.

The detailed wording for the conditions would be drawn up following committee, should the resolution be to approve the application. If the Environment Agency indicate that the reference to 64 AOD is necessary, the full wording would include this.

- (b) that Condition 23 regarding the terms of a detailed dust management plan to be submitted to Committee for final approval before work commenced having first been submitted to the public health and the environmental health teams and reflecting the comments raised by members to secure a robust and meaningful scheme.

33/19 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

(Agenda No. 8)

The Committee considered (PN8) an application to construct a new 1FE primary school to complement the new housing development, Hanwell View which, it was anticipated would provide places for 270 pupils (60 nursery places and 210 places in reception - year 6) with 30 pupils per class.

Ms Woodcock presented the report together with a number of amendments to the report as follows:

Paragraph 45 – the report referred to “additional planting is proposed to the west of Southam Road”. That should have read “east of Southam Road”

Amendments to the fenestration arrangements to be delegated to officers.

Additional planting to address air quality concerns.

Also tabled was a statement from Bob Robinson the Agent for the application who had hoped to attend but been unable to do so. His statement also referred to changes to fenestration arrangements, confirmed further discussions would be held with Cherwell DC regarding concerns about external appearance and materials, additional planting to address air quality concerns and the terms of a community use agreement allowing the school access to additional areas for formal recreation.

Members discussed issues of air quality and design noting that changes had been proposed which would go some way to addressing issues of concern.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Johnston and carried by 11 votes to 0) that subject to the applicant first providing a Unilateral Undertaking for the payment of the Travel Plan monitoring fee of £1240 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 and an additional condition 15 for provision of secure cycle storage.

..... in the Chair

Date of signing

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Planning Report

For: PLANNING AND REGULATION COMMITTEE – 9 SEPTEMBER 2019

By: DIRECTOR FOR PLANNING AND PLACE

Re - Serving of the Prohibition Order for the Review of the Mineral Planning Permission (ROMP) at Thrupp Farm and Thrupp Farm, Radley

Division Affected: Kennington and Radley

Contact Officer: David Periam **Tel:** 07824 545378

Location: Land at Thrupp Lane and Thrupp Farm, Radley.

District Council Area: Vale of White Horse

Recommendation: **Reserve the review of two deemed determined ROMP permissions.**

Location (see site plan Annex 1)

1. The site is on the eastern outskirts of Abingdon, approximately 1km (0.6miles) south west of Radley village but within Radley Parish.

Site and Setting

2. The area is within the Oxford Green Belt. It is within an area of historic gravel extraction with open countryside beyond. The gravel extraction had been carried out by two companies: JS Curtis and Sons Ltd (Curtis), and H Tuckwell and Sons Ltd (Tuckwell) on two separate sites.
3. On the west it is bounded by the White Horse Leisure Centre and the Abingdon Science Park. On the eastern side, the site is bounded by the Oxford to Didcot Railway Line. The River Thames runs along the southern edge of the site. There is a Wetland Centre on part of the northern edge of the site; the rest is bounded by open countryside.
4. The area is accessed by two roads. Thrupp Lane is the current access to two concrete batching plants and other operations on the two former gravel extraction sites. The other access is via Barton Lane to the west, but this is not currently used. A Byway Open to All Traffic (BOAT) links Barton Lane and Thrupp Lane.

5. The nearest housing is a small group of houses called Thrupp Cottages. These sit alongside the BOAT and are surrounded on all sides by the area that is the subject of this report.

Background

6. There is provision in law for Mineral Planning Authorities to periodically review old mineral permissions (ROMPs) to see whether the conditions attached to the permissions provide adequate environmental control over the development such that they continue to operate to continuously high working and environmental standards. The power to review mineral permissions is discretionary but can be carried out at any time the Mineral Planning Authority may consider necessary provided the first review is at least 15 years after the date of the permission.
7. There are currently two ROMP sites at Radley. Both have conditions granted by deemed determination in 2000 and will be referred to as DD1 (Thrupp Lane) and DD2 (Thrupp Farm) for ease of reference. The area covered by DD1 can be seen on the attached Plan 1, and DD2 can be seen on Plan 2. Plan 3 shows the two ROMP areas and the areas where the two ROMP sites overlap. In order to interpret the site and understand the history of it, Plan 4 divides the land covered by both ROMP sites into 10 areas. Permission DD1 relates to areas 3,4,5,9 and 10; and permission DD2 relates to areas 1, 2, 5, 6, 7, 8, 9 and 10. There is an overlap between the two which relates to areas 5, 9 and 10 only. Area 5 is the only area which hasn't been worked and so is the area from which sand and gravel could still be extracted if a ROMP review permission were in place.
8. A formal notice of review for the whole area covered by DD1 and DD2 was served on 9 October 2015 giving until 31 October 2016 for the submission of a ROMP application. The development is Schedule 1 development further to the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and so any application would also require to be accompanied by an Environmental Statement.
9. No ROMP application was received by that date and so the site entered into automatic suspension on 1 November 2016. A site in suspension cannot resume minerals development until such time as the relevant ROMP application and accompanying Environmental Statement if needed to accompany it has been submitted. No such application was received within the two years period following that date. It is now therefore the case, that should the Mineral Planning Authority consider that that mineral working on the site has permanently ceased, it will be under a duty to serve a Prohibition Order. It is considered by officers that the assessment as to whether mineral working on the site has permanently ceased should be considered when it appears to the Mineral Planning Authority that

minerals development has not occurred to any substantial extent for at least two years and in its view is unlikely to resume to any substantial extent. It may then conclude that it has permanently ceased.

10. The County Council previously served a Prohibition Order in 2012 on DD1 which was appealed and considered by an Inspector appointed on behalf of the Secretary of State at a Public Inquiry in 2014. The inspector did not uphold it after it was determined that there was a deemed permission from 2000 concluding that the County Council therefore had no power to make the Prohibition Order.

11. There are two positions open to the mineral planning authority:

- That mineral working at the site has permanently ceased and that therefore the duty to serve a Prohibition Order has arisen;
- That mineral working at the site has not permanently ceased and that therefore the duty to serve a Prohibition Order has not arisen

The decision as to whether mineral working on the site has permanently ceased is a matter of judgment based on the evidence before the Committee. Considerations of development plan policy, including the contribution that could be made through the permitted reserves to the Council's landbank of sand and gravel and the impacts of any associated traffic or other impacts on the amenity of local residents, are not relevant to the decision. Any Prohibition Order served requires subsequent confirmation by the Secretary of State.

Subsequent Permissions

Area 1:

- Two permissions have been granted since July 2000, both by the District Council. The first is permission for temporary use of the buildings on site. This would not affect the need for a review nor the long term restoration of the site. The second is a Certificate of Lawful Use for a concrete batching plant. This would affect the long term restoration and aftercare of the site. There are current undetermined applications before the District Council to extend the time periods for the temporary uses.

Area 2:

- A permission was submitted prior to the deemed decision, but it was determined after the date of the deemed decision. This allowed the use of the western part of the area as a contractors area for the filling of Lake H (Area 8).

Area 3:

- Part of the site is subject to a condition for a Section 73 application submitted on 12th February 1999 and approved on

5th February 2002. This allowed the use of the south western part of the area as a storage area of restoration material for the filling of Lake H (Area 8).

- Planning permission was granted in January 2003 for the continuation of sand and gravel extraction up to 2007. This was submitted and permitted after the deemed decision.
- Planning permissions were granted in May 2003 and January 2007 for the use of part of the site for ash disposal. A section 73 application was granted in August 2014 which allowed a change from agriculture to conservation restoration.
- Planning permission was granted in July 2012 for the use of the plant site on part of Area 3, to process sand and gravel from part of the ROMP area DD2 (Areas 5,6 and 7) by using a conveyor route through areas 8 and 9. This permission has now lapsed.

Area 4:

- Planning permissions were granted in May 2003 and January 2007 for the use of part of the site for ash disposal.

Areas 8 and 9:

- In May 2002 a Section 73 planning permission was granted for a variation of a scheme submitted in February 1999, prior to the deemed determination of the conditions and granted in February 2002, after the deemed determination of the conditions.
- In October 2001 details pursuant to conditions 5, 13 and 15 to SUT/RAD/5948, a permission granted in February 1982, well before the deemed determination in 2000 were discharged.
- A section 73 application was granted in August 2014 which allowed a change from agriculture to conservation restoration. This permission has been implemented and the site is being restored to nature conservation.

A fuller site history of planning permissions granted is set out at Annex 2.

Discussion

12. As set out above, the key consideration for the County Council as Minerals Planning Authority is whether the minerals development permitted by the ROMP permissions has permanently ceased. It is therefore necessary to weigh the evidence available both for and against this. The national Planning Practice Guidance in paragraph states:

There are unlikely to be many cases in which, after 2 years' suspension, the mineral planning authority would not be acting rationally in assuming that working had permanently ceased.

Paragraph: 210 Reference ID: 27-210-20140306

13. At the Public Inquiry in 2014, the appellant stated that it was intended to recommence mineral working. The inspector took the view that this was good evidence in support of the case that the minerals development had not permanently ceased at that time in area DD1. At that time there was also the extant unimplemented permission in Area 3 for the plant site for the processing of the mineral from Areas 5, 6 and 7 should it be worked. This permission was not implemented by the permitted commencement date of July 2017 and so has now lapsed.
14. In exchanges of correspondence with the interested parties/landowners, they have consistently maintained their position that they do intend at some point to recommence mineral working which it has also been stated would be after the cessation of other permitted mineral working at Sutton Wick. The two current permissions at Sutton Wick require mineral working to cease on 1 March 2022 (the CAMAS land) and 31 December 2027.
15. It is now five years since the Public Inquiry closed. No mineral working was carried out in the area the subject of the ROMP review before the site went into automatic suspension in November 2016. There has been no submission of an application for a review of the conditions, the permission for the plant site which would have been available to process the mineral has lapsed and no application has been made for any alternative. The Council has no other evidence of there being any intention to recommence the minerals development beyond the consistent statements of the intention to recommence following the cessation of mineral working at Sutton Wick. In my view, this stated position is inconsistent with the apparent reluctance to engage and submit a review of the ROMP permissions for determination such that, if it were intended to recommence the working of mineral, it was ready to go whenever the workings at Sutton Wick, which does not hold extensive remaining reserves, had ceased.
16. The national Planning Practice Guidance seems clear and straightforward that it is reasonable to assume after two years suspension that mineral working has permanently ceased. No mineral working has occurred at the ROMP site and it is now two years and ten months since the site went into suspension. Although the interested parties/landowners have maintained a consistent position of the intention to resume working at the cessation of the Sutton Wick mineral extraction sites, other than exchanges of correspondence, they have not taken what seems the obvious opportunity presented to them by the County Council and submitted an application for the review of the ROMP site conditions with an accompanying Environmental Statement.

It is not unreasonable for the County Council as Minerals Planning Authority to take the view that this is contrary to the interested parties/landowners' expressed intentions and provides evidence of a different intention.

Conclusion

17. It is concluded that, on the balance of evidence, the minerals development has permanently ceased and that the duty to serve a Prohibition Order has arisen. The service of a Prohibition Order and its subsequent confirmation by the Secretary of State would provide certainty as to the possibility of mineral working resuming at the ROMP site. However, it would not prevent any subsequent planning applications being made in the normal way for the working of the mineral reserves.
18. The officer view is that it is considered that whilst parts of the site have been worked out, parts restored and parts contain unworked reserves, it would be consistent and for the avoidance of any doubt to serve a Prohibition Order over the whole ROMP site.
19. The interested parties/landowners will have a right of appeal against the service of a Prohibition Order and it is anticipated that if this right is exercised it would lead to a further Public Inquiry at which the Council would have to give evidence and most likely would choose to instruct Counsel to represent it. There would therefore be costs to the Council in doing so and it is also possible that, if it were found that the Council had acted unreasonably such as to have led the appellants to incur costs, costs could be awarded against the Council, as was the case following the 2014 Public Inquiry. However, it is not considered that the Council has to date acted unreasonably in seeking the review of the permissions deemed to have been granted in 2000 and that this should be a reason not to proceed to consider this report and any other additional evidence that may be reported to the committee meeting orally, and so consider whether or not, mineral development has permanently ceased.

RECOMMENDATION

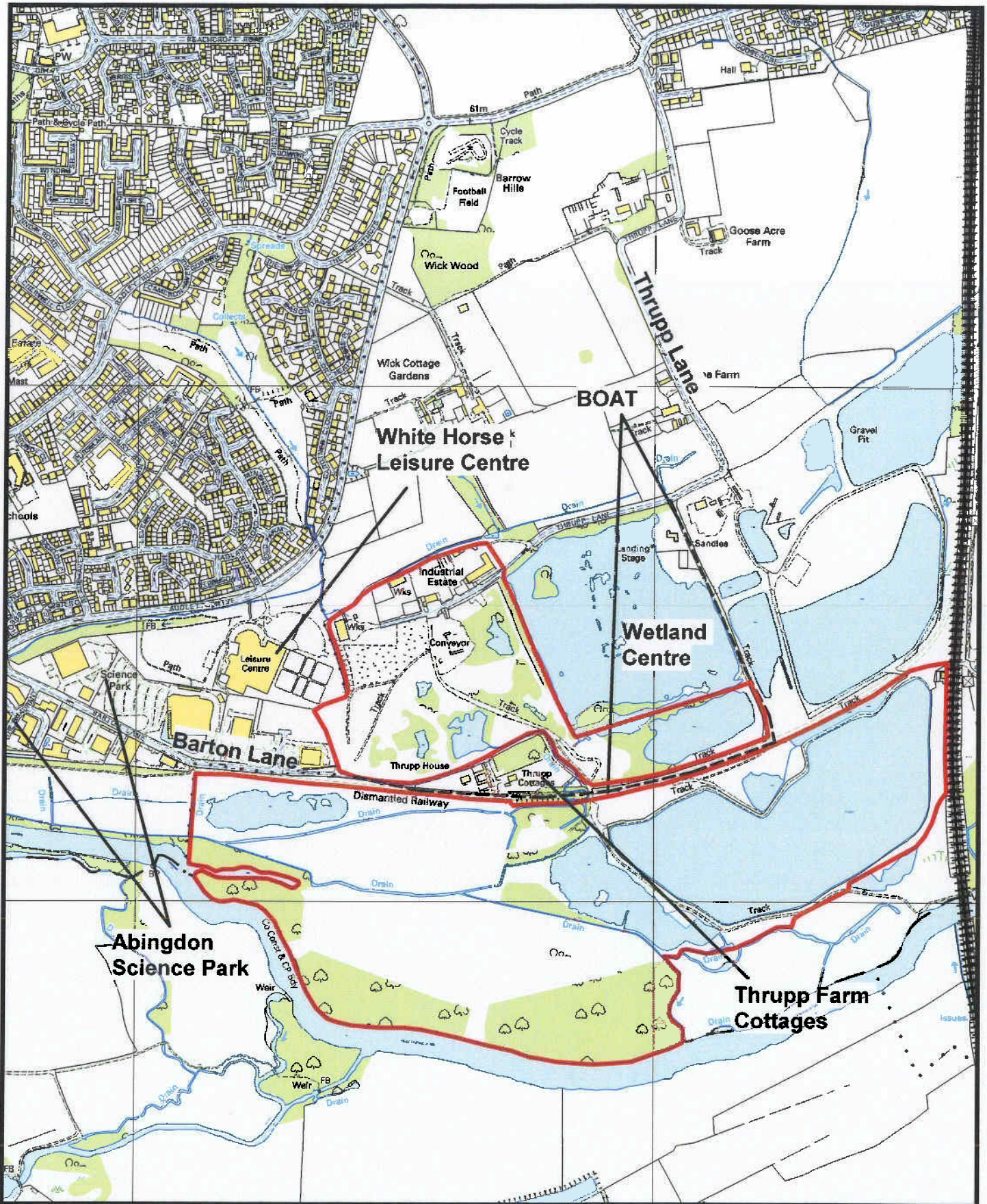
20. It is **RECOMMENDED** that it be determined that mineral working on the site has permanently ceased and that accordingly there is a duty on the Mineral Planning Authority to serve a Prohibition Order of the mineral permissions covering areas DD1 (Plan 1) and DD2 (Plan 2).

