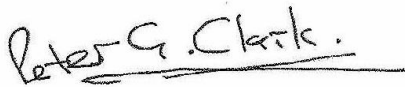


To: **Members of the Planning & Regulation Committee**

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

Monday, 16 April 2012 at 2.00 pm

County Hall, New Road, Oxford



Peter G. Clark
County Solicitor

April 2012

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

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

Membership

Chairman – Councillor Steve Hayward
Deputy Chairman - Councillor Mrs Catherine Fulljames

Councillors

Alan Armitage	Peter Jones	John Sanders
Tony Crabbe	Stewart Lilly	Don Seale
Anda Fitzgerald-O'Connor	David Nimmo-Smith	John Tanner
Jenny Hannaby	Neil Owen	
Ray Jelf	G.A. Reynolds	

Notes:

- ***A site visit is required for Item 7 (Woodeaton Quarry). Members are asked to meet on site at 10 am on Monday 16 April 2012.***
- ***Date of next meeting: 28 May 2012***

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

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

AGENDA

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

To approve the minutes of the meeting held on 5 March 2012 (PN3) and to receive information arising from them.

4. **Chairman's Updates**
5. **Petitions and Public Address**
6. **Extraction of sand, construction of new access to Pinewoods Road, construction of internal access road to stockyard, laying out of conveyor to extraction area, stripping and temporary storage of soils and restoration of land off Pinewoods Road, Longworth - Application No MW.0080/11 (Pages 9 - 36)**

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN6).

This application is for a new soft sand quarry at Pinewoods Road Longworth. It is proposed to dig and process on site 880,000 tonnes of soft sand in five phases over an 11 year period. The site would be progressively restored mostly to agriculture at low land level. Access is proposed from Pinewoods Road and then to the A420 Oxford/Swindon road. The application has been the subject of notable local interest and generated objections both from individuals and local representatives. The report sets out the proposal, response from objectors and the views of formal consultees.

It is RECOMMENDED that Application No. MW.0080/11 be refused for the following reason:

The development proposed is contrary to policy PE2 of the Oxfordshire Minerals & Waste Local Plan. The site is not within an area identified for mineral working as referred to in policy PE2 of the Minerals and Waste Local Plan and there is no urgent need for additional soft sand reserves. The proposed development is inconsistent with Policy M3 of the Oxfordshire Minerals and Waste Core Strategy approved for submission to the Secretary of State. The development would have an unnecessary adverse impact on the environment which the Council's extensions policy M3 seeks to avoid. For the period of extraction the detriment to the environment and landscape of the area including the loss of oak trees on the site protected by a tree preservation order, is unjustified and not consistent with the aims of Vale of White Horse Local Plan policy NE7.

7. Use of imported inert waste in restoration of quarry with some mechanical screening of materials to create topsoil at Woodeaton Quarry - Application No. MW.0015/12 (Pages 37 - 58)

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN7)

This application is for the importation of inert construction waste to restore the disused quarry at Woodeaton. A minor recycling operation is also proposed to produce topsoil for the restoration. The development would take ten years. The application is being reported to this Committee as objections have been received to the proposal.

The report sets out the proposals and outlines objections and other responses to the application. Relevant planning policies are included along with the comments and recommendation of the Deputy Director for Environment & Economy (Growth and Infrastructure) on the proposal.

The proposed development would be beneficial in terms of providing an appropriate restoration scheme for an unrestored quarry, in accordance with planning policy. The site has an extant permission for mineral extraction. The traffic and noise impacts associated with the proposed infilling with inert waste would be no greater than that currently allowed under the mineral permission and could be adequately controlled by condition.

It is RECOMMENDED that subject to:

(a) a Section 106 agreement to cover:

- non implementation of existing minerals consent (M162/49);***
- 15 year long term management of restored site;***
- Appropriate access to the restored site;***

(b) a routeing agreement to ensure that vehicles access the network of A-roads via the northern quarry access, left onto the B4027, Bayswater Road to the A40 roundabout and to ensure that lorries are sheeted;

that Application No. MW.0015/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. Complete accordance with plans***
- 2. Commencement within 2 years***
- 3. Wheel cleaning to prevent mud on highway***
- 4. Deposit of waste shall cease within 10 years of the date of the permission***
- 5. Operating hours (0730-1800 Mondays to Fridays, 0830-1300 Saturdays)***

6. *No use of southern access*
7. *Dust monitoring as proposed*
8. *Dust suppression measures implemented should dust monitoring show it is necessary*
9. *Noise monitoring and submission of records*
10. *Maximum noise levels at noise sensitive properties*
11. *White noise on reversing vehicles*
12. *Mobile plant fitted with silencers*
13. *No fixed plant or machinery*
14. *No external lighting*
15. *Oil storage on impervious bases*
16. *Development to be subject to Environment Agency Permitting Process*
17. *Trees planted in accordance with restoration scheme to be maintained and replaced if necessary*
18. *Submission and implementation of a detailed restoration scheme with completion within 1 year of the cessation of waste deposit*
19. *No material stockpiled higher than 3 metres above the nearest rim of the quarry*
20. *Topsoil, subsoil and overburden to be stored and respread separately and not removed from the site*
21. *Scheme for the protection of geology*
22. *Submission of full details and erection of noise barrier as proposed*
23. *Drainage – submission of a surface water drainage scheme*
24. *Soils should only be handled when dry and friable*
25. *Submission and implementation of fencing details, maintenance of fence*
26. *Visibility splays – as per submitted plan and kept clear from obstruction*
27. *Records should be kept of waste import and export and made available on request. Waste brought into and leaving the site shall not exceed 100,000 tonnes per annum Submission of a detailed restoration, aftercare and ecological management plan*
28. *Implementation of restoration proposals and mitigation as set out in*

submission

Informatives – waste brought onto the site should only be clean, inert materials. Control of Pollution (Oil Storage) (England) Regulations 2001 requirements for oil storage tanks.

Developers have a duty of care to deal with waste responsibly; records should be kept to demonstrate that this has been adhered to.

No sewage or trade effluent to be disposed of into surface water system.

If protected species are found work should cease immediately and not recommence until a fully survey has been undertaken and licence obtained.

Participation in liaison committee.

Loads brought onto the site are suitable for landfilling or for topsoil manufacture and therefore the recycling operations are kept minimal.

8. **Planning application for the use of a processing plant site to process sand and gravel extracted from 94 acres of land at Radley (ref P/369/71) and the installation of a field conveyor system to the site boundary and ancillary facilities for the transportation, storage and processing of sand and gravel at Thrupp Lane Quarry, Radley - Application No. MW.0001/12 (Pages 59 - 78)**

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (PN8)

This application is for the use of a sand and gravel processing plant site to wash and grade material extracted from a nearby area which has planning consent for mineral extraction. The application is being reported to Committee as objections have been received to the proposal. The report sets out why the proposals and outlines objections and other responses to the application. Relevant planning policies are included along with the comments and recommendation of the Deputy Director for Environment & Economy (Growth and Infrastructure) on the proposal which conclude that the proposed development could be beneficial in providing a locally situated processing facility for a mineral reserve, which already has permission to be worked. It provides a way for the ongoing processing activities to be brought under planning control through the use of conditions and removal of the existing plant. Replacement with new temporary plant will result in less visual impact. There would be no increase to HGV traffic on Thrupp Lane and there would be the potential for a reduction in lorry movements.

It is RECOMMENDED that subject to:

- (a) prior completion of an agreement under s106 of the Town and Country Planning Act 1990 in terms to be agreed by the County Solicitor to secure removal of the existing processing plant by 30 September 2012;***
- (b) the Applicant withdrawing his CLEUD application for existing processing plant before this planning permission is issued;***

that Application No. MW.0001/12 be approved subject to conditions to be determined by the Deputy Director (Growth & Infrastructure) to include the

following matters:

1. **Development carried out in complete accordance with approved plans.**
2. **Commencement within 5 years.**
3. **No new fixed plant, machinery or structures to be erected on the land.**
4. **Stockpiles within the flood plain shall be sited so as not to impede flow of flood water.**
5. **Sheeting of any lorries leaving the site except those carrying stone in excess of 500mm.**
6. **Reversing beepers shall use white noise.**
7. **Control of external lighting.**
8. **Standard operating hours (0700-1800 Mondays to Fridays, 0700-1300 Saturdays and additionally 1300-1800 Saturdays for plant maintenance only).**
9. **Retention and maintenance of trees.**
10. **Dust control measures.**
11. **Submission of a detailed restoration plan, supported by a full ecological and photographic survey.**
12. **Removal of material, buildings and plant when no longer required, or before the completion of restoration.**
13. **Implementation of restoration including permissive right of way.**
14. **Timescales for restoration – within 5 years from the date of consent or within 1 year of the completion of gravel extraction on the ROMP site.**
15. **5 year aftercare of restored site in accordance with a detailed management plan to be submitted and approved.**
16. **Submission of details of the conveyor across the site and receiving hopper.**
17. **No material to be imported by road to processing plant for processing, only material from the ROMP site to be processed, to be brought by conveyor.**
18. **Submission of details and implementation of landscape planting, there should be no impact on visibility splays.**
19. **Submission of details of the new processing plant and implementation in accordance with approved details.**

Informatives

1. **Participation in liaison committee.**
2. **Clarification of development not covered by the consent (workshop, lorry yard, stone sales).**
3. **Oil storage tanks should be located on an impervious base.**
4. **Silt ponds require a permit issued by the Environment Agency.**
5. **Discharge of water into a watercourse requires a discharge licence issued by the Environment Agency.**

9. Shipton-on-Cherwell Quarry (Pages 79 - 96)

Importation, storage and processing of inert construction and demolition waste, and operation of an aggregate recycling facility on land at Shipton-on-Cherwell Quarry, Shipton-on-Cherwell, Oxfordshire. Retention of the existing weighbridge, site office and wheelwash to facilitate the operation of the proposed recycling facility – Application No. MW.0119/11.

Continuation of development without complying with condition 6 (importation of waste by road) and with the variance of conditions 1 (Time Limits) and 7 (volume of waste imported) of planning permission 10/00360/CM (comprehensive restoration and redevelopment of Shipton-on-Cherwell Quarry), dated 17 June 2010 – Application No, MW.0120/11.

Report by Deputy Director for Environment & Economy (Growth & Infrastructure) (**PN9**)

This report describes 2 planning applications relating to Shipton-on-Cherwell Quarry north of Kidlington. The quarry is located within the Oxford Green Belt. One application seeks consent to establish an aggregate recycling facility in the quarry for a period of 10 years and the second to vary conditions attached to an existing planning permission to undertake a comprehensive redevelopment and restoration of the quarry. The main variations proposed relate to a change to the phasing plans (to take account of the recycling facility), variation of a condition to allow road imports of waste for a period of 10 years (the existing permission allows road imports for 3 years), and variation of a condition removing the restriction on the total volume of imports to the site by road. The applications have generated a number of objections from local residents which are outlined in the report along with responses from both statutory and non-statutory consultees along with relevant Development Plan policies and government guidance.

