

A G E N D A

Please address any general enquiries on this agenda to Graham Warrington, County Hall, Oxford OX1 1ND (Tel: Oxford 815321). Press enquiries should be directed to the Media & Communications Manager on Oxford 815266.

1. **Election to Chair** (Liberal Democrat Group)

2. **Apologies for Absence and Temporary Appointments**

3. **Declarations of Pecuniary and Non-Pecuniary Interests**

4. **Minutes**

Minutes of the meeting held on 12 April 1999 (PL3).

5. **Matters arising from the Minutes**

6. **Petitions and Public Address**

7. **DRAFT LOCAL PLAN POLICIES AND COMPREHENSIVE PLANNING FOR FORMER RAF UPPER HEYFORD**

Report by Director of Environmental Services (PL7).

Cherwell District Council has formally published for public consultation draft local plan policies and a draft comprehensive planning brief relating to former RAF Upper Heyford. The report comments on the strategic planning issues raised by the brief in the context of Structure Plan policy H2.

It is RECOMMENDED that the County Council as Structure Plan authority inform Cherwell District Council that:

- (a) **it supports draft local plan policies UH1 and UH2 and the draft comprehensive planning brief relating to former RAF Upper Heyford which are consistent with the principles established in Structure Plan policy H2. In particular the County Council specifically supports the requirements listed in paragraph 13 of this report which it considers essential to the successful implementation of policy H2;**
- (b) **it considers draft local plan policy UH3 is consistent with Structure Plan policies E3 and T15;**
- (c) **it considers draft local plan policy UH4 is consistent with Structure Plan policy G2; and**
- (d) **it offers to continue to work with the District Council in encouraging the use of recycled materials from the airbase in the construction of programmed improvements to M40 Junction 10 and the A43.**

8. **COUNTY COUNCIL PLANNING APPLICATIONS**

Report by Director of Environmental Services (PL8).

The following current application for County Council development, made under Regulation 3 of the Town and Country Planning General Regulations 1992, is detailed in the schedule appended to the report:-

Application No: V.01/99 (detailed application). Extensions and internal alterations to provide new entrance/reception, school office, staffroom, headteacher's office, library/IT/general purpose space,

disabled/staff toilet and associated external works, The Ridgeway CE School, West Street, Childrey, Wantage.

It is RECOMMENDED that subject to consideration of any further representations received by the date of the meeting, the applications be determined as recommended in the schedules appended to this report, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer.

9. **HINKSEY HEIGHTS GOLF COURSE: UNAUTHORISED WASTE DISPOSAL**

Report by Director of Environmental Services (PL9).

Considerable quantities of waste have been imported to Hinksey Heights golf course without planning permission. The County Council served stop and enforcement notices last September. This report considers the appropriate action to take now to remedy the harm done by the breach of planning control, taking particular account of an independent landscape report commissioned by the County Council and Oxford Preservation Trust. It also considers the differing views of the District and County Council as to whether the development at Hinksey Heights should be treated as a district or a county matter.

The Sub-Committee are RECOMMENDED to:

- (a) **note the action of the Director of Environmental Services in serving enforcement and stop notices as described in this report;**
- (b) **invite the Vale of White Horse District Council to put forward a proposal that would ensure that the District Council would not consider any landscaping plans or further applications involving the deposit of waste unless and until any enforcement action taken by the County Council had been fully complied with; and**
- (c) **inform the District Council that if such an assurance can be given, and be shown to be legally binding, the County Council would be prepared to seek the withdrawal of the current injunction.**

10. **PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO: W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON**

Report by Director of Environmental Services (PL10).

This application essentially has two parts. One part is for planning permission to not comply with conditions, and the other is for approval of details pursuant to a condition. The purpose of the application is to:

- (a) seek approval to work within approved buffer zones to Gill Mill House and to Hardwick Village;
- (b) to transport mineral from the "Hardwick" block via a conveyor to an alternative processing plant at Hardwick (i.e. not to the Gill Mill plant);
- (c) to revise the operations plan for the current working area, the "Gill Mill Fields" block.

Some elements of the application are acceptable, others are not. Partial working of the approved buffer to Gill Mill House should be allowed, because it will secure added protection to the property by provision of earth building. Transport of the mineral to Hardwick is acceptable. Funding to the Sutton bypass is already committed through the original permission. Working of the buffer to Hardwick should not be allowed, because insufficient measures are proposed to mitigate the detrimental effects of such working on the village. Planning permission could be granted subject to conditions to ensure only the appropriate development is approved. Further negotiations are required to overcome objections to the revised Gill Mill Fields working scheme.

It is **RECOMMENDED** that:

- (a) planning permission is granted for application no: W98/1708 to not comply with conditions 1 and 9 of W732/87 subject to the remaining conditions of W732/87 and to the following conditions:

- (1) The development shall be carried out solely in accordance with the approved submitted details, and the following conditions and with the approved details of permission no: W732/87, unless otherwise agreed in writing by the local planning authority, except that gravel extracted from the Hardwick Block may be transported by conveyor to the Hardwick processing plant (as shown on plan No: HC/1 attached to this permission).

Reason: To ensure a satisfactory form of development in the interests of local amenity.

- (2) No extraction shall take place within any of the areas shown on plan numbers: BF/A, BF/B and BF/C attached to this permission.

Reason: To minimise disturbance and nuisance to local residents.

- (b) delegated authority be given to the Director of Environmental Services to determine details submitted pursuant to condition 5 of W732/87 in relation to Gill Mill Fields.

JOHN HARWOOD
Chief Executive

May 1999

NOTE FOR SPOKESPERSONS/GROUP LEADERS AND RELEVANT OFFICERS ONLY

The pre-meeting briefing will be held at County Hall on Wednesday 12 May 1999 at 2.00 pm.

DRAFT LOCAL PLAN POLICIES AND COMPREHENSIVE PLANNING BRIEF FOR FORMER RAF UPPER HEYFORD

Report by the Director of Environmental Services

Division(s) affected: Ploughley, Deddington

Introduction

1. Cherwell District Council has formally published for public consultation draft local plan policies and a draft comprehensive planning brief relating to former RAF Upper Heyford. The draft policies are to be included in the District's review of the Cherwell Local Plan. County Council officers have been involved in the preparation of the draft comprehensive planning brief and early versions have been the subject of public consultation and debate by local bodies, including the Upper Heyford Base Working Group which has County Council member representation. The District Council intend to adopt the brief as supplementary planning guidance in May/June 1999; it will then be used in determining planning applications for the site.
2. The draft policies and comprehensive planning brief have been prepared in the context of Structure Plan policy H2 which provides the strategic planning framework for the future of the whole air base. This report briefly outlines the contents of the draft policies and brief and comments on the strategic planning issues raised.
3. The closing date for comments is 13 May 1999. A provisional response has been sent to Cherwell District Council to meet this deadline and is subject to the views of this Sub-Committee.

