

Divisions Affected – Faringdon

PLANNING AND REGULATION COMMITTEE

28 February 2022

Section 73 application to continue the development permitted by planning permission P16/V2331/CM (MW.0117/16) (Amend the working of phase 1a; Amend the restoration of the site; Amend lighting details; Change the site name and signage details to “Faringdon Quarry”) without complying with condition 2 to extend the dates for completion of mineral extraction to 31/12/2034 and completion of restoration to 31/12/2035.

Report by Assistant Director for Strategic Infrastructure and Planning

Contact Officer: Emma Bolster **Tel:** 07775 829 954

Location: Faringdon Quarry, Fernham Road, Faringdon SN7 7LG

OCC Application No: MW.0142/21

VoWHDC Application No: P21/V3283/CM

District Council Area: Vale of White Horse District Council

Applicant: Grundon Sand & Gravel Ltd

Application Received: 9th November 2021

Consultation Period: 9th December 2021 – 4th January 2022

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RECOMMENDATION

- 1. It is RECOMMENDED that planning permission for MW.0142/21 be approved subject to conditions to be determined by the Assistant**

Director of Strategic Infrastructure and Planning, to include those set out in Annex 1.

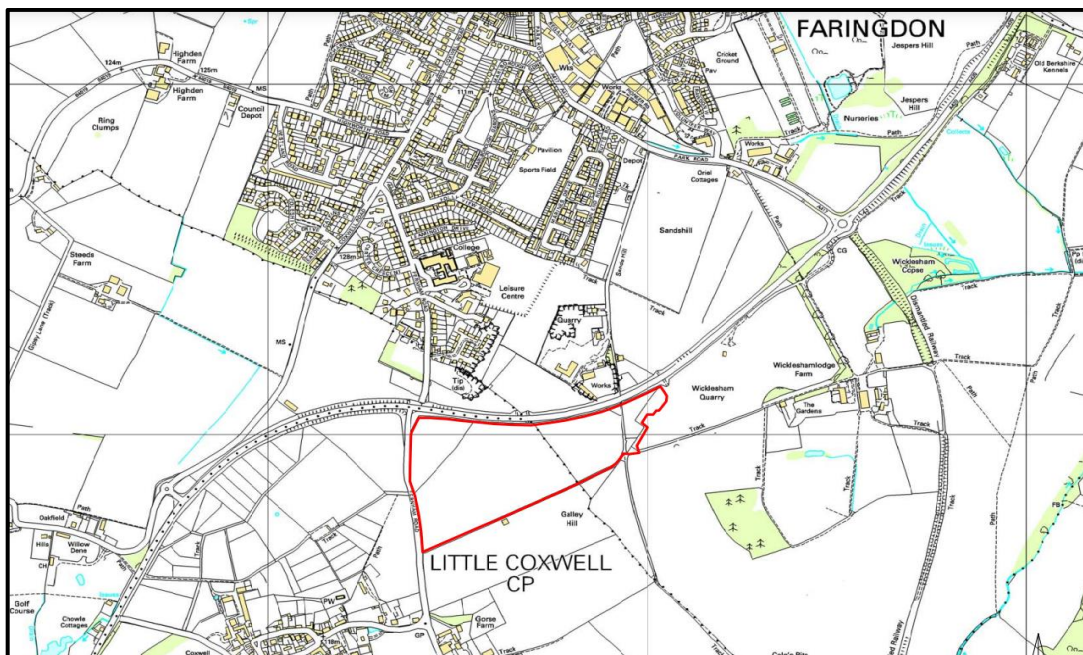
Executive Summary

2. The report sets out the proposed change to the existing planning condition 2 of planning permission P16/V2331/CM (MW.0117/16), which has been applied for under application no. MW.0142/21. Having considered the proposals against the development plan and other material considerations, including consultation responses and representations received, it is recommended that that the application be approved.

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

1. The Faringdon Quarry lies wholly within the administrative area of the Vale of the White Horse District Council, and lies immediately adjacent the western edge of the now-restored Wicklesham Quarry, previously worked by the same applicant.



Plan 1 shows the planning application area outlined in red. The site is situated approximately 0.2 miles (0.33 km) south-east of the town of Faringdon and the same distance from village of Little Coxwell. The city of Oxford is approximately 16 miles (25 km) to the north-east. The town of Swindon (within Wiltshire) is approximately 8 miles (12 km) to the south-west.

Site and Setting

2. The application site lies immediately south of the A420, and straddles the administrative boundary between the parishes of Little Coxwell and Great Faringdon, to the north-east of the site. The overall setting is rural/ agricultural, with the nearest residential properties being Church View, approximately 180 metres to the south-west and Orchard House and Gorse Farm at approximately 190 metres and 260 metres respectively to the south of the active workings. The closest residential properties in Faringdon, off Lower Greensands, are approximately 140 metres to the north-west of the development area, on the northern side of the A420.
3. The application site is 15.2 hectares in total. The quarry produces sand and self-binding gravel, with the gravel being unique to the application site. Some of the extracted mineral is used in the production of ready-mixed concrete by the batching plant within the quarry (permitted on appeal under planning permission P19/V1857/CM (MW.0068.19), APP/U3100/W/20/3250471). The original permission also states that there is a provision of limestone, which is interbedded with the sand and gravel as part of those deposits.
4. The quarry is divided into three phases of working, with current extraction operations within Phase 1. The site has phased working and restoration to an agriculture after-use and areas of geological interest to be left to the north, east and south faces of the quarry area, closest to Wicklesham Quarry.
5. The site is accessed via Fernham Road, which is a 'B' road that runs south from the A420 towards the village of Fernham. The quarry entrance is approximately 95 metres from the Fernham Road 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.
6. There are a number of public rights of way in the area. Three public rights of way converge at the south eastern corner of the quarry's red-line area. Bridleway (207/21/40), part of the Promoted Route Faringdon, Vale Way runs east from the quarry's south-eastern corner and Bridleway (207/22/10), also part of the Promoted Route Faringdon, Vale Way runs south from this point. Bridleway (207/21/50) runs west along the southern boundary of the quarry for 150m, then merges into Bridleway (278/2/20), which then runs for 458 metres west towards Fernham Road. There is a further right of way, Footpath (278/1/10), approximately 20 metres west of the quarry site, on the opposite side of Fernham Road.