It is RECOMMENDED that:

(A) subject to:

- (a) *the Secretary of State deciding not to call in the application (as a departure from the Development Plan);***
- (b) *amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;***
- (c) *a routeing agreement;***

that planning permission be granted for Application No. MW.0119/11 (aggregate recycling facility) subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. *Detailed compliance – as per approved plans.*
2. *Temporary consent – recycling facilities and road imports limited to 10 years.*
3. *Details of working plan to show stockpiles and location of plant as landfill progresses.*
4. *Demolition of derelict cement buildings within one year of aggregate recycling.*
5. *Restriction on vehicle movements.*
6. *Working hours to be agreed.*
7. *Noise from aggregate recycling not to exceed permitted levels.*
8. *Noise restrictions during site preparation for final restoration.*
9. *Dust management plan to be submitted and agreed.*
10. *Details of surface and foul water drainage to be submitted and agreed.*
11. *No damage to designated rock faces.*
12. *No waste processing or storage directly in front of designated rock faces.*
13. *Submission of an Ecological Management Plan.*
14. *Updated reptile surveys to be undertaken prior to works commencing;*

Informatives

- *Environment Agency and Thames Water advice relating to oil storage bunding.*
- *Network Rail advice relating to the safe operation of the railway.*
- *Ecological informative relating to breeding birds and reptiles.*

and

(B) subject to:

- (a) amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;*
- (b) a routeing agreement;*

that planning permission be granted for Application No. MW.0120/11 subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. All conditions (excluding those to be varied below by this application) to be carried over from existing planning permission (ref: 10/00360/CM).*
- 2. Condition 1 of Permission No. 10/00360/CM to be amended to include revisions to Phasing Plans 1 and 2.*
- 3. Condition 6 of Permission No. 10/00360/CM to be amended to limit road imports to 10 years.*
- 4. Condition 7 of permission No. 10/00360/CM to be amended to allow limit of waste to be imported by road to be 250,000 tonnes per annum.*

Informatives

- Environment Agency and Thames Water advice relating to oil storage bunding.*
- Network Rail advice relating to the safe operation of the railway.*
- Ecological informative relating to breeding birds and reptiles.*

10. Relevant Development Plan and other Policies (Pages 97 - 122)

This paper sets out the policies referred to in Items 6, 7 8 and 9 and should be regarded as an Annex to each.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Thursday 12 April 2012 at 10.00 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

Agenda Item 3

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 5 March 2012 commencing at 2.00 pm and finishing at 3.00 pm

Present:

Voting Members:

Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)

Councillor Alan Armitage

Councillor Tony Crabbe

Councillor Mrs Anda Fitzgerald-O'Connor

Councillor Jenny Hannaby

Councillor Ray Jelf

Councillor Stewart Lilly

Councillor David Nimmo-Smith

Councillor G.A. Reynolds

Councillor Don Seale

Councillor John Tanner

Councillor Lawrie Stratford (In place of Councillor Neil Owen)

Officers:

Whole of meeting

G. Warrington and J Crouch(Law & Governance); R. Dance (Environment & Economy)

Part of meeting

Agenda Item

Officer Attending

5.

N. Woodcock (Environment & Economy)

6.

K. Broughton (Environment & Economy)

8 and 9.

R. Goodlad (Law & Governance)

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

8/12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apology

Temporary Appointment

Councillor Neil Owen
 Councillor Peter Jones
 Councillor John Sanders

Councillor Lawrie Stratford
 -
 -

9/12 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Nature of Interest
Lawrie Stratford	5. Longfields Primary School	Personal. Member of Cherwell District Council Planning Committee. He advised that he had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting thereon.
Mrs Fulljames	Item 3 – Minutes 41/11, 50/11 and 4/12 – Energy from Waste application, Ardley.	Personal. In the event that the legal process in respect of the application was discussed.
	Item 5. Longfields Primary School	Personal. Member of Cherwell District Council Planning Committee. She advised that she had not expressed an opinion on the application in that capacity and therefore intended to participate in discussion and voting thereon.

Alan Armitage	9. Application to register Blackbird leys Park as a Town or Village Green	Personal. Member of Oxford City Council. He advised that as far as he was aware the City Council had not previously debated or voted on the specific application and therefore he intended to participate in discussion and voting.
Councillor John Tanner	9. Application to register Blackbird leys Park as a Town or Village Green	He advised that he would leave the meeting for the duration of this item on the grounds that as a member of the Oxford City Council's Executive he might have predetermined the application during the course of discussion of other issues ancillary to this matter.

10/12 MINUTES
(Agenda No. 3)

The Minutes of the meeting held on 5 March 2012 were approved and signed by the Chairman.

4/12 – Chairman’s Updates

Waterstock

Mr Dance advised that in January the High Court had demanded a specification for the removal of waste. That had been received mid February but had proved to be inadequate. To date no waste had been removed. The County Council had applied for a further Court hearing date with the same judge.

Ardley Energy from Waste

Mr Dance advised that groundwork construction had commenced and pre-commencement conditions cleared. CCTV had been installed to monitor vehicle movements particularly through Ardley village. The liaison meeting had been expanded to take account of the EfW development with a second meeting scheduled for 6 March 2012.

Ashgrove Farm

Agrivert had made further revisions to the odour management plan to meet concerns from the Environment Agency although the Agency were still unhappy with certain elements of it and would be contacting Agrivert shortly to discuss those issues. The Plan would not be signed off without Agency support. The Agency were also carrying out a further audit of the site and its operation. Officers considered that ultimately the Agency would be looking for less waste to go through the plant thereby encouraging better management. Ultimately the Agency could take enforcement action.

In response to complaints regarding the County Council’s handling of issues of odour management an independent investigation had identified that a much tighter approach was required to make conditions more enforceable and avoid duplication with other agencies.

Mrs Fulljames welcomed this news. Referring to local concerns that lines of responsibility had not been clear she hoped this would improve matters.

6/12 - Sutton Courtenay material for block making – Application 11/02440/CM

Work on the drainage scheme had progressed with consultation ending on 1 March. Officers would be meeting with WRG on 6 March when this issue would be discussed.

11/12 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

Speaker	Item
William Clark Sarah Lasenby	9. Blackbird Leys Park Village Green Application

12/12 ORDER OF BUSINESS

(Agenda No.)

RESOLVED: that Items 8 and 9 be taken immediately after Item 4

13/12 COMMONS ACT 2006: DELEGATION OF DECISION-MAKING POWERS TO OFFICERS

(Agenda No. 8)

The Commons Act 2006 introduced a new power for a landowner to apply for voluntary registration of its own land as a town or village green using a simple statutory procedure. The Committee considered a proposal to delegate to the Director for environment & Economy the power to determine such applications subject to certain provisions.

RESOLVED: (on a motion by Councillor Armitage, seconded by Councillor Hayward and carried unanimously) to delegate to the Director for Environment & Economy the power to determine applications for registration of new town or village greens under section 15(8) of the Commons Act 2006, provided always that:-

- (a) satisfactory evidence had been obtained that the criteria set out in Regulation 7 of the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007 had been met;
- (b) all statutory provisions had been complied with and departmental guidance taken into account where necessary and no prior objections from any third party with an interest in the land were outstanding;
- (c) legal advice from the County Solicitor had been obtained and taken into account where necessary.

14/12 COMMONS ACT 2006: IN THE MATTER OF AN APPLICATION TO REGISTER THE BLACKBIRD LEYS PARK, BLACKBIRD LEYS, OXFORD AS A TOWN OR VILLAGE GREEN

(Agenda No. 9)

The Committee considered an application for the registration of land known as Blackbird Leys Park as a Town or Village Green in the light of legal advice obtained from a specialist barrister in relation to a preliminary issue following objections received to the application.

Councillor Tanner left the room for the duration of the item.

Sarah Lasenby advised that the applicants no longer wished to withdraw their objection and asked the Committee to defer consideration of the application pending the outcome of the Barkas case.

Mr Clark advised that this site was owned by the people of Oxford City and the City Council as trustees of the site had a position of responsibility to manage and administer the site and offer protection from encroachment of grassed areas. Proposals to erect a swimming pool on the site were misdirected – it would be sited in a most aggressive area fronting Pegasus Road on a known floodplain with an inadequate road infrastructure affecting parking, disruption to bus traffic and increased safety risks at nearby school on Pegasus Road. The nature of the site was woefully inadequate to accommodate development and a decision on the town and village green application should be deferred pending the result of the Barkas case.

Mr Goodlad advised that the central point of the judgement had been that use of the land had not been as of right. That was a fundamental requirement of such an application and the use of land needed to be looked at in an historical sense and not any future use. The view of Counsel had been that the decision in the Barkas case was binding on this authority.

RESOLVED: (on a motion by Councillor Armitage, seconded by Councillor Mrs Fulljames and carried unanimously) that in the light of the Further Opinion of Counsel set out in Annex 2 to the report PN9 that the application for registration as a new Town or Village Green of that plot of land known as Blackbird Leys Park, Blackbird Leys, Oxford in Oxfordshire and being indicated clearly on the Application Map of the application submitted by Mr William Clark and dated 6 June 2011 be rejected.

15/12 RETENTION AND CONTINUED USE OF A SINGLE TEMPORARY CLASSROOM UNIT (REF T2 E198) FOR A FURTHER PERIOD OF 5 YEARS AT LONGFIELDS PRIMARY SCHOOL, LONGFIELDS, BICESTER - APPLICATION R3.0010/12

(Agenda No. 5)

The Committee considered an application to renew planning permission for a single temporary classroom unit.

Councillor Tanner expressed some sympathy with the view of the Bicester Town Council and moved that the officer recommendation be approved but with permission granted for 3 years and not 5.

There was no seconder and the motion fell.

RESOLVED: that Application No. R3.0010/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) but to include the following matters:

1. The development must be carried out strictly in accordance with the plans and drawings submitted with the application.
2. Building to be removed by 31 March 2017.
3. Repainting of external doors, walls and railings within 6 months.

School Accommodation Informative:

The school be advised to investigate the provision of a more permanent solution to its long-term accommodation needs before this consent expired.

16/12 INSTALLATION OF A 93 SQUARE METRE MODULAR BUILDING EXTENSION TO EXISTING CHILDREN'S CENTRE (INCORPORATING AN ENCLOSED LINKWAY) TO PROVIDE ADDITIONAL ACCOMMODATION FOR 40 CHILDREN FOR A TEMPORARY PERIOD OF 5 YEARS AT EYNHAM PRIMARY SCHOOL, BEECH ROAD, EYNHAM - APPLICATION R3.0018/12

(Agenda No. 6)

The Committee considered an application to extend the Children's Centre at Eynsham Primary School together with further representations from the applicant regarding the condition requiring removal of the building after 5 years.

In response to concerns expressed regarding the adequacy of the level of toilet provision officers confirmed that the applicants were satisfied with the current provision.

RESOLVED: (on a motion by Councillor Tanner, seconded by Councillor Lilly and carried unanimously) that Application No. R3.0018/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. The development be carried out strictly in accordance with the plans and drawings submitted with the application.
2. Temporary permission – building to be removed in 5 years.
3. External materials to be agreed.
4. Travel plan to be updated
5. Drainage to be approved prior to occupation of the building.
6. Landscaping to be approved prior to development taking place.

..... in the Chair

Date of signing

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For: PLANNING AND REGULATION COMMITTEE – 16 APRIL 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (GROWTH & INFRASTRUCTURE)

Development Proposed:

Extraction of sand, construction of new access to Pinewoods Road, construction of internal access road to stockyard, laying out of conveyor to extraction area, stripping and temporary storage of soils and restoration of land.