Strategic Policy Background

4. Structure Plan policy H2 provides for a new settlement of about 1000 dwellings, appropriate employment opportunities and supporting infrastructure, including a primary school. The County Council is opposed to development on a larger scale because of the site's isolated rural location, the threat of urbanisation of a rural area, the existing settlement pattern in North Oxfordshire, the unsuitability of the surrounding road network, and conflict with national guidance in PPG13. Policy H2 specifically requires the future of the whole of the area covered by the airbase to be guided by a comprehensive planning brief to be approved by the local planning authority in consultation with the County Council and other relevant agencies. It also requires substantial landscaping and other environmental improvements on site in association with any development. The policy advises that the design of the settlement should be based on the principles of sustainability. It also requires measures to encourage the use of public transport and to minimise the impact of traffic associated with the development.
5. In confirming the proposed scale of development for the airbase and policy H2, the Structure Plan EIP Panel hoped that "a lasting arrangement" would be produced i.e. the brief should not allow for any significant further growth beyond that provided for in policy H2.

The Draft Local Plan Policies

6. Cherwell District Council propose four draft policies for inclusion in the local plan review.
7. Draft policy UH1 provides for a 1000 dwelling village and appropriate employment, community and leisure facilities to be located on the main pre-war core of the RAF technical and domestic buildings. Proposals for the new village will be permitted only if they fulfil a number of criteria. These include provision for the implementation of an integrated scheme of landscaping and environmental improvement across the whole of the land covered by the former airbase and the requirement that there should be no provision for significant further growth. The supporting text makes it clear that the supporting facilities and local highway and transport improvements required

by policy UH1 will be sought from the developer by legal agreements.

8. Policy UH2 elaborates on the required scheme for landscaping and environmental improvements in the context of the future of the whole site. The scheme will aim to ensure the removal of public health and safety risks and all military infrastructure which has an adverse environmental impact, to retain existing buildings where it would be beneficial and to minimise the need for off-site disposal of materials arising from the demolition/infrastructure removal process. The text (para 20) explains that the District Council will encourage the MOD, the Highways Agency and the developer to enable the use of secondary aggregates arising from infrastructure removal in the construction of the programmed improvements to M40 Junction 10 and the A43.
9. Policy UH3 resists development proposals at the airbase likely to generate substantial numbers of HGV movements, including storage and distribution depots. Policy UH4 seeks to ensure that the design of the village is influenced by local characteristics to assist its integration into the countryside.

The Comprehensive Planning Brief

10. The brief is a comprehensive document, setting out the District Council's vision for the new village. It is based on 50 specific objectives agreed following earlier public consultation. The brief supplements the policies of the Structure Plan and the local plan review. It makes it clear that planning permission for permanent development will not be given unless proposals are part of a plan addressing the future of the whole site. The District Council requires that any permission should be subject to a legal agreement giving effect to the brief; the County Council would be a co-signatory to the agreement together with the District Council, landowner and all others with a legal interest in the site.
11. The brief requires the developer to make full provision for the removal of military infrastructure, comprehensive landscaping and environmental improvement of the whole site according to a phased programme of works linked to the development of the village. This is to be agreed with the District Council and the County Council as minerals planning authority. The brief acknowledges that environmental improvement of the site will be a complex task. Not all the detailed information required to determine fair and reasonable levels of environmental improvement and landscaping works and their phasing is currently available. The brief's requirements will be updated once a full assessment has been made.
12. The proposed components of a new village of around 1000 houses, including an element of affordable housing, are set out in detail in the brief. Land and buildings for employment generating development will be restrained so as to limit the eventual number of jobs on site to approximately 1500. The brief requires that the developer makes full provision for, or fully funds the provision of supporting community facilities in an agreed timescale and secured by legal agreement. These include provision of a site and full funding for a new primary school and nursery, contributions to extra accommodation and transport needs to cater for secondary school provision for children generated by the development and contributions to adequate library facilities. The brief also requires the developer to contribute to on and off site transport measures, including improved bus services and the upgrading of facilities at and to Upper Heyford rail station, as discussed with the County Council as transport and highway authority.

Comments of the Director of Environmental Services

13. The proposals contained in draft local plan policies UH1 and UH2 and the draft comprehensive planning brief are consistent with the principles established in Structure Plan policy H2 and should be supported. In the interests of ensuring the successful implementation of Structure Plan policy H2 within the plan period I consider that the County Council should specifically support the following requirements proposed by the District Council:
 - (a) any proposals for development of the site should not allow for significant further growth beyond that provided for by Structure Plan policy H2 to provide a lasting arrangement based on this policy as envisaged by the Structure Plan EIP Panel;

- (b) any proposals for permanent development must relate to the whole of the airbase and include substantial landscaping and other environmental improvements;
 - (c) a full detailed set of information needed to enable fair and reasonable levels of landscaping and environmental improvements to be established should be made available by the MOD and the developer. To this end I suggest that the District Council requests GOSE to use its best endeavours to ensure that all necessary information is made accessible;
 - (d) any planning permission should be subject to a legal agreement to secure the implementation of a phased programme of development, removal of military structures, landscaping and other environmental improvements;
 - (e) any planning permission should be subject to a legal agreement to secure the provision of infrastructure required to support the development including necessary on and off site transport measures, education and library facilities.
14. The proposal to discourage development at the airbase likely to give rise to substantial numbers of HGV movements in draft local plan policy UH3 is consistent with Structure Plan employment policy E3 which seeks to limit the use of employment land outside the four country towns to activities which do not give rise to excessive or inappropriate traffic, and policy T15 which provides criteria for the location of freight distribution centres.
15. Encouraging the use of recycled materials from the airbase in forthcoming road works on the nearby A43 and the M40 junction 10 would be consistent with the County Council's policy to encourage the use of recycled products as substitutes for locally dug materials (Structure Plan policy M4). I have already asked the Government Office for the South East to ensure that the different arms of the Government achieve this. I recommend that the County Council should continue to work with the District Council in encouraging the use of recycled aggregate from the base in this way.
16. Policy UH4 is consistent with Structure Plan policy G2 which requires development to be appropriate to its surroundings, of high quality and designed so as to reduce the need to travel and encourage the use of alternatives to the car.

