

Divisions Affected – Chipping Norton

PLANNING AND REGULATION COMMITTEE

25th April 2022

Application 1: Extraction of limestone and deposit of imported clay to achieve an agricultural restoration (part retrospective)

Application 2: Temporary Change of Use to Mineral Processing and Storage Area

Report by Assistant Director for Strategic Infrastructure and Planning

Contact Officer: Matthew Case **Tel:** 07584262456

Location (app 1): Land at Quarry Farm North of Green Lane, Green Lane, Chipping Norton, Great Tew OX7 4NS

Location (app 2): Enstone Airfield North, Land At Enstone Airfield North, Banbury Road, Enstone OX7 4NS

OCC Application No: App 1: MW.0100/21 App 2: MW.0102/21

VOWH Application No: App 1: 21/02824/CM App 2: 21/02822/CM

District Council Area: West Oxfordshire District Council

Applicant: Great Tew Farms Partnership (GTFP)

Application Received: App 1: 28th July 2021 App 2: 26th July 2021

Consultation Period: 16th August to 6th September 2021

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RECOMMENDATION

1. The report recommends that applications MW.0100/21 and MW.0102/21 be approved.

Executive Summary

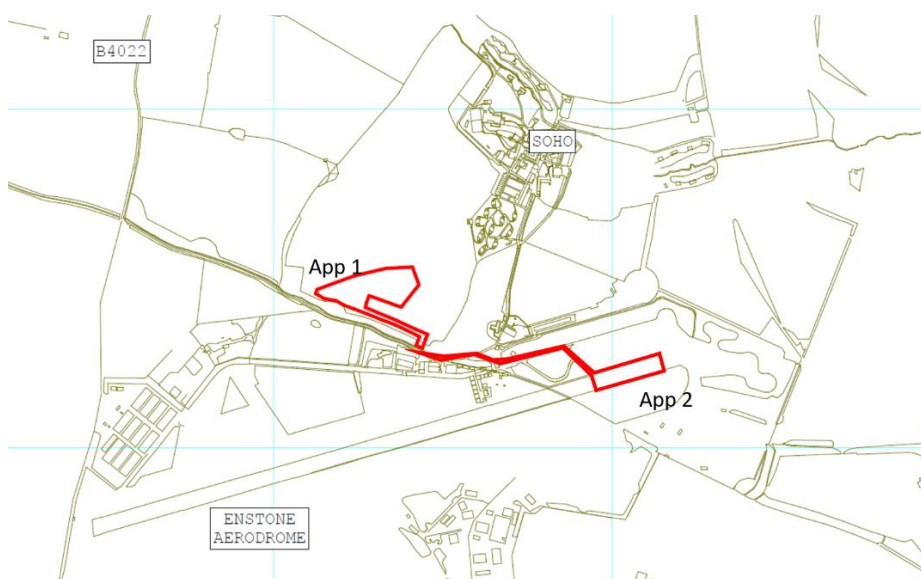
2. The report sets out the two proposed developments for which planning permission has been applied under application nos. MW.0100/21 and MW.0102/21. Both applications are part retrospective as the developments have already commenced. Having considered the report against the development plan and other material considerations including consultation responses and representations received it is recommended the two applications are approved.

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

Application 1

3. The site lies within the Parish of Great Tew in West Oxfordshire District Council in Oxfordshire. The site is located off Green Lane to the east of the B4022. Green Lane is a no through road and is used to access the eastern part of Enstone Airfield and Solo Farmhouse Complex's staff building. The site lies approximately 2km to the south east of the village of Great Tew and approximately 2km to the north-east of the village of Enstone. The site is located approximately 7.5km east of Chipping Norton. The site is located to the north-west of application 2, the two red line boundaries almost join at either side of Green Lane.



Plan showing the two application boundaries.

Application 2

4. The site lies within the Parish of Great Tew in West Oxfordshire District Council in Oxfordshire. The site is located off Green Lane to the east of the B4022. The site lies approximately 3km to the west of the village of Middle Barton and approximately 2.5km to the north-east of the village of Enstone. The site is located approximately 8.5km east of Chipping Norton.

Site and Setting

Application 1

5. The site is agricultural land. The access to the site is via a narrow road (Green Lane) which runs a short distance east from the B4022. The surrounding area is a mixture of farmland with limited areas of woodland. There are some commercial businesses, but residential properties are limited in the surrounding area. Enstone Airfield, a former World War II RAF training airfield, is located approximately 200m to the south. Part of the airfield is still used for light aircraft and a number of commercial businesses are located on the airfield. The Soho Farmhouse, a boutique hotel complex, lies 150m to the east at its closest point.
6. The site is not restricted by any statutory or non-statutory environmental policy designations. The nearest feature is Glyme and Dorn Conservation Target Area (CTA) approximately 300 metres north of the site and Valleys Little Tew Meadows Site of Special Scientific Interest (SSSI), located approximately 900 metres north-west of the site.
7. A Public Right of Way (PRoW) runs to the west to east direction approximately 800m to the north of the site (Footpath 345/5/10). Although not a footpath or bridleway, Green Lane to west of the B4022 has public access as part of the highway network and is understood to be an unclassified road. It is surfaced but it is understood this was carried out without authorisation by the County Council as Highway Authority. Public access ends on Green Lane at Soho Farmhouse staff complex, when it splits to access Enstone Airfield.
8. The Cotswolds Area of Outstanding Natural Beauty (AONB) is located approximately 4.6km south-west of the site.

Application 2

9. The application site is a flat area of tarmac lying at approximately 165m AOD being part of a former runway. The access to the site is via a narrow road (Green Lane) which runs a short distance east from the B4022. The

surrounding area comprises the airfield itself a mixture of farmland with limited areas of woodland. There are some commercial businesses, but residential properties are limited in the surrounding area. The western half of Enstone Airfield is still used for light aircraft and a number of commercial businesses are located on the airfield. The Soho Farmhouse, a boutique hotel complex, lies 200m to the north-west at its closest point to processing and storage area.

10. The site is not restricted by any statutory or non-statutory environmental policy designations. The nearest feature is Glyme and Dorn Conservation Target Area (CTA) approximately 350 metres north west of the site and Valleys Little Tew Meadows Site of Special Scientific Interest (SSSI), located approximately 2.4 north-west of the processing area.
11. A Public Right of Way (PRoW) runs to the west to east direction approximately 950m to the north of the site (Footpath 345/5/10). Although not a footpath or bridleway, Green Lane to west of the B4022 has public access as part of the highway. Our understanding is Green Lane is an unclassified road, with the surfacing carried out without authorisation by the County Council. Public access ends on Green Lane at Solo Farmhouse staff complex, when it splits to access Enstone Airfield.
12. The Cotswolds Area of Outstanding Natural Beauty (AONB) is located approximately 5km south-west of the site.