SUSAN HALLIWELL
Director for Planning and Place

August 2019

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Annex 1 - Site Context



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Annex 2**Planning History for the Radley ROMP Areas**

This Planning History will take as its starting point the two deemed determinations of the ROMP applications. Some of the permissions refer to planning permissions granted prior to the deemed determinations but they have been included where they affect the ROMP site.

The Deemed Determinations have been referred to as DD1 and DD2 for the sake of convenience. They refer to the following:

DD1

This site was referred to as Radley - Thrupp Lane and was included on the second list of Active Phase 2 sites. An application was made for the Review of Mineral Permission related to land at Thrupp Lane, Radley. The application was made on 22nd December 1999 and received on 23rd December 1999. No request was made for further information within one month of the application, but the applicant agreed on 22nd February 2000 to extend the date for determining the ROMP to 1st July 2000. The ROMP was not determined by that date and the application for revised conditions was deemed to be determined on that date.

DD2

This site was referred to as Radley - Thrupp Farm and was included on the second list of Active Phase 2 sites. An application was made for the Review of Mineral Permission related to Land at Thrupp Farm, Radley. The application was made on 28th April 2000. No further information was requested within one month of the application, and the application was not determined within 3 months of submission of the application. The application was therefore deemed to be determined by default on 28th July 2000.

Planning permissions granted since the Deemed Determined Conditions.

RAD /3963/3-CM (approved 24/1/2003) - a Section 73 to RAD/3963/2-CM (approved 5/10/1993)

RAD/5948/21-CM (approved 21/5/2002) - a variation to DP granted on 5/10/01 relating to SUT/RAD/5948 (approved 17/2/1982)

SUT/RAD/5948/12-CM (approved 5/2/2002) - Section 73 to SUT/RAD/5948 (approved 17/2/1982)

MW.0056/13 (approved 4/8/2014) - a Section 73 to SUT/RAD/5948/12-CM (approved 5/2/2002)

RAD/5948/24-CM (approved 5/1/2007)

RAD/5948/22-CM (approved 7/5/2003)

MW/0001/12 (approved 9/7/2012)

Area 1

DD2 – New conditions granted by default on 28th January 2000

03/01126/FUL – On 28th August 2003 planning permission granted by VOWHDC for temporary use of buildings on the northern part of the site for B1 and B2 use which expired on 31st August 2011.

RAD/57/28 - On 3 September 2007 the VOWHDC issued a certificate of lawful existing use or development for the existing concrete plant on the Curtis site, now operated by Tarmac Ltd.

Area 2

DD2 – New Conditions granted by default on 28th January 2000

RAD/5948/21-CM – approval was granted on 21st May 2002 for the variation of a scheme permitted under permission RAD/5948/12-CM (submitted 12th February 1999 and approved 5th February 2002). This allowed the use of the western part of the area as a contractors area for the filling of Lake H (Area 8).

Area 3

DD1 – New Conditions granted by default on 1st January 2000

SUT/RAD/5948 – Details pursuant to conditions 5, 12 and 13 granted on 6th March 2001 for details pursuant to allow the raising of the level of Lake G (part of Area 3).

RAD/5948/21-CM – approval was granted on 21st May 2002 for the variation of a scheme permitted under permission RAD/5948/12-CM (submitted 12th February 1999 and approved 5th February 2002). This allowed the use of the south western part of the area as a storage area of restoration material for the filling of Lake H (Area 8).

RAD/3963/3-CM – Planning permission granted on 24th January 2003 for the continuation of sand and gravel extraction up to 31st December 2007. The Deemed decision allows for the extraction of sand and gravel up to 31st December 2020.

RAD/5948/22-CM – Planning permission granted on 7th May 2003 for the creation of a new ash disposal lagoon in the existing voids of Lakes J and P (Part of Area 3 and Area 4)

RAD/5948/24-CM – Planning permission granted on 5th January 2007 for the filling of Lake E (Outside ROMP areas) with pulverised fuel ash, and to include the pumping of silt into Lake G (part of Area 3).

MW/0001/12 – Planning permission was granted on 9th July 2012 for the use of the plant site on part of Area 3, to process sand and gravel from part of the ROMP area DD2 (Areas 5,6 and 7) by using a conveyor route through areas 8 and 9.

MW.0056/13 – Planning permission granted on 4th August 2014 for the revised restoration to conservation rather than Agriculture.

Area 4

DD1 – New Conditions granted by default on 1st January 2000

RAD/5948/22-CM – Planning permission granted on 7th May 2003 for the creation of a new ash disposal lagoon in the existing voids of Lakes J and P (Part of Area 3 and Area 4)

Area 5

DD1 – New Conditions granted by default on 1st January 2000

DD2 – New Conditions granted by default on 28th January 2000

Area 6

DD2 – New Conditions granted by default on 28th January 2000

Area 7

DD2 – New Conditions granted by default on 28th January 2000

Area 8

DD2 – New Conditions granted by default on 28th January 2000

SUT/RAD/5948 – Details pursuant granted to conditions 5, 13 and 15 granted on 5th October 2001 for the filling of Lakes H and I (Areas 8 and 9) with pulverised fuel ash.

RAD/5948/21-CM – approval was granted on 21st May 2002 for the variation of a scheme permitted under permission RAD/5948/12-CM (submitted 12th February 1999 and approved 5th February 2002). This allowed the filling of lakes H and I (Areas 8 and 9).

MW.0056/13 – Planning permission granted on 4th August 2014 for the revised restoration to conservation rather than Agriculture.

Area 9

DD1 – New Conditions granted by default on 1st January 2000

DD2 – New Conditions granted by default on 28th January 2000

SUT/RAD/5948 – Details pursuant granted to conditions 5, 13 and 15 granted on 5th October 2001 for the filling of Lakes H and I (Areas 8 and 9) with pulverised fuel ash.

RAD/5948/21-CM – approval was granted on 21st May 2002 for the variation of a scheme permitted under permission RAD/5948/12-CM (submitted 12th February 1999 and approved 5th February 2002). This allowed the filling of lakes H and I (Areas 8 and 9).

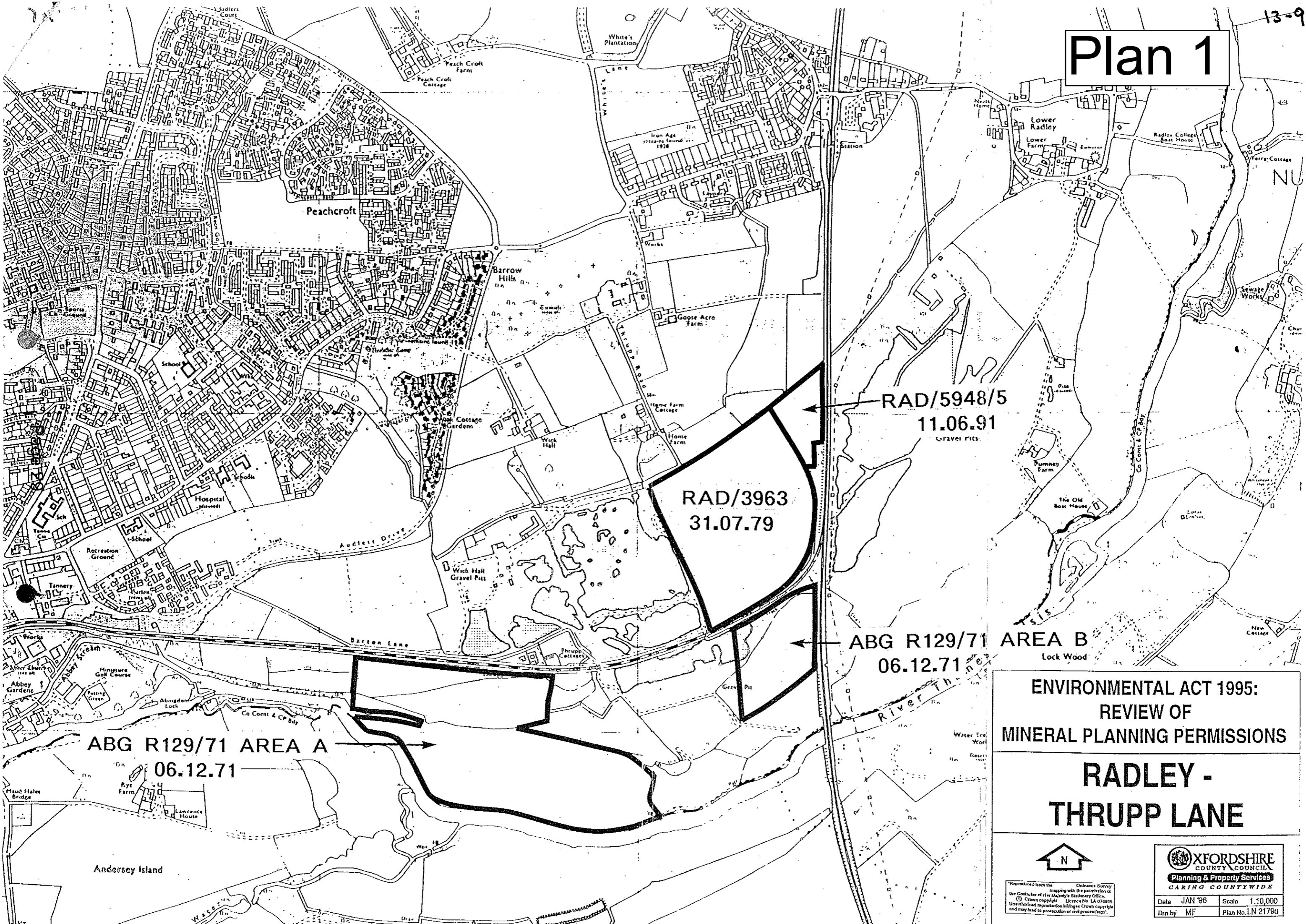
MW.0056/13 – Planning permission granted on 4th August 2014 for the revised restoration to conservation rather than Agriculture.

Area 10

DD1 – New Conditions granted by default on 1st January 2000

DD2 – New Conditions granted by default on 28th January 2000

Plan 1



ENVIRONMENTAL ACT 1995:
REVIEW OF
MINERAL PLANNING PERMISSIONS

RADLEY - THRUPP LANE



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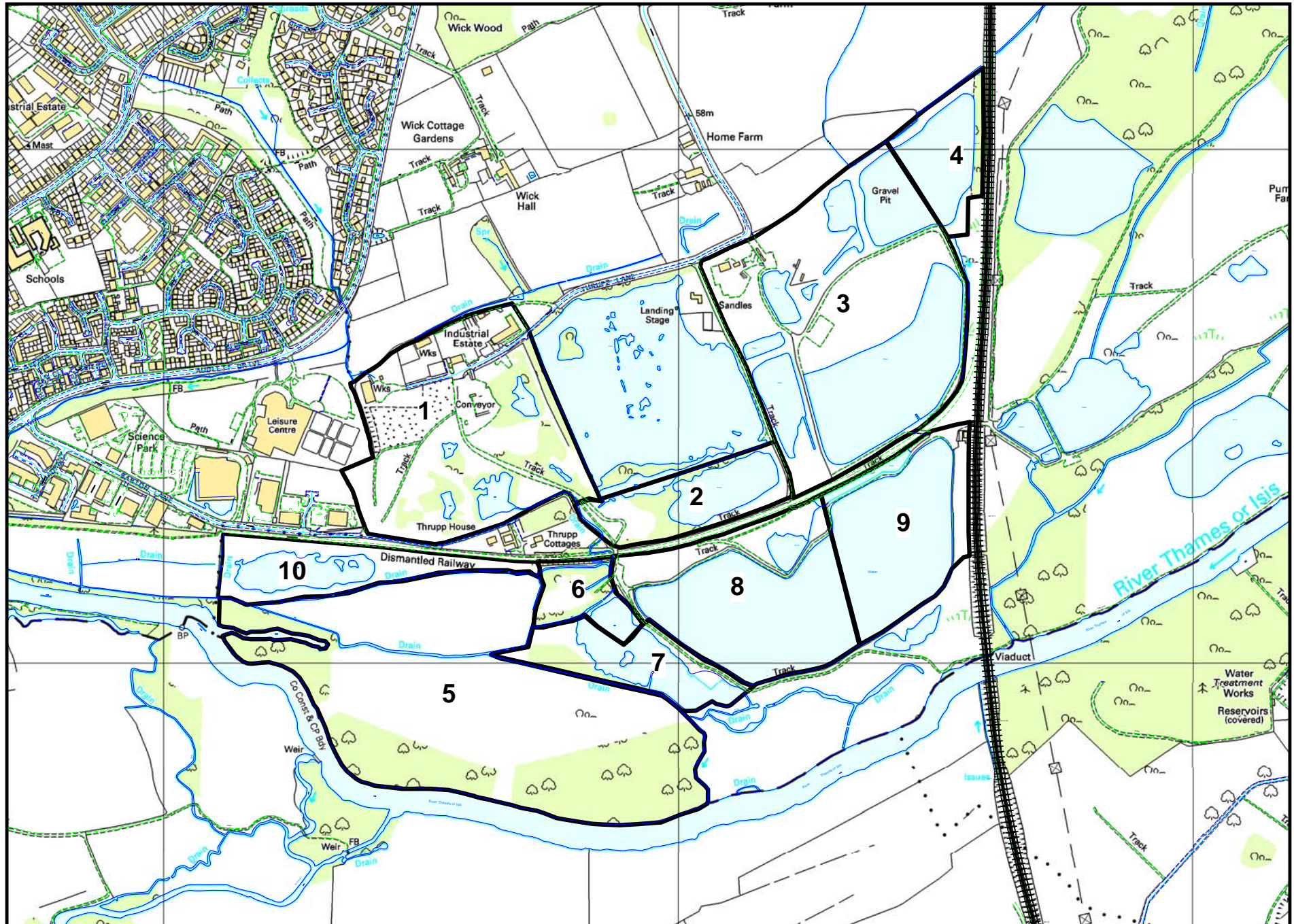
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Areas for ROMP Review



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Planning Report

For: PLANNING AND REGULATION COMMITTEE – 9 SEPTEMBER 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Provision of a new 64 space carpark, comprised of a 43 space formally laid out paved parking area with an overflow grass-protected area providing the additional 21 spaces. Works include the adaption of the existing site opening and installation of an access barrier.