Environmental Implications

17. There are none other than those detailed in the report.

Financial and Staff Implications

18. There are none other than those detailed in the report.

Implications for People Living in Poverty

19. The draft policies and brief require the provision of an element of affordable housing and improvements to public transport which will be of benefit to people living in poverty.

RECOMMENDATIONS

20. **It is RECOMMENDED that the County Council as Structure Plan authority inform Cherwell District Council that:**
- (a) **it supports draft local plan policies UH1 and UH2 and the draft comprehensive planning brief relating to former RAF Upper Heyford which are consistent with the principles established in Structure Plan policy H2. In particular the County Council specifically supports the requirements listed in paragraph 13 of this report which it considers essential to the successful implementation of policy H2;**
 - (b) **it considers draft local plan policy UH3 is consistent with Structure Plan policies**

E3 and T15;

- (c) it considers draft local plan policy UH4 is consistent with Structure Plan policy G2; and**
- (d) it offers to continue to work with the District Council in encouraging the use of recycled materials from the airbase in the construction of programmed improvements to M40 Junction 10 and the A43.**

DAVID YOUNG
Director of Environmental Services

Background papers:

Contact Officer: Linda Currie, Tel : Oxford 810432

4 May 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 17 MAY 1999
AGENDA ITEM PL3

PLANNING SUB-COMMITTEE - 12 APRIL 1999
MINUTES of the meeting commencing at 2.00 pm and finishing at 2.35 pm

Present:

Voting Members;

Councillors Brenda Churchill, A.D. Crabbe, Dickie Dawes (in place of Councillor Don Seale), Mrs C. Fulljames, Dave Green, Steve Hayward, Terry Joslin (in place of Councillor Nils R. Bartleet), MacKenzie, Anne Purse, G.A. Reynolds, Sylvia Tompkins and Harry Wyatt.

Ex Officio:

Councillor Alan Roberton (in place of Councillor C.H. Shouler).

Officers:

Whole of meeting: G. Warrington (Chief Executive's Office); C. Cousins, Mrs S. Coyne, J. Duncalfe, J. Griffin and J. Hamilton.

The Sub-Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, copies of which agenda and reports are attached to the signed Minutes, and in relation thereto determined as follows:-

18/99 ELECTION TO CHAIR

RESOLVED:that Councillor Purse (Liberal Democrat) be elected to chair the meeting.

19/99 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence, temporary appointments and a Group Leader substitution were reported as follows:

Apology from

Temporary Appointment/Substitute

Councillor Bartleet

Councillor Joslin

Councillor Seale

Councillor Dawes

Councillor Shouler

Councillor Roberton

20/99 MINUTES

The Minutes of the meeting of the Sub-Committee held on 22 February 1999 were approved and signed.

21/99 MATTERS ARISING FROM THE MINUTES

Minute 4/99 - Consultation by Railtrack on a Permitted Development Proposal for use of Hinksey Sidings, Oxford as a Virtual Quarry

Mr Cousins reported that the papers were now with the Minister. If a decision was not received within a week it was likely that an announcement would be delayed until after the local elections in May.

Minute 15/99 - County Council Planning Applications

With regard to the application for a fourth temporary building at St. Andrews First School (O.11/98), Mr Griffin confirmed that the reference made to the proposal exceeding Local Plan standards applied only to the Oxford Local Plan.

22/99 **COUNTY COUNCIL PLANNING APPLICATIONS**

(Agenda Item 6)

The Sub-Committee considered a report (PL6) which detailed the following current applications for County Council development.

Application No: C.02/99 (detailed). Relocation of existing storage container for the storage of athletics equipment. The Cooper School playing field, Bicester, Oxon.

Application No: C.03/99 (detailed). Siting of metal storage container for storage of sports equipment, The Cooper School, Bicester, Oxon.

Application No: C.05/99 (detailed). Erection of a prefabricated building for the Centre for Hardwick Under Fives and Families (CHUFF) and for Hardwick School for a temporary period of five years, Hardwick CP School, Ferriston, Banbury, Oxon OX16 7XE.

RESOLVED: that the applications be determined as recommended in the schedules appended to the report PL6, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer.

23/99 **MINERALS REVIEW: PROPOSED NEW PLANNING CONDITIONS FOR SAND AND GRAVEL EXTRACTION AT CAVERSHAM LAKES, HENLEY ROAD, NEAR READING (APPLICATION NO. P98/SO737/CM)**

(Agenda Item 7)

The Sub-Committee considered a report (PL7) which set out an application to update conditions on an old sand and gravel permission at Caversham lakes in accordance with provisions of the Environment Act 1995.

Councillor Roberton speaking as local member welcomed the application as it defined clearly the date for the cessation of operations.

RESOLVED: that:

- (a) application P98/SO737/CM be approved for updating planning conditions on permissions H158/48, H91/50, H153/58, H169/59, H199/59, H200/59, H398/70, H1123/73, SO/S/93/81 and P93/SO309/CM subject to the proposed conditions being replaced by the recommended conditions set out in Annex 3 to PL7;
- (b) a notice be issued accompanying the decision to the effect that in the County Council's view the conditions did not prejudice to an unreasonable degree either the economic viability of operating the site or the asset value of the site.

24/99 **PROGRESS ON ENFORCEMENT CASES**

(Agenda Item 8)

The Sub-Committee considered a report (PL8) which summarised progress on a number of current enforcement cases.

With regard to Waterstock Golf Course, Mrs Coyne reported that following the Public Inquiry in January 1999 the Secretary of State had now announced in favour of the County Council.

Councillor Purse thanked the officers for their efforts in putting forward such an effective case on the County Council's behalf at the Inquiry.

With regard to New Manor Farm, Mrs Coyne reported that GOSE had still not replied specifically on

the availability of Government funding for removal of the waste from the site.

With regard to Elm Farm Quarry, Mr Duncalfe reported that the developers were introducing new management arrangements on the site to deal with the problem of vehicle cleaning. Resurfacing work to be undertaken on the highway outside the site would also improve the situation.