Planning History

Application 1

13. The site has no planning history.

Application 2

14. There are number of planning permissions relating to the application site, with the majority relating to the use of the airfield for motor sports. However, outline planning permission was permitted by West Oxfordshire District Council in May 2020 for the 'construction of museum building, show lane building, corporate hospitality building, energy centre/store building, workshop building. Formation of car exercise road. Construction of 28 holiday lodges. Formation of landscaped grounds. Associated site services and external works'. The planning permission (18/03319/OUT) is known as the Mullin Development.

Both applications

15. Quarrying of limestone commenced at the quarry in early 2021. In addition, the applicant was processing and storing the limestone at the disused airfield. Initially the applicant stated the works had commenced under permitted development (PD) rights. But it was the view of the Mineral Planning Authority (MPA), that works exceeded PD rights. The MPA served a Temporary Stop Notice on the 20th May 2021 which expired on the 16th June 2021. Therefore, these applications were made partly retrospectively seeking to regularise the works already carried out as well as those proposed prospectively.

Details of Proposed Development

Overview

16. The applicant has made two applications for consideration together in order to enable the extraction of limestone, with the processing and storage taking place on the neighbouring former airfield. The two partly retrospective applications are temporary, which include the importation of excess clay and overburden from Great Tew Ironstone Quarry to achieve an agricultural restoration of the quarry.

Application 1 (MW.0100/21)

17. The applicant seeks via a full (but partly retrospective) planning application for extraction of limestone and deposit of imported clay to achieve an agricultural restoration. The development is proposed to be time limited, and the mineral is stated to be primarily to supply farming operations within the Great Tew Estate, with the remaining amount of mineral to be exported off site. Approximately 150,000 tonnes of limestone would be won over an 18-month period with a split of two thirds for use on the agricultural holding and one third exported. A further 6 months beyond the date final mineral is extracted is required to complete the restoration works. Approximately 40,000 tonnes are stated to have already been removed, with 27,700 tonnes having been stated to be used on the farm and 13,300 tonnes having been exported off site.
18. The western part of the application site has already been worked and partially infilled. It is proposed that extraction is proposed to continue from the west in an easterly direction. The existing extraction area covers 0.4ha and the extension yet to be worked a further 1.2ha. The limestone would be worked to its full depth, circa 7m with a maximum depth of extraction of approximately 10m. The applicant allows for any natural variation such as faulting down to 144.5m AOD.
19. The mineral would be dug by an excavator and transported 'as dug' to a nearby site [covered by application 2] for processing on an area formally used as part

of Enstone Airfield. No blasting would take place on the site. Extraction boundaries would be kept at 5 m from any existing field boundaries.

20. The mineral is identified as Chipping Norton Limestone. The mineral reserve has been proven by borehole and trial pit investigation together with testing of samples. The mineral is proposed to be used for a suitable range of aggregate uses as well as walling stone and building stone products. The mineral used on the Estate would be used for a variety of purposes including building stone, agricultural lime and agricultural tracks.
21. Soils would be stripped and respread in appropriate conditions to avoid damage to soil structure. All soil arising on site would be retained and used for restoration purposes. Soils would be stored separately from other materials and stored in bunds no more than 3m high on the existing void area to the west.
22. The mineral is proposed to be dug dry as the excavations would not reach the water table which lies 40m+ below ground levels as stated in the Flood Assessment Report (FRA). Therefore, there would be no quarry dewatering.
23. The FRA has provided a drainage strategy for the site to ensure there is no increase flood risk during the development and once restoration to agriculture is completed. As part of the restoration scheme, a 'dry' pond feature to provide attenuation sized to provide an appropriate allowance for climate change would be provided.
24. Excess overburden and clay from the nearby Great Tew Quarry would be used to reinstate the excavation void to original ground levels. The restoration would be progressive with the overburden from the new working area used to reinstate ground in the western void and clay from Great Tew used to make up the deficit. Approximately 100,000m³ of clay would be brought to the site to assist reinstatement and restoration. A small area of tree planting and ephemeral pond is proposed to create an island in the field. The trees would be planted on the edge of the pond, so it would be scrubby, wet woodland species. Additional tussocky grass/scrub field margin would be provided along the southern border to increase the biodiversity gain provided.
25. The proposed quarry is accessed via a haul road onto Green Lane, via a pre-existing field access in a break in the tree line. The extracted limestone would be removed by lorries to a proposed processing and storage site (covered by

application 2). The mineral would only traverse a limited segment of the eastern part of Green Lane, therefore mineral from the quarry doesn't need to travel by the wider public highway other than this limited eastern segment. However once processed the mineral would travel on the public highway. The Transport Statement estimates that the traffic generated between both the quarry and processing site would see between 28 to 32 movements per day, approximately 3 movements per hour.

26. The applicant states that the development would generate six additional employees for the duration of the operation and a further five employees associated with transportation.
27. The application proposes no fixed infrastructure either in the form of buildings, plant or lighting.
28. No formal landscaping is proposed for screening purposes for the duration of the excavation, the application states this is due to the short duration of working and the lack of public viewpoints into the site.
29. The restored land would be subject to a full programme of cultivation and management to return the site to the same agricultural use as the surrounding field farmed by the applicant.

Application 2 (MW.0102/21)

30. The applicant seeks retrospective planning permission for 'temporary change of use to mineral storage and processing operation'. The proposal would see the use of the hardstanding area on the airfield to process and storage limestone extracted from the nearby Quarry Farm to the north of the airfield. It is proposed that operations would continue for a further 18 months from the date of consent. Approximately 150,000 tonnes of limestone from the quarry would be accepted to site for processing. Two thirds of the processed material would be for use on the Great Tew Estate farm, and the remaining one third exported.
31. The processing would take place using a mobile plant. In addition, building stone products would involve dressing of stone by hand tool and guillotine. Aggregate and agricultural lime would be produced by crushing and screening, using a Powerscreen X400 jaw crusher, Powerscreen Maxtrax 1000 cone crusher and Warrior 1800 screen together with loading shovels. The crushing

plant has a Part B environmental permit issued by the West Oxfordshire District Council which controls emissions to air.

32. Mineral would be stored on site in both unprocessed and processed form, in stockpiles not exceeding 5m high to ensure no conflict with aviation interests of the adjoining airstrip.
33. No fuel storage is proposed on site. Existing fuel facilities at Enstone Airfield would be used.
34. The application proposes no fixed infrastructure either in the form of buildings, plant or lighting. The site already has offices and welfare facilities at the airfield owned by the applicant.