Division Affected: Wallingford

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

Location: Field area directly to the West of St Georges Road, Wallingford, OX10 8HL

Applicant: Oxfordshire County Council

Application No: R3.0143/18 **District Ref:** P19/S2569/CC/
P18/S4042/CM

District Council Area: South Oxfordshire District Council

Date Received: 30 November 2018

Consultation Period: 13 December 2018 – 14 January 2019 and 15 August 2019 – 6 September 2019

Recommendation: **Approval/ Refusal**

The report recommends that the applications 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**

Site and Setting (see site plan Annex 1)

1. The application site is accessed via St George's Road, Wallingford which is near the centre of the town within a residential area. The application site is the eastern part of an existing open field, which is approximately 0.92 hectare in total size. The field was previously part of the former Wallingford Upper School's grounds. The eastern half contained a formal car park, used by Wallingford Upper School (formerly the Grammar School) until 1999. The field is currently securely fenced with a gated access. There is an electricity substation located against the boundary to the south-eastern corner.
2. St George's Road runs along the eastern edge of the site, with residential properties beyond. Millington Road runs immediately along the southern edge of the site, with residential properties within a Grade II-listed building beyond. Millington Road continues around the western edge side of the site and part of the northern edge. The residential properties are between Millington Road and the site along the western edge, although the western part of the open field would remain undeveloped. The northern edge of the site is bordered by residential properties that face along Millington Road and St George's Road.
3. The site is fenced all around with weldmesh fencing. This is approximately 2 metres high around the northern and western edges, and most of the southern edge. The eastern edge and the first few metres of the southern edge has 4-metre-high fencing, with an established hedge also to the eastern edge. The site is gated and locked. There is no public access and the site is not used by the school for sports or events as there is a surplus of playing field space within the main school site. There is occasional use as overflow car parking for events in the summer; the site is not regularly used and is vacant.
4. Across the road to the east of the site is Bull Croft Park. This is a large park for public recreation, which includes tennis courts and a basketball court. There is also a Scheduled Ancient Monument and Bull Croft Park is wholly within the Conservation Area, forming a boundary on the western side. The park is separated from the application site by a line of housing on St George's Road, and is approximately 33 metres from the Conservation Area.
5. To the south of the site on the High Street is the Wallingford Air Quality Management Area (AQMA). The site is approximately 111 metres from the AQMA.

Details of the Development

6. The proposed development would be for the provision of a 64-space car park, to be used solely by staff at Wallingford School. The applicant's revised Design and Access Statement specifies that at the current time, there is an existing shortfall at the school site of 21 car parking spaces against the county council's 2016 guidance. This shortfall is projected to become 64 spaces below guidance, as a result of the construction of a new teaching block at Wallingford School. This planning application is being decided by South Oxfordshire District Council (P19/S0191/FUL) but is yet to be determined.
7. Wallingford School had originally asked for additional car parking above the projected shortfall of 64 spaces due to the school's expansion. This was due to the site being regularly pushed for parking space, which would be 99 spaces once the extension has been constructed. This application was originally for a 100-space car park, but this was reduced to 64 spaces to cover the projected shortfall only and as such the application is currently out to a second period of consultation.
8. The car park would be on the eastern part of the existing field, approximately 0.39 hectare in size, including a biodiversity enhancement area to the south. There would be a 1.2m high bund separating the car park and biodiversity enhancement area from the rest of the field which would remain open. The car park entrance and 43 car parking spaces would be set out on permeable block paving; the remainder of the site would be protected by grass reinforcement mesh to provide the 21 overflow spaces.
9. The existing entrance from St George's Road would be widened to allow for two-way access, to facilitate safe vehicle access and egress. An access-controlled barrier would also be installed to restrict access to staff only; no access is envisioned for the general public, students, teachers or visitors.
10. The existing lay-by adjacent to the entrance is expected to be moved further south along the verge from its existing position. This is due to highway's requirements for adequate visibility splays for the widened site entrance. This would require a separate section 278 agreement between the applicant and highway authority.

• Part 2 – Other Viewpoints

Representations

11. There were 10 third party responses received during the original consultation period for this application. All objected, on the following grounds:

1. Believe that there is a covenant, as a requirement of a planning permission for the conversion of the Grammar School, preventing the site from being used as anything other than green space.
2. The field is used by a local Youth Football team, or it was until the school withdrew the use of the field.
3. The field, particularly the boundaries are an important habitat for hedgehogs, this will be partly destroyed by the car park.
4. The visual and noise impact caused by additional traffic on St George's Road.
5. Question the need for the car parking.
6. An EIA should have been carried out, looking at alternatives.
7. A better alternative might be to use the Castle Street Entrance.
8. The application is a Trojan Horse for a larger 300 car park.
9. Noise and light pollution.
10. A 3m fence between the car park and the properties should be provided.
11. Both the St George's Road entrance and the Millington Road entrance should be used – one in and one out.
12. The access will cause problems on St George's Road.
13. The protected grass area could lead to mud on the roads.
14. Concern about young people using the car park as a skate park.
15. Will lead to an increase in traffic.
16. Loss of a sports facility.
17. Increased disturbance in the area.
18. Increase in air pollution.
19. The high hedge could be retained or extended.
20. Concern over access for emergency vehicles.
21. This would lead to more cars on the children's walk to school route.
22. Better to construct a car park on the Shillingford Road.

At the time of writing this report there have been no further third-party comments received during the consultation period for the additional information. **However, the consultation period runs to 6 September and officers will update the committee orally if any further comments are received.**

Consultations

12. South Oxfordshire District Council – Object on the following Grounds during the initial consultation:
 1. Insufficient evidence on the impact of the Air Quality Management Area.
 2. Insufficient Noise Impact information.
 3. Effect on the root protection area of the Horse Chestnut tree to the north east of the site.

The retention of the hedge on St George's Road is also important.

Following the consultation on the additional information after the spaces have been reduced:

1. The Air Quality comments still stand – objection as public health needs to be protected from cumulative impacts of small development, unless the following conditions would be fully adhered to for this development:
EV charging points to be installed in 10% of the spaces;
Some form of secure cycle parking storage that is easily accessible for staff and students.
13. Sport England – Objects to the loss of a playing field that has been used as an U15/U16 football pitch; this objection has not been removed following the reduction in car parking spaces (from 100). There are also the following comments:
 1. Crowmarsh Youth traditionally used the site for football, as their main ground (Bull Croft Park) is opposite.
 2. Despite the club desperately needing additional playing and training space they were advised they were no longer allowed to use the site. This was over 12 months ago.
 3. The club (25 teams) are already stretched across a number of sites with inadequate facilities. The Town Council suggesting marking out an additional pitch at Bull Croft Park is not seen as adequate mitigation for the loss of use.
 4. The NPPF and the adopted Playing Pitch Strategy do not distinguish between public and private playing fields. The applicant has reduced the number of car parking spaces, but has not dealt with the fact that the playing field cannot be used for competition football and this loss has not been addressed
14. Wallingford Town Council – Supports the expansion of the school and would like public parking to be provided.
15. Historic England – no response received.
16. OCC Archaeology – No objection
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.

Following re-consultation due to the additional information, there were no further comments to be made on this proposal.
17. OCC Countryside Access – no comments .
18. OCC Highways – Awaiting formal comment.
19. OCC Biodiversity – More detail required
More information needs to be provided by the applicant regarding the biodiversity planting and size of bunds and biodiversity management – to be either applied as a pre-commencement condition or as a standard

condition for species planting if the information is provided prior to determination.

Part 3 – Relevant Planning Documents

Relevant planning policies (see Policy Annex to the committee papers)

20. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant development plan documents are:

- South Oxfordshire Core Strategy (SOCS)
 - Saved Policies of the South Oxfordshire Local Plan 2011 (SOLP)
21. South Oxfordshire District Council submitted the Local Plan 2034 to the Secretary of State on Friday 29 March 2019. Whilst a material consideration, in accordance with paragraph 216 of the NPPF, these policies are at an early stage and should be given limited weight in any decision made.
 22. The Government's National Planning Policy Framework (NPPF) 2019 is also a material consideration.

Relevant Policies

23. South Oxfordshire Core Strategy (SOCS):
 - CS1 Presumption in favour of sustainable development
 - CSM1 Transport
 - CSWAL1 The strategy for Wallingford
 - CSEN1 Landscape
 - CSEN3 Historic Environment
 - CSQ3 Design
 - CSB1 Conservation and improvement of biodiversity
24. Saved policies of the South Oxfordshire Local Plan 2011 (SOLP)
 - G2 Protection and enhancement of the environment
 - C6 Biodiversity conservation
 - CON5 The setting of listed buildings
 - EP1 Prevention of polluting emissions
 - EP2 Noise and vibrations
 - EP6 Surface water protection
 - D1 Good design and local distinctiveness
 - D2 Vehicle and bicycle parking
 - CF1 Safeguarding community facilities and services, including recreation facilities
 - CF2 Provision of community facilities and services

25. Policies of the emerging South Oxfordshire Local Plan 2034 (ESOLP)
STRAT1 The Overall Strategy
WAL1 The Strategy for Wallingford
TRANS5 Consideration of Development Proposals
ENV3 Biodiversity – Non Designated Sites, Habitats and Species
ENV6 Historic Environment
ENV7 Listed Buildings
ENV12 Pollution – Impact of Development on Human Health, the Natural Environment and/or Local Amenity
EP1 Air Quality
EP4 Flood Risk
DES6 Residential Amenity
CF1 Safeguarding Community Facilities
CF4 Existing Open Space, Sport and Recreation Facilities

• **Part 4 – Analysis and Conclusions**

Comments of the Director for Planning and Place

26. 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. 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 schools 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 was endorsed as part of the National Planning Policy Framework (NPPF) and has been retained in the revised NPPF (2019) which states that local planning authorities should *give great weight to the need to create, expand or alter schools.*

27. Policy CS1 of the SOCS sets out the presumption in favour of sustainable development. Taken together with the CLG letter, planning permission should be granted unless overriding policy or material considerations dictate otherwise. The main issues in relation to this application are the Historic Environment, Environment and Amenity, Transport, Biodiversity and loss of playing field space.

Historic Environment

28. Policy CSEN3 of the SOCS seeks to protect the historic assets of the district including listed buildings and conservation areas. Saved policy CON5 of the SOLP, and policy ENV7 of the ESOLP also seek to protect listed buildings from being adversely affected by development. Policy STRAT1 of the ESOLP also seeks to protect the historic environment, as does policy ENV6 of the ESOLP.
29. 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.
30. 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.
31. 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.
32. 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"*.
33. The proposed development would be near to a Grade II-listed building, Wallingford Upper School; this former school site is now converted to residential use. It was listed in February 1988. Wallingford Upper School is summarised in by Historic England in its list entry as:

School c.1877 by W. Stevenson of Nottingham, laboratory added 1899. Red brick; old plain-tile complex roof; paired brick ridge stacks to centre. Central school house with single-storey classroom wings to left and right. Arts and Crafts Gothic style. 3-storey, 5-window block to centre with single-storey wings. Panelled doors to recessed porches with 2-centred arches to left and right of main block. Complex fenestration, mostly of wood mullion and transom windows. Wood cross windows to classroom wings. Interior not inspected. Laboratory pavilion to left; red brick; old plain-tile hipped roof. Single-storey 2-window range.

It is listed for its special architectural or historic interest.

34. 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. However, between the proposed car parking and the listed building would be the existing road, where there is already parking, the weldmesh fence to the site and the proposed biodiversity enhancement area. It is also noteworthy that at the time of the listing, the eastern part of the application area was being used as a car park for the Upper School. The setting of the listed building is unlikely to be significantly impacted should the car park be approved, as there is planting to the boundaries which could soften any possible impacts.
35. Wallingford Conservation Area is approximately 111 metres from the application site. The conservation area boundary is to the rear of the row of residential properties which face onto St Georges Road, opposite the eastern edge of the application site. As there is no significant change to the eastern boundary, there would be no significant effect on the conservation area from the proposed development.
36. 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 if it is concluded that the provision of the car park contributes to meeting the presumption in favour of state-funded schools' development. The proposal would not lead to any harm to the historic environment, and would conform to policies CSEN3 of the SOCS, saved policy CON5 of the SOLP, and policies EN7, STRAT1 and ENV6 of the ESOLP.

Environment and Amenity

37. Policy CSWAL1 of the SOCS, and policy EP1 of the ESOLP seek to improve air quality. Policy WAL1 of the ESOLP seeks to improve the air quality of Wallingford. Policy ENV12 of the ESOLP states that

development should be designed to ensure that they will not result in significant adverse impacts on human health or the amenity of neighbouring users.

38. The proposed development would lead to an increase in car traffic movements to this part of Wallingford. Although it would be in place of parking already in existence at the main school site approximately 300 metres to the north, the proposal would nevertheless be an increase in traffic movements that would be aiming for, as opposed to passing thorough this part of St Georges Road. It is conceivable that there would be more vehicles that would choose to access the site either through the AQMA, or through the residential roads surrounding the site.
39. The introduction of car parking would bring with it pollution emissions that would have an adverse impact on neighbouring residents, including noise and vibration impacts that is not a feature of use at present
40. The proposed development would therefore be contrary to Policies CSWAL1 of the SOCS and policies EP1, WAL1, and ENV12 of the ESOLP.
41. Saved policy EP1 of the SOLP states that proposals that , by reason of pollution emissions would have an adverse effect on people and other living organisms will not be permitted unless there are effective mitigation measures. Saved policy EP2 of the SOLP seeks similar protection against noise and vibration. Policy ENV12 of the ESOLP makes similar provision, and policy DES6 of the ESOLP seeks developments to demonstrate that they would have no adverse impact on amenity.
42. The proposed development would bring 64 car parking spaces to an area which has had a documented use for sport and recreation use, albeit the site has not been actively used as such for approximately the last 12-18 months. The current open space would be approximately halved, with the traffic movements generating greater amounts of noise and movements than there are currently associated to a residential area.
43. The proposal does not include any mitigation measures to deal with such impacts; there is a proposed bund, but this is proposed mainly to reduce incursion into the western part of the field, which is to be left undeveloped by this proposal. Conditions proposed by SODC's Environmental Health Team, for 10% EV charging points and secure cycle parking for staff and students would not be able to be fully implemented at the site. The proposal is therefore contrary to saved policies EP1 and EP2 of the SOLP, and policies ENV12 and DES6 of the ESOLP.