7. The site is wholly within Flood Zone 1, which is the area of least flood risk.

Planning History

8. Application GFA/3888/11-CM (MW.0126/10) was submitted August 2010. 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). This application was approved and issued 24 June 2013. 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.
9. A routeing agreement relating to the HGV traffic generated by the quarry extension under GFA/3888/11-CM (MW.0126/10) was signed 11 June 2013. This specified which local roads were prohibited and which could be used to access the wider highways network.
10. 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.
11. Application P16/V2331/CM (MW.0117/16) was submitted August 2018. This was a Section 73 application to implement various changes to the quarry extension, including the working in Phase 1a, the site's restoration to move the location of a pond to straddle a dividing fence/ hedge, amend lighting details and formally change the site's signage and name to Faringdon Quarry. This application was approved and issued 21 December 2016 and is the substantive active permission for the quarry.
12. Application P19/V1857/CM (MW.0068/19) was submitted in July 2019. This was for Prior Approval for the installation and use of a Concrete Batching Plant at the application site within Faringdon Quarry, 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 was considered that the proposal fell within the provisions of Part 17, Class B of the

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”), and therefore benefited from “permitted development” rights. This application was approved and issued 08 October 2019 and is an active permission.

13. Condition 2 of P19/V1857/CM (MW.0068/19) was appealed by the applicant which was validated 06 May 2020. The appeal (APP/U3100/W/20/3250471) was allowed 08 March 2021, revising condition 2 to allow 44 HGV movements per day for the batching plant and retaining the further conditions approved under P19/V1857/CM (MW.0068/19), as written.
14. A routing agreement relating to the mobile batching plant operations, permitted under APP/U3100/W/20/3250471 (MW.0068/19) was signed 01 March 2021. This specified which local roads were prohibited and which could be used to access the wider highways network.
15. Application P19/V2603/CM (MW.0107/19) was submitted in October 2019. This was for varying condition 2 of P19/V1857/CM (MW.0068/19), to increase the permitted HGV movements for the batching plant from 22 per day to 44 per day. This application was withdrawn following the appeal (APP/U3100/W/20/3250471) to vary condition 2 of MW.0068/19 to allow the same level of movements being allowed.

Details of Proposed Development

16. This application has been submitted to amend the approved timescales for mineral extraction and restoration by varying condition 2 of the extant permission, P16/V2331/CM (MW.0117/16). This would extend the permitted dates by a further eight years for extraction, from 31st December 2026 to 31st December 2034. The removal date of all buildings, plant and machinery would be amended from 30th September 2027 to 30th September 2035 and the completion of final restoration from 31st December 2027 to 31st December 2035.
17. The applicant states that the extended timescale is to allow for the permitted mineral reserve, being soft sand, gravel and some limestone, to be fully extracted. The applicant did not have the required 16 years to remove the total mineral reserve, being c.816,000 tonnes (although 30,000t around the strategic water main which runs through the site has been sterilised) when permission was originally granted in 2013. The average output of 50-60,000 tonnes per annum (tpa), as originally projected, has been consistently under-delivered by approximately 70%.

18. Following the installation of a concrete batching plant in early 2020, extraction rates increased and are currently close to the originally projected average output of 50-60,000 tpa. As of the second quarter of 2021, the remaining mineral reserve within the quarry is 667,500 tonnes with an estimated, ongoing annual output now expected to be 51,000 tpa. The remaining, permitted mineral reserve would take 13 years to work out with an average output of 51,000 tpa and cannot be extracted by the existing extraction cessation date of 31st December 2026.
19. The approved restoration for the site is to areas low-level areas of agricultural grassland, with some exposed quarry faces. This will remain unchanged, other than the proposed extension of time to restore each phase sequentially upon the previous phase being worked out. There are no changes proposed to any other conditions attached to the extant planning permission, and the routeing agreement for the quarry operations would continue to apply. There are no changes proposed to the concrete batching plant operations, which has a separate permission and routeing agreement which would continue to apply.

PART 2 – OTHER VIEWPOINTS

20. The period of public consultation finished 4th January 2022. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0142/21. These are also summarised in Annex 2 to this report.
21. There have been four third party representations received during the consultation period. These are summarised in Annex 3. All representations were objections to this application, which included:
 - Development need
 - Impact on the highways
 - Routeing agreements
 - Impact on local amenity
 - Planning matters and adherence

PART 3 – RELEVANT PLANNING DOCUMENTS

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

¹Click here to view application [MW.0142/21](#)

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

Development Plan Documents

23. The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 saved policies (OMWLP)
 - Vale of White Horse Local Plan 2031 Part 1 (VLP1)
 - Vale of White Horse Local Plan 2031 Part 2 (VLP2)
24. The **Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy** (OMWCS) was adopted in September 2017 and covers the period to 2031. The Core Strategy set out the vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire. As of October 2021, a Review is being undertaken of the OMWCS.
25. The **Oxfordshire Minerals and Waste Local Plan 1996** (OMWLP) was adopted in July 1996 and covered the period to 2006. Of the 46 'saved' policies, 16 remain saved following the adoption of the OMWCS. These 16 policies are non-strategic and site-specific, which will remain saved until the adoption of the Part 2: Site allocations document. None of the saved policies apply to this area.
26. The **Vale of White Horse Local Plan 2031 Part 1** (VLP1) was adopted in December 2016. This sets out the details of strategic sites, policies and considerations for development within the Vale of the White Horse.
27. The **Vale of White Horse Local Plan** (VLP2) was adopted in October 2019. This sets out details of policies and additional sites than what is included within the VLP1, for development within the Vale of the White Horse.

Emerging Plans

28. The **Oxfordshire Minerals and Waste Local Plan Part 2: Site Allocations** (OMWSA) Document (upon adoption) will set out those mineral and waste sites needed to deliver the Core Strategy and may include further development management policies. The Site Allocations Plan is currently being prepared, and very limited weight can be given to the emerging plan in decision-making. There has been a delay in the production of the Preferred Options consultation,

which was expected in August 2021, whilst a review of the Core Strategy is undertaken. An updated Minerals and Waste Development Scheme setting out the revised timetable, including the Core Strategy Review, was approved in October 2021.

29. The **Oxfordshire Minerals and Waste Local Development Scheme** (12th Edition) (OMWDS) contains a number of key changes to ensure that the Oxfordshire Minerals and Waste Local Plan is in conformity with the National Planning Policy Framework and based on a sound evidence base. The key changes are:
- Inclusion of a Review of the Oxfordshire Minerals and Waste Local Plan Part 1 Core Strategy;
 - Inclusion of a Partial Update including an update to policy M2 to the Minerals and Waste Local Plan: Part 1 - Core Strategy and updating the figures for mineral extraction to feed into the Part 2 - Site Allocations Document; and
 - Delay to the production of the Minerals and Waste Local Plan: Part 2 - Site Allocations Document.
30. The OMWDS now programmes the adoption of both the Partial Update of the Part 1 - Core Strategy and the Part 2 - Site Allocations Document for the winter of 2024. The Council was due to undertake consultation on the Core Strategy Review and the Partial Update of it in November 2021 to January 2022 with a further consultation on the Preferred Options on the Site Allocations and Partial Update in the summer of 2022. However, there has been a delay in this consultation and the implications of this delay are currently being explored and an updated timetable is being prepared.
31. The emerging Joint Local Plan 2041 is currently being prepared between South Oxfordshire and Vale of White Horse District Councils, with a draft Plan to go out to consultation July/ August 2022. Upon adoption, the Joint Local Plan 2041 will replace the SOLP 2035, and the adopted Local Plans for Vale of White Horse District Council. At present, this plan is at a very early stage and there are no draft policies to consider.