Transport

35. The applicant states that the development would generate 10 additional site employees for the duration of the operations, and a further 5 employees associated with transportation.
36. The applicant proposes an average of 38 HGV movements per day. Two thirds of the movements would not leave the estate but would still use part of the highway to move the mineral.
37. No formal landscaping is proposed for screening purposes, the applicant states this is given the short duration of the development and the lack of public viewpoints into the site. Upon cessation of operations the site would be returned to its original state, with all material and plant removed from the site. The application site is in due course envisaged by the applicant to be transferred to the Mullin Development.

Both Applications

38. The noise created from the proposed developments would be managed by measures to be implemented to minimise and control noise. This includes restricting operation of one plant at any one time, no on-site processing, site vehicles fitted with silencers, use of directional reversing alarms with routing of vehicles to minimise requirement for reversing, limiting working hours, and daily recording site activities and conditions.

39. Dust management measures would be implemented to minimise and control dust including using water on internal roads when conditions are dry, no soil movements in very dry and windy conditions, no on-site processing and daily recording site activities and conditions. The water supply is available at Enstone airfield for use on site.
40. The applicant proposes hours of operation for all activities on site including transportation to be 7.00am to 4.30pm Monday to Fridays, with no operations on Saturdays, Sundays or Bank/Public Holidays except for work required in emergencies.

Additional and Revised Information

PART 2 – OTHER VIEWPOINTS

41. There were two periods of public consultation. The full text of the consultation responses can be seen on the e-planning website¹, using the references MW.0100/21 and MW.0102/21. These are also summarised in Annex 3 to this report.
42. No third-party representations were received during the consultation period.

PART 3 – RELEVANT PLANNING DOCUMENTS

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

43. 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

44. The Development Plan for this area comprises:
 - Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 saved policies (OMWLP)
 - The West Oxfordshire Local Plan 2031 (WOLP)

¹Click here to view applications [MW.0100/21](#) and [MW.0102/21](#)

45. 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.
46. The **Oxfordshire Minerals and Waste Local Plan 1996** (OMWLP) was adopted in July 1996 and covered the period to 2006. Some policies of the OMWLP were replaced following adoption of the OMWCS in 2017 but 16 policies continue to be saved. They are due to be replaced on the adoption of the Oxfordshire Minerals and Waste Local Plan Part 2: Site Allocations. The saved policies are site-related policies and none of them apply to the area proposed in this planning application. Therefore, they are not relevant to the determination of this planning application.
47. The **West Oxfordshire Local Plan 2031** (WOLP) was adopted on 27th September 2018. The plan contains detailed development management policies.

Emerging Plans

48. The **Oxfordshire Minerals and Waste Local Plan Part 2: Site Allocations** (OMWSA) (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 Document 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.
49. 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.

50. 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.

Other Policy Documents

51. The **National Planning Policy Framework** (NPPF) was first published in 2012 and revised on the 20th July 2021. This is a material consideration in taking planning decisions.
52. The **National Planning Policy for Waste** (NPPW) was published in 2014 and is a material consideration in taking planning decisions.
53. The **National Planning Practice Guidance** (NPPG) contains specific advice on matters including determining a planning application and the natural environment.
54. There is no adopted neighbourhood plan that encompasses the application site area.

Relevant Development Plan Policies

55. The OMWCS polices most relevant to this development are:
- Policy M2: Provision for Working Aggregate Minerals
 - Policy M3: Principal locations for working aggregate minerals
 - Policy M4: Site for working aggregates minerals
 - Policy M5: Working of aggregates minerals
 - Policy M7: Non aggregate mineral working
 - Policy M10: Restoration of mineral workings
 - Policy W6: Landfill and other permanent deposit of waste to land
 - Policy C1: Sustainable development

- Policy C2: Climate Change
- Policy C4: Water environment
- Policy C5: Local environment, amenity and economy
- Policy C6: Agricultural land and soils
- Policy C7 – Biodiversity and Geodiversity
- Policy C8: Landscape
- Policy C9: Historic environment and archaeology
- Policy C10: Transport
- Policy C11: Rights of way

56. The WOLP polices most relevant to this development are:

- Policy EH2 – Landscape Character
- Policy EH3– Biodiversity and Geodiversity
- Policy EH8 - Environmental Protection
- Policy OS1 - Presumption in favour of sustainable development
- Policy OS3 - Prudent use of natural resources

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Assistant Director for Strategic Infrastructure and Planning

57. The NPPF sets out a presumption in favour of sustainable development (paragraph 10), which is supported by policy C1 of the OMWCS. This means taking a positive approach to development and approving an application which accords with the development plan without delay unless material considerations indicate otherwise.
58. 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.
59. Application MW.0100/21 proposes the extraction of limestone and restoration with inert material. No mineral processing and storage will take place within the quarry, instead it is proposed under Application MW.0102/21 on the nearby disused airfield to the south-east of Green Lane. It is therefore considered that the two applications serve to deliver one overall development and so should be considered together. The key planning issues are:

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

Mineral

Application 1

60. Subject to compliance with policy M5 of the OMWCS, policy M2 of the OMWCS requires that provision will be made to maintain a landbank for crushed rock reserves of at least ten years over the plan period in accordance with the annual requirement rates in the most recent Local Aggregate Assessment (LAA 2021). The estimated landbank for crushed rock in the LAA 2021 as of 31st December 2021 is 6.983 million tonnes which equates to 8.86 years. On this basis, there is therefore a calculated shortfall of 1.14 years in the Council's landbank for crushed rock at the end of 2021. This is a not an insignificant amount of mineral and it is reasonable to conclude that there is a need for further permissions to be granted in order to address this deficit. A grant of planning permission to this application would therefore contribute to this.
61. Policy M5 of the OMWCS states that prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2 and provided that the proposal is in accordance with the locational strategy in policy M3 and the requirements of policies C1-C12. In this case the working would contribute to the crushed rock reserve however the site is not within an identified strategic resource area (SRA) for crushed rock as set out in policy M3. These SRAs are expanded on in paragraph 4.22 of the Core Strategy, and the context of the SRAs in the overall mineral strategy is set out in paragraph 4.2 of the Core Strategy. The site would therefore contribute to meeting the requirement for provision in policy M2 but is not within the locational strategy in policy M3.

62. There is a contingency in policy M5 that allows for sites to be granted permission outside the sites allocated in the OMWSA in accordance with policy M4 of the OMWCS if there is a need to provide a steady supply of mineral, and this would be for such a situation as this where the landbank has dropped below the 10 years required for crushed rock. However, this still requires that the site meets the locational strategy in policy M3. In this case this part of policy M5 is not directly applicable because the sites have yet to be allocated in the Site Allocations Document but the situation that pertains at the current time is that there is a shortfall in the crushed rock landbank.

63. Policy M7 of the OMWCS states permission will be granted for new quarries for extraction of building stone where a need for material has been demonstrated and scale, extent and location of the proposed quarrying are such that adverse impacts upon the environment and amenity can be avoided, minimised or adequately mitigated.