Transport

44. Policy CSM1 of the SOCS seeks to enable a modal shift to public transport, cycling and walking; promote traffic management measures that increase safety, improve air quality and encourage sustainable modes of transport; adopt a comprehensive approach to car parking to improve attraction to town centres; and encourage sustainable modes of transport. Policy TRANS5 of the ESOLP makes similar provision.
45. The proposed development is for car parking only, with no inclusion of specific provision for electric vehicles. The proposed parking is to maintain the status quo of overall parking available for Wallingford School and is to be used solely by school staff. Moving the existing layby adjacent to the site further south also maintains the status quo. This application does not however make any provision for a modal shift to public transport, cycling or walking. It is therefore contrary to policy CSM1 of the SOCS, and policy TRANS5 of the ESOLP.
46. Policy CSWAL1 of the SOCS seeks to improve accessibility, car parking, pedestrian and cycle links. The proposed development is for car parking only, and partly complies with policy CSWAL1 of the SOCS.
47. Saved policy D2 of the SOLP states that permission will not be granted for developments that fail to incorporate adequate, safe and secure parking.
48. The proposed development would have adequate, safe and secure parking and would comply with saved policy D2 of the SOLP.

Biodiversity

49. Policy CSB1 of the SOCS and saved policy C6 of the SOLP seek a net gain in biodiversity. Policy ENV3 of the ESOLP makes similar provision.
50. The proposed site is currently an unused, grassed area with a mature hedge to the eastern boundary and some shrubs and a protected Horse Chestnut tree (Tree Preservation Order 22/1999) to the northern boundary where the car parking is proposed. The block paving proposed for the hard-standing spaces and entrance would stop short of the Horse Chestnut's root zone and the shrubs would be unaffected.
51. The current biodiversity interest would be low but will be potentially affected by removing part of the grass and introducing car parking to a field which has been largely unchanged in the 19 years since being created. However, the proposed development does have measures to increase the biodiversity by maintaining most of the existing hedge, planting more hedges to retain and attract invertebrates and sowing a wildflower grass-mix to the enhancement area to be created between the grass-protected overflow area and Millington Road. The measures also state there would be two 'bee houses' to attract bees, but does not

specify exactly where these would be placed within the biodiversity area. The biodiversity enhancements can be the subject of a condition for the submission of a scheme for approval prior to the commencement of the development should the applicant be prepared to accept such a condition.

52. The proposed development is therefore broadly in line with policies CSB1 of the SOCS, saved policy C6 of the SOLP and policy ENV3 of the ESOLP.

Loss of Playing Field space

53. Saved policy CF1 of the SOLP states that proposals that would result in the loss of a recreation facility will not be permitted unless suitable alternative provision has been made for the facility or that it is not needed. Policies CF1 and CF4 of the ESOLP makes similar provision.
54. The proposed development would lead to a loss of recreation facilities through the loss of playing field space, which according to Sport England is still needed. No suitable alternative, similar standard provision is made. The proposed development would therefore be contrary to saved policy CF1 of the SOLP. The only justification for the loss of the playing field space would be if it is concluded that the provision of the car park contributes to meeting the presumption in favour of state-funded schools development. If the committee is minded to approve the application, then it would first be necessary to refer the application to the Secretary of State to see whether they would wish to call the application in for their own determination in accordance with the requirements of The Town and Country Planning (Consultation) (England) Direction 2009.

Other Issues

55. Policy CSEN1 seeks to protect the district's landscape and saved policy G2 of the SOLP seeks to protect settlements from adverse developments.
56. The proposed development would be within the context of the urban fabric of the town and would not lead to any adverse impact to the landscape or the settlement generally as existing.
57. Policy CSQ3 of the SOCS seeks development that is of a high quality and inclusive design. Saved policy D1 of the SOLP seeks high quality design that respects local distinctiveness.
58. The proposed development is a simple grid pattern car park. It is not an inspiring design but would use the space efficiently and has included some grass-protected spaces to lessen the impacts of the inevitable hard paving. There would be a bund to separate the car park from the remaining field. The revised layout to reduce the number of spaces provided has taken the Horse Chestnut tree to the north west of the site

into account to move the spaces further away from the root zone than was previously designed.

59. Saved policy EP6 of the SOLP seeks sustainable drainage to mitigate the effects of surface water run off. Policy EP4 of the ESOLP seeks to minimise flood risk.
60. The proposed development includes both porous paving and grass protection netting for the car park layout. This would continue to allow the water to drain into the field, and not lead to an increase in surface water run off.
61. Saved policy CF2 of the SOLP supports proposals that would result in the provision of additional community facilities will be permitted provided there are no overriding amenity, environmental or traffic objections, and that there is no conflict with other policies. Policy CF2 of the ESOLP makes similar provision.
62. The justification for the proposed development is linked to a development of extra facilities at Wallingford School. This would be supported by saved policy CF2 of the SOLP provided there are no overriding amenity, environmental or traffic objections.

Conclusion

63. The proposed development would lead to significant impacts and would be contrary to policies CSWAL1 of the SOCS and policies EP1, WAL1, and ENV12 of the ESOLP.
64. The proposed development would lead to pollution emissions, noise and vibration, and would therefore be contrary to saved policies EP1 and EP2 of the SOLP, and policies ENV12 and DES6 of the ESOLP.
65. The proposed development makes no provision for a modal shift to public transport, cycling or walking. It is therefore contrary to policy CSM1 of the SOCS, and policy TRANS5 of the ESOLP.
66. The proposed development would lead to the loss of playing field space contrary to policy CF1 of the SOLP.
67. The development would not lead to substantial harm to heritage assets and would therefore conform to policies CSEN3 of the SOCS, saved policy CON5 of the SOLP, and policies EN7, STRAT1 and ENV6 of the ESOLP.
68. Subject to the provision of a pre-commencement condition, the proposed development would lead to a net increase in biodiversity and is therefore in line with policies CSB1 of the SOCS, saved policy C6 of the SOLP and policy ENV3 of the ESOLP.

69. The development is therefore contrary to policies in the development plan and as such there are reasons to refuse planning permission. The only justification for the development is if it is considered that it is essential to facilitate the development at Wallingford School which is the subject of application no. P19/S0191/FUL which is currently before the South Oxfordshire District Council for determination. It is understood that the development proposed in that application can only be progressed if permission is granted to this application to provide the required car parking. It is therefore considered that the development proposed in this application is essentially ancillary to that proposed in the application at the school. If planning permission is granted to the application at the school then it is considered that there is an over-riding need for the car parking provision proposed in this application which would contribute to meeting the presumption in favour of state-funded schools development supported by central government through the letter dated 15th August 2011 and the NPPF. Subject to the application first being referred to the Secretary of State due to the objection from Sport England over the loss of playing field space it should then be approved. If planning permission is not granted to the application at the school, then this application should be refused.
70. As the application before the District Council is yet to be determined it is therefore recommended that the decision on this application be delegated to the Director of Planning and Place subject to the District Council's determination of application no. P19/S0191/FUL

RECOMMENDATION

71. **It is RECOMMENDED that the Director for Planning and Place be authorised to EITHER:**
- A**
- i) should planning permission to application no. P19/S0191/FUL be approved by South Oxfordshire District Council and this 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 the Secretary of State not calling in the application for his own determination following referral to him, APPROVE application no. R3.0143/18 subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to this report.**
 - ii) should South Oxfordshire District Council be minded to approve P19/S/0191/FUL, that they are advised that the County Council considers a condition should be attached, that the school extension shall not be brought into use until a car park has been provided for additional staff parking in the vicinity of the school and such car park is available for use;**

OR

B should planning permission to application no. P19/S0191/FUL be refused by South Oxfordshire District Council to REFUSE planning permission for application no. R3.0143/18 for the following reasons:

- 1. The proposed development would lead to significant impacts on amenity, including air quality and would be contrary to policies CSWAL1 of the SOCS and policies EP1, WAL1, and ENV12 of the ESOLP.**
- 2. The proposed development would lead to pollution emissions, noise and vibration, and would therefore be contrary to saved policies EP1 and EP2 of the SOLP, and policies ENV12 and DES6 of the ESOLP.**
- 3. The proposed development makes no provision for a modal shift to public transport, cycling or walking. It is therefore contrary to policy CSM1 of the SOCS, and policy TRANS5 of the ESOLP.**
- 4. The development would lead to a loss of playing field space and so existing recreational provision contrary to policy CF1 of the SOLP.**

SUSAN HALLIWELL
Director of Planning and Place

Compliance with National Planning Policy Framework

In accordance with paragraph 38 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. In this case the applicant was advised of the Sport England objection, and the objection from the District Council. Further information was supplied to the consultees, but it did not result in the removal of the objections.

Annex 1 - 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 Habitats & Species Regulations 2017 which identifies four main offences for development affecting European Protected Species (EPS):

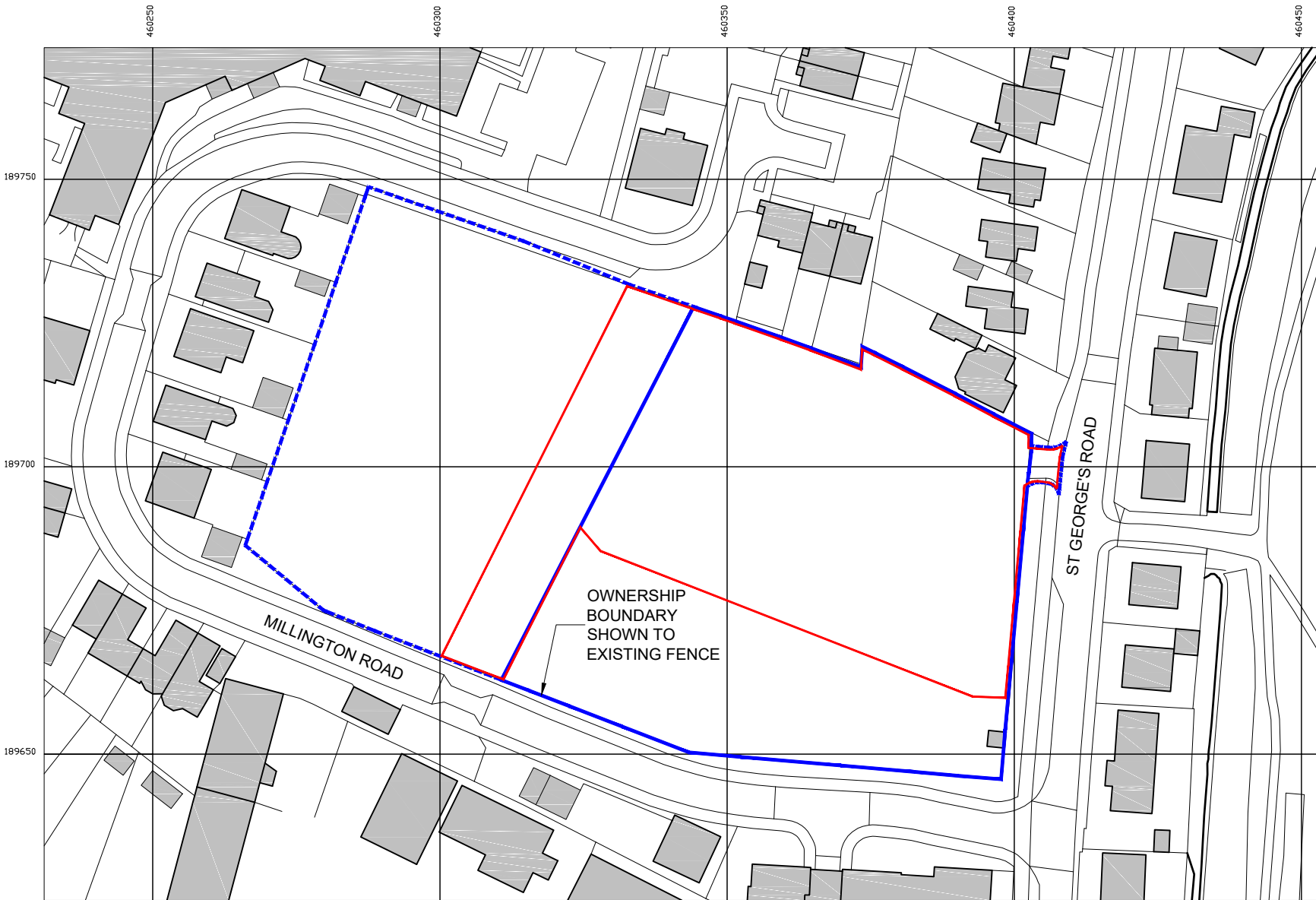
1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and the habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Habitat Regulations is necessary.

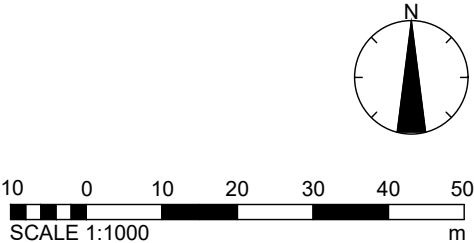
Annex 2 – R3.0143/18 – Conditions

1. The development shall be carried out in strictly in accordance with the particulars of the development, plans and specifications contained in the application, except as modified by conditions of this permission. The approved plans and particulars comprise:
 - Application form dated 22/11/2018
 - Transport Statement 17/10/2018
 - Proposed Car Park Road Construction Details
 - Proposed Car Park Surface Finishes and Kerbs
 - Additional Information August 2019 – Existing Site Plan – Car Park – Drawing No 0007 Rev C
 - Additional Information August 2019 – Location Plan – Car Park – Drawing No. 0005 Rev D
 - Additional Information August 2019 – Block Plan – Car Park – Drawing No. 0006 Rev D
 - Additional Information August 2019 – Proposed Site Plan – Car Park – Drawing No. 0008 Rev E
 - Additional Information August 2019 – Design and Access Statement Dated August 2019
 - Sketch plan of entrance Drawing no. 5001158 August 2019.
2. Work shall not commence on the construction of the car park until the extension to Wallingford School to be permitted by permission P19/S0191/FUL has been completed or until such earlier time as the County Planning Authority may approve.