Other Policy Documents

32. The **National Planning Policy Framework** (NPPF) was first published in 2012, revised in July 2018, further minor revisions made in February 2019 and revised again in 2021. This is a material consideration in taking planning

decisions. Relevant sections include those on facilitating the sustainable use of minerals, and conserving and enhancing the natural environment.

33. The **National Planning Policy Guidance** (NPPG) contains specific advice on matters including minerals, determining a planning application and natural environment.
34. The **Faringdon Neighbourhood Plan** (FNP) contains policies applicable to applications within the Plan area. There is no Neighbourhood Plan for Little Coxwell, within which the larger part of the application site area sits.

Relevant Development Plan Policies

35. The OMWCS policies most relevant to this development are:

- M2 – Provision for working aggregate minerals
- M3 – Principal locations for working aggregate minerals
- M5 – Working of aggregate minerals
- M10 – Restoration of mineral workings
- C1 – Sustainable development
- C2 – Climate Change
- C5 – Local environment, amenity and economy
- C7 – Biodiversity and Geodiversity
- C8 – Landscape
- C10 – Transport
- C11 – Rights of Way.

36. The VLP1 policies most relevant to this development are:

- Core Policy 1 – Presumption in favour of sustainable development
- Core Policy 44 – Landscape
- Core Policy 45 – Green infrastructure
- Core Policy 46 – Conservation and improvement of biodiversity

37. The VLP2 policies most relevant to this development are:

- Development Policy 16 – Access
- Development Policy 21 – External lighting
- Development Policy 23 – Impact of development on amenity
- Development Policy 25 – Noise pollution
- Development Policy 31 – Protection of public rights of way, national trails and open access areas.

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Assistant Director for Strategic Infrastructure and Planning

38. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.
39. The key planning issues are:
- i. Minerals
 - ii. Site Restoration
 - iii. Highways and Rights of Way
 - iv. Amenity
 - v. Landscape
 - vi. Biodiversity
 - vii. Sustainable Development

Minerals

40. OMWCS policy M2 states that provision will be made through policies M3 and M4 to enable the supply of sharp sand and gravel, soft sand and crushed rock, with a total provision requirement for each, from land-won sources within Oxfordshire for the period 2014 – 2031 inclusive. Also, permission will be granted for aggregate mineral working under policy M5 to enable separate landbanks of reserves with planning permission to be maintained for the extraction of minerals of, for sand and gravel, at least 7 years. The policy requires landbanks to be calculated in accordance with the annual requirement rates in the most recent Local Aggregate Assessment, taking into account the need to maintain sufficient productive capacity to enable these rates to be realised.
41. OMWCS policy M3 states that the principal locations for aggregate mineral working will be located within strategic resource areas, as shown on the Policies Map.
42. OMWCS policy M5 states that prior to the adoption of the Minerals and Waste Local Plan Part 2: Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2 and provided the

proposal is in accordance with the locational strategy in policy M3 and that the requirements of policies C1 – C12 are met.

43. This application is for an extension of eight years to allow for the permitted, remaining mineral reserves to be extracted and the site to then be subsequently restored. The principal for the location of the development has been determined, and the site sits within a Strategic Resource Area (SRA) and a Mineral Safeguarding Area for soft sand. Additionally, the gravel is self-binding, which is used for specialist requirements and is a unique resource to the area, not found in adjoining counties. The current landbanks for soft sand and sharp sand and gravel, as at the end of 2020, are 16 years and 11 years respectively. There is no change to the application area for extraction and there is no extension of the already permitted mineral workings. Although the landbank positions suggests that there is not, currently, an urgent need for additional permissions for sand and gravels, it is important to note that the landbank is a minimum and not a maximum. The site has already been consented and the reserve is already included in the county's landbank.
44. The proposed development is to extend the permitted timescales for the existing mineral development, and allow the permitted reserve to be worked out. If the proposed extension of time for both extraction and sequential restoration is refused, then the quarry would need to be restored without the remaining mineral being worked, being 667, 500 tonnes in the second quarter of 2021. This would therefore sterilise the remaining significant mineral reserves and reduce the existing landbank and so the possible need later in the plan period for additional reserves to be permitted elsewhere in the county. It is considered that working mineral in this location, being an existing quarry in a policy-compliant area albeit for a longer period is likely to have less overall impacts than working the same quantity of mineral from a new site elsewhere. The quarry is also unique in providing self-binding gravel for specialist use, which cannot easily be sourced elsewhere. The proposal is considered to be in accordance with OMWCS policies M2, M3 and M5.

Site Restoration

45. OMWCS policy M10 states that minerals workings will be restored to a high standard and in a timely, phased manner to an after-use which is appropriate to the location and delivers a net gain in biodiversity. The restoration and after-use of the minerals workings needs to take into account various factors.

This includes a site's characteristics, landscape, local amenity, water-quality, biodiversity, geodiversity and historic environment.

46. The approved restoration for the quarry is to mainly agricultural after-use, with some biodiversity increases by increased hedgerow and tree planting and exposed quarry faces adjacent to the restored Wicklesham Quarry. It would deliver a net gain in biodiversity. This application seeks to extend the permitted extraction period and therefore delay the restoration by a further eight years, from the approved restoration completion in 2027 to 2035.
47. There are no changes proposed to the approved restoration scheme. This includes areas of grassland, wet grassland which is largely to the two ponds to be created and improved hedges and tree planting. The lower level is for agricultural after use once restoration has been completed and exposed mineral faces for geological interest are to be created along the eastern boundary, and parts of the adjacent northern and southern boundaries.
48. The extension of time is to allow for the remaining permitted mineral reserve to be extracted and the approved restoration scheme to agricultural grassland with two small water bodies does not adversely impact the overall intention for the restoration to provide agricultural grazing and some biodiversity improvements, although this would be in place later than originally envisioned. Whilst it is disappointing that the mineral has not been worked at the rate originally suggested, as set out above, it is important that the remaining significant mineral reserve is worked. The approved restoration scheme can only be delivered on the completion of the permitted extraction of mineral and so in this respect, if it is concluded that the period applied for is necessary to do so, it would still be delivered in a timely manner. The development proposals would be in line with OMWCS policy M10.