64. With regard to the production of crushed rock proposed in the application, it is clear that there is a not insignificant deficit in the landbank and so a need for crushed rock in Oxfordshire which is not being met through existing planning permissions. A grant of planning permission to this application would help to address this but would be contrary to development plan policies M2, M3 and M5 as set out above. Planning permission could then be refused to this application as being contrary to these policies. However, the deficit in the landbank of over one year is not insignificant and there is therefore a case for considering whether planning permission should be granted to this application as an exception to policy on the grounds that there is an over-riding need for further planning permissions to be granted in order to, at least in part, address this deficit. This would of course be subject in the planning balance to there being no other over-riding reasons for refusal to the application.

65. The application states that two-thirds of the mineral extracted will be used on the Great Tew estate to supply its farming operations, with approximately 50,000 tonnes exported beyond the estate. This would nonetheless still contribute to the overall demand for crushed rock of which that of the estate would be a part. The application site does not lie within an area which would normally be granted planning permission if the landbank were sufficient, and the applicant has explicitly stated that the primary use of the mineral would be for developments within the Great Tew Estate. As a departure from development plan policy, if the committee is minded to grant planning permission, a condition could be attached to any planning permission granted requiring that no more

than a third of the total limestone extracted is exported for use outside the Great Tew estate boundary.

66. The application is put forward on the grounds that it would primarily supply farming operations within the Great Tew Estate. Permitted development rights exist for the winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part (Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, (Schedule 2 Part 6 Class C). It has been stated by the applicant that the area of the agricultural unit is the same as that of the Great Tew estate. It would be concerning if planning permission were to be granted to this application as a departure from the development plan, which is primarily intended to meet the agricultural needs of the Great Tew estate and then other areas of limestone extraction were to occur within the same agricultural unit contemporaneously leading to a concentration of mineral workings with additional environmental impacts. One way to address this would be that any planning permission granted should also be subject to a condition removing these permitted development rights in order to avoid an over-concentration of mineral workings within the estate.
67. With regard to policy M7 of the OMWCS, although the application refers to high quality stone, and agricultural lime, it sets out that the quarry would be principally for type 1 aggregate, and this is borne out by the quantity of mineral to be worked. This building stone would be incidental to the aggregate working but to the extent that it would be extracted it needs to be considered against this policy. It is considered that there will be a need for building stone within the Great Tew Estate for both other developments and maintenance of existing structures. Subject to consideration that adverse impacts upon the environment and amenity can be avoided, minimised or adequately mitigated as discussed below it is considered that the application would be broadly in compliance with this policy.

Application 2

68. The use of the land at Enstone Airfield North is not for mineral extraction and so the above referenced policies do not apply. The application is ancillary to the mineral extraction proposed in application 1 and whilst it is a separate planning unit, it is very closely located to the source of the mineral that would be stored and processed. Therefore, if the committee is minded to grant planning permission to application 1, it is considered that there are no additional mineral policy issues arising with regard to this application. A condition should though be attached to require that records are kept and made available to the MPA to

show that no more than one-third of the mineral brought to the site for storage and processing is exported for use outside the Great Tew estate.

Waste

Application 1

69. The proposal has an element of landfilling. OMWCS Policy W6 states that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration of active and unrestored quarries subject to compliance with other plan policies.

70. The need for the landfill is dependent on the decision on the application for quarrying. The use of waste to restore the land if permission is granted for extraction would comply with policy W6 subject to consideration of other development plan policies as set out below.

Application 2

71. No waste management is proposed as part of Application 2 and so development plan waste policies are not relevant.

Landscape and Visual Impacts

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

73. WOLP Policy EH2 requires the quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape and tranquillity to be conserved and enhanced.

Application 1

74. Initially the Landscape Specialist had objections to the proposal. No Landscape Assessment had been carried out, and the officer felt that the clump of trees proposed for the centre of the field would be isolated. But after a Landscape and Visual Appraisal (LVA) was submitted, the officer removed their objections to the proposal, subject to a condition related to implementation and management of restoration in addition, the restoration scheme was revised to provide a strip of scrubby woodland planting and tussocky grassland along the southern boundary. This could be conditioned should planning permission be granted to the application.

75. The proposed development set out in the application is therefore considered to be in accordance with policy C8 of the OMWCS and policy EH2 of the WOLP.

Application 2

Initially the Landscape Specialist had objection to the proposal. A LVA was provided in relation to Application 1, and this included some information included that related to this application. The officer removed their objection, stating that airfield already comprises a variety of uses and that it is also subject to a number of planning permissions. In addition, the case officer has included a condition limiting the height of stockpiles to 5 metres. The proposed development is temporary and is not expected to be visible in public views.

76. The proposed development set out in the application is therefore considered to be in accordance with policy C8 of the OMWCS and policy EH2 of the WOLP.

Restoration

77. OMWCS policy M10 states that mineral workings shall be restored to a high standard and in a timely and phased manner. It lists criteria which the restoration and afteruse of mineral workings must take into account, including the character of the landscape, the conservation and enhancement of biodiversity and the quality of agricultural land. It states that planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and afteruse of the site. The proposed restoration would also need to be judged against policies C1 – C12.

Application 1

78. The proposed development is partly retrospective, and extraction would take place over an additional 18 months, with restoration completed within 6 months of extraction. The application proposes progressively restoring the site with onsite materials and material imported from the nearby Great Tew Quarry within the estate. The restoration scheme has raised no objections from the Landscape Specialist or the County Ecologist, after the scheme was enhanced as set out elsewhere in this report.
79. As the restoration would be delivered 'in a timely and phased manner', it has been judged to be in accordance with policy M10 of the OMWCS subject to consideration of other development plan policies.

Application 2

80. No restoration is proposed as part of Application 2 as the development would cease at the end of the temporary period and the plant and machinery and any remaining stockpiles would be removed. The land would then revert to a hardstanding as part of the former runway.

Biodiversity

81. NPPF paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
82. NPPF paragraph 180 states that when determining planning applications, planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided. Development resulting in the loss or deterioration in irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable strategy for compensation. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
83. OMWCS policy C7 states that minerals development shall, where possible, lead to a net gain in biodiversity. It also states that all minerals development shall make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity and satisfactory long-term management for the restored site shall be included in proposals.
84. WOLP policy EH3 states that biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity.