Division Affected: Kingston Bagpuize
Contact Officer: Taufiq Islam **Tel:** 01865 815884
Location: Land off Pinewoods Road, Longworth
Applicant: Hanson Aggregates
Application No: MW.0080/11
District Council Area: Vale of White Horse

CONTENTS

- Part 1 – Facts and background
- Part 2 – Other Viewpoints
- Part 3 – Relevant planning documents
- Part 4 – Assessment and conclusions

Recommendation

The report recommends that the application be refused for the reason set out on page 11 of this report.

Part 1 – Facts and Background

1. This is an application to extract 880,000 tonnes of soft sand over a period of 11 years from a site off Pinewoods Road, Longworth.
2. It is proposed to process the sand on site. The maximum annual output from the site would be 80,000 tonnes per year. The restoration of the site is proposed to be to agriculture at a low level with some biodiversity improvement.

Location (See plan 1)

3. The application site is located immediately to the north of the A420 between Oxford and Faringdon.
4. The site lies between the villages of Longworth, Hinton Waldrist and Kingston Bagpuize.

The Site and its Setting (See plan 2)

5. The application site covers an area 28 hectares (70 acres). The area of proposed extraction is 18.5 hectares (46 acres).
6. The site is currently in use as arable agricultural land with the majority being of Agricultural Land Classification Grade 2 (regarded as one of the 'best and most versatile' grades).
7. The application site is located on the south slope of the North Vale Corallian Limestone Ridge.
8. The A420 forms the southern boundary of the site. Agricultural land lies to the west of the site. Pinewoods Road extends all the way along the eastern boundary of the site. To the north of the site there is a residential property and garden. There is a market garden located immediately north-west of the site.
9. A group of dwellings is located on the eastern side of Pinewoods Road. Of these dwellings the nearest property to the application site is Squirrel Lodge at approximately 80 metres distance. Other properties close to the site include - Little Owls 40 metres to the north; Ashen Copse 60 metres to the east; the Lamb and Flag Public House 160 metres to the south on the opposite side of the A420 and The Warren 250 metres to the west.
10. The distances above are measured from the edge of the application site, rather than the edge of the proposed extraction area. In all cases the distances between the dwellings and the proposed mineral extraction area are greater.
11. Access to the site would be via an existing agricultural access on Pinewoods Road, approximately 150 metres from the A420.

12. Lamb and Flag Quarry (a Site of Special Scientific Interest) lies 350 metres south-west of the site on the opposite side of the A420.
13. Public footpath no. 18 crosses the site.
14. There are a number of trees located within the site. In particular the tree line between two fields within the proposed site, a length of the western boundary north of String Copse and four oaks within the northern field. Four of the trees are protected by Tree Preservation Orders (TPO).

Background

15. A planning application for a similar development was submitted to the County Council in 2007. That application was withdrawn by the applicant before determination by the Planning & Regulation Committee in the light of an officer recommendation for refusal. The reasons for refusal were as follows:
 - *The development proposed is contrary to policy PE2 of the Oxfordshire Minerals & Waste Local Plan. The site is not within an area identified for mineral working as referred to in policy PE2 of the Minerals and Waste Local Plan. Moreover the apportionment for soft sand identified for Oxfordshire in the South East Plan can be met from the existing permitted and resolved to be permitted sites.*
 - *Policies PE3 and PE18 (by reference to the accompanying Code of Practice) of the Oxfordshire Mineral and Waste Local Plan require that appropriate buffer zones should be established around mineral extraction sites to protect nearby sensitive uses from the damaging effects of mineral working. This development is proposed to be located immediately alongside a market garden. The Council considers that the measures proposed to minimise the impact on the market garden are not sufficiently robust to ensure that the produce of the market garden is adequately protected. As a result it is considered that the proposal is not consistent with the aims of the policy PE3 or with PE18 of OMWLP.*
 - *The detriment to the landscape including the loss of oak trees protected by a tree preservation order, is unjustified and not consistent with the aims of Vale of White Horse Local Plan policy NE7.*

Details of the proposed development

16. This proposal would follow the same general principles as those proposed for the 2007 scheme, but with a number of refinements (see paragraph 36).

Extraction and Processing

17. Sand would be extracted in phases (5 phases in total) working mainly from south to north of the site, except three small sub-phases (phase 4b,3b,2b) where sand would be extracted from north to south (see plan 3).

18. Prior to sand extraction of each phase, topsoils and subsoils would be stripped separately, and either stored on the site perimeter as screening bunds or directly placed on previously worked out areas to achieve progressive restoration.
19. Hansons propose to use the topsoil and subsoil from the first phase to create screening bunds around the southern, south-west and south-east corner of the site. Topsoil and subsoil from phase 2 would be used to construct screening bunds along the entire Pinewoods Road and northern side of the site. A separate soil storage bund would be positioned in the north-western corner of the site to protect the market garden.
20. The perimeter soil bunds would provide visual screening and noise attenuation, and would be shaped, grassed and maintained whilst in place. The maximum depth of the working would be 9 metres.
21. The soil screening bunds would be progressively removed in different phases to use in the restoration process.
22. It is proposed to extract the sand by loading shovel, feeding the sand through a mobile screen (to remove large lumps and fine clays) via a hopper onto a conveyor which would then transport the sand to a stocking and weighbridge area located near the site entrance (see plan 3).
23. Public footpath 18 crosses the site from north-west to south-east. Hanson propose that it be diverted along the southern edge of phase 2a (with a footbridge crossing of the conveyor) and then north along the western boundary of phases 2a and 3a. The diverted path would then rejoin the footpath to the west of the site (see plan 2). Upon completion of restoration, the path would be restored to its original alignment.
24. The trees subject to the TPO on the boundary of the two fields would be retained. The individual oaks in the north part of the site would be removed. An advance plant of new woodland areas and the filling of gaps in existing hedgerows is proposed within the site as replacement for the loss of the oak trees.
25. A field conveyor would transport extracted material within the site to the stocking and weighbridge area. The conveyor would be gradually extended northward as extraction progressed. For most of its length the conveyor is expected to be about 6-8 metres below existing ground levels running along the base of the quarry.

Traffic and Transport

26. A transport assessment has been provided as part of the Environmental Statement. The applicant has indicated that the development would generate approximately 30 vehicle movements per day (inbound 15 and outbound 15) .

27. The normal working hours for the quarry would be 0700-1800 hours Monday-Friday and 0700-1300 hours on Saturday.
28. The proposed access onto Pinewoods Road would use the existing double-gated agricultural access. This is 150m from the A420. It is proposed that all construction vehicles would exit the site turning right onto Pinewoods Road and then left onto the A420 at the Pinewoods Road junction.
29. All traffic movements around the Pinewoods Road junction would remain as now except that west bound HGVs leaving the quarry would not be allowed to turn right out of Pinewoods Road onto A420 westbound (Swindon). These vehicles would turn left and travel up to the roundabout at Kingston Bagpuize.
30. As part of the design for the new access arrangement at the Pinewoods Road/A420 junction Hanson propose acceleration (left out) and deceleration (left in) lanes to a minimum length of 130 metres.
31. They propose refuge islands on the exit of the Pinewoods Road to prevent the right turning movement to the westbound carriageway of the A420 for HGVs. A right turn ban would only apply to HGVs and not to agricultural or light traffic such as private cars and vans.
32. The transport impacts of the development have been the subject of discussion with the Highway Authority and the proposal described above represents the highway scheme as finally submitted by Hanson.

Restoration

33. The restoration of the quarry would be carried out progressively throughout the life of the sand extraction operation. The site would be restored back to agricultural land at a low level. Biodiversity improvements are incorporated within the restoration design. No fill materials are proposed to be brought onto the site to achieve restoration. Natural waste materials from the sand extraction would be used to achieve a graded landform.
34. The restored land levels would include two ponds which would provide drainage to the restored fields. Apart from the initial restoration to grass, the vegetation around the margins of the ponds would be allowed to regenerate naturally. New tree and shrub planting would supplement and strengthen the existing field boundary pattern with species characteristic to the area.
35. The principle differences between this and 2007 proposal are:
 - The reduction of available reserve from some 1.1 million tonnes to 880,000 tonnes.
 - A revised assumption regarding output of 80,000 tonnes per annum down from 125,000 tonnes per annum.
 - Revised phasing along the eastern boundary of the site to provide a wide temporary buffer zone to Pinewoods Road.

- Provision of wider buffer zone (350 metres) to mitigate the impacts of the development on nearby market garden.
- The amalgamation of the phases to a 5 phase rather than a 10 phase operation.
- Minor revisions to the final restoration contours to reflect the amended footprint of the development and reduced extraction tonnage.
- Total HGV movements of 30 per day rather than 50 movements per day.
- Provision of acceleration and deceleration lanes.

Environmental Statement

36. The application is supported by an Environmental Statement (ES). This covers landscape and visual amenity, ecology, hydrology and hydrogeology, soils, archaeology, traffic, noise and dust. It proposes mitigation measures. The ES is summarised at Annex 1 to the report.

Part 2 – Other Viewpoints

37. This application was submitted in July 2011 and was subject to the normal consultation process. The responses received resulted in the applicant submitting additional information about ecology, rights of way and amenity issues together with some highway changes (described above). A second round of consultation was therefore carried out in January 2012.

Representations

38. 75 letters of representation were received during the original consultation period in 2011. A further 45 representations have been received during the 2012 consultation period. Annex 2 to this report contains a summary of points raised. Copies of the letters are available in the Members' Resource Centre.

Consultations

39. Consultation responses have been received from a number of statutory and non-statutory consultees. These are summarised at Annex 3 to this report. The full text of these responses can be seen on the eplanning website. Objections have been raised by the four Parish Councils and the CPRE. There have been no objections from other statutory consultees.

Part 3 – Relevant planning documents (All the relevant policies are set out in the Policy Annex to the Committee papers)

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

41. At the time of writing, the Development Plan for this area comprises:
- The South East Plan (SEP), relevant policies: M3, C4, C6, CC7, NRM5, T1;
 - The saved policies of the Oxfordshire Structure Plan, relevant policies: M2;
 - The saved policies of the Oxfordshire Minerals and Waste Local Plan (OMWLP), relevant policies: SD1, PE2, PE3, PE4, PE13, PE14, PE18;
 - The Vale of White Horse Local Plan (VoWHLP), relevant policies: DC5, DC9, NE7.
42. The SEP forms part of the development plan. However, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order had been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.
43. The Oxfordshire Minerals and Waste Core Strategy Proposed Submission Document (draft) (OMWCS) is a material consideration. It has not been formally adopted but is at an advanced stage. The draft has been out to consultation and proposed changes were considered by Cabinet on 13th March and approved. A report will be taken to full Council on 3 April.
44. Policies M2 and M3 of the OMWCS are of particular relevance.
45. At the time of writing the government's National Planning Policy Framework (NPPF) has just been published (27 March) which includes a list of policy and other documents it replaces (Annex 3 of the NPPF).

Part 4 – Assessment and conclusions

Comments of the Deputy Director for Environment & Economy (Growth and Infrastructure)

Introduction – changing policy context

46. This is a planning application for extraction of 880,000 tonnes of soft sand over an 11 year period.
47. The proposal comes before you for consideration at a pivotal time. The weight that should be attached to various plans and policies is changing.
48. The Government's National Planning Policy Framework has been issued. The realisation of the Government's intention to abolish regional plans is imminent (the Strategic Assessment of the South East Plan (SEP) has now been concluded). At the local level, this Council's Minerals and Waste Core Strategy

(OMWCS) comes before the Council on 3 April for approval for submission to the Secretary of State.