With regard to Hinksey Heights, Mr Cousins reported that the landscape consultant's report had been received and discussions would take place with the Vale of White Horse District Council to try to agree a suitable course of action.

With regard to Shipton-on-Cherwell Quarry, Mrs Coyne reported that Counsel's opinion had been received. Officers were now discussing with Cherwell District Council appropriate enforcement action.

RESOLVED: to receive the report.

.....in the Chair

Date of signing1999

Environmental Committee
PLANNING SUB-COMMITTEE - 17 MAY 1999
AGENDA ITEM PL9

HINKSEY HEIGHTS GOLF COURSE: UNAUTHORISED WASTE DISPOSAL

Report by the Director of Environmental Services

Division(s) affected: Hinksey

Introduction

1. In August 1998 (minute 64/98) the Sub-Committee authorised me to:
 - (a) issue stop and enforcement notices to prevent the further import of waste to Hinksey Heights golf course and to remedy the breach of control;
 - (b) seek an injunction to restrain further breaches of the Section 106 agreement between the Council and the golf course developers; and
 - (c) take any action that appeared expedient to ensure that any proposals involving the import of waste were referred to the County Council for determination.
2. Stop and enforcement notices were served on 2 September 1998, since when no further waste has been imported. The enforcement notice required the removal of all the waste deposited.
3. The County Council was granted an interim injunction to prevent the Vale of White Horse District Council from purporting to determine plans which relied on the import of waste for their implementation. No date has yet been fixed for the High Court proceedings to confirm this injunction, which the Vale contest.

Comments of the Director of Environmental Services

4. There are two issues involved in this case: first, the harm caused by the breach of planning control and the steps required to remedy it and second, the question of whether this should be dealt with by the District or County Council.
5. At a joint member-officer meeting of the two councils in July last year, the Vale stated that in their view the waste imported to the site had resulted in an acceptable landform. The Vale also considered that enforcement action requiring removal of some or all of the waste was unnecessary; in particular they argued that it would be unreasonable to require removal to a level lower than that implied by the Section 106 agreement between the County Council and the golf course developer. (The Section 106 agreement, however, explicitly states that it is without prejudice to the County Council's view that planning permission is required for the deposit of inert material.)
6. In an attempt to move the discussion forward, the County Council, in conjunction with the Oxford Preservation Trust, commissioned a report from Machin Bate, independent landscape consultants, to;
 - (a) recommend a landform that would be acceptable in this location, yet provide a design for a workable golf course within this landform; and
 - (b) indicate how much waste would need to be moved either elsewhere on site and/or off site to achieve this.
7. The Oxford Preservation Trust's involvement was invited firstly because the Trust shares the development plan's objectives of protecting the character and landscape setting of Oxford, and secondly because, as a respected independent body, it had no interest in which planning authority dealt with the case.
8. The report's conclusions are at Annex A. A copy of the full report is in the Members' Resource

Centre. In essence, the report concludes that the present development is highly damaging in landscape terms. It also appears to be unsatisfactory as a golf course: in particular the narrowness of the fairways and the height of the mounds create unsafe playing conditions, and drainage is poor. The report recommends that some mounding for tees and greens is acceptable, but that otherwise all the waste should be removed from the site. The report considers that the playability of the course could be improved by these measures. It acknowledges that the removal of waste will cause some disturbance, but states that such temporary disturbance has to be weighed against the permanent harm to Oxford's landscape setting caused by leaving the waste where it is.

9. In my view, the best course of action for the County Council now is the serving of new stop and enforcement notices that require the waste to be removed and topsoil imported to achieve the levels recommended in the consultant's report. I have set this in train under delegated powers. The strength of the Council's position has been increased by the recent enforcement appeal decisions in relation to Banbury Golf Course at Adderbury and Waterstock Golf Course. In each case the Inspector concluded that the material was waste (rather than a necessary construction material, as the appellant had argued) and upheld the enforcement notice.
10. Further officer level discussions have been held with the District Council. Vale officers now have no objection to the County Council taking enforcement action against the unauthorised waste disposal. However, they contend that approval of landscaping plans should be dealt with by the District rather than the County Council as these plans are pursuant to the original golf course permission. County and District have received independent, and conflicting, Counsel's advice on this point. The Solicitor to the Council and I consider that, in view of the quantities of waste involved, the whole development is a matter for the County Council to determine and this Council should therefore deal with all the planning issues involved, including landscaping. The waste planning and landscaping issues cannot be segregated as the District Council suggest. Case law and recent appeal decisions appear to support that view.
11. In the absence of agreement this issue can only be settled by the Court. As an alternative to court proceedings, the Vale have suggested that the District Council might give an undertaking that they would consider no plans for the landscaping of the golf course until the County's enforcement proceedings had been completed. At present the Vale are prohibited by the injunction from purporting to consider plans which involve the import of waste. Any arrangement would have to be similarly binding. Nonetheless, if the Vale can come up with a legally binding arrangement, this appears to be an idea worth discussing further. Failing that, the issue can only be determined in the High Court.
12. There is one further matter, which is for the Environment Agency rather than the planning authorities. Some of the waste at Waterstock golf course was found to be contaminated with arsenic, apparently from the motorway service area at Wheatley. As it is understood that Hinksey Heights may have accepted waste from the same source there may well be contamination there too. We have informed the Environment Agency of this.

Environmental Implications

13. These are set out in the report. The purpose of taking enforcement action is to remedy a breach of planning control and secure, as far as possible, that development accords with the development plan. In this case, this includes the protection of internationally famous views of the Oxford skyline and the prevention of landraising.

Financial and staff Implications

14. The cost of the consultant's report was shared with the Oxford Preservation Trust. The Council's contribution was met from carried forward underspends. Staff time will be involved if there is an inquiry into an appeal against the enforcement notice and/or if the High Court action proceeds.

Implications for People Living in Poverty

15. There appear to be none.

RECOMMENDATIONS

16. The Sub-Committee are RECOMMENDED to:

- (a) note the action of the Director of Environmental Services in serving enforcement and stop notices as described in this report;**
- (b) invite the Vale of White Horse District Council to put forward a proposal that would ensure that the District Council would not consider any landscaping plans or further applications involving the deposit of waste unless and until any enforcement action taken by the County Council had been fully complied with; and**
- (c) inform the District Council that if such an assurance can be given, and be shown to be legally binding, the County Council would be prepared to seek the withdrawal of the current injunction.**

DAVID YOUNG
Director of Environmental Services

Background papers: Nil

Contact Officer: Chris Cousins, Telephone: Oxford (01865) 815459

6 May 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 17 MAY 1999
AGENDA ITEM PL8

COUNTY COUNCIL PLANNING APPLICATIONS

Report by the Director of Environmental Services

Division(s) affected: Previously notified

1. The Schedule annexed to this report considers 1 current planning application for County Council development, made under Regulation 3 of the Town and Country Planning Regulations 1992.