Highways and Rights of Way

49. OMWCS policy C10 states that waste development will be expected to make provision for safe and suitable access to the advisory lorry routes as shown on the Oxfordshire Lorry Routes Map. The Lorry Route Map on page 116 of the plan identifies the A420 as a link to larger towns. It also identifies that the A420 runs past an environmentally sensitive area towards the south-west, which HGVS should avoid if at all possible. Development should maintain and, where possible, improve the efficiency and quality of the network, residential and environmental amenity and improve safety for all road users.

Development which generates significant amounts of traffic should provide mitigation measures where appropriate.

50. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and if possible it shall be retained in situ in safe and useable condition. Improvements and enhancements to the rights of way network will be generally encouraged and public access sought across restored mineral workings, especially if this can be linked to the wider provision of green infrastructure.
51. VLP2 Development Policy 16 states that new development needs to demonstrate a high quality design and that adequate provision is made for loading, unloading, servicing, circulation and turning of vehicles and acceptable off-site improvements to the highway infrastructure (including traffic management measures) including public rights of way where these are not adequate to service the development.
52. VLP2 Development Policy 31 states that development on and/ or over public rights of way will be permitted where the development can be designed to accommodate satisfactorily the existing route, or where the right of way is incorporated into the development site as an attractive, safe and continuous route. Opportunities will be actively sought to improve the accessibility and the additions of new connections and status upgrades to the existing rights of way network, including National Trails.
53. Paragraph 110 of the NPPF states that when considering specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
54. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
55. The quarry has no condition limiting the maximum number of HGV movements per day. The concrete batching plant is limited to a maximum of 44 movements per day. The extension of time by eight years would not

increase the daily number of HGVs for mineral extraction, or the associated concrete batching plant operations although they would clearly continue over a longer period of time. Since the installation of the batching plant, extraction rates have increased to close to the projected annual tonnage of between 50,000 and 60,000 tpa. Subsequently, associated HGVs have increased in real terms to the expected levels for the originally projected annual tonnage. The HGV movements overall have been artificially low for the site due to the extraction rates being up to 70% below the permitted tonnage and therefore lower associated HGV movements. The proposed extension of time would not increase the number of HGVs above what has been permitted under the extant planning permissions.

56. As part of the original permission, highways improvements were included (road signage) and suitable access from the site onto Fernham Road. There is adequate provision within the site for vehicle turning and loading/unloading, and safe and suitable access from Fernham Road onto the A420, which is a designated link to a larger town as part of the strategic lorry route network. The internal layout and existing highway layout remains unchanged by this application.
57. There are two routing agreements in place to mitigate the existing developments on the highway network, which would continue to apply. The applicant is a signatory for both the quarry and concrete batching plant routing agreement. Currently, all quarry vehicles are required to turn right from the site onto Fernham Road, unless making a local delivery to the south and can then turn in either direction onto the A420. All batching plant vehicles are required to turn right onto Fernham Road, unless making a local delivery to the south and then left only onto the A420, regardless of destination. Any vehicles that are heading towards Oxford must drive to the Watchfield Roundabout to go east. Both routing agreements will continue to apply for both the quarry and concrete batching plant operations, to mitigate the existing HGV impacts on the highway network, as existing.
58. There is no increase proposed in mineral extraction operations, associated infrastructure or the concrete batching plant operations. The public rights of way in the immediate vicinity will not be further adversely affected in respect of any visual or aural impacts of the development other than they will occur over a longer period of time. This would be in particular from the public bridleway which runs along the southern boundary and these impacts would not be increased any further than the proposed timescales. Users of the public rights of way who wish to cross Fernham Road and also use the footpaths west of the quarry will not be significantly impacted by an extension of time for the operations as HGVs are restricted from turning left

towards Little Coxwell. This is part of the routeing agreement and would continue for the lifetime of the operations.

59. There is no new development proposed or any changes to the existing HGV movements to the quarry and associated concrete batching plant. This application is considered to be in line with OMWCS policies C10 and C11, VLP2 development policies 16 and 31 and NPPF paragraphs 110 and 111.

Amenity

60. OMWCS policy C5 states that proposals for waste development shall demonstrate that there would be no adverse impact on the local environment, human health or residential amenity and the local economy.
61. VLP2 Development Policy 21 states that development that involves external lighting will be permitted provided that there would not be any adverse impact on the character of the area, of the amenity of neighbouring uses and if the lighting proposed is the minimum necessary to undertake the task for which it is required. Where permission is granted, conditions may be imposed.
62. VLP2 Development Policy 23 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses.
63. VLP2 Development Policy 25 states that noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take account of the location, design and layout of the proposed development, existing levels of background noise, measures to contain generated noise and hours of operating and servicing. Development will not be permitted if mitigation cannot be provided within an appropriate design or standard.
64. The closest residential properties to the quarry are Church View, approximately 180 metres to the south-west and Orchard House and Gorse Farm approximately 190 metres and 260 metres respectively to the south and are all within the parish of Little Coxwell. The closest residential properties in Faringdon are off Lower Greensands, approximately 140 metres to the north-west of the quarry and north of the A420. The proposed extended timescales for the extraction and restoration would not change any of the existing conditions to protect local residents' amenity. These

conditions control, among other things, noise with the identified sensitive receptors and dust impacts with the approved Dust Management Plan for the quarry operations.

65. The proposed extended extraction and restoration timescales by eight years are to allow for the permitted mineral reserve to be worked out. Whilst the time periods would be extended and the impact of this needs to be considered, provided the existing conditions designed to mitigate impacts to acceptable levels are retained in any new planning permission, the proposed extended timescales would not otherwise adversely impact local residents' amenity.
66. The extension of the approved timescales to allow for the remaining mineral extraction and approved restoration is unfortunate but necessary if the significant reserves of remaining mineral are to be worked and the site restored as permitted to provide an agricultural after-use with areas of geological interest to the eastern area of the site. It is not considered on balance that the extended time period proposed would lead to an unacceptable adverse impact on amenity. The development proposal would therefore be in line with OMWCS policy C5 and VLP2 development policies 21, 23 and 25.

Landscape

67. OMWCS policy C8 states that proposals for minerals and waste development should demonstrate they respect and where possible enhance local character. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape.
68. VLP1 Core Policy 44 states that key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and where possible enhanced, including features such as trees, hedgerows, woodland, field boundaries and watercourses. Where development is acceptable in principle, measures will be sought to integrate it into the landscape character.
69. VLP1 Core Policy 45 states that a net gain in green infrastructure, including biodiversity, will be sought and a net loss through development proposals will be resisted. Proposals for new development must provide adequate Green Infrastructure in line with the Green Infrastructure Strategy and how this will be retained and enhanced.