49. The NPPF deals with minerals and is positive in its stance. It makes the link between the desire to achieve growth and the need to support that with the raw materials to build infrastructure to accompany that growth.
50. In line with our work programme, the OMWCS will be tested for soundness this autumn through an Examination in Public. The ability of our strategy to provide an adequate and steady supply of aggregates, and the means by which the plan enables that to happen, will be key elements for discussion at the EIP.
51. National policy expects the level of need for minerals to be determined at the local level. It continues with the landbank concept, requiring that mineral planning authorities plan to enable maintenance of at least a 7 year landbank of permitted reserves of soft sand.
52. Saved policies of the Structure Plan and Minerals and Waste Local Plan form part of the Development Plan. The importance to be attached to these policies diminishes as the emerging OMWCS gains weight.

Need for soft sand

53. The OMWCS plans for a local average annual apportionment of 0.25mt. Whilst substantially lower than the 0.42mt identified in the outgoing SEP, the new figure is higher than the average of the last 10 years production in Oxfordshire (0.22mtpa).
54. At present the landbank stands at 12.7 years using the 0.25mt figure, or just over 7 years using the SEP figure. At this time I recommend that you attach weight to the Council's policy document (OMWCS) and the 0.25mt figure. The plan is advancing through the statutory process and the 0.25mt figure is robust. At no time over the last 10 years has soft sand production reached the SEP 0.42 per annum figure. Annual sales have ranged from highest 0.351 in 2002 to lowest 0.142 in 2010.
55. Oxfordshire's landbank presently exceeds the minimum 7 year requirement. Existing permitted quarries have on site plant production capacity totalling 0.235mtpa. We expect that both landbank and production capacity will increase by means of extensions at existing quarries to enable the annual average apportionment to be met and to cope with the potential for production peaks which might arise from the growth agenda.

Locational policy for soft sand

56. Policy M3 of the OMWCS identifies a broad area north and south of the A420 for soft sand working (the Pinewoods Road site falls within this). The policy goes on to say that preference will be given to extensions to existing soft sand quarries, and that new quarries will only be permitted if sufficient provision

cannot be made through extensions. The Pinewoods Road proposal is for a new quarry.

The planning application

57. The applicant has invested considerable time in developing this proposal and sharing it with local representatives. The application is the second attempt at submitting a suitable scheme, and this submission itself was amended during the process – mainly with respect to access arrangements and controls from Pinewoods Road onto the A420.
58. There is substantial opposition to the scheme reflected particularly in comments from local representatives. Concerns fall into a number of categories. One is around proximity of dwellings and the market garden and the various effects of noise, dust and visual intrusion. One is the impact of a quarry working on the landscape and rural environment. You can see the full list of matters of concern at Annex 2 to the report.
59. A most particular concern identified by local people is the perceived danger of heavy goods vehicles turning into and across the A420 to and from Pinewoods Road to get to the site. At this point the A420 has around a half mile stretch westwards before it returns to a single carriage way for the remainder of its length to Swindon.
60. Notwithstanding all these concerns, we have received no objections to the scheme from the Environment Agency, the District Environmental Health officer or the County as Highway Authority (see Annex 3). All seek mitigation measures to offset the harm that a quarry would bring. If permission was to be granted, all these measures would need to be secured through conditions/legal agreement.
61. I think it fair to say that most people regard quarrying as a necessary but harmful activity in the countryside. Where justified by need and the associated economic benefit which comes from meeting that need, such adverse impacts as are not capable of being fully mitigated may be accepted. However, that is not the case at the present time.
62. The landscape forms a part of the Corallian Ridge. The highest point of the site is located along the line of the oak trees. The site slopes down from this ridge line towards the A420. There are some areas of the site which are not well screened, notably in some places looking northwards from the A420, and from the northern most length of Pinewoods Road and the north west boundary abutting the market garden although soil bunds and tree planting would reduce any close view into the site from these points.
63. There are a number of trees on the site, 4 of which are protected by Tree Preservation Orders. The applicant proposes to remove four protected oak trees from across the centre of the site.

64. Overall, there would be adverse visual impact from the development during working and such impacts are not consistent with the aims behind policy NE7 of VOWHLP.

Soft sand policy and impact of this proposal

65. The proposal does not accord with the emerging Core Strategy because it is for a new soft sand quarry.
66. Through the OMWCS the Council has chosen to adopt an approach to soft sand supply which prefers extensions over new quarries. This is based in a desire to provide an adequate and steady supply, yet minimise harm (for people and the environment) from quarrying activity. Extensions are less likely to give rise to new and/or additional processing plant and related activity, or to the creation of new access points onto roads. Extensions seek to ensure that all the mineral is taken that can be acceptably quarried, which is preferable to the pockmarking of the wider landscape. The Pinewoods Road proposal would of course (as a new quarry) exhibit the negative traits to which I refer.
67. If permitted, the Pinewoods Road quarry would add 3.5 years to the landbank for soft sand (using the OMWCS apportionment). This would extend the landbank of permitted reserves from 12.7 to 16.2 years. The plan runs to 2030. In this circumstance the landbank would last to 2028, almost through the full life of the plan.
68. The primary policy consequence, therefore, of permitting the proposal, would be to render largely redundant the locational strategy for soft sand expressed in policy M3 as to be approved by Council on 3 April.
69. At this point there is every reason to expect that the extensions policy can be successful. Once the core strategy is adopted, the intention is to prepare and adopt a site allocations document. Through the Core strategy preparation process there have been 4 extensions nominated by landowners and mineral companies. These nominations will be scrutinised through the site allocation process. They might in the meantime come forward as planning applications. There is every reason to expect that suitable extension sites will come to fruition to enable the locational strategy behind the plan to succeed. To grant the Pinewoods Road application would mean that this site would effectively jump the policy queue.
70. The saved policies of the 1996 Minerals and Waste Local Plan form part of the Development Plan.
71. This plan is old, but still has relevance. Two policies SD2 and PE2 are pertinent and they indicate consistency of approach by the County Council. The Plan was adopted at a time when there was already a significant permitted supply of soft sand (as there is now) and policy PE2 allows only small extensions to existing sand pits. In acknowledgement that it was environmentally desirable to limit the amount of mineral working to that which was considered necessary,

policy PE2 seeks to prevent new mineral working (including soft sand) where it is not needed to meet the County's apportionment.

Conclusion

72. The proposals do not accord with the Development Plan, about which I would advise:
- The apportionment in the SEP should be given very limited weight for the reasons given above. My recommendations are based on the 0.25mtpa apportionment which underpins the OMWCS.
 - The proposals are not consistent with PE2 of the MWLP and NE7 of the Vale of White Horse Local Plan.
73. Turning to the MWCS Submission Draft (about which an update will be given at the meeting following its consideration by full Council on 3 April):
- The proposals are not consistent with policy M3 of the emerging Core Strategy which states that Preference will be given to extensions to existing soft sand quarries. New quarries will only be permitted if sufficient provision cannot be made through extensions. It is not considered there is a cogent case for departing from this emerging policy which can be given significant weight.
74. This Council has concluded that for soft sand supply, an extensions strategy is less environmentally damaging than one which promotes new quarries. For this reason, it would be inappropriate to recommend that the Pinewoods Road proposal be granted permission.

Recommendation

75. **It is RECOMMENDED that Application No. MW.0080/11 be refused for the following reason:**

The development proposed is contrary to policy PE2 of the Oxfordshire Minerals & Waste Local Plan. The site is not within an area identified for mineral working as referred to in policy PE2 of the Minerals and Waste Local Plan and there is no urgent need for additional soft sand reserves. The proposed development is inconsistent with Policy M3 of the Oxfordshire Minerals and Waste Core Strategy approved for submission to the Secretary of State. The development would have an unnecessary adverse impact on the environment which the Council's extensions policy M3 seeks to avoid. For the period of extraction the detriment to the environment and landscape of the area including the loss of oak trees on the site protected by a tree preservation order, is unjustified and not consistent with the aims of Vale of White Horse Local Plan policy NE7.

MARTIN TUGWELL
Deputy Director (Growth & Infrastructure)
April 2012

Annex 1 - Summary of Environmental Assessment

1. Landscape - The landscape and visual impact assessment in the ES considers the landscape character of the area and the impacts on the surrounding landscape at all stages of the development. This includes the extraction area, processing plant and the conveyor. It identifies that the proposed extraction site is within a landscape characterised by its ridgeline landform with generally open views restricted by small woodlands and hedgerows. There are a number of residential properties relatively close to the site and a footpath crosses the site. There are several visual receptors, therefore, which are potentially highly sensitive to the development. In order to mitigate adverse visual impacts, it is proposed to construct soil bunds and planting trees and hedges to provide visual screening during working. The ES concludes that the impact of the development on the landscape and on local people is acceptable.
2. Noise - A noise assessment considering the different types of noise which may be generated by the development is included in the ES. Mitigation measures to keep the noise levels below those recommended in government guidance are suggested. The predicted noise levels (with mitigation) at dwellings for each phase of mineral extraction would be below the maximum level (55db (A) Leq 1 hour free field) outlined in government guidelines. The noise assessment concludes that there would be no significant noise impact upon any of the surrounding residential dwellings as a result of the proposed extraction operation.
3. Dust and air quality - The main sources of dust generation are identified as the mineral extraction operation, materials handling, the processing plant, haul roads and stripping and restoration operations. The ES concludes that the impacts of dust emissions would be very low and insignificant. Mitigation and control measures such as the use of water bowser to dampen down dust, use of appropriate standoffs to dwellings, settlements and market garden, grassed perimeter bunds along the boundary of the proposed extraction area are proposed.
4. Ecology - The ecological assessment indicates that the site has two types of habitat – arable and hedgerows. The ES concludes that the site is considered to be of minimal botanical interest as it is largely in intensive arable cultivation. The most important features (the peripheral hedgerows) would be left untouched by the development. Within the application area, there is no direct evidence of protected species such as badger or water vole. Overall, the impact on ecology is assessed to be negligible and the restoration is considered to offer potential for a net ecological gain.
5. Soils- The soils on the site are identified as being of high quality. The development proposals involve the temporary removal/storage of the soils and then reuse of them for restoration of the site. It is stated that all soil handling would be carried out in accordance with best practice to ensure no significant damage to soil structure.

6. Hydrology and hydrogeology - The hydrological study of the extraction area identifies that it does not contain any significant hydrological features nor does it lie within a floodplain. The hydrological survey considers that extraction of the sand does not pose a risk to local well boreholes. However it notes the sensitivity of one licensed borehole on the edge of Hinton Waldrist village. Mitigation measures have been proposed to protect this borehole such as setting a buffer zone of 350 metres minimum, provision of alternative water supply in the event of derogation of the licensed borehole and regular monitoring.
7. Archaeology - A desktop archaeological study has revealed no regional or national features of significance on the site. Various scatterings of flints have been found which are largely Mesolithic with some smaller quantities of Neolithic and Bronze Age finds. Remains from other periods appear to be associated with agricultural activity. To mitigate the impact of the development a scheme of investigation could be agreed with the Oxfordshire County Council Archaeological Service.