Application No: V.01/99 (detailed application), The Ridgeway CE School, West Street, Childrey, Wantage, Oxon OX12 9UL

2. The application and any letters of objection which may be received are available for inspection in the Land Use Planning Section of Environmental Services (refer to Contact Officer).

Environmental Implications

3. These are identified as appropriate in the application schedule.

Staff and Financial Implications

4. The Sub-Committee are asked to determine the application. The finance for and staff implications of the scheme are a matter for the promoting Committee.

Implications for People Living in Poverty

5. There are none arising from this report.

RECOMMENDATION

6. **It is RECOMMENDED that subject to consideration of any further representations received by the date of the meeting, the application be determined as recommended in the schedules appended to this report, subject to the detailed wording of the recommended conditions being agreed by the Chief Planning Officer.**

DAVID YOUNG
Director of Environmental Services

Background papers: Nil

Contact Officer: John Griffin, Tel. Oxford 815723

May 1999

Environmental Committee
PLANNING SUB-COMMITTEE - 17 MAY 1999
AGENDA ITEM PL8

COUNTY COUNCIL PLANNING APPLICATIONS

Application No: V.01/99 (detailed application), The Ridgeway CE School, West Street, Childrey, Wantage, Oxon OX12 9UL

Application No: V.01/99 (detailed application)

Extensions and internal alterations to provide new entrance/reception, school office, staffroom, headteacher's office, library/IT/general purpose space, disabled/staff toilet and associated external works, The Ridgeway CE School, West Street, Childrey, Wantage, Oxon OX12 9UL

Development and Site (see plan):

This application is for alterations and extensions to the school to enable the national curriculum to be properly taught. The extensions have been designed to match the character and appearance of the early 20thC school. They are not provided to accommodate increases in numbers on roll.

The proposal does not conflict with any relevant planning policies.

Results of Consultations:

Vale of White Horse District Council – no objection subject to any increase in the number of pupils being offset by improved parking and manoeuvring standards.

Childrey Parish Council – no objection to the extensions. Have serious concerns for pupil safety in West Street, the road which serves the school. This road is narrow, has no footpath in places, is a dead end where it meets the school, and has no turning head. Congestion from cars and coaches which have to reverse down the road is a severe problem and a footpath and turning head should be provided.

Environment Agency – no objection.

County Archaeologist – would like archaeological informative included.

Mr D Harrison, Childrey – no objection in principle but road access, manoeuvring space and inadequate parking make the development unacceptable. Strongly object to development of the school before road improvement schemes carried out.

Director's Comments:

The application is for works to make good the shortfall in educational facilities at the school and is not to provide for an increase in numbers on roll.

There is clearly a traffic problem at the start and finish of the school day which is exacerbated by the narrowness of the road and the location of the school at a dead end with no turning head. However this situation will not be made worse by this application and should be dealt with separately by the Chief Education Officer who has been made aware of the District Council's comments.

The works to the school have been designed to match the style of the building and will enhance its appearance.

RECOMMENDATION:

The Sub-Committee are RECOMMENDED to approve the application subject to the following conditions:

1. detailed compliance;
2. detailed duration limit – 5 years;
3. samples of materials to be approved.

PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO: W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON

Report by the Director of Environmental Services

Division(s) affected: Eynsham, Bampton

Introduction

1. This application is complex. It relates to various matters on different areas of land and involves two types of application.

Application for development to not comply with conditions

- 1.1 Smith and Sons (Bletchington) Ltd wish to make amendments to their planning permission (no: W732/87) for sand and gravel working at Gill Mill, Ducklington to allow the following:
 - (i) Extraction of mineral within approved buffer zones to Gill Mill House and Hardwick village.
 - (ii) Transport of mineral from the area north of Hardwick via adjoining land (Wadham/Brasenose workings) to Smiths Concrete Hardwick processing plant instead of to the Gill Mill plant as the permission currently requires.

To enable this development, permission to not comply with conditions 1 and 9 of W732/87 is required. (See Annex 3).

Application for approval of "reserved matters"

- 1.2. It has become apparent that the current area of working is not proceeding in accordance with an approved plan. Consequently a revised operations plan pursuant to condition 5 (see Annex 3) of W732/87 has been submitted.

The Site (Annexed plan HC/1 shows the site, the other plans BF/A, BF/B and BF/C refer to the recommendation)

2. The site covers two blocks of working of permission no: W732/87 (which is about 83 hectares in total to the east of Ducklington).
 - (i) "Gill Mill Fields", the current extraction area about 25 hectares in size to the west of Gill Mill House
 - (ii) "Hardwick", a 6 hectare area to the north of Hardwick village.

It also includes a conveyor line on adjoining land serving the Wadham/Brasenose Workings (Smiths Concrete) and the Smiths Concrete Hardwick processing plant south of the B4449.

3. "Gill Mill Fields" is an area of former agricultural fields. It is bounded to the north by Hardwick Brook and to the south by the eastern arm of the River Windrush. The drive to Gill Mill House and Bridleway define its eastern edge. The Mill building lies about 40 metres from its south eastern corner. The land is a worked out void apart from an approximate 200 metre strip at the eastern end. All existing hedgerow within the block has been removed. Vegetation surrounding the block remains in place and has been reinforced in places by new planting.
4. "Hardwick" consists of part of an agricultural field about 6 hectares in size. It is bounded to the north and north east by Standlake Brook and to the south west by public footpath 5 Hardwick.

Public Footpath 6 South Leigh runs through the site about 60 metres parallel to its eastern boundary. This footpath is however soon to be permanently diverted to run around the perimeter of the site to the east. Existing hedgerow and vegetation line all sides of the block other than along its south western boundary. Hardwick Village is situated about 200 metres to the south. The Wadham/Brasenose gravel working lies immediately to the north and east beyond Standlake Brook.