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KEY

- WALTER BIGG TRUST OWNERSHIP BOUNDARY
- - - - - OCC OWNERSHIP BOUNDARY
- SITE BOUNDARY

A	Planning issue	02/11/18	EB	MR
-	Issued for comment	16/10/18	RK	MR
REV	DESCRIPTION	DATE	BY	CHKD

ORIGINATOR:

RIDGE
PROPERTY & CONSTRUCTION CONSULTANTS

THE COWYARDS
BLENHEIM PARK
OXFORD ROAD
WOODSTOCK, OX20 1QR

TEL: 01993 815000
WWW.RIDGE.CO.UK

CLIENT:

Wallingford
SCHOOL
1659

CONTRACTOR CLIENT:

PROJECT:

Wallingford School - New Classroom Block

TITLE:

Location Plan - Car Park

DRAWN BY:	RK	SCALE:	1:1000 @ A3
CHECKED BY:	MR	DATE:	16/10/2018

STATUS:

PLANNING

DRAWING No:

PROJECT:	ORG:	ZONE:	LEVEL:	TYPE:	ROLE:	NUMBER:	REV:
5001158	RDG	XX	ST	PL	A	0005	A

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For: PLANNING AND REGULATION COMMITTEE – 9 SEPTEMBER 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

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

Division Affected: Faringdon

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

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

Applicant: Grundon Sand and Gravel Ltd

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

Date Received: 9 July 2019

Consultation Period: 31 July – 20 August 2019

Recommendation: **Approval**

Introduction & Background

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

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

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

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

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

The Site and the Proposal

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

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

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

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

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

Site History

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

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

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

Consultation and Representations

20. Part 17 of the GPDO does not specify any requirements for consultation or publicity for this type of prior approval application. In this instance, however, the Parish Council, adjacent Town Council and the District Planning Authority have been consulted. The local County Councillor has also been notified.
21. The Local County Councillor does not support this application and has commented as follows:

- Confused as to why being consulted when it would appear there is no control over the outcome.
- The impact on the amenity of the neighbourhood and surrounding area will be severe. The traffic on the A420 is increasing constantly, not only the volume of traffic but the size of the vehicles on the highway. The mix of commercial/industrial and car traffic much of which is local is constantly increasing.
- New housing development adds to the pressure to the traffic movements and mix on the A420 together with ever increasing traffic for the same reasons coming across the border from Swindon.
- The A420 is a mixed road of single traffic flows and dual carriage ways, with considerable frustration at slow-moving vehicles from other drivers on a local road, with many side roads both sides of the carriageway. The A420 carries heavy commercial traffic and frequent bus services and heavy commuter traffic both east and west.
- The Little Coxwell access onto the A420 in an easterly direction is a very dangerous driving manoeuvre; the traffic has to cross flowing traffic which can be travelling on the road in excess of the 60mph limit. Because of the brow of the hill this traffic cannot be seen until a driver exiting the Little Coxwell turn is fully committed and a slow moving

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

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

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

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

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

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

23. Faringdon Town Council – Objection

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

24. Vale of White Horse District Council – No comments

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

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

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

Considerations

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

Amenity

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

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

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

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

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

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

Alternative location

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

Conclusion

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

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

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

RECOMMENDATION

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

Schedule of Approved Plans and Documents

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

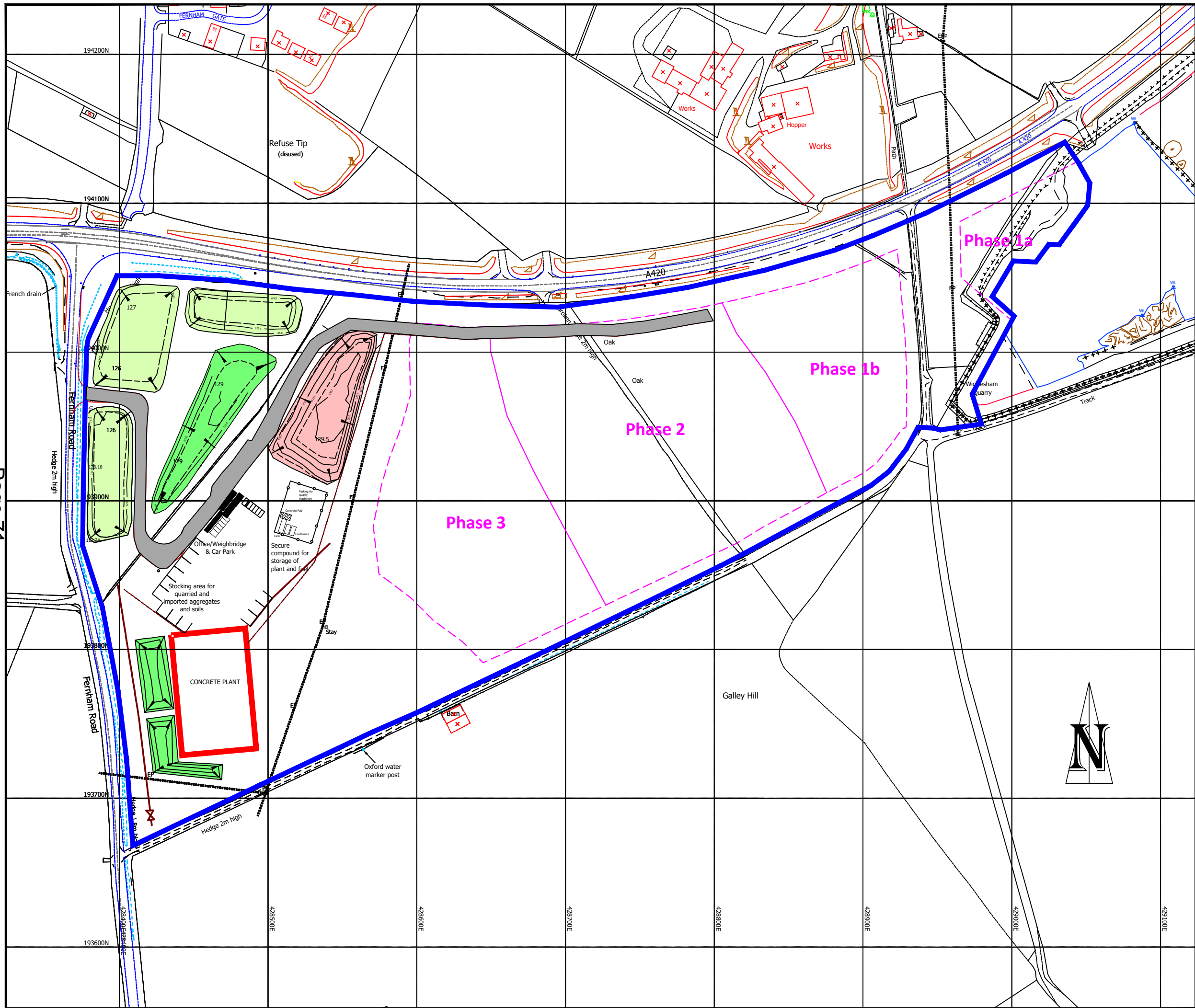
(vii) Faringdon CBP Technical Note Addendum Noise 21.08.19

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

SUSAN HALLIWELL
Director for Planning & Place

August 2019

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LEGEND

- Faringdon Quarry
- Concrete Batching Plant
- Extraction Phases

Notes:
Based on the original 'Geoplan' Drawing No. WIC/12b,
Mineral Extraction Phasing Plan, July 2009.

Location:
FARINGDON QUARRY

Title:
**Concrete Batching
Plant Location**

Drawn by: MG	Date: July 2019
Scale: 1:2500 @ A3	Drawing number: DG/EST/FAR/CBP/02

GRUNDON
Grundon Sand and Gravel Ltd
Estates Department, Grange Lane
Beenhams, Reading, Berks RG7 5PY
Tel 01189 714040 estates@grundon.com

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For: PLANNING AND REGULATION COMMITTEE – 9 SEPTEMBER 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Use of land for manufacture of recycled aggregate and soils

Division Affected: Eynsham

Contact Officer: Naomi Woodcock **Tel:** 077554103464

Location: D & M Plant Hire Ltd, Dix Pit, Linch Hill, Stanton Harcourt, OX29 5BB

Application No: MW.0059/19 **District Ref:** 19/01776/CM

Applicant: D & M Plant Hire Ltd

District Council Area: West Oxfordshire DC

Date Received: 4 June 2019

Consultation Period: 20 June – 11 July 2019

Contents:

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

Recommendation Summary:

Approval.

Part 1 – Facts and Background

Location (see Site plan 1)

1. The village of Stanton Harcourt lies about 1 Km to the north of the application site and the towns of Witney and Eynsham are located about 5 kilometres (3 miles) to the north west and north east respectively. Oxford is about 10 kilometres (6 miles) to the east. The West Oxfordshire District Local Plan landscape character assessment places the application site within the Lower Windrush Valley and Eastern Thames Fringes Landscape Character Areas and floodplain Wetland Landscape Type.
2. The application site comprises an area about 0.32 hectare in size, immediately to the north of the applicant's existing depot within the Dix Pit Waste Management Complex at Stanton Harcourt. There is a lake to the north and a landfill site to the east, while to the west there is a former block making works (Conbloc), a waste transfer station, a household waste recycling centre and various workshops and small scale industrial units lie to the south. All these units as well as the landfill site and the Recycled Aggregate Plant to the north are served by a purpose-built, tarmacked haul road running to up to Blackditch near the junction with the B4449. Blackditch also provides access to the Lakeside (Oasis) Industrial Estate on the edge of Stanton Harcourt about 1 Km metres to the north-east of the application site. The base of the application site lies some 3 metres below adjoining land. With the exception of the eastern boundary and access point from the Dix Pit haul road, the perimeter of the site is largely enclosed by existing trees and woodland. The site lies within the area of an existing mineral and landfill permission for which the end date is 31 December 2028 with restoration required by 30 August 2030.
3. The nearest residential property is Cutmill Farm about 440 metres to the southwest, and the village of Stanton Harcourt lies about 1km to the north. The Devil's Quoits Ancient Monument, which was a Neolithic henge and stone circle (now reconstructed), lies about 300 metres to the northeast.

Details of the Development

4. The development is partly retrospective as the use of the land has already commenced. The site is proposed to be used, in conjunction with the remaining term of the existing depot (i.e. until 31 December 2028), for manufacturing recycled aggregates from construction, demolition and excavation (CDE) waste materials. The process would involve crushing and screening of the materials to produce a range of recycled materials for re-use as building materials. Re-usable soil-making materials would also be recovered as a by-product of the process. The proposed layout of the site is shown on drawing no.: 252DMAR/3. The site would be enclosed by a 2 metres high metal palisade fence and gates for security purposes.

5. The applicant anticipates that the facility would handle up to about 40,000 tonnes per annum (tpa) of material, which would generate a maximum average of 32 daily HGV (heavy goods vehicle) movements. This is based on 275 working days in any year, and is a worst case scenario, as they assume that for one trip either in or out of the site the lorry is empty. However, it is stated that there would in reality be a significant proportion of lorries that would be fully loaded for both movements in and out of the site, i.e. returning from a delivery of aggregates with a load of waste materials or vice versa. It is anticipated that this backloading would be at a rate of at least 50% if not more, which would reduce the average movements to 24 per day. If 75% of trips are backloaded then the movements would reduce to 20 per day. The applicant states that as transport is a significant cost element of the business, there is a strong incentive to reduce lorries entering or leaving the site empty. Some trips at the beginning and the end of the day would also be combined with lorries leaving and returning to the D & M depot in any event, which would mean that the increase in lorry movements are actually likely to be even lower.
6. Following cessation of the use which would be in line with the existing end dates on the minerals and landfill permission, the fencing and gates would be removed and the land would revert to the landowner in order for it to be restored to grassland, or such other scheme as is approved under the mineral/landfill permission.
7. In support of the application it is stated that it is considered the development is in accordance with development plan policies including those with regard to providing additional recycled and secondary aggregate capacity and locational criteria including that it is at an active mineral working or landfill site, is already in waste management or industrial use and is previously developed, derelict or underused. It is not considered that the development would have any harmful landscape impacts. It is considered that it may be possible to implement improved planting of the perimeter of the site, using native and shrub species consistent with those of the local area. In addition, suitable bat and bird boxes could be erected in existing trees surrounding the site at agreed locations. These measures would achieve net biodiversity gains. The site and machinery would be subject to noise and dust controls and it is considered in any instance that the distance to the nearest residential property would ameliorate any amenity impacts. No external lighting is proposed as part of the application and the submission of any such proposals for approval could be the subject of a planning condition. It is not considered that the application would lead to any significant traffic impacts including through Sutton. It is considered that the application constitutes sustainable development.
8. Additional supporting information was submitted by the applicant on 5 August to address concerns raised about transport impact, noise and dust impacts. In particular, the applicant explains that they are agreeable to entering into a routeing agreement subject to the exception that D&M Plant lorries that would be leaving the premises to start work for the day, or to come back to finish at the end of the day and park up, as these are existing business movements that are

currently already allowed independently of the proposed new activity and have no such restriction.

9. The additional supporting information also explains that the proposed works complies with the World Health Organisations guidance on general daytime outdoor noise levels and the noise limits as set out within the National Planning Practice Guidance for mineral sites.
10. In terms of dust, the additional supporting information explains that a rate of 200mg/m²/day is commonly accepted as the guideline figure for when complaints (from local residents) are likely, and whilst the zone of influence will vary depending on factors such as source emission strength, wind direction, and terrain, any dust escaping from the site (due to lack of mitigation or control) is likely to drop out within about 100 m.
11. The additional supporting information also details that a crusher would be brought in when needed and would only be used occasionally for a few weeks or months a year. The modern crusher would include dust suppression systems such as jet sprays or misting nozzles mounted at the loading point and at the end of the receiving conveyor.

Part 2 – Other Viewpoints

Third Party Representations

12. No third party responses have been received.

Consultation Responses

13. Whilst no written response has been received, it is understood that the local member, Councillor Charles Mathew objects to the application in principle but also in relation to the adverse impact of additional HGVs on the local road network including on the village of Sutton.
14. *West Oxfordshire District Council Environmental Protection Officer (Noise) first response:* No objection in principle and no conditions to recommend in terms of noise control and amenity protection.
15. *West Oxfordshire District Council Environmental Protection Officer (Noise) second response:* 'The opinion on noise is useful, although I don't agree with the distance attenuation decibel value suggested. I understand in acoustics it is actually 1.5 dB less than that the level referenced. (In a free field - a doubling of the distance from a noise source reduces the sound pressure level with 6 decibel). Notwithstanding this error of fact, I have no objection to the application in principle and no conditions relating to noise to recommend, given the substantial distance between source and potential receivers'.
16. *West Oxfordshire Environmental Protection Officer (Dust):* 'The activity would be regulated by the Environment Agency in the event it was given permission, so

they would regulate the operational aspect. As standard procedure with this sort of application, I would request that the applicants submit a dust management plan for consideration, as part of the application process’.