Annex 2 – Summary of Representations

(Issues and objections raised by topic)

Transport and Traffic

- A420 / Pinewoods Road junction would be made more hazardous through HGV use.
- Mix of slow and fast moving vehicles in such a junction will be terrifying.
- Visibility of the A420 Pinewoods Road Junction is very limited and even worse in winter.
- Introduction of a roundabout at A420/Pinewoods Junction needs to be considered.
- Change of road network at Pinewoods Road would make journeys longer, make local amenities less accessible, increase traffic in Hinton Waldrist.
- A420 road condition would deteriorate and become dangerous.
- A420 congestion would increase through HGV crossing.
- Impact of HGV traffic on nearby residents.
- Impact on cyclists.
- Hinton Road may become dangerous through HGVs using it as alternative route. Already dangerous due to parked cars along main streets.
- HGVs should be banned from using village roads.
- If scheme is permitted then lorry movements needs to be for limited hours (e.g. 9am to 5pm).
- What penalties would be imposed if a lorry driver does not follow the routeing agreement?
- Who will pay for extra maintenance of the roads?

The following additional points have been made following consultation on the amended highway scheme now before the council

- Revised highways access proposals would increase the risk of accidents on the A420.

- Slow moving vehicles will add hazard despite acceleration and deceleration lane. Will not make junction safe.
- The Pinewoods Road junction will become more dangerous as traffic turns from Southmoor on to the central reservation and then eastwards towards Oxford.
- Increased risk of accidents to pedestrians and cyclists.
- Reduce the opportunities for traffic and cyclists to turn right safely out of Pinewoods Road.
- Hanson has never commissioned independent safety audit.
- Development cannot be accepted on the basis of PICADY modelling.
- Swept path analysis demonstrates the dangers of introducing HGVs into Pinewoods Road.
- Access to the Pinewoods Road would become more difficult and dangerous.
- Any changes and associated increase in danger and inconvenience would last nine years.
- Deviation would increase commuting time.
- Would cause frustration to HGV drivers having to drive further and confusion to other road users.
- Large, slow moving HGVs crossing the eastbound carriageway to enter the Pinewoods Road and exiting Pinewoods Road to join the eastbound traffic would encourage longer car journeys to avoid this junction.
- Would increase difficulties for emergency vehicles.
- Would increase traffic at Hinton Waldrist and Longworth Village.
- The addition of acceleration and deceleration lane would not decrease congestion at the junction.
- Junction works would cause queuing and slow traffic.
- The proposal would break the commitment to reduce the traffic in the local villages.
- Problems of crossing the westbound carriageway into Pinewoods Road would increase.

Noise and Dust

- Noise pollution will be increased. Will impinge on rights to enjoy surrounding environment.
- Impact of noise from extraction on nearby residents.
- Proposal will cause noise problem at 'Little Owls.'
- Noise level proposed by Hanson is higher than the recommended level of EHO.
- Dust and noise - risks to health.
- Air pollution will be increased.
- South-West winds would cause dust to be blown towards Longworth Village.
- Impact on nearby market garden by the dust blown from the site.
- Would Hanson give compensation for damaged crops?

Buffer Zone

- Buffer zones proposed are not appropriate.
- There are dwellings within 350 metres and 100 metres of proposals.

Restoration and Impact on Agricultural land

- Impact on agricultural land.
- Deterioration of soil will prevent future agricultural use.
- Land will no longer be agriculturally workable following extraction.
- Site will not be restored to its current level of agricultural land.

General Amenity Impacts

- Quality of life experienced within the area will decrease.
- Increased community segregation through extra distances travelled.
- Tranquillity of the area would suffer.

- Leisure activities such as horse riding would be negatively affected.

Landscape, visual and Ecology

- Would damage landscape with local designation.
- Visual aspect of land would be adversely affected.
- Current vegetation screening the site is insufficient.
- Lowered landscape would change visual aspect of land and prevalent future agricultural use.
- Vegetation within the site area will deteriorate.
- Trees under tree protection order will be destroyed.
- Wildlife within the area would suffer greatly.

Hydrology

- Adverse effect on water table.
- Risks involved in increasing water penetration of the marine deposits underlying the Corallian Ridge.
- Water quality within the area may decline.
- Excavation will lead to land erosion and increased water run-off.
- Increased levels of flooding likely due to lack of drainage.
- Effect of rising water table on septic tanks would be detrimental.
- Increased risk of salination of soil and water.
- Loss of water for the market garden. No actual guarantee for the source of water for market garden.
- Would Hanson finance mains water supply for market garden.

Need and planning policy

- There is no need for sand in the county.
- The need for more sand has not been demonstrated by the applicant.

- No overriding need to overrule policy NE7 of Vale local plan.
- Proposals contrary to various development plan policies.
- The site was not included within the original Development Plan.
- The site is not in accordance with the emerging policy of MWDF as this is an extension.
- Possibilities of limestone extraction following sand extraction.

Monitoring and enforcement

- Effective management of any conditions imposed will not be possible.
- Non-compliance of operator with routeing agreements might happen.
- Applicant has poor reputation for enforcing conditions.
- Regulation of dust and control of water levels needed.
- Concern that OCC cannot monitor the proposed working effectively and enforce conditions.
- Would prefer a local liaison committee.

Other matters

- Maximum of 5 working days per week should be proposed, not 6.
- Use of land following extraction is uncertain in ownership and use.
- Diversion of public footpath is unacceptable.
- The communities of Hinton Waldrist and Longworth village would be separated.
- Damage to local economy.

Annex 3 – Consultation responses

1. Vale of White Horse District Council

Planning - No objection subject to issues about highways, trees, landscape and buffer zones to dwellings being addressed. Comments are:

- A detailed scheme for wheel washing and keeping the public highway free from mud and dirt must be submitted, approved and installed prior to commencement of work.
- Extraction should be phased so as not to leave Tree Preservation Order (TPO) trees on an exposed ridge. They see no reason to remove the four oak trees in the phase 3 and 4 areas of the development. However, if removal is justified, they must be replaced with a greater number of suitable species on the eastern side of the site, along the Pinewoods Road.
- The proposed changes in the Pinewoods Road/A420 junction would require the road and its associated verges and lighting to be changed and may result in the significant removal of the site boundary vegetation. More details of how the changes to the junction would be implemented are required to ensure that the existing vegetation is protected/retained.
- An adequate buffer zone to existing dwellings must be provided in accordance with adopted policy standards.

Environmental Health - No objection subject to attachment of conditions to ensure that impacts of noise and dust from the proposed development can be adequately mitigated.

2. Longworth Parish Council

Object on the following grounds:

- The adjacent market garden's crops and its owners' livelihoods stand to be injured by reason of dust blow and borehole water restriction. The proposals by the applicant to mitigate these threats are theoretical, inadequate and not legally binding sanctions.
- The statement in the application that the A420/Pinewoods Road junction is fit in its present form to carry safely the additional HGV generated by the proposal is supported by flawed calculations, inadequate data and false assumptions.
- Speed survey data is unverified, visibility splays are inadequate for safety and Pinewoods Road itself will be rendered hazardous for road, foot and equestrian traffic.

- Despite the junction's adherence to Design Manual for Roads and Bridges, as described in the application, its accident record and the daily experience of local users indicate that the junction, even in its present state, is unsafe.
- Raise concern about the buffer zone, which is proposed by the applicant of just 150m from the nearest properties. This is contrary to the normal practice policy of the County Council of a minimum buffer zone of 350 metres.
- Pinewoods Road and its surrounding environment will be polluted by the wind-blown sand from the proposed quarry.
- The Corallian Ridge, one of the few remaining unspoilt landscapes of the County will be destroyed by the proposal. There is an implied responsibility on the County Council to preserve this for future generations.
- The Council's own commissioned report indicates a greater reserve of soft sand and therefore there is no need for soft sand.
- The emerging county minerals and waste plan favours extension of existing mineral sites. Considerable weight should be given to this new definitive policy.
- Should the application be granted, monitoring of any condition/S106 agreement will be beyond the restricted resources of the County Council and the burden will therefore fall upon the shoulders of the residents of Longworth.

3. Hinton Waldrist Parish Council

- Strong objections on the grounds of traffic and road safety on the A420 and on surrounding roads and villages; impact on the water table and the market garden adjacent to the site; buffer zones and proximity to the site; noise & dust (during operation and after restoration); additional traffic from direct minerals sales from the site; likelihood of other minerals being extracted from the site
- The emerging county minerals and waste plan favours extension of existing mineral sites. Therefore, this new proposed quarry should be discouraged as it would seriously spoil such a predominantly attractive rural, agricultural location.

4. Kingston Bagpuize with Southmoor Parish Council

Object on the following grounds:

- The extra slow-moving heavy traffic entering and leaving Pinewoods Road will significantly increase the danger to users of the A420 dual carriageway.
- The impact of dust and potential contamination of the existing borehole is likely to lead in the loss of sustainable employment in this rural area and an increase in 'food miles'.
- The Parish Council understands that the landbank for soft sand in Oxfordshire is now almost 13 years. This is way in excess of the minimum figure of 7 years which OCC is required to maintain.
- OCC would be unable to ensure that the essential mitigation measures proposed by the applicant are maintained.

5. **Buckland Parish Council**

Object to this proposal on the following grounds:

- Currently traffic in busy periods queues back from Southmoor as far as Pusey Furze and the additional traffic will only exacerbate this problem pushing traffic back further and potentially causing problems at the Little Chef and BP garage entrances, if not Buckland itself.
- Additional slow moving traffic will increase pollution; both noise and air pollutants in Buckland and the surrounding countryside.
- The A420 is a lifeline for Buckland and increasing the traffic load and making it harder to turn out of the village towards Oxford will not make life any easier. The junctions at Buckland are already prone to accidents. Any changes will put extra pressure on them.
- The proposal to drive back towards Oxford and around the Kingston Bagpuize roundabout will put additional pressure on an already busy junction.

6. **Environment Agency**

Groundwater and Flood Risk:

The impact of site restoration is unlikely to be significant. Further details will be required on the proposed drainage of the site, including how the groundwater drainage will be designed. Recommend conditions to address these points:

- Submission of surface water and ground water drainage scheme for the site restoration.
- Monitoring data to be subject to an annual review.

Biodiversity:

- Pleased to see the ponds are intended to be for biodiversity gain and welcome the stated intention to provide a buffer around the pond to reduce the impact from agri-chemicals.
- Concern that the pond, as it is effectively a sump, would fill with silt and necessary management will reduce its biodiversity value.
- Would like to see the pond created so that the upstream part acts as a sediment trap which can be dug out and maintained without undue disturbance to the downstream section.
- Fencing to prevent excessive trampling and poaching by cattle should also be considered if the biodiversity value of the pond is to be maximised.

7. Natural England

No objections to the proposal in principle. Suggest a list of best practice measures for the applicant related to soil handling and agricultural aftercare.

8. Ministry of Defence

Principle concern is with respect to the proposed ponds in this area are their potential to attract large and/ or flocking bird species hazardous to air traffic. MOD does not object to the application subject to conditions.

9. Thames Water

No objection.

10. CPRE

Object to the application on the following grounds:

- The development would cause permanent damage to an important feature of Oxfordshire's landscape and to the natural environment.
- The development would represent an inappropriate industrial intrusion into a rural area.
- The development would have adverse effects on the quality of life of people living within the 350m buffer zone specified in current local planning guidance.
- The development would cause significant traffic hazards.

- The justification for the development is weak and is incompatible with evolving Oxfordshire County Council policy as set out in the Draft Minerals Planning Strategy approved by the Cabinet of the County Council.