Application 1

85. Initially the County Ecologist objected to the application, stating they would like the development to be covered by a long-term management plan secured by a Section 106 Agreement, and requested a biodiversity metric, in order to assess whether the development showed a biodiversity gain. After further discussions with the applicant, a more detailed scheme was supplied, and the County Ecologist created a biodiversity metric. The end result showed the development was not showing a biodiversity gain. Further enhancements were then provided which included a strip of scrubby woodland planting and tussocky grassland

along the southern boundary. The outcome of the enhancement led to the County Ecologist removing their objection, subject to a condition requiring a Landscape and Environmental Management Plan (LEMP), which includes the commitment to retain and manage the habitats for a minimum of 20 years, after the initial five years of aftercare. The site was previously agricultural land which was actively cultivated and would be restored to the same use. In this circumstance, it is the officer view that a 20-year long-term management of the site is not justified based on the size and nature of the restoration scheme in order to make the development acceptable. The submission of a LEMP to cover the five years of aftercare which would in any instance be required by condition would though be appropriate. A LEMP was later provided, which was sent out to consultation to the County Ecologist. The Ecologist was happy with the document provided and removed the need for the condition. Overall, the proposals are considered to be in accordance with policies related to biodiversity including OMWCS policy C7 and WOLP policy EH3.

Application 2

86. The proposals are for processing and storage on an existing hardstanding area. Therefore, there is little or no existing biodiversity which is likely to be impacted. Once extraction is completed in Application 1 and the stored mineral processed, all stockpiles and plant would be removed. It not proposed to include biodiversity enhancements as the development is for a temporary use of land which will then revert back to its previous state as a hardstanding forming part of a former runway.

Transport

87. NPPF paragraph 113 states that all development that generates significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 111 states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
88. OMWCS policy C10 states that minerals development will be expected to make provision for safe and suitable access to the advisory lorry routes shown in the plan and if possible, lead to improvements in the safety of all road users, the efficiency and quality of the network and residential and environmental amenity. Where practicable minerals shall be transported by rail, water or conveyor. Where minerals are to be transported by road, they should be in locations which minimise road distances.

Both Applications

89. Initially the Highways officer objected to the applications, but after a technical note was supplied the officer was happy to remove his objection subject to conditions relating to highway safety and mud on the road: Signage to drivers to be aware of pedestrians and signage to non-motorised users to keep to the side of the carriageway and provision of wheel wash facilities to prevent mud on the road. As there is no water supply, the applicant has suggested a Euro Rumble Decks system in order to remove mud from the wheels. In addition, signage details were provided. The Highways officer reviewed the details and removed his requirement for the conditions.

90. Enstone Parish Council also objected to the application, requesting a Routeing Agreement if the County Council is minded to approve to prevent HGV traffic passing through Middle Barton. The Highways Officer did not require a Routeing Agreement. With two thirds of the mineral to be used within the Great Tew Estate, then there would only be approximately 19 HGV movements per day using the wider road network. Considering the likelihood of vehicles using the route via Middle Barton, it is not considered that a Routeing Agreement would be required in order to make the impacts of the development acceptable. Overall, the development is considered to comply with these policies.

Rights of Way and Public Access

91. NPPF paragraph 100 states that planning policies should protect and enhance public rights of way and access and local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.

92. 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 a safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. Improvements and enhancements to the rights of way network will generally be encouraged.

Both Applications

93. There are no public rights of way within the application boundaries for both applications, but Green Lane can be used by non-motorised users. There have been no objections from the OCC Rights of Way Team, but they request via Section 106 agreement, the creation of a new bridleway along the length of Green Lane. Under the outline planning permission for the new Mullin

Development, there is a requirement to create a new bridleway, the request would bring forward the creation of the new right of way.

94. As the development is only temporary in nature proposed over an 18-months period, it is the officer view that the right of way proposed could not be justified in order to render the development acceptable. It is also not related to the Mullin Development. The proposals are considered to be in accordance with relevant development plan policy relating to rights of way.

Archaeology

95. Policy C9 of the OMWCS states Proposals for minerals and waste development will not be permitted unless it is demonstrated, including where necessary through prior investigation, that they or associated activities will not have an unacceptable adverse impact on the historic environment.

Application 1

96. The County Archaeologist objected to Application 1 in the first round of consultation, requesting a further archaeological investigation to be undertaken. The applicant's consultant produced an Archaeological Evaluation Report. After amendments were made, the County Archaeologist removed his objection to the application, subject to conditions. The conditions require an Archaeological Written Scheme of Investigation to be submitted, then once approved, a programme of archaeological mitigation to be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The report for publication is then required to be produced and submitted within two years of the completion of the archaeological fieldwork. A Written Scheme of Investigation has now been submitted and is with the County Archaeologist for consideration and officers will update the committee on this at the committee meeting.

Application 2

97. There is no objection to Application 2 which does not involve any ground disturbance being a temporary on an existing area of hardstanding.
98. Therefore, the proposals, subject to conditions, are considered to be in accordance with Policy C9 of the OMWCS.

Amenity and health

99. NPPF paragraph 185 states that decisions should ensure new development is appropriate for the location by taking into account the likely effects (including cumulative effects) on health, living conditions and the natural environment. This includes mitigating and reducing to a minimum potential noise impacts and limiting the impact of light pollution on amenity, intrinsically dark landscapes and nature conservation.
100. OMWCS policy C5 states that proposals for mineral 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 the local economy, including from a range of factors including noise, dust, visual intrusion, light, traffic, air quality and cumulative impact. Where necessary, appropriate buffer zones between working and residential development will be required.
101. WOLP EH8 states 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.

Both Applications

102. OCC Public Health were consulted and recommended a Dust Management Plan (DMP) is produced. The applicant submitted both a DMP and Noise Management Plan (NMP). The Public Health officer has no objections. No objections have been received from the Environmental Health Officer. Both application sites are well located from major receptors like residential properties and public rights of way. The nearest developments are the others at Enstone Airfield and the Soho Farmhouse developments. No objections have been received from these or other third parties and it is not considered that either application would have an unacceptable impact on amenity or health. The developments proposed in the applications are considered to be in accordance with policy EH8 of the WOLP and policy C5 of the OMWCS.

Flood risk and water environment

103. OMWCS policy C3 states that minerals and waste development will, where possible, take place in areas with the lowest probability of flooding. Where development takes place in areas of flood risk, this should only be where other areas have been discounted using the sequential and exception tests as

necessary and where a flood risk assessment demonstrates that risk of flooding is not increased from any source. The opportunity should be taken to increase flood storage capacity in the flood plain where possible.

104. OMWCS policy C4 states that proposals for mineral and waste development will need to demonstrate that there would be no unacceptable adverse impact on surface or groundwater resources. Watercourses of significant value should be protected.
105. WOLP EH8 states that 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.

Application 1

106. After the first round of consultation, the Lead Local Flood Authority (LLFA) did not object to the scheme after reviewing the Flood Risk Assessment. The site is located in an area that is unlikely to flood, the water table lies 40m+ below ground levels. The final restoration includes an ephemeral pond, which would likely hold water in the autumn and winter. No comments were received from the Environment Agency.
107. The proposed development is considered to be in accordance with OMWCS policies C3 and C4, and WOLP policy EH8.