70. There are no changes proposed to the permitted quarry and associated batching plant operations as part of this application, which is solely for an extension of the extraction and restoration timescales. However, since the original permission for the quarry operations was granted in 2013, and the subsequent amended restoration and phasing proposals granted in 2016, which is the extant permission, the concrete batching plant was installed under a Prior Approval permission in 2019. The landscape officer requested further information in the form of a landscape assessment, due to the age of the approved documents for the operational site and the approved restoration scheme, and updated policies.
71. The landscape and visual impact of the overall development has altered, and this proposal seeks to keep the overall quarry development for a further eight years than originally proposed. The concrete batching plant would therefore be on site for the same amount of time, where the impact of the batching plant was originally envisioned to be no more than eight years, to September 2027.
72. The extended timescales to allow the mineral reserve to be extracted would not create any further visual or landscape impacts above what is currently in place on site. The changes that have occurred due to the Prior Approval permission for the concrete batching plant introduced a greater height/ mass than the originally approved quarry infrastructure. The approved landscape planting and existing vegetation should, in the opinion of the landscape officer, be strengthened and/ or managed to ensure that the existing and approved planting minimises and mitigates the impact of the overall development as permitted, and ensure it is integrated in the overall, rural landscape.
73. There are no significant impacts on the existing landscape as there are no new elements proposed or new development overall, although the existing landscape treatment could be strengthened to continue to ensure the impact of the permitted quarry development for a further eight years is mitigated to the upmost degree. Subject to this being provided for by condition, the development is in line with OMWCS policy C8 and VLP1 core policies 44 and 45.

Biodiversity

74. OMWCS policy C7 states that proposals for minerals and waste development should conserve and, where possible, deliver a net gain in

biodiversity. Development should not cause significant harm, except where the need for and benefits of development at that location clearly outweigh the harm.

75. VLP1 Core Policy 45 states that a net gain in green infrastructure, including biodiversity, will be sought and a net loss through development proposals will be resisted. Proposals for new development must provide adequate Green Infrastructure in line with the Green Infrastructure Strategy and how this will be retained and enhanced.
76. VLP1 Core Policy 46 states that development will conserve, restore and enhance biodiversity. Opportunities for biodiversity gain, including connection of sites and habitat restoration and enhancement will be sought, with a net loss of biodiversity to be avoided.
77. There are no changes proposed to the existing quarry and associated infrastructure, or any changes proposed to the approved restoration scheme, which is to grassland, wet grassland, ponds and further tree and hedge-planting.
78. Further information was required by the ecology officer, and provided, as there was concern on the age of the approved surveys and that this application would also need to be considered against updated policy. There was consideration for delaying the approved restoration scheme by a further eight years and that there would not be adverse impacts or a reduction in the biodiversity gains of the existing, approved restoration scheme which would be unchanged. The ecology officer also required a Landscape and Environmental Management Plan (LEMP), to ensure the protection of species and their habitats, including bats and badgers, for a minimum period of 25 years, being the five year standard after care period and an additional 20 year longer-term management.
79. There are no further changes proposed to the development, or the approved aftercare scheme, which includes additional planting and a biodiversity gain from the original site. The only change is the extended timescales, and the further provided information demonstrates that an extension of time before the restoration would be carried out would not adversely impact on the approved restoration scheme. Therefore, it is not considered that it would be reasonable to include a LEMP in order to make the development acceptable, and longer-term management post the five years aftercare period for

biodiversity gain would need a legal agreement, which similarly is not considered necessary in order to make the extension of time proposed acceptable. However, conditions should be included to provide the installation of bat and bird boxes as set out in the Updated Ecological Assessment as suggested enhancements, for badger surveys to be carried out prior to site clearance works in those phases yet to be extracted and for a bat roost survey and identification of mitigation measures and their implementation prior to the removal of an identified tree.

80. There is no new development or other significant changes proposed by this application, that would impact on the site's biodiversity or gains through the approved restoration. Subject to conditions as set out above, this application is considered to be in line with OMWCS policy C7 and VLP1 core policies 45 and 46.

Sustainable Development

81. The NPPF (2021) contains a presumption in favour of sustainable development. This has environmental, economic and social roles, reflected in OMWCS policy C1 and VLP1 core policy 1.
82. OMWCS policy C2 states that proposals for mineral development, including restoration proposals, should take account of climate change for the lifetime of the development from construction through operation and decommissioning. Applications for development should adopt a low-carbon approach and measures should be considered to minimise greenhouse gas emissions and provide flexibility for future adaptation to the impacts of climate change.
83. The extended timescales would enable the full extraction of the approved mineral reserve which is include in the county council's current landbank. Whilst the development would be carried out over a longer time period, there would be no additional emissions beyond that already consented. There are no changes to the approved restoration, which would provide overall environmental benefits which would contribute to sustainable development in accordance with these policies.

Financial Implications

84. Not applicable as the financial interests of the County Council are not relevant to the determination of planning applications.

Legal Implications

85. Legal comments and advice have been incorporated into the report.

Equality & Inclusion Implications

86. In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Conclusions

87. The application is to extend the approved timescales for extraction and restoration, due to significantly below expected extraction/ sales which were improved in 2020 by the approval of a concrete batching plant to utilise the site's mineral resource. The approved restoration to grassland, water bodies and tree/ hedge planting, to then be used for agricultural uses with open geological faces would be implemented.
88. There is no change to the site's existing operations/ infrastructure and no increase in projected tonnages or associated HGV vehicle movements. There is no change to the approved restoration scheme. An extension of a further eight years to excavate the mineral and restore the site would not adversely impact on the landscape or local amenity as the approved landscaping and biodiversity mitigation of the existing development should be managed and strengthened to blend the site into the largely rural environment as far as is practicable.
89. Subject to conditions, the proposed development is considered to be in accordance with the relevant development plans and plan policy relating to

Minerals, Site Restoration, Landscape, Biodiversity, Traffic movements and Amenity.

RECOMMENDATION

It is RECOMMENDED that planning permission for MW.0142/21 be approved subject to conditions to be determined by the Director of Planning and Place, to include those set out in Annex 1.