5. The conveyor and adjoining gravel haul route run through the middle of the Wadham/Brasenose working in a broadly north west to south easterly direction for about 1 kilometre. Most of the land adjoining it has been worked apart from an area about 5 hectares in size which stretches from the southern side of the conveyor as far as Standlake Brook to within about 300 metres of Hardwick village. The conveyor goes under the B4449 by a tunnel to reach the processing plant, which sits on a spit within a lake.

The Proposed Development

6. Smiths are proposing to work up to 110 metres from the façade of Gill Mill House. 3 metre high bunding designed to allow flood flows through would be erected within the buffer zone, using soil from the site, for added environmental protection to Gill Mill.
7. At Hardwick they propose to work up to the line of public footpath 6, bringing working to within 200 metres of Hardwick village. Working and restoration schemes for this whole area have been submitted. The gravel would be extracted by dragline and put onto a conveyor line extended across Standlake Brook. The Wadham/Brasenose land would not be worked whilst Hardwick is in operation. 3 metre soil bunds would screen the workings from Hardwick village. The public footpaths would run inside the bunds, fenced off from the extraction. The proposed restoration is to a lake for local amenity.
8. The Reserved Matter Gill Mill Fields Operations Plan shows:
 - (a) the direction of working to be west to east
 - (b) the far western quarter to be a silt and water management area
 - (c) a conveyor line and adjacent haul route through the northern section
 - (d) an area for emergency stockpiling and supply beyond the conveyor line to the north
 - (e) remaining hedgerows within the block to be removed
 - (e) a buffer of 100 metres to Gill Mill House
 - (f) a margin of approximately 10 metres to the River Windrush.

Comments of the Director of Environmental Services

9. Working within proposed buffer to Gill Mill House

- 9.1 The buffer zone to Gill Mill House was required by condition 9 because of the sensitive location of the house in relation to the gravel working. Assuming permission is granted for further proposed working of land allocated in the Local Plan the house will become encircled by gravel pits. The extent of the buffer defined on plan GM/1 relating to Condition 9 is in places more than 100 metres wide and in others less. Across Gill Mill Fields it is between 110 and 150 metres from the house. It is shown on Inset Map 3 of the Minerals and Waste Local Plan as an area where planning permission for mineral working will not normally be granted (policy PE2).
- 9.2 The applicants would like to work the gravel up to 100 metres from the house and say that despite the defined area on the plan the wording of the condition allows them to do this. Hence this is the extent of the buffer shown on the Gill Mill Fields Operations Plan (see paragraph 8). They have now nevertheless agreed to leave a buffer of 110 metres and provide some bunding for which there is no current provision. The previous working plan approved in 1989 (not however complied with) showed a 100 metre buffer with no bunding. Furthermore, although the current application to consolidate existing and new workings at Gill Mill provides for bunding to the property, as Mr Mansfield states (see Annex 2), it has not yet been secured (because agreement has not been finally reached on funding).

9.3 In the meantime working is progressing ever closer towards the house. Intermittently, weather conditions permitting, temporary bunds have been erected at the face using the stripped top soil. However, it is important that more permanent protection is put in place as soon as possible. The submitted scheme will achieve this and only notably reduces the buffer in its northern part where it is arguably less important to protecting the amenity of the property. Policy PE3 would still be satisfied and the additional land could be allowed under the terms of policy SD2. The occupants of the property, whilst not happy with Smiths treatment of them (see Mr Mansfield's comments in Annex 2), are satisfied with this approach.

The alternative might be that the applicants work even closer to Gill Mill without constructing a bund, relying on their own interpretation of their obligations.

10. Working within proposed buffer to Hardwick

10.1 The additional area of land proposed to be worked within the buffer to Hardwick is also an area where permission for mineral working will not normally be permitted (policy PE2). It would provide about an additional 130,000 tonnes of reserves (the remainder of the block will yield about 240,000 tonnes) and, if included, makes an area of working well defined by field boundaries and footpaths. However, it would bring the working about 150 metres closer to the village (to within about 200 metres of it) and the local residents are not satisfied that sufficient measures are proposed by the applicants to offset the detrimental effects of the development. The full 350 metre distance is an appropriate buffer in this location. However, if the local residents had considered that it was not necessary, a narrower distance may have been justified. The proposal is contrary to policies PE1 and PE3 of the Minerals and Waste Local Plan. Restoration, aftercare and after use proposals are further inadequate, contrary to policies PE12 and PE13. There are no Parish comments in Annex 1, because discussions with Smiths (although not promising) have not finally concluded. The applicants wish nevertheless for this application to proceed to be determined. A formal response will be available for the Committee meeting.

11. Transport of mineral to Hardwick Plant

11.1 The principal effects of this proposed change to the agreed working at Hardwick are as follows:

- (a) delay in cessation of working and complete restoration of Wadham/Brasenose land;
- (b) prolongation of the life of the Hardwick plant;
- (c) additional mineral traffic on the B4449 and through Sutton.

11.2 Extraction of the Wadham/Brasenose land would be interrupted to allow the Hardwick block to be worked. However, since it is not bound by an end date there is no time restriction on how long it takes to complete. The site is being progressively restored and this will continue.

11.3 A separate application has been made by Smiths Concrete to prolong the life of the permission for Hardwick plant which expired at the end of 1998. There are no objections to this and funding towards the Sutton Bypass has been agreed in support of the proposal. The application is likely therefore to be approved through delegated powers.

11.4 Gravel from the Hardwick block is currently approved to leave the site via the Ducklington access subject to a routeing agreement directing vehicles northwards (i.e. to the A40). Wadham/Brasenose gravel processed at Hardwick is not subject to any routeing restrictions. Therefore it would be inconsistent to require routeing of just the Hardwick gravel. Also contributions to the Sutton Bypass from the Hardwick block are already committed as part of the legal agreement relating to the original permission. Other local operators who have agreed to funding of the Bypass have not been restricted from travelling through Sutton.

12. Before any working at Hardwick takes place, however, new working and restoration schemes will need to be submitted in accordance with condition 5 of W732/87, to relate only to land outside the buffer to Hardwick Village.

13. The Reserved Matter Gill Mill Fields Operations Plan

13.1 Unfortunately this plan does not provide all the particulars required to comply with condition 5 of

W732/87. In particular the Environment Agency have objected and require further information and work to be done. These matters have not been resolved at the time of writing this report and will take time, but are not I believe insurmountable and progress is being made by Smiths.