Application 2

108. The Lead Local Flood Authority have no objections to the scheme. The site is located on a hardstanding area, no water will be used in the process of crushing and storing the mineral.
109. The proposed development is considered to be in accordance with OMWCS policies C3 and C4, and WOLP policy EH8.

Carbon Emissions, Natural Resources and Waste

Both Applications

110. OMWCS policy C2 states that all developments should seek to minimise their carbon emissions. WOLP policy OS3 states that developers should make effective use of natural resources, including by minimising waste, efficient use of water, improvements to water and air quality. Two thirds of the mineral extracted would be used locally within the Great Tew Estate, therefore reducing

the need to transport mineral over longer distances and so minimising carbon emissions created. The quarry would be infilled with clay and overburden sourced locally from an existing consented quarry within the estate. The processing and storage area is not located within the quarry but is located in close proximity on an existing hardstanding area, with only a short distance to travel along Green Lane in order for the mineral to be stored and processed. Therefore, it is considered that the developments proposed minimise carbon emissions and make effective use of natural resources in accordance with OMWCS policy C2 and WOLP policy OS3.

Sustainable Development

111. OMWCS policy C1 states that a positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development in the NPPF. It states that planning applications that accord with the policies in OMWCS will be approved unless material considerations indicate otherwise. WOLP policy OS1 also reflects the presumption in favour of sustainable development. NPPF paragraph 10 states that a presumption in favour of sustainable development is at the heart of the NPPF. NPPF paragraph 11 states that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

Application 1

112. The development is contrary to minerals policies M2, M3 and M5. However, it is considered that the over-riding need for further permissions to be granted for crushed rock leads to a position of an exception to development plan policy being made. The application also proposes that two-thirds of the mineral would be used locally within the Great Tew Estate and that the infill material would also be sourced locally from Great Tew Quarry. Subject to these controls which would serve to minimise the distance over which the mineral and infill material would be transported and so limiting the associated environmental impacts, being required by conditions, it is considered that on balance the development is rendered to be sustainable.

Application 2

113. For the reasons rehearsed above, it is the officer's view that Application 2 does accord with these sustainable development plan policies.

Financial Implications

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

Legal Implications

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

Equality & Inclusion Implications

116. 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

Application 1 (MW.0100/21)

117. Whilst it is highly disappointing that the development commenced prior to making a planning application, the planning application should be considered on its own merits in reference to the local development plan and any other material considerations in accordance with the planning judgement of section 38(6) of the 1990 Act. Although the application is contrary to policies M2, M3 and M5 of the OMWCS, there is a significant shortage in the county's landbank for crushed rock which supports a departure from the development plan. In addition, two thirds of the materials extracted are for use within the estate, with only a third exported beyond the estate with the fill material also being sourced locally. Therefore, there is justification for approving the development as it will contribute to the shortfall in the crushed rock land bank, minimise transportation of limestone and use clay and overburden from the ironstone quarry within the estate for restoration.

Application 2 (MW.0102/21)

118. Again, this development commenced prior to making a planning application and equally the planning application should be considered on its own merits in reference to the local development plan and any other material considerations in accordance with the planning judgement of section 38(6) of the 1990 Act. The processing area is well located away from residential properties, on site with commercial and industrial uses, and is well screened. The processing and storage area will be removed at the end of the life of the quarry. It is considered to be in accordance with development plan policies.

RECOMMENDATION

It is RECOMMENDED that planning permission for application MW.0100/21 be approved subject to conditions set out in Annex 1.

It is RECOMMENDED that planning permission for application MW.0102/21 be approved subject to conditions set out in Annex 2.

Rachel Wileman

Assistant Director for Strategic Infrastructure and Planning

Annex:	1	Conditions (MW.0100/21)
	2	Conditions (MW.0102/21)
	3	Consultee Responses
	4	European Protected Species

Background papers: Nil.

Annex 1 – Conditions (MW.0100/21)

1. Development shall be carried out in accordance with the approved drawings and details.
2. Time limit for extraction 18 months from the date of the permission and time limit for restoration within 6 months of completion of extraction.
3. Hours of operation 0700 hours to 1700 hours Mondays to Fridays; No operations on Saturdays, Sundays, Public or bank holidays, except for work required in emergencies.
4. Reversing vehicles to use white noise only.
5. No blasting.
6. No mud on the highway, and wheel wash to be installed.
7. Internal haul roads to be maintained for duration of active use then removed.
8. Archaeological Written Scheme of Investigation to be submitted and approved by the Mineral Planning Authority.
9. Following the approved Archaeological Written Scheme of Investigation, a programme of archaeological mitigation shall be carried out in accordance with it and a full report of the findings for publication shall be submitted to the Mineral Planning Authority within two years of completion of archaeological fieldwork.
10. Removal of permitted development rights for the extraction of limestone pursuant to Schedule 2 Part 6 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended within the rest of the agricultural unit (the Great Tew Estate) in which the quarry would be situated.
11. Signage in accordance with the plans shall be provided in order to protect both motorised and non-motorised users of Green Lane.
12. Planting to be carried out as per the Restoration Scheme.
13. Existing and approved planted hedgerows and trees 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. No discharge of polluted water off site.
17. Noise and Dust levels shall be managed by the Dust and Noise Management Plan.
18. No unsheeted lorries.
19. No floodlights.
20. Soil handling in accordance with the approved scheme.
21. Soil handling, stockpiling and replacement when dry and friable.
22. Soil storage bunds to be kept weed free.
23. All topsoil, subsoil and overburden to be kept for site restoration only.
24. Sightlines to the public highway shall be provided and maintained for the development's duration.
25. No more than one-third of the extracted mineral to be exported for use outside the Great Tew estate.
26. No infill material to be imported other than from Great Tew Quarry.

Annex 2 - Conditions (MW.0102/21)

1. Development shall be carried out in accordance with the approved drawings and details.
2. Processing and storage area to be moved after 18 months from the date of the permission.
3. Hours of operation 0700 hours to 1700 hours Mondays to Fridays;
No operations on Saturdays, Sundays, Public or bank holidays, except for work required in emergencies.
4. Reversing vehicles to use white noise only.
5. No mud on the highway.
6. Internal haul roads to be maintained for duration of active use then removed.
7. Signage in accordance with the plans shall be provided in order to protect both motorised and non-motorised users of Green Lane. 16. No discharge of polluted water off site.
8. Noise and Dust levels shall be managed by the Dust and Noise Management Plan.
9. No unsheeted lorries.
10. No floodlights.
11. Sightlines to the public highway shall be provided and maintained for the development's duration.
12. Stockpiles limited to 5 metres in height.
13. Records to be kept and provided to the MPA to show that no more than a third of the mineral brought to the site for storage and processing has been exported beyond the estate.