17. *Northmoor Parish Council*: ‘The site for this work is close to the Northmoor Parish boundary and would affect residents of this Parish. The Council objects for three reasons, an increase in HGV traffic, potential noise and dust contamination. 1) HGV traffic in the Lower Windrush Valley already exceeds acceptable levels on local rural unclassified roads that presents a danger to both cyclists and pedestrians, and is frequently alarming when travelling by motor-car. The high volume of HGV traffic that comes from the business parks at Stanton Harcourt and Standlake has already seen an increase due to the high level of new housing being constructed within the locality, and there is still the traffic that will arise when quarrying for aggregates at the Stonehenge site in Northmoor begins commercial operations sometime in 2020. Moving past Eynsham onto the Witney to Oxford A40, now more often at a standstill than moving traffic, the present development of some 1000 new homes west of Eynsham and the proposed Garden Village to the north of Eynsham will add even more to this gridlock. So no more consents for more HGVs. 2) Noise is also a concern. Yes, the site is not adjacent to any immediate housing, but there are a small number of houses on Cow Lane that would be affected, and noise can travel long distances, the noise of motor racing on the west of Standlake can clearly and annoyingly be heard here in Northmoor. 3) Dust Contamination is a similar unwanted consequence. The site is to the west of Northmoor and the prevailing wind will carry this dust towards this village. There appears to have been trial workings already on this site and the roadway that goes past is covered in sand grit. We object to this Application for the reasons given. The prospect that a better environment was on the horizon with the ending of landfill at Dix Pit and its possible reclamation for the enjoyment of its residents would be severely set back if consent was given.’
18. *Environment Agency*: No objections. ‘This site has been subject to historic sand and gravel extraction and therefore the underlying geology is likely to be the Oxford Clay. The application site is adjacent to but not located over the authorised FCC landfill therefore we have no particular concerns about this Aggregate Recycling Facility that will need to be regulated by an Environmental Permit’.
19. *Natural England*: No comments to make on this application.
20. *Oxfordshire Fire and Rescue*: No objection to this application.
21. *Transport Development Control as the Local Highways Authority*: No objection. ‘The proposal is to create a material recycling facility that would handle 40,000 tonnes per annum. This would result in an approximate worst-case average of 32 HGV movements per day. This application is directly comparable to the expansion of the nearby Sheehan’s site (MW.0073/17), which was to increase throughput by 75,000 tonnes. This application was initially refused due to the impact on the amenity of the residents of Sutton village due to the increased number of HGVs, but was approved on appeal. OCC Highways did not object to

the proposal. MW.0073/17 included a Transport Assessment which contained a detailed turning count at the junction of Blackditch and the B4449. Approximately 75% of HGVs associated with the site travelled to/from the east, through the village of Sutton. If the same distribution is applied to the application site, this would imply 24 HGVs per 12-hour period, i.e. one each-way per hour on average. The number of HGVs is around half that of the Sheehan's expansion so there are no grounds to object to this latest proposal. There is a routeing agreement attached to the Sheehan's site and I would expect to see a similar agreement applied to this permission, if granted. This would prevent any HGVs from passing through Sutton village during the peak hours (07:30 to 09:00 and 16:30 to 18:00). I find the application proposals acceptable from a highway safety and traffic movement point of view'.

22. *Landscape Specialist*: No objection. 'The proposed development is not expected to cause additional landscape or visual impacts'.

23. *County Archaeologist*: There are currently no archaeological constraints to this application.

24. *Rights of Way Officer*: No comments.

Part 3 – Relevant Planning Documents

Relevant planning documents and legislation (see Policy Annex Item 10 to the committee papers)

25. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
26. The relevant development plan documents are:
 - Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP)
 - West Oxfordshire Local Plan 2031 (WOLP)
27. 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.
28. 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.

29. Other material considerations are:

- i) The National Planning Policy Framework (NPPF) and National Planning Policy for Waste are also material considerations; and
- ii) The National Planning Practice Guidance (NPPG) Minerals published 2014.
- iii) The County Council's Lorry Routeing Agreements Protocol 2018.

Relevant Policies

30. The relevant policies are:

OMWCS

- M1 - Recycled and secondary aggregate
- W1 – Oxfordshire Waste to be managed
- W2 – Oxfordshire Waste Management targets
- W4 – Locations for facilities to manage the principal waste streams
- W5 - Siting of waste management facilities
- C1 - Sustainable Development
- C5 – Local environment, amenity & economy
- C10 – Transport

OMWLP 1996

- SH2 – Stanton Harcourt Sutton Bypass
- SH3 – Routeing agreements

WOLP 2031

- EH8 – Environmental Protection
- OS1 – Presumption in Favour of Sustainable Development
- OS4 – High Quality Design

Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

31. The key policy issues to consider in determining this application are:

- i) sustainable Development;
- ii) need for the development;
- iii) environmental and amenity impacts;
- iv) impact on the local highway network; and
- v) impact on the natural environment.

Sustainable Development

32. Policy C1 of the OMWCS and OS1 of the WOLP seek to deliver sustainable development. In particular these policies state that planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise.
33. The key planning issues for this application are summarised above in paragraph 30. The rest of this section of the report assesses whether these key issues of the proposed development accord with development plan policy.

Need for development

Demand for recycled aggregate materials

34. Policy M1 of the OMWCS states that aggregate mineral supply to meet demand in Oxfordshire should be from recycled and secondary aggregate materials in preference to primary aggregates, in order to minimise the need to work primary aggregates.
35. Policy M1 also states that permission will normally be granted for temporary recycled aggregate facilities at aggregate quarries and landfill sites that are located in accordance with policies W4 and W5 of the OMCS, taking into account the benefits of providing additional recycled aggregate capacity and unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. Where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period.
36. In my view the proposed development accords with the aims of the first part of policy M1 of the OMWCS as the manufacture of circa 40,000tpa of recycled aggregates, would minimise the need to work primary aggregates. I am of the view that the planning proposal accords with the aims of policy M1 of the OMWCS.
37. Paragraphs 42 - 46 below discuss whether the location of the proposed development accords with policies W4 and W5 of the OMWCS.
38. In my view the proposed time limits and restoration of the temporary facility are in line with the aims of policy M1 of the OMWCS as the cessation of development would be in line with the existing end dates of the minerals and landfill permission. After which, the land would revert back to the landowner in order for it to be restored to grassland, or such other scheme as is approved under the mineral/landfill permission

Management of waste in Oxfordshire

39. Policy W1 of the OMWCS ensures that provision is made for waste management facilities that provide capacity which allows Oxfordshire to be net self-sufficient in the management of its principal waste management streams (including CDE waste materials) over the period to 2031.
40. Given that the development is seeking permission to manage CDE waste until 31 December 2028, I am of the view that the planning application accords with the aims of planning policy W1 of the OMWCS.

Oxfordshire's waste management target

41. Planning policy W2 of the OMWCS seeks to provide capacity to manage the principle waste streams in a way that allows for the maximum diversion of waste from landfills. In particular, policy W2 of the OMWCS seeks to recycle 70% of inert waste by 2031.
42. In my view the manufacturing of recycled materials from CDE waste would contribute to the diversion of waste away from landfills and subsequently help Oxfordshire to meet its target of recycling 70% of its inert waste by 2031. I am therefore of the view that the proposed development accords with policy W2 of the OMWCS.

Location and siting of waste management facilities

43. Planning policy W4 of the OMWCS advises that non-strategic waste management facilities (i.e. facilities producing 20,000tpa – 50,000tpa) should be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, the other large towns (Witney and Wantage & Grove) and the small towns (Carterton, Chipping Norton, Faringdon, Henley-on-Thames, Thame and Wallingford), as indicated on the Waste Key Diagram. Policy W4 further explains that locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network.
44. I am of the view that the application site falls outside of the Witney non-strategic waste management area as shown on the Waste Key Diagram. However, the Waste Key diagram shows that the site is within close proximity to a local access road which forms part of the Oxfordshire lorry route network. Therefore, I consider that the site location is supported by policy W4 of the OMWCS.
45. Planning policy W5 of the OMWCS gives priority to the siting of waste management facilities on land that is already in waste management or industrial or an active mineral working or landfill site.
46. Given that the application site lies within an area which has an existing mineral and landfill permission, I am of the view that the siting of the development is supported by policy W5 of the OMWCS.

Safeguarding waste management sites

47. The application is supported by policy W11 of the OMWCS which seeks to safeguard operational waste management sites with planning permission for the duration of their planning permission.

Impact on the local environment and amenity

Noise

48. Policy C5 of the OMWCS requires proposals for waste development to demonstrate that they will not have an unacceptable adverse impact on residential amenity including from noise.
49. Policy OS4 of the WOLP 2031 seeks to ensure that new development does not harm the use or enjoyment of land and buildings nearby, including living conditions in residential properties.
50. Planning Policy EH8 of the WOLP 2031 ensures that new development does not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.
51. Northmoor Parish Council have raised concerns about noise. In particular they consider that some properties on Cow Lane would be affected as noise can travel long distances.
52. The Environmental Protection Officer (noise) is of the view that no conditions are required given the substantial distance between source and potential receivers.
53. The applicant explains that all equipment to be used would be modern and acoustically screened or fitted with silencers.
54. In my view, subject to a suitable limitation on hours of operation, the proposed development would not have an adverse impact on residential amenity in terms of noise, nor would it harm the living condition of nearby occupants or cause unacceptable noise nuisance to nearby occupants due to the:
- i) 440m distance between the application site and the nearest dwellings;
 - ii) buildings and planting between the application site and the nearest dwellings, which would help to minimise any noise impacts;
 - iii) acoustic screening and filters on the equipment; and
 - iv) the supportive comments provided by the Environmental Health Protection Officer (noise).

Dust

55. Policy C5 of the OMWCS requires proposals for waste development to demonstrate that they will not have an unacceptable adverse impact on the local environment and human health and safety including from dust.
56. Planning policy EH8 of the WOLP 2031 explains that proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.
57. Northmoor Parish Council also raise concerns about dust. In particular, they cite that the application site is to the west of Northmoor and that prevailing winds will carry this dust towards the village.
58. The parish council also comment that the roadway adjacent roadway to the site is covered in sand grit due to the trial workings that have taken place on site.
59. The Environmental Protection Officer (Dust) considers it appropriate to impose a dust management condition.
60. The applicant explains that the materials and running areas would be dampened in dry conditions to control dust and that the crusher would have a dust suppression system.
61. Whilst the proposed development would expose the local environment and human health and safety to dust pollution, I do not consider this impact to be unacceptably adverse, particularly given the:
- i) proposed dust control measures;
 - ii) the distance between the application site and the nearest residential dwelling;
 - iii) Environment Agency robust regulation of the operational activities. I agree with the comments of the Environmental Protection Officer (Dust).
62. I do however consider it necessary to impose a dust management scheme condition to minimise the dust pollution to a level that provides a high standard of protection for health, environmental quality and amenity.

Light pollution

63. Planning policy C5 of the OMWLP also seeks to ensure that waste development do not have an unacceptable adverse impact on the local environment and residential amenity, including from light pollution.

64. WOLP 2031 Policy EH8 also seeks to ensure that any lighting installation does not have a detrimental effect on local amenity
65. As no external lighting is proposed, I am of the view that the proposed development will not give rise to any light pollution, particularly for residents. However, to ensure that any future lighting does not have a detrimental effect on local amenity or an unacceptable adverse impact on the local environment and residential amenity, a suitably worded lighting condition could be attached to any consent which may be given.

Impact on the local highway network

66. Policy C10 of the OMWCS requires waste developments to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain: the safety of all road users including pedestrians; the efficiency and quality of the road network; and residential and environmental amenity, including air quality.
67. Policy C5 of the OMWCS requires proposals for waste development to demonstrate that they will not have an unacceptable adverse impact on the local environment and human health and safety, including from traffic.
68. Saved Policy SH2 of the OMWLP explains that planning permission will not be granted for mineral extraction or waste disposal, where the development would lead to a significant increase in traffic in Sutton or prolongation of significant traffic intrusion, unless the Sutton bypass has been constructed and brought into use.
69. Saved policy SH3 of the OMWLP explains that the County Council will seek routeing agreements with operators in order to limit the use of the A415 through Standlake and southwards over Newbridge.
70. Paragraph 109 of the National Planning Policy Framework explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
71. Northmoor Parish Council are of the view that existing HGV traffic in the Lower Windrush Valley exceed acceptable levels on local rural unclassified roads which present a danger to cyclists and pedestrians.
72. The parish council express concern about the increase in HGV traffic from business parks at Stanton Harcourt and Standlake as a result of the new housing in the local area. They also express concern about future traffic on the local and

wider road network resulting from the quarrying works at the Stonehenge site in Northmoor, new housing west of Eynsham and the proposed Garden Village to the north of Eynsham.

73. Transport Development Control has advised that the B4449 is part of the Oxfordshire lorry network and that the residual cumulative impacts on the road network are not seen as severe.
74. Transport Development Control consider the planning proposal to be acceptable from a highway safety and traffic movement point of view. However, they do consider it necessary to require that a routing agreement be entered into (similar to that of the Sheehan's Recycled Aggregates site) to prevent any HGVs from passing through Sutton village during the peak hours (07:30 to 09:00 and 16:30 to 18:00).
75. Whilst the parish council has raised concerns about future traffic movements, this application can only be assessed against the impacts that the development would have on the existing highway network.
76. The application explains that at worse case scenario, the development would attract 32 daily HGV (heavy goods vehicle) movements over a 275 working day year. At best, the development would attract 20 daily HGV movements across the same period if 75% of trips are backloaded.
77. Transport Development Control has raised no concerns about the number of HGV movements on the existing local highway network. As they have also advised, the permission was granted on appeal earlier this year for a development at the nearby Sheehan's Recycled Aggregates Plant which had been refused by the County Council on the grounds that there would be an unacceptable impact on the amenity of residents in Sutton village arising from the additional HGV movements. In his decision letter, the inspector appointed by the Secretary of State commented:

I am mindful that, where residents are already sensitive to traffic volumes, any additional traffic may have a perceived impact on the residents. However, the B4449 is identified as being capable of accommodating additional traffic, and having reviewed the traffic surveys, and taking into account the level of traffic that is actually associated with the appeal site I do not consider that the level of traffic associated with this proposal would result in an increase that would have a significantly detrimental impact on the amenity of residents such to justify dismissing the appeal.

78. Therefore, it is concluded that the level of additional vehicle movements generated by this development would be unlikely to have a significantly different impact to those that were considered as part of the earlier appeal referenced above. It is not therefore considered that it can be demonstrated that the application would be contrary to policy C5 of the OMWLP through unacceptable

adverse traffic impacts. In addition, paragraph 109 of the NPPF states that an increase in vehicular movements alone is not a reason for refusal on highway grounds.

79. Northmoor Parish Council are concerned about the safety of cyclists and pedestrians on unclassified roads. However, unlike most unclassified roads, the haul road which provides access to the application site is restricted to 20mph and is regularly used by HGVs. In addition, Transport Development Control comment that the application is acceptable from a highway safety perspective. In my view, the application is supported by Policy C10 of the OMWCS as the application makes provision for safe and suitable access to the advisory lorry routes in ways that maintain the safety of all road users. The efficiency and quality of the network would be maintained as the increase in vehicular movement is not considered to have an unacceptable adverse impact. An assessment of the environmental and amenity impacts, as required by policy C10 of the OMWCS, have been carried out in paragraphs 48 – 65 above.
80. I agree with Transport Development Control that the residual cumulative impacts on the road network are not severe, particularly given speed restriction on the haulage road which helps to minimise vehicular and pedestrian/cyclist conflict, the good and close access to the lorry network. In addition, it is not considered that the maximum number of HGV movement would have an unacceptable adverse impact.
81. I do think it necessary for the applicant to enter into a routeing agreement to restrict HGV movements through Sutton during peak hours as set out above. I consider that this would reflect the aims of saved OMWLP planning policies SH2 and SH3.
82. Members will also be aware of the council's Lorry Routeing Agreements protocol which was adopted by the Planning and Regulation Committee in June 2018. This includes that if an application is received in an area where there has been an ongoing concern with regard to existing vehicle movements but there has been no history of non-compliance on the part of the applicant, the routeing agreement will include a provision that if the Council reasonably determines that there have been substantiated, persistent or flagrant breaches of that agreement then operations will cease until a security deposit has been paid to the County Council to be used to fund the council's costs incurred in monitoring the agreement, investigating suspected breaches of the agreement and securing compliance with the agreement as necessary. The security deposit would not normally exceed an amount of £5,000 per year for the number of years of the development or a minimum of £25,000.
83. As members are aware, a routeing agreement cannot be imposed on an applicant and must be freely entered into. If the applicant was not prepared to freely enter into such an agreement then consideration would need to be given as to whether there were then grounds for refusal of the application. Officers will update the committee on whether the applicant is prepared to enter into a

routeing agreement and its terms at the committee meeting. However, it is advised that should permission be refused on grounds related to the applicant not entering into a routeing agreement or not being prepared to do so due to certain of its terms and such a refusal was appealed, the Secretary of State would have to consider what weight to attach to the council's Lorry Routeing Agreements Protocol which does not form part of the development plan.