11. Food Standards Agency

Make the following comments:

There is a potential risk to the market garden operation from dust generated by the proposed quarrying activity. The Applicant does not dispute the existence of such a risk. They have indicated a number of possible mitigation measures but have not stated what they would actually do in such a way that it could be made an enforceable planning condition.

If the applicant does produce a clear protocol or operating procedure to address dust mitigation, the County Council will need to have it assessed by an independent expert.

12. County Ecologist

No objection subject to attachment of conditions to protect the nesting birds, bats, badgers, existing flora and fauna and plantation of new trees to improve the visual screening.

The proposal would require a long term ecological management plan. In order to ensure that 20 years of management will take place, a S106 legal agreement needs to be agreed between applicant and County Council. Provided that the site Biodiversity Action Plan submitted by the applicant covers the aspects of the management plan, it can be used as the long term management plan.

13. County Archaeologist

No objection. The archaeological assessment carried out on behalf of the applicant is accepted. Recommend a planning condition to ensure a programme of archaeological investigation and recording.

14. Transport Development Control -

No objection subject to conditions/agreement to ensure that the associated works on the highway are built to the appropriate standards and requirements, and the effects of the vehicular traffic from the development are controlled appropriately.

Proposed conditions/agreement would amongst other things cover the following key matters:

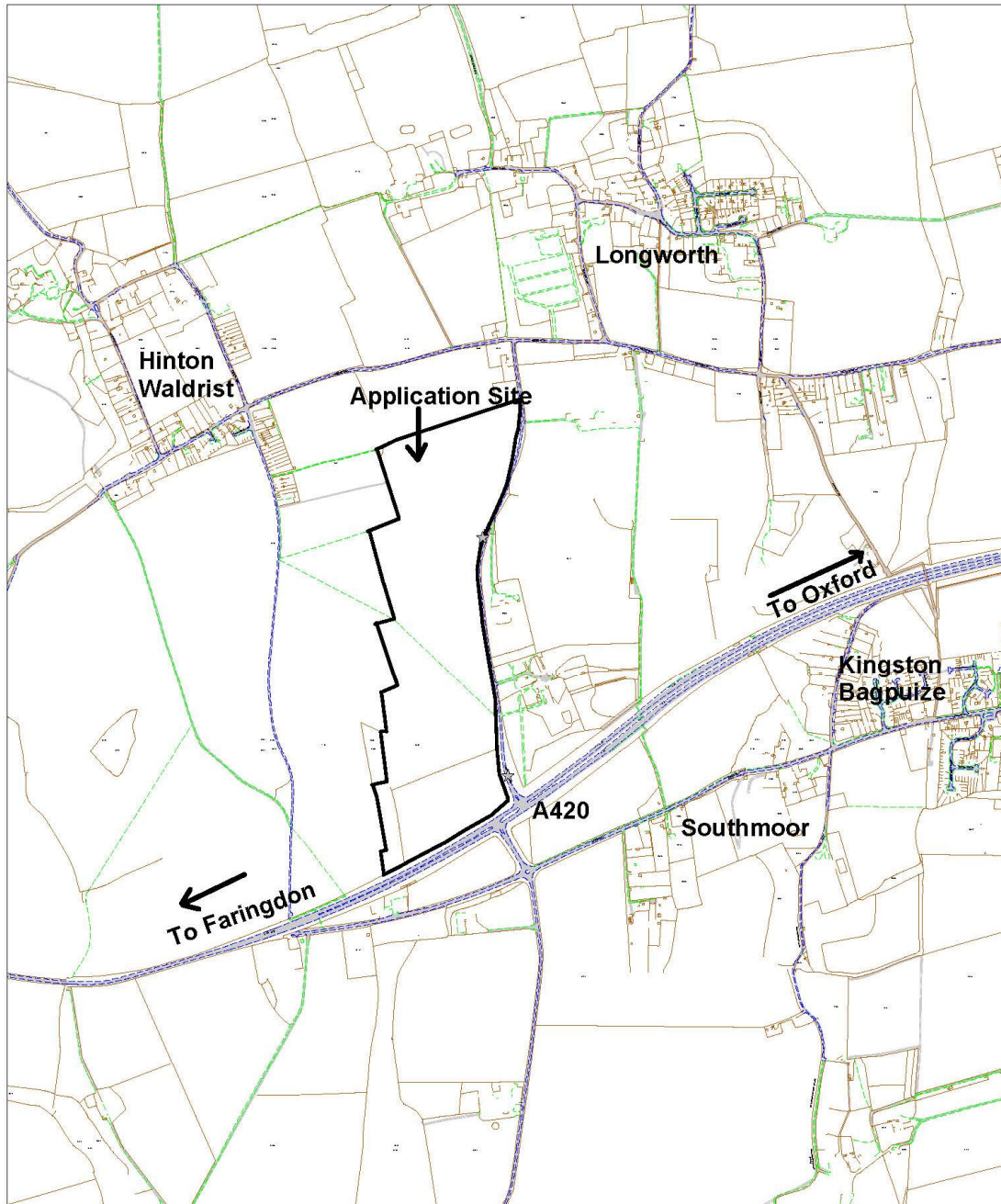
- Provision of acceleration and deceleration lanes for Pinewoods Road to a minimum length of 130m.

- Provision of refuge islands on the exit of Pinewoods Road accommodate a right turn ban onto the A420.
- Provision of required visibility splays.
- The applicant to fund the cost of the traffic regulation order to ban right turning vehicles for vehicles over a laden weight of 7.5 tonnes from Pinewoods Road to the west bound carriageway of the A420.
- Provision of a wheel wash facility for quarry related vehicles.
- Provide an undertaking (routeing agreement) not to route vehicles over 7.5 tonnes to and from the proposal using Pinewoods Road which leads to/from Longworth
- As part of the mitigation works the developer will extend the westbound deceleration lane on the A420 turning into Pinewoods Road by 10m.
- A scheme of additional vehicle activated signs on the approaches of the Pinewoods Road junction on the A420 shall be submitted to the Council.
- Submission of construction management plan.

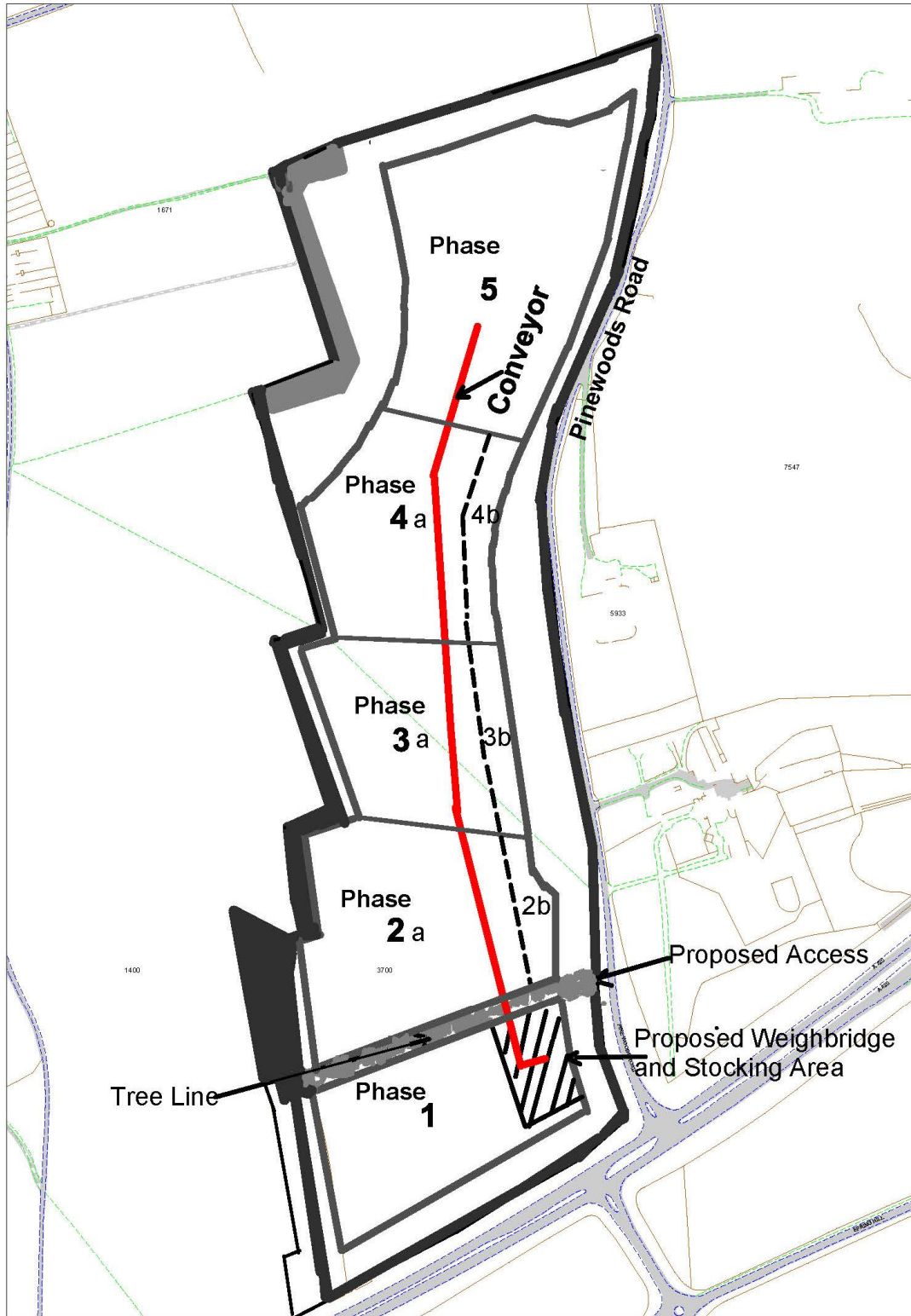
15. **Rights of Way**

No objection. It will be necessary to divert the existing footpath to enable development to proceed should planning permission be granted. Details of any diversion proposals by the applicant can be discussed with the Rights of Way officer at that stage. Funding is sought to improve the rights of way network to offset the disturbance that would be caused by the temporary re-routeing of the footpath across the site.