Annex 3 – Consultation Responses Summary

West Oxfordshire District Council - Planning

MW.0100/21

First Response - Officers are of the opinion that there are there is no reason to object the above application. WODC does not object to this scheme subject to OCC Highways raising no objection.

MW.0102/21 – No response received

West Oxfordshire District Council – Environmental Health

All Applications

Email 1

I write to confirm that we have no objection to this application with regard to air quality and noise considerations.

Email 2

Yes I confirm no objection in relation to dust concerns

Enstone Parish Council

Application 1 (MW.0100/21)

Enstone Parish Council unanimously objects to this planning application on the basis that it must go to the Planning Committee for discussion.

Enstone Parish Council raises the following concerns.

1. That the work should not have been carried out without prior permission.
2. That it is part-retrospective.
3. The Ecology Survey states that there is no vegetation but this is because it has all been dug out with the works.
4. An archaeological study should have been carried out prior to mineral extraction taking place.
5. Movement of vehicles - the Parish Council agrees with the email from Mr. Paul Harris, Rights of Way Dept. that with the Green Lane being used as a haulage route is very dangerous for non-motorised road users. The Parish Council endorses his recommendations that the Green Lane being "joined up" be accomplished.
6. Transport Plan and lorries through Middle Barton - have neighbouring Parish Councils been informed of this planning application?
7. Has Soho Farmhouse been approached as the works taking place are 250 m from the new glamping pods.
8. The sleeping policemen on the Green Lane (now removed) - was permission sought for this?
9. There was also concern that soil is being stored on the Mullen site.

Application 2 (MW.0102/21)

Enstone Parish Council objects to this planning application on the basis that it needs to be discussed at the Planning Committee.

Natural England

Both Applications - No objection.

Environment Agency

Both Applications - We regret that Thames Area Sustainable Places is unable to provide a detailed response to this application at this time. We are currently only providing bespoke responses to the highest risk cases.

Public Health (OCC)

Both Applications

Many thanks for the opportunity to review these two applications. I have read the two applications and think that they are unlikely to have significant implications for human health from dust due to the relatively few nearby receptors (noting the Soho Farmhouse Complex approximately 150m N of the processing area with the nearest accommodation 450m away – although no other information about possible sensitive receptors is given, and the site is not in an air quality management area). The list of actions proposed by the applicant to manage dust is welcome, particularly complaints monitoring which should provoke subsequent actions as part of the planning consent.

I note that a formal EIA may not be required for this application with dust control measures usually managed and controlled by environmental permit conditions, however industry standard and best practice approaches to managing the impact of dust and pollution are available and should/are assumed to be followed. This application would be strengthened by a dust management plan that specifies dust monitoring plans and dust thresholds at which a particular action should be taken.

Second Response

After a Dust Management Plan and Noise Management Plan, the officer removed its objection for both applications.

OCC Transport Development Control (Full Response)

First Response – Objection

This is an interim response to the above consultations as I have yet to receive a response from the County's Road Agreements team regarding the condition of Green Lane. I have chased them and will add to this response when I hear back from them. In the meantime, my comments are set out below.

These are separate planning applications but the sites are close to each other and their operations will be closely linked with limestone extracted at the Quarry Farm site (MW.0100/21) being transported to the Enstone airfield (MW.0102/21) site for

storage and processing. As such it is appropriate that the two planning applications are considered together. In recognition of this the applicant has submitted a single Transport Statement (TS) which details transport activity generated by both sites. This is considered to be an appropriate approach.

The TS presents observed traffic flows on Green Lane and projected HGV movements associated with the proposed quarry and processing plant, and concludes that there would be on average some 3 - 4 HGV movements per hour on Green Lane. On the face of it this would appear to be a moderate and acceptable impact if properly managed. However, the following points should be noted.

- No consideration is given to the possibility of peaks and troughs in HGV activity generated by quarrying and processing. It is noted that these are retrospective applications and there has been recent quarrying and processing activity. Records of this activity could be used to identify a worst case HGV movement scenario. This should be explored and presented.
- No consideration is given to the safety and convenience of non-motorised users of Green Lane which does not offer any segregation for pedestrians, cyclists and equestrians. This should be addressed.
- The TS makes no commitment to the provision of wheel wash facilities for vehicles exiting the quarry and processing sites. Observations on site reveal that Green Lane is muddy, especially in the area between the two application sites, and it is likely that this is as a result of previous and on-going operations at the sites. A commitment should be made to the provision and use of wheel wash facilities.
- Section 3.4 of the TS presents a lengthy narrative on road safety. This would best be accompanied by a plan showing the locations of the collisions that are being discussed.
- Paragraph 4.3.5 of the TS states that "...no allowance is made for is made for vehicle moving quarried material between the quarry and the processing plant, as these movements will be wholly undertaken off the highway network." This appears to be inaccurate as there is a section Green Lane between the two application sites. This section is close to the Soho Farmhouse back of house delivery area and staff car park which see a significant amount of vehicle activity. The interface between quarrying and processing activity and Soho Farmhouse activity should be addressed and managed.
- Paragraph 4.3.6 of the TS states that "...60% of the material is to be used within the Estate and therefore not all of this material is required to leave the site on the local highway network." However, there appears no obvious route from the quarry and processing plant other than Green Lane and it is suspected that most if not all material will be transported via this route. If there are suitable internal routes which keep material transport off the highway network then these should be identified and their suitability evaluated.
- Significant routes on the highway network between the application sites and other destinations within and outside the Great Tew estate should be identified for the County to review. The County will seek routing agreements to ensure that suitable routes are adhered to at all times.
- Paragraph 5.4.1 of the TS identifies 8 HGV movements onto the highway network in each direction per day. In relation to the above point it is considered that in reality this number of movements is likely to be greater unless internal routes can be identified and demonstrated.

- Paragraph 5.4.3 identifies 32 HGV movements per day predicted to head north. It is not clear where this number has been derived from. Transport Development Control would not recommend granting permission for these two planning applications until the above matters have been satisfactorily addressed.

Second Response

After a technical note was supplied by the applicant. The Transport officer removed its objection subject to conditions requiring signage to protect both motorised and non-motorised users and a wheel wash to stop mud entering the road. The details on the of the wheel wash and signage has been supplied to the officer.

OCC Rights of Way and Countryside access

Both Applications:

I am concerned about the impact of using Green Lane public highway as a haul road. This route gives service access to the Soho Farmhouse development as well as being shared with walkers, cyclists and horseriders as a quiet road – albeit at the moment as a cul-de-sac.