Impact on the natural environment

Biodiversity

84. Policy C7 of the OMWCS and policy EH3 of the WOLP requires new developments to deliver a net gain in biodiversity.
85. The supporting statement advises that there is scope for the planning proposal to deliver a net gain in biodiversity.
86. To ensure that the application accords with policy C7 of the OMWCS, a biodiversity enhancement condition can be imposed.

Landscape

87. Planning Policy C8 of the OMWCS and policy EH2 of the WOLP requires development to respect the local landscape quality.
88. The Landscape specialist is of the view that the development will not cause any additional landscape or visual impacts.
89. In my view the proposed development would respect the local landscape quality as:
- i) No tree removal is proposed as part of the works;
 - ii) The development would be temporary in nature; and
 - iii) The development would be viewed from within the context of an existing mineral and landfill area.
90. I therefore consider that the proposed development accords with policies C8 of the OMWCS and EH2 of the WOLP 2031.

Conclusions

91. This application seeks permission to temporarily use 0.32ha of land at Dix Pit for the manufacturing of recycled aggregate and soils.
92. The need for the development is supported by OMWCS policies M1, W1, W2, W4, W5 and W11.

93. Subject to conditions, the development would not have an unacceptable adverse noise, dust or lighting impacts and the application is therefore considered to be in line with the aims of planning policy C5 of the OMWCS and policies EH8 and OS4 of the WOLP.
94. Subject to a routeing agreement restricting HGV movements from occurring through Sutton during peak hours the planning proposal is in line with OMWCS planning policies C5, C10, SH2, SH3 and therefore would not have an unacceptable adverse impact on the highway network. The application is also supported by paragraph 109 of the NPPF and therefore should not be refused on highway grounds.
95. Subject to condition the development would deliver a net biodiversity gain.
96. The proposal would respect the landscape character of the area.

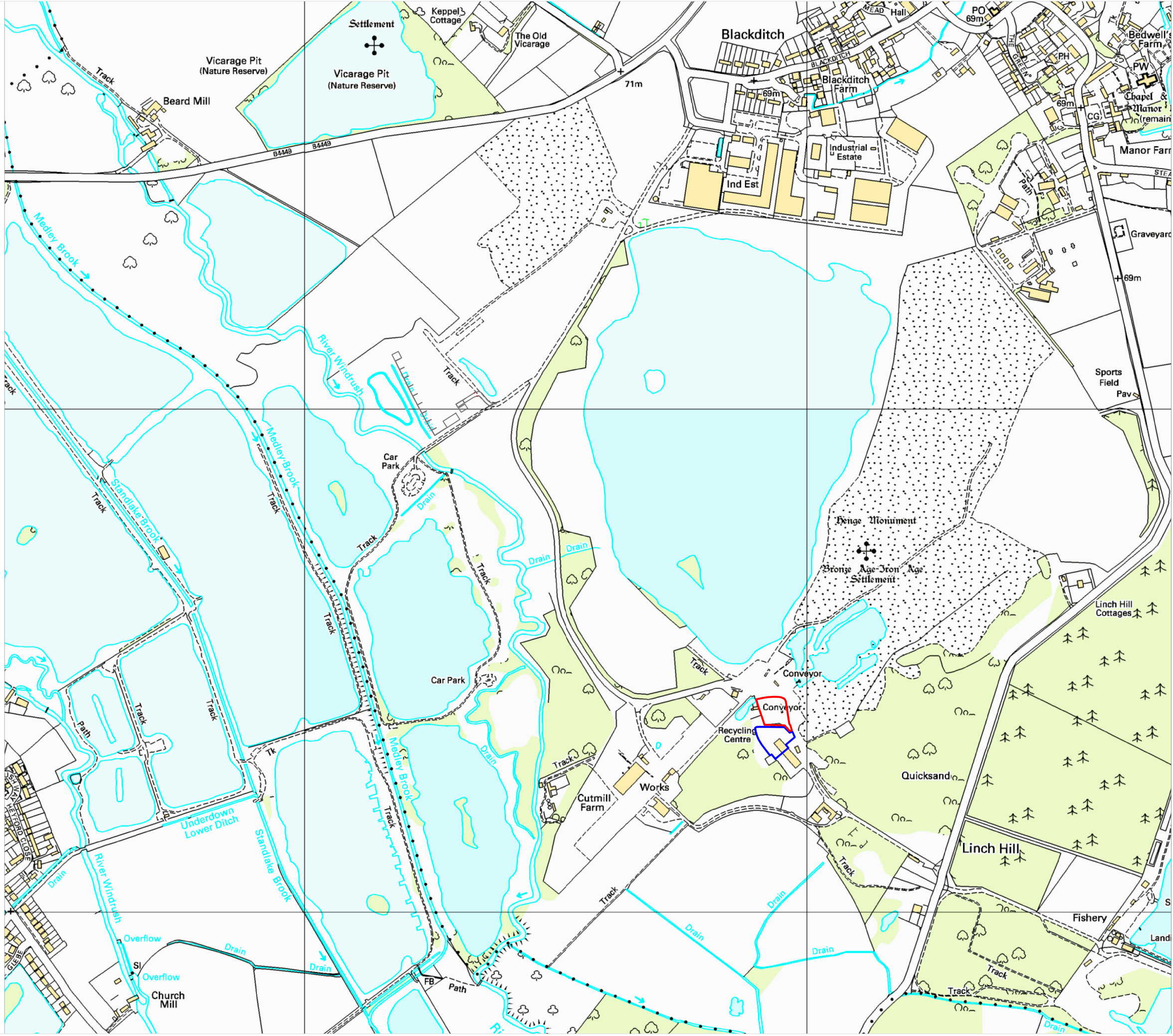
RECOMMENDATION

97. It is **RECOMMENDED** that subject to a routeing agreement first being entered into planning permission for Application MW.0059/19 be approved subject to conditions to be determined by the Director for Planning and Place including the matters set out at Annex 3 to this report.

SUE HALLIWELL
Director for Planning & Place

August 2019

Annex 1 - Location Plan



LEGEND

Rev	Description	Date

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Client:
D&M Plant Hire Ltd

Project:
Aggregate Recycling Facility, Dix Pit,
Stanton Harcourt

Title:
Location Plan

Drawn By:	Suzi Coyne
Date:	May 2019
Scale:	1:7500 @ A3
Drawing No.:	252DMAR/1

Suzi Coyne Planning

60 Blenheim Drive
Oxford, OX2 8DQ
Tel.: 01865 453747
Mob: 07779 099560

email: suzi.coyne@ntlworld.com

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Annex 2 - European Protected Species

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

Annex 3 – Conditions

1. Manufacturing of recycled waste to cease on or before the 31st December 2028 and restoration of the site to be no later than 31st December 2029.
2. No more than 40,000 tonnes of waste to be processed per annum.
3. Records of waste tonnages imported to the site to be provided on a quarterly basis.
4. Records of daily vehicle movements to be provided on a quarterly basis.
5. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission.
6. Noise from the operations shall not exceed 55dB (A) LAeq 1 hour.
7. Hours of site operations to be limited to 7.00 am to 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays including HGVs entering and leaving the site with no operations or movements on Sundays, public and bank holidays.
8. Submission, approval and implementation of a scheme of measures for the suppression of dust.
9. Submission, approval and implementation of an external lighting scheme.
10. Restoration to be implemented in accordance with approved restoration scheme.
11. Submission, approval and implementation of biodiversity enhancement scheme

PLANNING & REGULATION COMMITTEE – 9 SEPTEMBER 2019

Policy Annex (Relevant Development Plan and other Policies)

Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)

POLICY M1: RECYCLED AND SECONDARY AGGREGATE

So far as is practicable, aggregate mineral supply to meet demand in Oxfordshire should be from recycled and secondary aggregate materials in preference to primary aggregates, in order to minimise the need to work primary aggregates.

The production and supply of recycled and secondary aggregate, including that which improves waste separation and the range or quality of end products, will be encouraged so as to enable the maximum delivery of recycled and secondary aggregate within Oxfordshire. Where practicable, the transport of recycled and secondary aggregate materials (both feedstock and processed materials) from locations remote from Oxfordshire should be by rail.

Provision will be made for facilities to enable the production and/or supply of a minimum of 0.926 million tonnes of recycled and secondary aggregates per annum.

Sites which are suitable for facilities for the production and/or supply of recycled and secondary aggregates at locations that are in accordance with policies W4 and W5 and other relevant policies of this Plan and of other development plans will be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. Permission will be granted for such facilities at these allocated sites provided that the requirements of policies C1 – C12 are met.

Permission will normally be granted for recycled and secondary aggregate facilities at other sites, including for temporary recycled aggregate facilities at aggregate quarries and landfill sites, that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1 – C12, taking into account the benefits of providing additional recycled and secondary aggregate capacity and unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. Where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period.

Sites for the production and/or supply of recycled and secondary aggregate will be safeguarded under Policy M9 and/or W11 and safeguarded sites will be defined in the Site Allocations Document.

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:

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%

COMMERCIAL & INDUSTRIAL WASTE	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 non-inert arisings)	5%	5%	5%	5%
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%

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 W4: LOCATIONS FOR FACILITIES TO MANAGE THE PRINCIPAL WASTE STREAMS

Facilities (other than landfill) to manage the principal waste streams should be located as follows:

- a) Strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, as indicated on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.
- b) Non-strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, the other large towns (Witney and Wantage & Grove) and the small towns (Carterton, Chipping Norton, Faringdon, Henley-on-Thames, Thame and Wallingford), as indicated on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.

c) Elsewhere in Oxfordshire, and particularly in more remote rural areas, facilities should only be small scale, in keeping with their surroundings.

The locations for strategic and/or non-strategic waste management facilities around Oxford, Abingdon, Didcot and Wantage and Grove exclude the Oxford Meadows, Cothill Fen, Little Wittenham and Hackpen Hill Special Areas of Conservation and a 200 metre dust impact buffer zone adjacent to these SACs.

As indicated on the Waste Key Diagram, strategic and non-strategic waste management facilities (that comprise major development) should not be located within Areas of Outstanding Natural Beauty except where it can be demonstrated that the 'major developments test' in the NPPF (paragraph 116), and as reflected in policy C8, is met.

POLICY W5: SITING OF WASTE MANAGEMENT FACILITIES

Priority will be given to siting waste management facilities on land that:

- is already in waste management or industrial use; or
- is previously developed, derelict or underused; or
- is at an active mineral working or landfill site; or
- involves existing agricultural buildings and their curtilages; or
- is at a waste water treatment works.

Waste management facilities may be sited on other land in greenfield locations where this can be shown to be the most suitable and sustainable option.

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 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 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 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.

Oxfordshire Minerals and Waste Local Plan 1996 – Saved Policies (OMWLP):

POLICY SH2: TRAFFIC IMPACT IN SUTTON

Planning permission will not be granted for mineral extraction or waste disposal, including development which would intensify existing workings, where the development would lead to a significant increase in traffic in Sutton or prolongation of significant traffic intrusion, unless the Sutton bypass has been constructed and brought into use. If necessary, weight restrictions will be placed within the village following construction of the bypass.

POLICY SH3: ROUTEING AGREEMENTS

The County Council will seek routeing agreements with operators in order to limit the use of the A415 through Standlake and southwards over Newbridge. The preferred routes will be the A415 north of Standlake to the Ducklington bypass, or the B4449 via the Blackditch, Sutton and Eynsham bypasses.

South Oxfordshire Core Strategy (SOCS)

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 CSWAL1: THE STRATEGY FOR WALLINGFORD

Proposals for development in Wallingford should be consistent with the strategy which is to:

- (i) strengthen the town centre including supporting schemes which allow for the re-use or redevelopment of the former Waitrose site provided that the retail element and car parking is retained;
- (ii) support housing and employment uses above shops;
- (iii) support the market place as a focal hub;
- (iv) support measures which improve the attraction of Wallingford for visitors with particular emphasis on the River Thames;
- (v) improve accessibility, car parking, pedestrian and cycle links and local air quality;
- (vi) support schemes which enhance the town's environment;
- (vii) identify land for about 2ha for employment growth;
- (viii) support schemes which improve the stock of existing commercial buildings and the environment of existing employment areas;
- (ix) identify land for 555 new homes (see policy CSWAL2);
- (x) allow housing on suitable infill and redevelopment sites.

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 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 CSQ3: DESIGN

Planning permission will be granted for new development that is of a high quality and inclusive design that:

- responds positively to and respects the character of the site and its surroundings, particularly the historic significance and heritage values of the historic environment, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting;
- improves the quality of the public realm with well designed external areas, and, where appropriate a clear structure of open spaces;

- provides and/or links into green infrastructure where available;
- is designed to create safe communities and reduce the likelihood and fear of crime;
- creates a distinctive sense of place and is easy to understand through the use of vistas, landmarks and focal points;
- ensures high levels of accessibility and ease of use by all modes of transport both within the site and with the wider area, also making sure that any new development is properly integrated with existing development ensuring accessibility to local services; and
- is adaptable to changing requirements and constructed with materials appropriate to the area.

All proposals for new development should be accompanied by a design and access statement to show how they have responded to the above criteria.

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 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.

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 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 CON5: THE SETTING OF LISTED BUILDINGS

Proposals for development which would adversely affect the setting of a listed building will be refused.

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 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 D1: GOOD DESIGN AND LOCAL DISTINCTIVENESS

The principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development through:

- (i) the provision of a clear structure of spaces;
- (ii) respecting existing settlement patterns;
- (iii) providing for a choice of routes and transport modes to, from and within the development;
- (iv) providing a development that users find easy to understand through the use of landmarks, vistas and focal points;
- (v) providing landscape structure as a framework for new development;
- (vi) respecting the character of the existing landscape;
- (vii) respecting distinctive settlement types and their character;
- (viii) providing good quality site and building design and appropriate materials; and
- (ix) providing well-designed external areas.

POLICY D2: VEHICLE AND BICYCLE PARKING

Planning permission will not be granted for developments that fail to incorporate adequate, safe and secure parking for vehicles and cycles. Vehicle parking should be provided in a discreet and sensitive manner.

POLICY CF1: SAFEGUARDING COMMUNITY FACILITIES AND SERVICES INCLUDING RECREATION FACILITIES

Proposals that result in the loss of a recreation facility or an essential community facility or service, through change of use or redevelopment, will not be permitted unless:

- (i) suitable alternative provision is made for the facility (or similar facilities of equivalent community value) on a site elsewhere in the locality, or
- (ii) in the case of recreational facilities, it is not needed, or
- (iii) in the case of commercial services, it is not economically viable.