- 13.2 This element of the application is for an approval of details pursuant to a condition and not for permission for new development. Consequently rather than delay determination of the application I consider it should be dealt with separately, and suggest that the Committee give me delegated authority to settle the outstanding matters, including alteration of the buffer to Gill Mill to 110 metres (from 100 metres as shown). I already have delegated authority to deal with reserved matter applications, but not where there are objections that cannot be resolved.

Conclusion

14. I would have preferred to try and resolve the outstanding issues before reporting to the Committee. However, the applicants are pressing for a decision on the application because of time constraints on the availability of the conveyor to the Hardwick block. Many of the issues may arise again in considering the Gill Mill consolidated application (new and existing workings) still to be determined.
15. In sum the planning application should be partially successful in allowing some working within the buffer zone to Gill Mill and transport of mineral to the Hardwick plant. However, the applicants have not made a case sufficient to overturn policies protecting Hardwick and no working should take place in the buffer zone to Hardwick. All three of these matters can be achieved by permitting non-compliance with conditions 1 and 9 of W732/87 subject to newly drafted conditions which will effectively replace them. The permission would also be subject to all other conditions originally imposed on W732/87. Further negotiations are required to secure satisfactory revisions to the Gill Mill Fields operations plan.

Environmental Implications

16. These are identified in the report.

Financial and staff Implications

17. There may be staffing and financial implications in fighting any appeal against new conditions.

Implications for People Living in Poverty

18. None have been identified.

RECOMMENDATIONS

19. It is **RECOMMENDED** that:

(a) **planning permission is granted for application no: W98/1708 to not comply with conditions 1 and 9 of W732/87 subject to the remaining conditions of W732/87 and to the following conditions:**

- (1) **The development shall be carried out solely in accordance with the approved submitted details, and the following conditions and with the approved details of permission no: W732/87, unless otherwise agreed in writing by the local planning authority, except that gravel extracted from the Hardwick Block may be transported by conveyor to the Hardwick processing plant (as shown on plan No: HC/1 attached to this permission).**

Reason: To ensure a satisfactory form of development in the interests of local amenity.

- (2) **No extraction shall take place within any of the areas shown on plan numbers: BF/A, BF/B and BF/C attached to this permission.**

Reason: To minimise disturbance and nuisance to local residents.

- (b) **delegated authority be given to the Director of Environmental Services to determine details submitted pursuant to condition 5 of W732/87 in relation to Gill Mill Fields.**

DAVID YOUNG
Director of Environmental Services

Background papers: File 8.5/3706/1 Variation of conditions at Gill Mill, Ducklington in Land Use (Minerals) Section

Contact Officer: Suzi Coyne, Tel : Oxford 815871

7 May 1999

PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO: W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON
ANNEX 1 Consultation Responses

Consultation Responses

Thames Water

No objection.

Environment Agency

1. Initially objected to the application to not comply with conditions 1 and 9 of W732/87 because in relation to Hardwick block:
 - (a) insufficient buffer of 10 metres proposed and restoration scheme shows lake within 10 metres of Windrush. Agency would seek buffer of at least 16 metres according to Land Drainage Byelaws;
 - (b) culverting at Standlake Brook would cause unacceptable loss of water-based habitat.

Subsequently, following discussions with the applicants, objection removed provided:

- (a) minimum 10 metre buffer along right hand bank looking downstream of Standlake Brook, to be fenced, not worked and free of vehicles, plant or machinery;
 - (b) 16 metre buffer to be established along this bank upon restoration;
 - (c) de-watering discharge should be into eastern arm of Windrush and upstream of grid reference 382068;
 - (d) culverting of Standlake Brook to be no more than 10 metres in length with box culvert at minimum 150mm below existing stream bed and backfilled with 20-40 mm size gravel. Following completion of mineral extraction, culvert to be removed, stream banks and bed to be restored in accordance with details to be agreed.
2. Objects to the application for approval of details pursuant to conditions of W732/87, because in relation to Gill Mill Fields the following criteria of condition 5 are not complied with:
 - (i) 5 (k) and (q). Current discharge point is not agreed and likely to adversely affect flows in River Windrush. Discharge water (derived from Windrush) is put into Standlake Brook not back into River to mitigate effect of dewatering on flows. In permitting Discharge Consent into Standlake Brook, Environment Agency did not approve this point for purposes of Condition 5 (k) and (q). Only concerned with water quality standards, not with impact of discharging nor controlling point of discharge to mitigate effects. Discharge point must be approved by planning authority in consultation with Environment Agency, before Discharge Consent. Agency recommends that submitted operations plan is not approved, but revised to show discharge point to eastern arm of River Windrush at further possible point upstream of workings;
 - (ii) 5 (l) Applicant's Statement, that exposed/unlined face of Windrush is kept to minimum so loss of flow is negligible, is not sufficiently specific or enforceable. Plan should be revised to show details of minimum length of exposed/unlined face, so compliance with condition can be properly verified;
 - (iii) 5 (n). No hydrological monitoring undertaken. Significant risk of adverse impact in both branches of River Windrush and Standlake Brook. Not accepted that hydrological monitoring would be agreed and implemented once Tar Farm application approved. Agency objects to operations plan, because provides no firm commitment to carrying out hydrological monitoring, irrespective of Tar Farm application. Until essential quantitative information on hydrology and hydrogeology of the area is collected, not possible to establish impact of dewatering, design mitigation measures to protect river levels and

flows, draw up restoration proposals or consider further planning applications related to this site. Such monitoring should have been undertaken from the date of consent. Further condition needed to ensure data now submitted on regular basis;

- (iv) 5 (p). Excavated faces have not been lined adequately;

In addition, contrary to conditions 7 and 8 of W732/87 there is clear evidence of scour of banks of current excavation adjacent to eastern arm of Windrush and 10 metre buffer to river has been breached both by actual excavation and by a haul route along the bank.

Until shortcomings are addressed and assured of mitigation measures, Agency objects. Any new conditions must be specific and enforceable.

Agency currently conducting study of Windrush's ecology particularly regarding low flows. Gill Mill site is a major issue as part of study. Findings to be presented late 1999. Would not wish removal of conditions to prejudice position.

Footpaths Officer

Diversion of footpath 5 Hardwick, not formally confirmed (awaiting go-ahead of applicants). No work until then. Concerned about subsoil deposit to be stored south of footpath 6. What provisions to protect footpath 6?