Rachel Wileman

Assistant Director for Strategic Infrastructure and Planning

Annex:	1	Heads of conditions
	2	Consultation Responses
	3	Third Party Consultation Response
	4	European Protected Species

Background papers:	Nil.
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Annex 1 – Conditions

1. Development shall be carried out in accordance with the approved drawings and details.
2. Time limit for extraction 31st December 2034 and time limit for restoration 31 December 2035.
3. Hours of operation 0700 hours to 1800 hours Mondays to Fridays; 0700 hours to 1300 hours on Saturdays. No operations Sunday, Public or bank holidays.
4. Reversing vehicles to use white noise only.
5. No blasting.
6. No mud on the highway.
7. Internal haul roads to be maintained for duration of active use then removed.
8. Archaeological watching brief during any construction/ ground works.
9. No Follow the approved archaeological Written Scheme of Investigation and report findings to the Mineral Planning Authority.
10. Measures of Ecological Impact Assessment to be implemented.
11. No works to be carried out other than in accordance with the mitigation and enhancement scheme in the Ecological Impact Assessment (2009) and the Updated Ecological Assessment (2022).
12. Planting to be carried out as per the Landscape Planting Scheme and maintained in accordance with the aftercare details.
13. Existing and approved planted hedgerows on site to be maintained.
14. Trees and shrubs planted as approved shall be maintained.
15. Retained trees and shrubs shall be protected and fencing erected and maintained for the duration.
16. Aftercare and management scheme submitted and approved prior to any works within phase 3, and to be implemented as approved.
17. Site access to the development as approved.
18. All works within site above groundwater level.
19. Oil storage tanks shall be bunded.
20. No discharge of polluted water off site.
21. Operational noise levels at site to not exceed stated levels at identified sensitive properties.
22. Notwithstanding Condition 21, noise during bund removal/ restoration shall not exceed stated levels at identified sensitive properties.
23. Excavations shall be made available for inspection by bona fide geologists or geology students for the life of the quarry.
24. On completion of extraction, the quarry face shall be left open and unrestored, unless no geological interest is suitably demonstrated.
25. Dust Monitoring implemented as approved.
26. No unsheeted lorries.
27. No floodlights other than security lighting as approved.
28. Soil handling in accordance with the approved scheme.
29. Soil handling, stockpiling and replacement when dry and friable.
30. Soil storage bunds to be kept weed free.
31. All topsoil, subsoil and overburden to be kept for site restoration only.
32. Sightlines to the public highway shall be provided and maintained for the development's duration.

33. The approved Construction Traffic Management Plan shall be implemented and adhered to at all times.
34. The approved Surface Water Drainage Scheme shall be implemented and adhered to at all times.
35. Road signs shall be erected as per the approved plans.
36. Improved hedgerow planting and management for landscape improvements.
37. Badger Survey prior to site clearance in any unworked phase/ area.
38. Bat Survey prior to any felling of identified trees.

Informative

Protected Species to be protected.

Nesting Birds to be protected.

All deep excavations should be suitably ramped to protect badgers.

Annex 2 – Consultation Responses

Vale of White Horse District Council – Planning

Responded – No comment.

Vale of White Horse District Council – Environmental Health

Responded – No objection.

Faringdon Town Council

Objection. Faringdon Town Council object on the grounds of traffic safety on the A420. Lorries no right turn is not being enforced. If this application goes ahead, a safe crossing of the A420 needs to be provided for pedestrians, cyclists and horses. Support comments from Little Coxwell Parish Council.

Little Coxwell Parish Council

Objection. This application has come as a surprise to Little Coxwell Parish Council as well as residents of the village. One of the major reasons provided by Grundons for the batching plant, granted under MW.0068/19 and confirmed in an email was that this would ensure the original completion date of 2026. The applicant confirmed that since the introduction of the batching plant, the quarry is now at the expected extraction rates. We are at a loss as to why this application is being made. At best, the application for the concrete batching plant was calculated wrongly, at worst was misleading with every intention to apply for an extension to a later date and this very comment was made in the parish council's objection to the batching plant.

A routing agreement was put in place from the approval of MW.0068/19, to ensure the safety of surrounding traffic and reduce the environmental impact on the local traffic, including the village of Little Coxwell. This is continuously flouted with numerous reports directly to the site manager and photos reported to the planning authorities. This shows that planning conditions are not being met. The extension of time request is another example of wishing to change another planning condition

The application also states that there have been no comments received on noise, vibration or dust. This does not infer that there is no impact on the community. Of course there is an environmental impact and continues to be and all this application does is extend these impacts on the community. Therefore the parish council strongly objects to this planning application. We would also recommend a review of the weighbridge extraction numbers from the site to clarify the exact status of the extraction numbers and the concrete batching plant outputs to ensure transparency.

Fernham Parish Council

No response.

Environment Agency

Responded – No comment. Confirmed that there is no need to consult them on this application.

National Grid Asset Protection

No National Grid assets affected in this area.

Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites.

We would however support the Oxfordshire County Council Ecology officer in their request for some updated ecological survey to be submitted. The original mapping for the restoration plan area was created based on 2009 surveys which are now well out of date and it would be beneficial for these surveys to be updated. This would give a more accurate picture of what habitats on site are like and could inform any changes to the final restoration plan if required.

OCC Transport Development Control

No objection subject to conditions. The relevant points from a Transport Development Control perspective are that an additional eight years are required to fully, and sustainably, extract all mineral from the site, though other material aspects will remain unchanged. The site provides safe and suitable vehicular access and egress to and from the A420 which forms part of the Strategic Lorry Route. There is adequate provision for loading/ unloading and vehicle turning within the site and the number of vehicle movements would remain at current levels and within approved levels for operations at the site.

The applicant would continue to adhere to the two existing routeing agreements currently in place for Faringdon Quarry and the concrete batching plant to mitigate the impacts of the development proposed on the highway network. As such, the development proposal would not have a detrimental impact on the highway network, and all relevant transport and highway planning conditions of the MW.0117/16 planning permission and that the existing routeing agreements consider the extended timeframe, if necessary.

OCC Ecology

Final Response

No objection subject to conditions. Having reviewed the updated Ecological Assessment, the proposed extension in time does not result in any previously unaccounted for impacts on habitats. Nevertheless, details are required about how habitats will be managed to maximise opportunities for biodiversity, including

capturing the suggested enhancements made within the updated Ecological Assessment (paras. 7.4 – 7.7).

Regarding the potential for/ or presence of protected and priority species:

- Given that badgers are active within the site, it would be prudent to include a pre-commencement condition requiring an update check by an ecologist prior to site clearance works within the coarse grassland, bund and boundary features
- Measures are required to protect roosting bats which have potential to be present within a single tree to be felled.

It is suggested that the above are captured within a Landscape and Environmental Management Plan (LEMP) to be produced to ensure the protection of species and ensure the proposed restored habitats are maintained for the benefit of biodiversity for a minimum period of 25 years.