The Mullins Development (18/03319/OUT) proposed to create a parallel bridleway route to Green Lane including an improved crossing facility of the B4022 and a through route along the historic line of the Lane on a reopened section through what is currently airfield. Given this minerals and waste application will increase HGV and contractor vehicle access along this highway, it seems reasonable that this parallel bridleway creation should be brought forward as a necessary condition to any permission before any operation of the site in order to ensure safety of NMUs and adequate separation. The design and specification details of the bridleway and road crossing facility should be agreed in advance with OCC Access Strategy.

It would also be advantageous to reopen the Lane through the airfield section and to use this development to set out, protect, enhance and reopen the whole route as a bridleway. This would deliver road safety improvements as NMUs would have a mostly traffic-free route to use instead of roads.

OCC Drainage Team and Lead Local Flood Authority

First Response (Full Response)

Both Applications: Requested a Flood Risk Assessment, this had already been supplied. After the second round of consultation objections were removed.

OCC Biodiversity

MW.0100/21

First Response

I'm just reviewing application MW.0100/21 and some further information is required.

They will need to submit a biodiversity metric to demonstrate that a measurable net gain in biodiversity will be achieved. The ecology report states this isn't required, however in line with national planning policy, a measurable net gain must be secured. While no set percentage is provided for Oxfordshire, they must nonetheless demonstrate that a net gain will be achieved, and how this will be managed for 20 years post completion of aftercare.

Second Response

Further information was supplied in the form of a more detailed restoration scheme, which allowed the County Ecologist to create their own Biodiversity metric. The outcome was the scheme proposed did not show a biodiversity gain.

Third Response

Amended scheme was submitted, including additional biodiversity gain in the form of tussocky grass/scrub field margin along the southern border. The County Ecologist was happy to remove its objection subject to condition requiring a LEMP prior to restoration completion. This includes management of the site for an additional 20-years after the initial 5 years of aftercare.

Requires a European Protected Species Informative (See Annex 3)

Applicant Response

A Landscape Environmental Management Plan was provided in order to remove the need for a condition.

Fourth Response

The officer was happy with the LEMP, and removed the need for a condition.

OCC Landscape

First Response

MW.00100/21 – Further Information Needed

In summary (Full response on Website):

The application does not include any landscape and visual assessment, or appraisal as required under the Council's validation requirements. Please provide a Landscape and Visual Appraisal.

An Arboricultural Survey is required, in order to assess the impact on the trees and hedgerows located on the southern and western boundaries.

The soil properties could potentially change with the infilling of the development with clay and overburden; therefore this could impact on the landscape character of the area. Recommends that the Council's drainage officer is consulted on potential implications of this.

The officer questions the benefits of a small area of planting in the middle of the field, as this would be an isolated location for biodiversity with poor connectivity. Recommends this scheme is revised to deliver greater infrastructure and ecological connectivity and enhancements.

MW.0102/21:

Objected, due to its association with the application 1, requesting a LVA which covers both sites.

Second Response (Full Response)

MW.0100/21

After the LVA was supplied covering predominately application 1 was supplied. The Landscape Specialist removed its objection based on the information supplied subject to condition. This included a additional Arboricultural information relating to protecting the existing trees. This information was supplied, and the officer removed the need for the condition. In addition, the officer requested information relating to aftercare and restoration. This information can be covered under LEMP.

MW.0102/21

After the LVA was supplied, the Landscape Specialist removed their objection.

Second Response (Full Response)

OCC Archaeology

MW.0100/21

First Response

The proposed site is located in an area of archaeological interest and a later prehistoric 'Banjo' enclosure has been recorded from aerial photographs 450m west of the site and an Iron Age pottery scatter has been recorded in the same area. A number of other enclosures and settlement sites have been recorded in the vicinity of this site from aerial photographs. Iron Age settlement has also been recorded 800m east of the site from an archaeological evaluation.

It is therefore likely that further later prehistoric features could survive on this site and would be impacted by this proposal.

The applicant's planning statement states that a heritage/archaeological statement has not been provided as the site is remote from any archaeological or historical site but it is unclear how the applicant determined this. The NPPF makes it clear that the Historic Environment Record should be consulted 'as a minimum' (NPPF 2021, para 194). This HER data is held by our team, but we have no record of this data set being consulted.

An archaeological desk-based assessment will need to be submitted along with any planning application for the site in line with the National Planning Policy Framework (NPPF 2021) paragraph 194. This assessment will need to be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for desk-based assessments including the submission of an appropriate written scheme of investigation to agree the scope of the assessment.

A programme of archaeological investigation will be required ahead of the determination of any planning application for the site. This investigation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

Applicant Response

The applicant's consultant emailed the County Archaeologist stating sufficient information was submitted subject to condition. No further information would be needed prior to determination.

Second Response

I do not agree that there is sufficient information in the desk based assessment to understand the significance of any heritage assets on the site that would be disturbed by this development in line with paragraph 194 of the NPPF. As such this desk based assessment does not alter our original advice.

There is nothing in the NPPF that states the purpose of such evaluation is only to determine whether or not any national important monument are present and the purpose of such assessment and evaluation is to determine the significance of any assets before a decision is taken over their disturbance.

The archive is open and other archaeological consultancies are able to assess aerial photographs for their assessments. There are only about 8 aerial photographs available on Google Earth Pro for this site and none of them were taken in conditions favourable for cropmarks to be visible. The photographs from the 1940s and 1980s are of a very low resolution. There is a possible ring ditch on the site shown on the FAS 1961 AP for instance which is not visible on any of the google earth images. Even where google does show cropmarks such as the banjo enclosure these are not as clear as the cropmarks visible on the 1961 series of photographs held at the Historic England Archive. I note for instance that the screenshot from google you included in the DBA does not show the ring ditch adjoining the western side of the Banjo enclosure which is very clear on the '61 AP.

The assessment should have certainly included a plan showing the HLC data, this was why it was provided to you at no extra cost in addition to the HER data we

provided. The NPPF requires this assessment is submitted to describe the historic environment baseline not only for my purpose, I already have this information, but also for the benefit of other consultees and members of the public who may wish to comment.

We did not however recommend that the assessment would need to be amended but highlighted that these matters had been omitted and as such it does not change our original advice than the results of an archaeological field evaluation will need to be submitted along with any planning application for the site.

Third Response

The evaluation report we had requested for this site has now been agreed and submitted.

This report demonstrates that archaeological deposits do survive on part of the site and a programme of archaeological mitigation will be required in this area.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be undertaken in advance of any development. This can be ensured through the attachment of a suitable negative condition along the lines of:

1. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development within the area of archaeological interest, as set out in the agreed Written scheme of Investigation, (other than in accordance with the Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

Annex 4 – European Protected Species

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

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

Our records, survey results and consideration of the habitats within the site area indicate that, with appropriate mitigation, European Protected Species are unlikely to be harmed as a result of the proposals.