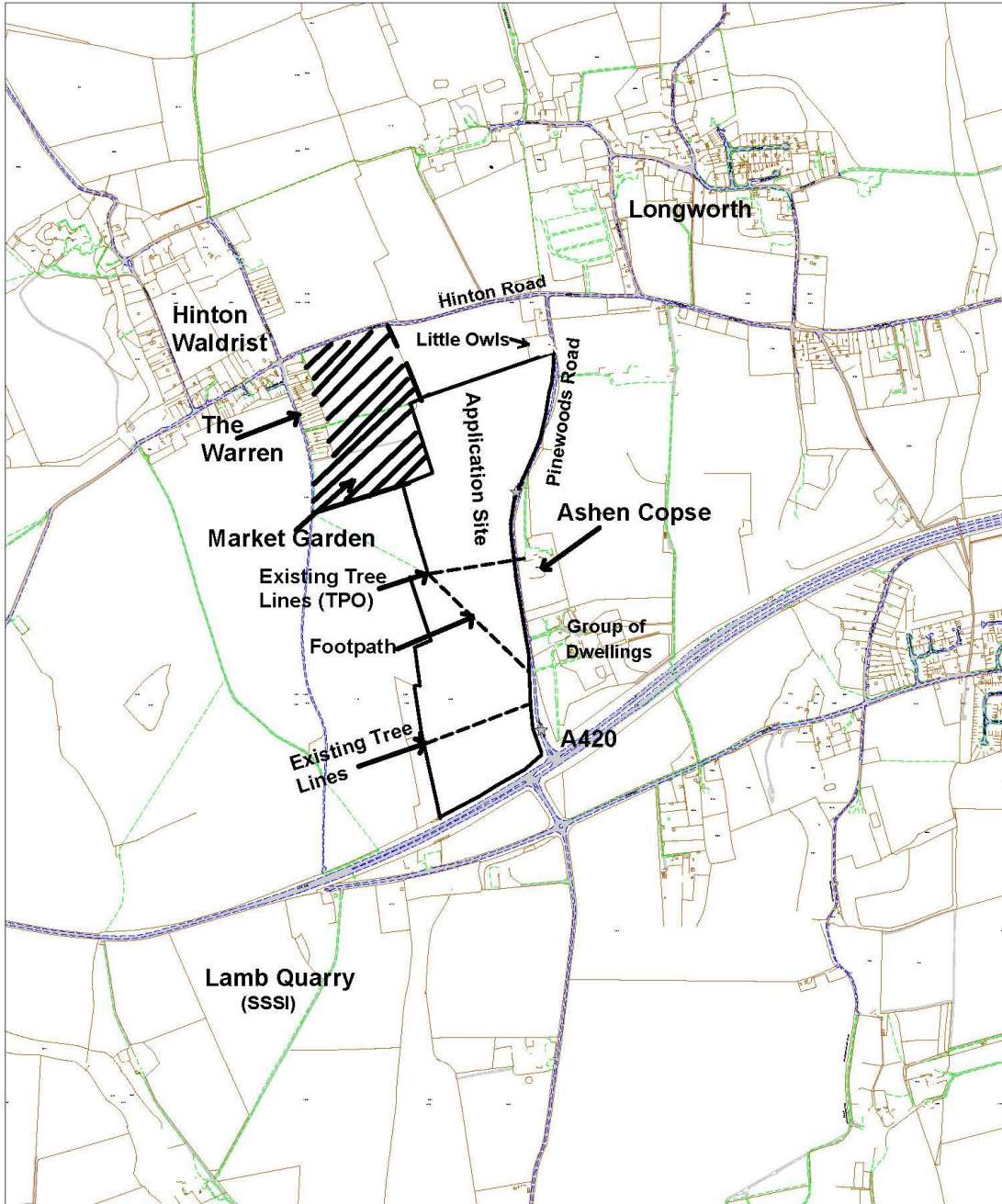
Plan 1 (Location Plan)



Plan 3 (Proposed Phasing)



Plan 2 (Site Plan)



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For: PLANNING AND REGULATION COMMITTEE – 16 APRIL 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (GROWTH & INFRASTRUCTURE)

Development Proposed:

Use of imported inert waste in restoration of quarry with some mechanical screening of materials to create topsoil

Division Affected: Wheatley

Contact Officer: Mary Thompson **Tel:** Oxford 815901

Location: Woodeaton Quarry, Woodeaton

Application No: MW.0015/12

Applicant: McKenna Plant Hire Ltd.

District Council Area: **South Oxfordshire**

Contents

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

Part 1 – Facts and Background

Location (see site plan Annex 1)

1. Woodeaton Quarry is located to the immediate north west of the small rural village of Woodeaton, 5 miles (8 km) north east of Oxford and within the Oxford Green Belt.

Site and Setting (see site plan Annex 1)

2. The quarry covers an area of 6.5 hectares surrounded by agricultural land, except to the south east where it abuts a road and the village of Woodeaton and to the south west where it abuts the grounds of Woodeaton Manor School. The quarry is screened with mature woodland from this direction.
3. The main quarry access is into the south east of the site. There is also an access way across farm tracks from the B4027 into the north of the site. The quarry is within South Oxfordshire District but the northern access is within Cherwell District.
4. The site is a disused quarry which has been worked for limestone and clay and left unrestored with some sheer and unstable slopes. The whole site is designated as a geological SSSI due to the exposed quarry faces.
5. The nearest properties include The Lodge 50 metres to the south east, Taverners 50 metres to the east and Woodeaton Manor School 150 metres to the south. There are also a number of properties within the village located within 150 metres of the south eastern boundary and Culvercote Barn lies 150 metres to the west.
6. The site adjoins Woodeaton Conservation Area and a Scheduled Ancient Monument (a Romano Celtic Temple.)
7. A private road runs along the south west boundary and there is an informal footpath along the western boundary.

Planning Background

8. Woodeaton Quarry has been worked intermittently since the 1940s. Under the Review of Old Mineral Permissions it has permission for extraction to continue until 2042. It has not been worked since 2000 and was left in an unrestored and hazardous condition. New conditions were attached by the First Secretary of State in 2005, following an appeal. The current owner purchased the site in 2010.

Details of the Development

9. It is now proposed to restore the quarry by infilling with imported inert waste. The proposed scheme would require a total of 343,000 m³ (520,000 tonnes) of construction waste over a period of ten years. Although the site has an extant

permission for mineral working, no further extraction is proposed to take place. The current permission does allow for the restoration of the quarry. However, as it is proposed to bring in more material than necessary for basic lower level restoration, a new permission would be required.

10. It is intended that only material which could not be recycled would be brought onto the site. However, topsoil would need to be manufactured for the final restoration layer and therefore it is proposed to screen soils on site. The application also states that it is inevitable that there would be an element of concrete, stone and brick in the loads which would also be screened out. This could produce up to 5000 cubic metres per year of waste which would either be used to maintain haul roads onsite or transported offsite for re-use.
11. It is proposed that the HGVs delivering material to the site would access the quarry from the northern access and the route they would take would be left onto the B4027 then down Bayswater Road to the A40 roundabout ('Hamburger Roundabout'). This would avoid vehicles travelling through Woodeaton village. The main quarry access to the south of the site would not be used.
12. The restoration is designed to reinstate former land levels over most of the site while allowing the geological features of the SSSI to be retained. It would be restored to an agricultural/ nature conservation afteruse comprising unimproved grassland, scrub and a pond. It is proposed that the grassland would be used for grazing. The applicant is willing to enter into a legal agreement to provide 15 years of long term management following the statutory five year aftercare period.

Part 2 – Other Viewpoints

Third Party Representations

13. 33 letters of objection have been received. Copies of the letters are available in the Members' Resource Centre. The key points are:
 - Traffic
 - Amenity –noise and dust

These are detailed and addressed at Annex 2.

Consultation Responses

14. Consultation responses have been received from a number of statutory and non-statutory consultees. The full text of these responses can be seen on the eplanning website. They are also summarised at Annex 3 to this report. There have been no objections from statutory consultees. However, some local Parish Councils are opposed to the detail of the proposals and suggest conditions.

Part 3 – Relevant Planning Documents

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

15. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
16. The relevant development plan documents are:
 - The South East Plan (SEP)
 - Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP)
 - The South Oxfordshire Local Plan (SOLP)
17. Oxfordshire Minerals and Waste Core Strategy Proposed Submission Document (draft) (OMWCS) is a material consideration. It has not been formally adopted but is at an advanced stage. The draft has been out to consultation and proposed changes were considered by Cabinet on 13 March and a report will be taken to Full Council on 3 April.
18. The SEP forms part of the development plan. However, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order had been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.
19. At the time of writing the government's National Planning Policy Framework has just been published (27 March). Any consequences which may flow from this new document will be reported at Committee.

Relevant Policies

20. The relevant policies are:
 - SEP – T1, T7, NRM5, W7, W13, W14, W17, C04.
 - OMWLP – SD10, W2, W3, W4, W5, W7, PE3, PE4, PE9, PE12, PE13, PE18.
 - SOLP –G2, C1, C6, C7, GB3, T1, CON7, CON11.
 - OMWCS – M5 Mineral Safeguarding, M6 Restoration of Mineral Workings, C3 Environmental and Amenity Protection, C4 Biodiversity and Geodiversity, C5 Landscape, C7 Transport, W3 Waste Management Targets, W5 Provision of Additional Waste Management Targets, W6 Site for Waste Management Facilities, W7 Landfill.
 - PPS10 – Planning for Sustainable Waste Management – this document has not been replaced by the new NPPF.
 - NPPF – sections in this document refer to Green Belt and conserving and enhancing the natural environment.

Part 4 – Opinion and Conclusions

Comments of the Deputy Director for Environment & Economy (Growth & Infrastructure)

21. The key planning issues are:
 - (i) Need
 - (ii) Traffic
 - (iii) Impacts on neighbouring residents.

22. Other important issues include:
 - (i) Mineral Safeguarding
 - (ii) Bio and Geo Diversity
 - (iii) The Water Environment
 - (iv) Recycling
 - (v) Green Belt
 - (vi) Landscape
 - (i) Need:

23. There is a need for the quarry to be restored as it is currently in a dangerous and unsatisfactory state. Restoration of mineral workings within a reasonable timescale accords with policy such as OMWLP PE13. However, it would be possible to restore to a lower level using less imported material. Therefore the need for inert waste capacity should also be considered.

24. Objectors have queried whether there is a sufficient need for inert waste disposal to justify the proposed quantities. OMWLP requires that proposals for landfill meet a number of criteria including a definite need for the facility that cannot be met elsewhere. However, emerging policy (OMWCS W7) does not set such a test and PPS10 states that need should not be tested if the proposal accords with an up to date plan.

25. It is proposed to landfill 52,000 tonnes per year for ten years. There is currently a committed void space for inert waste within the County of over 5 million cubic metres, so there is no strong immediate need for a new facility. However, figures in the OMWCS show that there will be a need for further void space over the period covered by that plan (to 2030). In normal economic circumstances it is estimated that there could be 520 000 tonnes of waste per annum remaining after recycling targets have been met. Therefore, the waste required to restore the site is around 10% of that which could be available in Oxfordshire.

26. Although there is no strong immediate need, this need is likely to strengthen over the ten years proposed for the operations. Emerging policy and

government guidance does not require need to be tested for proposals which comply with policy. Although there is not an immediate need for inert waste landfill capacity, there is a need for the quarry to be restored satisfactorily. The volume of waste proposed is necessary to create the proposed restored landform, which would be similar to the pre-quarrying contours and fit into the surrounding landscape. Therefore, subject to the proposals being in accordance with other policies, there is no objection on the basis of need.

(ii) Traffic

27. Transport policy supports development that uses suitable roads that are well connected to the strategic network.
28. Although there has been much concern locally regarding the impact of lorry movements, there has been no objection from the Highways Authority. The vehicle movements associated with this development would be controlled by a routeing agreement to ensure that HGVs use the most suitable route onto the A-road network to avoid travelling through local villages such as Woodeaton and Islip. Lorries would travel along the B4027 and Bayswater Road to reach the Headington roundabout (see plan). This is considered to be the most suitable route onto the A40.
29. There have been concerns raised about HGVs along the roads through Barton and on the B4027 past villages such as Beckley and these concerns are detailed in the Annex. However, the development would not lead to an increase in traffic above that which is permitted under the extant consent for mineral extraction (albeit the lorries would carry waste into the site rather than limestone out of it).
30. The number of vehicles generated by this development would average 20 movements per day, which is a small number in the context of existing vehicle flows on these roads. Figures supplied by the Council's Monitoring Team indicate that traffic flows along the B4027 amount to over 5,000 vehicles per day. This proposal would increase vehicle numbers along this stretch of road by approximately 0.4%. Lorries can be required to be sheeted as this has been a concern raised in representations and uncovered waste lorries can create a nuisance where waste falls onto the highway.
31. Under the conditions determined at appeal to control mineral extraction, there is a limit on the annual output from the site of 100,000 tonnes. This was imposed because it was considered that due to access constraints, even using the B4027, the site location of the site was not appropriate to meet large contracts. As the access constraints remain I consider that it is reasonable to impose a similar condition on this consent, restricting the amount of waste transported and therefore vehicle movements. A restriction on the total waste imported and exported would also prevent the site developing into a recycling operation in its own right, which would be inappropriate given the access constraints.
32. I consider that subject to the proposed routeing agreement and the condition outlined above, the proposals are consistent with transport policy.