Condition

Landscape Ecological Management Plan (LEMP)

No implementation of the restoration scheme shall take place until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Mineral Planning Authority. The LEMP shall include details on how the proposed habitats will be managed, created and/or monitored for a minimum of 20 years, in addition to the 5-year aftercare period. The content of the LEMP shall include the following:

1. Review of site potential and constraints;
2. Purpose and conservation objectives for the proposed works;
3. Detail design(s) and/or working method(s) to achieve the stated objectives (e.g further survey and soft felling for bats, update walkover survey for badgers);
4. Extent and location/ area of proposed works on appropriate scale maps and plans;
5. Type and source of materials to be used where appropriate;
6. Timetable for implementation;
7. Details of initial aftercare and long-term maintenance of ecological habits;
8. Timing, duration and details of ongoing monitoring and remedial measures;
9. Persons responsible for implementing the works;
10. Preparation of a work schedule (including an annual work plan capable of being rolled beyond the five year restoration period to the 20 year aftercare):
and
11. Details of the body or organisation responsible for implementation of the plan.

The plan that is approved must be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: To ensure the protection of flora and fauna, and to ensure that the site is restored and managed appropriately and does not result in the loss of biodiversity in accordance with the NERC Act 2006, NPPF paras 174, 179 and 180 and OMWCS policies C7 and M10.

Informative

All bird nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the

nest of any wild bird while it is use or being built. Therefore, no removal of trees or scrub should take place between 1st March and 31st August inclusive to prevent committing an offence under the Wildlife and Countryside Act 1981 (as amended).

Initial Response

Further information required. Para. 8.6 of the Ecological Impact Assessment states the conclusion that the proposed development and restoration plan will result in habitats within the site being of higher intrinsic value than the existing. However, since this was published in 2009, the restoration scheme (WIC/17b) has changed (WIC/17d) to reduce the number of ponds on site. The 2009 assessment does not provide a complete assessment of the potential impacts of the current proposals and the age of the data is not considered appropriate to determine the application. Section 6.2 of BS 42020: 2013 indicates that ecological information should be sufficiently up to date, not more than two – three years old. The EclA also notes in section 6.1.9 that the relaxation of agricultural management will lead to an increase in biodiversity value, so a further survey is therefore required to determine the current baseline for the site in terms of habitats and presence of, or opportunities for, protected or priority species.

Since 2009, the NPPF has been published and strengthened, particularly paragraph 179. In order to demonstrate proposals deliver a measurable net gain for biodiversity, it is requested that the Defra 3.0 metric is used to demonstrate habit losses and gains as a result of this proposal. To calculate the site habitat baseline, it is suggested Phases 1 and 2 are detailed as those present prior to extraction, and a UK Habs Habitat survey should be conducted of Phase 3 and any retained habitats such that an assessment of their current extent and condition can be made. With regards habitat creation, those proposed from the original scheme should be input, and reflect the eight year delay caused by the extension of time application.

Should the original restoration strategy not deliver a net gain for biodiversity, it will be necessary to (i) amend the restoration strategy, (ii) deliver off-site compensation, or (iii) provide a financial contribution to offset the biodiversity loss. The status of protected and priority species should also be considered and addressed within the application, and an updated assessment will be required to ensure the proposed extension of time does not result in previously unaccounted impacts. Any impacts should be addressed using the avoid, mitigate, compensate, enhance hierarchy.

OCC Landscape

Final Response

No objection but additional planting/ management recommended. An update to the LVIA (2009) was requested in pre-application advice and previous comments, this has not been provided on the basis that the principle of the development as approved in 2016 and that the site remains unchanged from previous comments. Whilst recognising that the site and its use are existing, the view remains that the LVIA (2009) is no longer up to date as there have been considerable changes with regard to planning policy, landscape character context and operations on site since it was produced.

The update was primarily requested to provide an up-to-date baseline of the site including a review of the effectiveness of the previous mitigation measures, to inform whether additional mitigation is required should operations continue. The previous applications including the concrete batching plant were permitted on the basis that operations on site would be completed by 2026. This application seeks to extend the time-frame by another eight years, during which impacts on landscape character and views would persist. In light of this, I consider it prudent to reflect on whether existing mitigation is as good as it can be, or whether more should be done to better embed the site and its operations into the surrounding landscape as required by local planning policy (Policy 44, VoWH LP).

The operations within the western part of the site are reasonably well screened from the southwest but views from the northwest into the site exist, especially during the winter months when vegetation is not in leaf. Receptors affected comprise walkers, horse riders, cyclists and motorists turning into Fernham Road. The site would benefit from additional mitigation along the north-western boundary either through additional planting or improved management of the western boundary hedgerow. Such measures would not only assist to further screen the development in views and help embed the site better into the surrounding landscape, but would also assist in delivering Green Infrastructure benefits as sought by local planning policy (Policy 45 VoWH LP). The additional recommended planting and/ or hedgerow management could be dealt with via a condition or informative.

Initial Response

Further information required. The LVIA submitted was previously approved as part of the 2016 application, but the plans suggest it might be as old as 2009. Although landscape doesn't change that quickly, the document is felt to be out of date. This is due to changes including policy (NPPF, OMWCS 2017, VoWH Local Plan, Cotswolds AONB Management Plan 2018), landscape context (GLVIA3, VoWH landscape character assessment 2017) and changes to the site (concrete batching plant, bunding and plant). An updated LVIA is requested, in accordance with the Guidelines for Landscape and Visual Impact Assessment 3rd Edition and should take into account any potential impacts of lighting and cumulative effects.

OCC Public Health

No objection. The documents have been reviewed for this application to extend operations by eight years at Faringdon Quarry. Providing the applicant continues to comply with their previously approved dust management plan, as well as with relevant industry and best practice standards, then there are no concerns from a dust and airborne pollution perspective.

OCC Rights of Way and Countryside Access

Responded – No comment.

OCC Lead Local Flood Authority

No response.

Oxfordshire County Councillor

Objection. On behalf of residents in my division, particularly those in the village of Little Coxwell and Faringdon, the proposal came as a surprise to Little Coxwell residents. They had previously been led to believe that earlier works had been put in place to ensure that operations would cease in 2026, and that steps would be taken towards the completion of extraction, and that plans for the restoration of the site would be well underway at this point. Speaking on their behalf, if I may, I believe they feel let down by this new proposal and misled by previous statements from the applicants.

Further, clear objections have been voiced concerning infringements of the routing agreement that was drawn up in association with the previous application linked to the concrete batching plant, to reduce the impact of the site on the area, with specific conditions put in place to ensure the safety of traffic conditions onto the A420 and other roads in the vicinity. As an example, I believe it was set out that HGVs exiting the site were not permitted to turn right onto the A420 from the junction with the Fernham Rd; yet, I have seen clear evidence that this is not held to, and reports that this order is frequently flouted with evidence to back this up. The A420 is an increasingly busy route, accidents are common, and I believe that many could be avoided with enforcement of rules such as this, put in place for good reason, and with the safety of all road users in mind. For this reason, and for the further impact of increased traffic on the roads surrounding the site – elevated noise, vibrations, dust etc, residents are understandably of the opinion that the conditions of the last application are not being adhered to and thus, hold out very little hope of seeing any improvement in this situation should this current application be approved.