West Oxfordshire District Council

Objects because:

1. Development contrary to policies PE1 and PE3 of Minerals and Waste Local Plan because "white" land where extraction normally resisted and agreed buffer agreed to protect residential amenity encroached.
2. Restoration scheme is inadequate regarding proposed after use, future access, landscaping and planting details.

Environmental Committee
PLANNING SUB-COMMITTEE - 17 MAY 1999
AGENDA ITEM PL10

PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO: W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON
ANNEX 2 Third Party Representations

Third Party Representations

Adrian Mansfield, Ivey & Hawkstor Farms, Bodmin, Cornwall

Adrian Mansfield is joint owner, with brother Dr Humphrey Mansfield, of Gill Mill and son of Sir Philip and Lady Mansfield who lived in the house until 1995. The property is currently let to Mr and Mrs Montague and their family.

Clear from outset that gravel workings to encircle Gill Mill and have devastating effect on amenity and unique character of Gill Mill. Consequently negotiations have been ongoing with Smith & Sons about precise location and dimensions of bunds to provide visual amenity and noise protection to the Mill occupants.

As a lawyer, and on independent advice from mineral planning experts, concluded that wording of condition 9 is ambiguous, but plan GM/1 showing the buffer zone is clear and unambiguous. County planning officers Mr Duncalfe and Mrs Coyne confirmed that plan GM/1 clearly defines the buffer zone. The plan prevails, the wording is purely descriptive.

No compelling reason why working should not comply with condition 9, and can be enforced. Area C specifically designed to afford minimum level of protection to the Mill. At time of original application Planning Authority considered that special vulnerability of the Mill justified a substantial buffer zone (in excess of industry standard.) Properly took into account special circumstances that Mill would ultimately be surrounded by gravel workings.

Surprising that permission ever granted, but trust that Planning Authority will be robust in enforcing conditions, especially when intended to offer some (if insufficient) protection to the Mill.

The Mill has suffered significant disturbance from gravel workings which will worsen. Effectively blighted property. Mill will become an island in centre of visually harmful gravel extraction. Conveyor intended to bisect Gill Mill driveway. Will peaceful enjoyment of Mill be at all possible? Has Planning Authority exercised proper discretion regarding impact on Gill Mill?

Correct to afford Hardwick 350 metre buffer but only affected on one side. Gill Mill will be affected on all sides at much less than 350 metres, and should therefore receive full protection of area shown on plan GM/1.

Applicants imply that not obliged to erect protective bunds to Gill Mill. However, comprehensive application provides for bunds around buffer zone and refers to discussions with the owners/occupiers of Gill Mill regarding protective measures. Always understood that there would be bunds and applicants are estopped from going back on their undertaking. Planning Authority should insist on them, because buffer zone alone would be ineffectual protection.

Owners and occupiers have tried to negotiate sensibly. Negotiations broken off by applicants when clarification sought from Planning Authority about condition 9.

Planning Authority must strictly observe own condition to protect Mill from encroaching workings without any protection in place. Otherwise purpose of planning conditions fatally undermined. Wrong to receive undertakings from applicant to achieve consent, then subsequently set aside planning condition ignoring representations of interests intended to protect.

Threat to Gill Mill is not appreciated. Must be publicly aired so that the cost of unfettered gravel extraction on historic landscape properly assessed.

Richard Knowles, Secretary, Upper Thames Fisheries Consultative

Objects to reduction in buffer to Gill Mill, because it provides essential environmental protection.

Concerned at track record of applicants. Operating conditions are wholly unacceptable from standpoint of environmental protection. Excavation so close to banks of River Windrush that river is leaking into gravel pits. Excavations not sealed to prevent leakage. De-watering conducted with no regard to environmental impact. Monitoring of groundwater levels and flows, promised when originally consented, never occurred. Clear lesson that buffer strips should be extended not reduced.

Successfully petitioned Environment Agency to commission independent study of River Windrush. One part will focus on impact of gravel extraction on River and its wildlife. Highly inappropriate to give consent which might accelerate environmental degradation.

**PLANNING APPLICATION NO: W98/1708 FOR CHANGES TO THE WORKING OF PERMISSION NO:
W732/87 FOR SAND AND GRAVEL EXTRACTION AT GILL MILL, DUCKLINGTON**
ANNEX 3 Relevant Conditions of W732/87

Relevant Conditions of W732/87

1. Except as provided for in the conditions set out below, the development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application.

5. Except in connection with works to provide for the construction of the vehicular access and haul road, silt beds and water areas for the processing plant, no working shall take place except in accordance with a scheme of working, landscaping and restoration first submitted to and approved in writing by the Mineral Planning Authority, and such scheme shall, amongst other things, make provision for:-
 - (a) pre-planting of the area to screen the workings and plant;
 - (b) the stripping and storing of overburden and topsoil;
 - (c) the precise location, shape, height, seeding and maintenance of top soil and overburden storage bunds;
 - (d) the planting and maintenance of trees, hedges and shrubs, in particular around the plant area and along the internal haul route;
 - (e) the retention and maintenance of existing hedgerows and trees;
 - (f) the erection and/or replacement of fences or gates;
 - (g) the division of the areas to be worked into stages each comprising 10 hectares or thereabouts;
 - (h) a programme of progressive restoration for the first three such stages to be worked, specifying those areas which are to be restored to agriculture and those which are to be restored to amenity use and taking into account, where restoration is to be to agriculture, the standard specifications of the Ministry of Agriculture, Fisheries and Food in respect of the restoration of mineral workings attached to this schedule;
 - (j) the final levels of restored land and final shape and size and proposed water levels of any lakes;
 - (k) the drainage of the land both during working and following restoration;
 - (l) the maintenance of water flow in all water courses during the pumping operations;
 - (m) the details of any filling operations;
 - (n) the monitoring of groundwater levels and water levels in all water courses, lake areas and gauging of water flow in all water courses at intervals not exceeding 6 months commencing with the date of this permission;
 - (p) the lining of excavation faces adjacent to main river banks;
 - (q) details of pumping operations during dewatering and their discharge points.

9. No excavation shall take place within any of the areas shown hatched on plan No. GM/1 attached to this schedule, namely, within Ä
- (a) the area between the Fish House and Bridleway no. 9 (area A on the plan);
 - (b) 350 metres of Hardwick village (area B on the plan);
 - (c) 100 metres of Gill Mill (area C on the plan).