POLICY CF2: PROVISION OF COMMUNITY FACILITIES AND SERVICES

Proposals that would result in the provision of additional community facilities or services within settlements will be permitted, provided that there are no overriding amenity, environmental or traffic objections to the proposals and that there is no conflict with the other policies in this plan.

Emerging South Oxfordshire Local Plan 2034 (ESOLP)

POLICY STRAT1: THE OVERALL STRATEGY

1. Proposals for development in South Oxfordshire will be assessed using national policy and guidance and the whole of the development plan and should be consistent with the overall strategy of:
 - Focusing major new development in Science Vale including Didcot Garden town and Culham so that this area can play an enhanced role in providing homes, jobs and services with improved transport connectivity;
 - Providing strategic allocations at Grenoble Road, Culham, Berinsfield, Wheatley, Northfield, Chalgrove and North of Bayswater Brook including necessary infrastructure and community facilities;
 - Close working with partner agencies, neighbouring local authorities, communities and other stakeholders to ensure the timely delivery of our strategy, which will deliver a significant amount of growth beyond the end of the plan period;
 - Supporting and enhancing the economic and social dependencies between our towns and villages;
 - Supporting the roles of Henley-on-Thames, Thame and Wallingford by maintaining and improving the attractiveness of their town centres through

- measures that include environmental improvements and mixed-use development and by providing new homes, jobs, services and infrastructure;
- Meeting unmet housing needs of Oxford City on strategic allocations adjacent to the boundary of Oxford near to where that need arises;
- Supporting and enhancing the roles of the larger villages of Benson, Berinsfield, Chalgrove, Chinnor, Cholsey, Crowmarsh Gifford, Goring-on-Thames, Nettlebed, Sonning Common, Watlington, Wheatley and Woodcote as local service centres
- Supporting smaller and other villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services;
- Protecting and enhancing the countryside and particularly those areas within the two AONB and Oxford Green Belt by ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment;
- Support and enhance our historic environment.

POLICY WAL1: THE STRATEGY FOR WALLINGFORD

1. The Council will support development proposals that:
 - i) that have regard to a Wallingford Neighbourhood Development Plan appropriate to its stage in the plan making process;
 - ii) support measures that improve the attraction of Wallingford for visitors with emphasis on the River Thames and the town's heritage;
 - iii) support the market place as a focal hub;
 - iv) improve accessibility, car parking in the town centre, pedestrian and cycle links;
 - v) provide new employment opportunities and improve the stock of existing employment areas;
 - vi) support schemes that enhance the town's natural and historic environment and conserve and enhance the town's heritage assets;
 - vii) address air quality issues in the town centre.

POLICY TRANS5: CONSIDERATION OF DEVELOPMENT PROPOSALS

1. Proposals for all types of development will, where appropriate:
 - i) provide a safe and convenient access for all users to the highway network;
 - ii) provide safe and convenient routes for cyclists and pedestrians, both within the development, and including links to rights of way and other off-site walk and cycle routes where relevant;
 - iii) provide for covered, secure and safe cycle parking, complemented by other facilities to support cycling where relevant;
 - iv) be designed to facilitate access to high quality public transport routes, including safe walking routes to nearby bus stops or new bus stops;
 - v) provide for appropriate public transport infrastructure;
 - vi) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;

- vii) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, they should be constructed to adoptable standards and be completed as soon as they are required to serve the development;
- viii) make adequate provision for those whose mobility is impaired;
- ix) be designed to enable charging of plug-in and other low-emission vehicles in safe, accessible and convenient locations;
- x) provide for loading, unloading, circulation and turning space;
- xi) be designed to enable the servicing of properties by refuse collection vehicles;
- xii) provide for the parking of vehicles in accordance with Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise; and
- xiii) provide facilities to support the take up of electric and/or low-emission vehicles.

POLICY ENV3: BIODIVERSITY – NON DESIGNATED SITES, HABITATS AND SPECIES

1. Development that will conserve, restore and enhance biodiversity in the district will be supported. All development should provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity. All proposals should be supported by evidence to demonstrate a biodiversity net gain using a recognised biodiversity accounting metric.
2. Development proposals which would result in a net loss of biodiversity will only be considered if it can be demonstrated that alternatives which avoid impacts on biodiversity have been fully explored in accordance with the mitigation hierarchy. In the absence of alternative sites or layouts, development proposals must include adequate mitigation measures to achieve a net gain of biodiversity. Where harm cannot be prevented or adequately mitigated, appropriate compensation measures will be sought, as a last resort, through planning conditions or planning obligations (depending on the circumstances of each application) to offset the loss by contributing to appropriate biodiversity projects to achieve an overall net gain for biodiversity.
3. Planning permission will only be granted if impacts on biodiversity can be avoided, mitigated or, as a last resort, compensated fully.

POLICY ENV6: HISTORIC ENVIRONMENT

1. The Council will seek to protect, conserve and enhance the District's historic environment. This includes all heritage assets including historic buildings and structures, Conservation Areas, landscapes and archaeology.
2. Proposals for new development should be sensitively designed and should not cause harm to the historic environment. Proposals that have an impact on heritage assets (designated and non-designated) will be supported particularly where they:

- i) conserve or enhance the significance of the heritage asset and settings. The more important the heritage asset, the greater the weight that will be given to its conservation;
 - ii) make a positive contribution to local character and distinctiveness (through high standards of design, reflecting its significance, including through the use of appropriate materials and construction techniques);
 - iii) make a positive contribution towards wider benefits;
 - iv) provide a viable future use for a heritage asset that is consistent with the conservation of its significance; and/or
 - v) protect a heritage asset that is currently at risk.
3. The Council will work with landowners, developers, the community, Historic England and other stakeholders to:
- i) ensure that vacant historic buildings are appropriately re-used to prevent deterioration of condition;
 - ii) ensure that alterations (internal or external to the fabric of the building e.g. to improve energy efficiency), are balanced alongside the need to retain the integrity of the historic environment and to respect the character and significance of the asset;
 - iii) identify criteria for assessing non-designated heritage assets and maintaining a list of such assets as Locally Listed Buildings;
 - iv) encourage Heritage Partnership Agreements, particularly for Listed Buildings on any 'at risk' register;
 - v) encourage better understanding of the significance of scheduled monuments on the "Heritage at Risk" Register and to aid their protection;
 - vi) seek to reduce the number of buildings on the "Heritage at Risk" Register;
 - vii) better understand the significance of Conservation Areas in the district through producing Conservation Area Character Appraisals and Management Plans; and
 - viii) support Neighbourhood Development Plans where they seek to assess their heritage assets and add to the evidence base.

POLICY ENV7: LISTED BUILDINGS

1. Proposals for development, including change of use, that involve any alteration of, addition to or partial demolition of a listed building or within the curtilage of, or affecting the setting of a listed building will be expected to:
- i) conserve, enhance or better reveal those elements which contribute to the heritage significance and/or its 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 group 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, and in accordance with the South Oxfordshire Design Guide.

2. Where development proposals affecting the significance of a listed building or its setting will lead to substantial harm to or total loss of significance they will only be supported where it is justified that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. This will be demonstrated by:
 - i) the greater the harm to the significance of the Listed Building, the greater justification and public benefit that will be required [before the application could gain support];
 - ii) providing exceptional circumstances exist for the demolition of a listed building; and
 - iii) minimising any identified harm or loss to the Listed Building through mitigation.
3. Changes of use will be supported where it can be demonstrated that the new use can be accommodated without any adverse effect on the significance of the building and its setting.

POLICY ENV12: POLLUTION – IMPACT OF DEVELOPMENT ON HUMAN HEALTH, THE NATURAL ENVIRONMENT AND/OR LOCAL AMENITY (POTENTIAL SOURCES OF POLLUTION)

1. Development proposals should be located in sustainable locations and should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment and/or the amenity of neighbouring uses.
2. The individual and cumulative impacts of development on human health, the natural environment and/or local amenity will be considered when assessing development proposals.
3. The consideration of the merits of development proposals will be balanced against the adverse impact on human health, the natural environment and/or local amenity, including the following factors:
 - noise or vibration;
 - smell, dust, odour, artificial light, gases and other emissions;
 - air pollution, contamination of the site or its surroundings and hazardous substances nearby;
 - land instability; and
 - any other relevant types of pollution.

POLICY EP1: AIR QUALITY

1. In order to protect public health from the impacts of poor air quality:
 - development must be compliant with the measures laid out in the Council's Developer Guidance Document and the associated Air Quality Action Plan, as well as the national air quality guidance and any local transport plans;
 - 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;

- all development proposals should include measures to minimise air pollution at the design stage and incorporate best practice in the design, construction and operation of the development;
- where a development has a negative impact on air quality, including cumulative impact, developers should identify mitigation measures that will sufficiently minimise emissions from the development. Where mitigation is not sufficient the impacts should be offset through planning obligations; and
- development will only be permitted where it does not exceed air pollution levels set by European and UK regulations.

POLICY EP4: FLOOD RISK

1. 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.
2. 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.
3. A Site-Specific Flood Risk Assessment (SSFRA) should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, a SFRA should accompany all proposals involving:
 - sites of 1 hectare or more;
 - land which has been identified by the Environment Agency as having critical drainage problems;
 - land identified in the strategy flood risk assessment as being at increased flood risk in future; or
 - land that may be subject to other sources of flooding, where development would introduce a more vulnerable use.
4. All development proposals must be assessed against the current South Oxfordshire Strategic Flood Risk Assessment or any updates and the Oxfordshire Local Flood Risk Management Strategy to address locally significant flooding. Appropriate mitigation and management measures must be implemented and maintained.
5. All development will be required to provide a drainage strategy. Development will be expected to incorporate sustainable drainage systems and ensure that runoff rates are attenuated to greenfield run-off rates. Higher rates would need to be justified and the risks quantified. Development should strive to reduce run-off rates for existing developed sites.
6. Sustainable drainage systems should seek to enhance water quality and biodiversity in line with the Water Framework Directive.

POLICY DES6: RESIDENTIAL AMENITY

1. 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) smell, dust, heat, odour, gases or other emissions;
 - v) pollution, contamination or the use of/or storage of hazardous substances; and
 - vi) external lighting.

POLICY CF1: SAFEGUARDING COMMUNITY FACILITIES

1. Proposals that result in the loss of an essential community facility or service, through change of use or redevelopment, will not be permitted unless:
 - i) it would lead to the significant improvement of an existing facility or the replacement of an existing facility equally convenient to the local community it serves and with equivalent or improved facilities;
 - ii) it has been determined that the community facility is no longer needed; or
 - iii) in the case of commercial services, it is not economically viable.
2. Appropriate, detailed and robust evidence will be required to satisfy the above criteria. The Council will require the independent assessment of this evidence.
3. Planning conditions or legal obligations may be necessary to ensure that any replacement facility and its ongoing maintenance is provided. Any replacement facility should normally be available before the original facility is lost.
4. A community facility or service may be essential, either because it is one of a limited number of that nature in a settlement or area or is fundamental to the quality and convenience of everyday life in a settlement. This include the protection of Public Rights of Way including bridleways and by-ways. If suitable alternative provision already exists, any facility or service will not be considered essential.

POLICY CF4: EXISTING OPEN SPACE, SPORT AND RECREATION FACILITIES

1. The Council will seek to protect, maintain and where possible enhance existing open space, sport and recreation, play facilities and land including playing fields to ensure their continued contribution to the health and well-being of visitors and residents. Development proposals that result in the loss of such facilities will only be permitted where:

- i) it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development;
- ii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss; or
- iii) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.

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POLICY EH8: ENVIRONMENTAL PROTECTION

Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

Air quality

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton. Where appropriate, developments will need to be supported by an air quality assessment.

Contaminated land

Proposals for development of land which maybe contaminated must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

Hazardous substances, installations and airfields

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

Artificial light

The installation of external lighting and lighting proposals for new buildings, particularly those in remote rural locations, will only be permitted where:

- the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- the elevations of buildings, particularly roofs, are designed to limit light spill;
- the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.

Noise

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

Water resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features.

Waste

Proposals for development that make provision for the management and treatment of waste will need to be in accordance with the Oxfordshire Minerals and Waste Local Plan.

POLICY OS1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in 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- 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 that Framework indicate that development should be restricted.

POLICY OS2: LOCATING DEVELOPMENT IN THE RIGHT PLACES

Main service centres, rural service centres and villages

A significant proportion of new homes, jobs and supporting services will be focused within and on the edge of the main service centres of Witney, Carterton and Chipping Norton. A number of site allocations are proposed to ensure identified needs are met. The distribution of development is set out in Policy H1.

Due to the size of the settlement and its proximity and connections to Oxford City, Eynsham will also make a significant contribution towards meeting the identified housing needs of the District and Oxford City with a strategic urban extension to be provided to the west of the village.

A new rural service centre - Oxfordshire Cotwolds Garden Village will be created to the north of Eynsham to contribute towards Oxford City's needs.

This will comprise a self-contained settlement based on 'garden village' principles and will play a complementary role to Eynsham.

Woodstock is suitable for a reasonable scale of development, whilst protecting its important historic character and the setting of Blenheim Palace, in order to deliver affordable housing, enhance local services and reinforce its role as a service centre.

Burford and Charlbury are relatively constrained by their AONB location and Bampton and Long Hanborough have a more restricted range of services and facilities. Consequently, these rural service centres are suitable for a modest level of development to help reinforce their existing roles. Two site allocations are proposed at Long Hanborough.

The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. A number of site allocations are proposed to ensure identified needs are met. Further allocations may be made through Neighbourhood Plans.

Proposals for residential development will be considered in accordance with Policy H2 of this Local Plan.

Small villages, hamlets and open countryside

Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area. Proposals for residential development will be considered under policy H2.

Proposals for non-residential development that is regarded as appropriate will include:

- Re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting, with preference given to employment, tourism and community uses;
- Proposals to support the effectiveness of existing businesses and sustainable tourism;
- Development which will make a positive contribution to farm and country estate diversification; and
- Telecommunications development sited and designed to minimise impact upon the environment.

General principles

All development should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;

- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment;
- Safeguard mineral resources;
- In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development;
- In the Green Belt, comply with national policies for the Green Belt; and
- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

POLICY OS4: HIGH QUALITY DESIGN

High design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

- demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and
- not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and
- demonstrate resilience to future climate change, particularly increasing temperatures and flood risk, and the use of water conservation and management measures; and
- conserve or enhance areas, buildings and features of historic, architectural and environmental significance, including both designated and non-designated heritage assets and habitats of biodiversity value; and
- enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.

Designers of new development will be expected to provide supporting evidence for their design approach. They should have regard to specific design advice contained in supplementary planning guidance covering the District. The West Oxfordshire Design Guide, Oxfordshire Historic Landscape Appraisal, Landscape Assessments, Conservation Area Appraisals and Cotswolds AONB guidance documents are key tools for interpreting local distinctiveness and informing high design quality.

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