Faringdon Town Council has also written to comment on this application and share the views of those expressed by Little Coxwell Parish Council. I would therefore like to send my clear objection to the current application, with a request for further information surrounding the points raised here – namely the timing noted in previous applications with a completion date of 2026, and the need for an extension now, and the violations of the routing agreement put in place, and how this is to be rectified and enforced now and into the future.

Annex 3 – Representations Summary

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

Development Need

- Quarries are valuable in winning minerals to support the local economy and meet local needs. We would support that since it is a sound policy.
- The applicant is not now adhering to its line that the application for a concrete batching plant would speed the exhaustion of the quarry. The only conclusion possible is that the applicant can't be trusted to follow its own arguments.
- It would be illogical to consent to the extension sought in the absence of much stricter controls.
- Objections were raised at the addition of heavy plant equipment for concrete production, and that that seemed to be to allow Grundons to use it as an excuse to apply for an extension on the site, and that seems to be the case.
- It seemed unusual that Grundons would invest so heavily in the concrete batching plant for the site that would only be running to 2026. I understood the reason the plant was originally allowed was to **ensure the timely closure** of the site in 2026.
- It is very upsetting to now discover that essentially it would seem that Grundons wanted the plant so that they could continue to use the site well into the next decade.

Officer response – The mineral reserve has consistently not met the projected annual extraction rates since beginning operations. The installation of the concrete batching plant has increased the annual tonnage to closer to the original projected levels but the remaining mineral reserve cannot be fully extracted in the existing timescales, which this application seeks to address.

Highways

- There has been an increase in the number of lorries accessing Faringdon quarry resulting in an increased safety risk at the junction of Fernham road and the A420. This includes lorries pulling out slowly onto a 60mph stretch of road.
- The new site has and still causes huge delays in traffic accessing the area in particular joining the A420 at a nasty junction.
- Heavy lorries turn in and out of the site throughout the day. Turning not just out onto the A420 but also taking a route towards Fernham.
- 1-2-3 lorries trying to get out onto the A420 at the same time (a turning which is hard enough and dangerous enough at the best of times).
- Spillage of concrete onto the road due to poor management of their lorries (ie some don't have spill trays and therefore the concrete just slops out onto the road). This in itself has caused a change to the road surface.

Officer response – There are no changes to the permitted tonnage for the quarry. There is no increase in HGVs connected to either the quarry operations or the concrete batching plant. All vehicles are expected to follow the extant routing agreements in place.

Routeing Agreements

- The key provision in the very recently signed legal agreement releasing the Council's permission was that concrete lorries exiting onto the A420 had to turn left.
- The arguments for that were agreed by the applicant. The hardened concrete spillage on the road junction suggests concrete vehicles turning right.
- The applicant agreed that its concrete lorries would conform to the legal agreement to turn left. The only conclusion possible is that the applicant can't be trusted to conform to the legal agreement it has signed.

Officer response – The routeing agreements shall remain in place, with one each for the quarry and one for the concrete batching plant. These are enforceable with evidence provided of any alleged breaches to enable investigation by the appropriate officers.

Local Amenities

- There is a significant amount of noise from the quarry heard on a daily basis.
- The site appears to be a working site into the evening certainly past the 4pm closing time stated on the website.
- Since the quarry has been a site for concrete processing my child and I have had symptoms of allergy, not resolved with antihistamine
- This site is close to housing in Little Coxwell and new housing in Faringdon and is clearly a health risk on many levels, therefore an extension should not be given beyond 2026.
- If a company wants to move forward this should be done in a transparent way for the local community to appreciate their goals and balance the effects caused.
- We have on a number of occasions been to the site office to make comment and alert them [to issues] and have been brushed off with a 'we know about it'. (but nothing has been done).
- The community is already fed up with the noise, dust pollution and light pollution at night (which is incidentally much worse than we ever anticipated).

Officer response – There are conditions in place for the protection of the environment and local amenity, including dust, noise, lighting and operating hours. Alleged breaches of any of the planning conditions should be reported to the county council's enforcement team, with evidence so that investigation can be carried out in a timely manner.

Planning Matters

- A very short term extension which could be renewed only if the previously agreed provisions are being met, such as by an efficient operation and a provision that if there is ever any non-compliance with the left turn provision onto the A420 by concrete lorries then the short term extension would be negated.
- Good behaviour would be at the heart of any planning permission to extend operations, and only made necessary given the observed performance by the applicant of its obligations.
- It is sad to see that yet again the planning process seemingly being flouted in regard Grundons quarry activity.

- This site was only allowed if the previous area were restored to agricultural/natural environment - this has been heavily flouted and fought with the site now for sale as an industrial development site " in green belt" !
- We actually only see this as a more long term plan to ensure the site is never returned to its original agricultural use under which the original planning permission was granted.

Officer response – The application before the County Council is being judged on the merits of what has been submitted. This application is purely for the extension of timescales for extraction and restoration. There are no further physical extensions of the site for further extractions than has been permitted to date. There is a restoration scheme in place for the site's restoration on the completion of extraction. The adjacent site (Wickleham Quarry) has been restored as approved and any further development subsequent to the aftercare period is outside of the Mineral Planning Authority's remit.

Annex 4 – European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 (as amended), which identifies 4 main offences for development affecting European Protected Species (EPS).

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

Our records, the habitat on and around the proposed development site and ecological survey results indicate that European Protected Species (bats) have potential to be present within a single low suitability tree.

Tree felling therefore has potential to result in an offence under the Conservation of Species & Habitats Regulations 2017 (as amended). Officers therefore have a duty to consider whether the proposal would be likely to secure a licence. To do so the proposals must meet with the three derogation tests which are:

- There are imperative reasons of overriding public interest (e.g. health and safety, economic or social)
- There is no satisfactory alternative
- The action will have no detrimental impact upon population of the species concerned

It is outside my remit to consider IROPI or satisfactory alternatives. Reasonable avoidance measures (soft felling) of the low suitability ash tree proposed. This should be preceded by an endoscope inspection by a suitability licensed and qualified ecologist. Should this conclude roosting bats are absent, there would not be a detrimental impact upon any bat population as a result of the proposals. Should roosting bats be confirmed and there be no alternative to felling but an overriding need to do so, a European Protected Species Mitigation (EPSM) Licence would need to be sought prior to felling. Should characterisation of the roost be confirmed by an appropriate level of survey, it is anticipated that the proposals would be likely to secure a licence.