(iii) Impacts on neighbouring residents

33. Planning policy requires that proposals for minerals and waste development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors.
34. Much of the operation would take place below surrounding ground level in the quarry void, which would considerably reduce any noise impact. However, there would be some working at ground level and therefore to mitigate any potential impact the applicant proposes to construct noise barriers between 2 and 2.5 metres high along parts of the south west and south east quarry boundary to protect the closest sensitive receptors; the Lodge, Taverners and Woodeaton Manor School. The noise assessment indicates that this mitigation would reduce noise levels at noise sensitive properties to the MPS2 guideline of 55 dB in line with government guidance (Minerals Planning Statement 2.)
35. There has been particular concern that the development would have an adverse impact on the pupils at Woodeaton Manor School as this is a special school and many of the pupils are especially sensitive to noise. Although the school boundary is very close to the quarry, it would be protected from noise as it is above the quarry and the school buildings are set back from the boundary.
36. The Environmental Health Officer has not raised an objection to this application and conditions can be applied to ensure that noise is kept within reasonable limits. This is an opportunity to strengthen the conditions relating to noise and make them more enforceable than the ones on the current mineral consent. The noise assessment submitted with the application suggests that subject to mitigation, ambient noise levels in the school buildings would be unchanged. Ultimately, the restoration of the quarry will result in a safer landform adjacent to a school and it would prevent the quarry being worked for mineral again, which could potentially cause greater noise disturbance.
37. The noisiest of the proposed operations would be topsoil screening. A noise assessment was carried out in the quarry during test screening operations which found that there was no clear difference in noise at sensitive receptors between when the screen was operating and when it wasn't. Conditions can be added to any consent issued to ensure that noise levels are kept within limits that would not pose a nuisance.
38. The other main concern raised in representations in relation to amenity is dust. A dust management plan has been submitted with the application and provides a number of methods to control dust. Regular dust monitoring would be undertaken. These measures are considered to be acceptable and conditions can be added to ensure that the development is carried out in this way.
39. Alternative operating hours have been proposed by some consultees concerned about the impact of the development on residential amenity and of the impact of traffic movements during peak times. However, I consider that the hours in the condition attached by the Secretary of State to the minerals

permission would also be appropriate to this development. These are 7.30-18.00 Monday to Friday and 08.30-13.00 on Saturdays.

40. I am satisfied that this development is not likely to cause a significant adverse effect on neighbouring amenity, subject to it being carried out as proposed and in accordance with conditions setting noise limits and requiring the proposed dust monitoring.

(iv) Mineral Safeguarding

41. Policy (OMWLP SD10, OMWCS M5) supports the safeguarding of mineral resources for future development. These proposals would mean that mineral reserves at Woodeaton Quarry would not be able to be worked in the future. However, it is considered that the extraction of mineral from this location has the potential to have an adverse impact of local amenity as it is so close to Woodeaton village. No working has taken place since modern planning conditions were attached as part of the Review of Old Mineral Permissions process. The material in the quarry is generally of poor quality and, because there is a considerable permitted limestone reserve in the county, the mineral safeguarding argument is weak in this case. In these circumstances, it is considered that the need to restore the quarry outweighs the need to safeguard the mineral resource.

(v) Bio and Geodiversity and the historic environment

42. SOLP C7 states that development that would adversely affect an SSSI would not be permitted. These proposals offer adequate protection for the geological faces of interest as the landform design incorporates their preservation. There has been no objection from Oxford Geology Trust. I consider that the development is acceptable in terms of its impact on the SSSI.
43. The site is adjacent to a Scheduled Ancient Monument (SAM). Policy protects important archaeological remains and their settings (SOLP CON11). However, this feature would not be affected by the development. There are currently views from the area of the SAM into the quarry void. The setting of this monument would therefore be improved by the final restoration.
44. Policy generally supports the conservation and improvement of biodiversity, particularly on protected sites. OMWDF policy C4 states that the County Council will seek the enhancement of Conservation Target Areas to implement Biodiversity Action Plan targets.
45. The site is not affected by any ecological designations. The ecological survey report submitted with the application concludes that the infilling of the quarry would not have a significant adverse effect on the quarry and area as the current disturbed, bare habitats would remain throughout the operational phase. In the longer term the creation of unimproved grassland would make a significant contribution to the Biodiversity Action Plan for this habitat.

46. There has been no objection from the County's ecology officer, who considers that subject to positive management the proposals would contribute to biodiversity targets. In this case the County's ecology officer has recommended a 15 year long term management plan in addition to the 5 year aftercare period. This is slightly shorter than the standard for restored mineral sites as the site would be used predominantly for grazing and a total of 20 years is sufficient for the establishment of the ecological features. This is also in line with the provisions of the new NPPF which proposes that developments should have a minimum impact on biodiversity providing net gains in biodiversity where possible. It also encourages development which remediates and mitigates despoiled, degraded and unstable land.
47. I consider that the proposals are consistent with biodiversity policy, subject to conditions to ensure that the works are carried out as proposed and the completion of a section 106 agreement for the long term management of the site to ensure that the site is managed appropriately to contribute to biodiversity targets.

(vi) The Water Environment

48. Policy requires that proposals should not risk groundwater quality (OMWLP PE4 and OMWCS C2) or increase the risk of flooding (OMWCS C1).
49. The Environment Agency has advised that the environmental permit process would assess pollution risks to groundwater. They have requested a condition for the submission of details of surface water drainage.
50. Subject to the outcome of any permit application I am satisfied that the development is acceptable in terms of the impact on the water environment. If the development requires a permit it would not be able to go ahead unless and until the applicant had obtained both planning permission and an environmental permit. The planning process should not be delayed to await the outcome of the permitting process.

(vii) Recycling

51. In addition to the landfilling of the quarry void, the proposals would involve a small amount of recycling as some material would be screened and taken offsite. OMWLP policy PE4 allows recycling in the open countryside as long as the development forms part of a landfill site and would be removed on completion of landfilling. More recent policy (OMWCS W5) also supports temporary facilities at landfill sites. Waste which could be recycled should not be landfilled and therefore a small element of recycling onsite may be appropriate. However, this may not be an ideal location for a large scale recycling operation and therefore the consent should include a condition or informative to ensure that loads brought onto the site are suitable for landfilling or for topsoil manufacture and therefore the recycling operations are kept minimal.

(viii) Green Belt

52. Green Belt Policy (SOLP GB3) requires that development should not injure the visual amenities of the Green Belt, impact on its openness or conflict with its purposes. Inappropriate development can only be permitted in the Green Belt in very special circumstances. Whilst PPG2 (Green Belts) has now been superseded by the new NPPF, the latter retains the government's aim of maintaining Green Belts and protecting their essential characteristics of openness and permanence. Oxford Green Belt Network have welcomed the scheme as they consider that the quarry is presently an eyesore. The works to restore the quarry would largely take place within the quarry itself so visual impact would be limited. In the longer term the restoration works would return the landscape to a similar landform to how it was originally before mineral extraction.
53. Green Belt designation does not preclude mineral extraction or the subsequent restoration of worked areas and as such I do not consider the proposal to be inappropriate development. I consider that these proposals accord with Green Belt policy and in the long term would have a positive impact in restoring the landscape.

(ix) Landscape

54. Landscape policy requires that development protects and where possible enhances Oxfordshire's landscape quality and potential adverse impacts are mitigated. Proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted
55. The proposals would alter the landscape but ultimately restore it to a landform similar to the situation prior to mineral extraction. The land would rise to a high point of 102 metres AOD to allow for drainage of the landform, but this would be no higher than points on surrounding land. The proposed landform is considered to be appropriate as the proposals would enhance the landscape. Potential adverse impacts during the operations would be mitigated by the retention of mature perimeter vegetation and the fact that the development would take place within the quarry void. I consider that the development would not have a harmful effect on the adjoining conservation area.

Conclusions

56. The proposed development would be beneficial in terms of providing an appropriate restoration scheme for an unrestored quarry, in accordance with planning policy. The site has an extant permission for mineral extraction. Traffic and noise impacts associated with the proposed infilling with inert waste would be no greater than that currently allowed under the mineral permission and could be adequately controlled by condition.
57. The proposal accords with relevant policy on waste, restoration of mineral workings, traffic, amenity, protection of bio and geo diversity, Green Belt, landscape and the protection of the historic environment.

Recommendation

58. It is **RECOMMENDED** that subject to:

(a) a Section 106 agreement to cover:

- non implementation of existing minerals consent (M162/49);
- 15 year long term management of restored site;
- Appropriate access to the restored site;

(b) a routeing agreement to ensure that vehicles access the network of A-roads via the northern quarry access, left onto the B4027, Bayswater Road to the A40 roundabout and to ensure that lorries are sheeted;

that Application No. MW.0015/12 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

1. Complete accordance with plans
2. Commencement within 2 years
3. Wheel cleaning to prevent mud on highway
4. Deposit of waste shall cease within 10 years of the date of the permission
5. Operating hours (0730-1800 Mondays to Fridays, 0830-1300 Saturdays)
6. No use of southern access
7. Dust monitoring as proposed
8. Dust suppression measures implemented should dust monitoring show it is necessary
9. Noise monitoring and submission of records
10. Maximum noise levels at noise sensitive properties
11. White noise on reversing vehicles
12. Mobile plant fitted with silencers
13. No fixed plant or machinery
14. No external lighting
15. Oil storage on impervious bases
16. Development to be subject to Environment Agency Permitting Process
17. Trees planted in accordance with restoration scheme to be maintained and replaced if necessary
18. Submission and implementation of a detailed restoration scheme with completion within 1 year of the cessation of waste deposit
19. No material stockpiled higher than 3 metres above the nearest rim of the quarry

20. **Topsoil, subsoil and overburden to be stored and respread separately and not removed from the site**
21. **Scheme for the protection of geology**
22. **Submission of full details and erection of noise barrier as proposed**
23. **Drainage – submission of a surface water drainage scheme**
24. **Soils should only be handled when dry and friable**
25. **Submission and implementation of fencing details, maintenance of fence**
26. **Visibility splays – as per submitted plan and kept clear from obstruction**
27. **Records should be kept of waste import and export and made available on request. Waste brought into and leaving the site shall not exceed 100,000 tonnes per annum Submission of a detailed restoration, aftercare and ecological management plan**
28. **Implementation of restoration proposals and mitigation as set out in submission**

Informatives – waste brought onto the site should only be clean, inert materials

Control of Pollution (Oil Storage) (England) Regulations 2001 requirements for oil storage tanks

Developers have a duty of care to deal with waste responsibly; records should be kept to demonstrate that this has been adhered to.

No sewage or trade effluent to be disposed of into surface water system. If protected species are found work should cease immediately and not recommence until a fully survey has been undertaken and licence obtained.

Participation in liaison committee

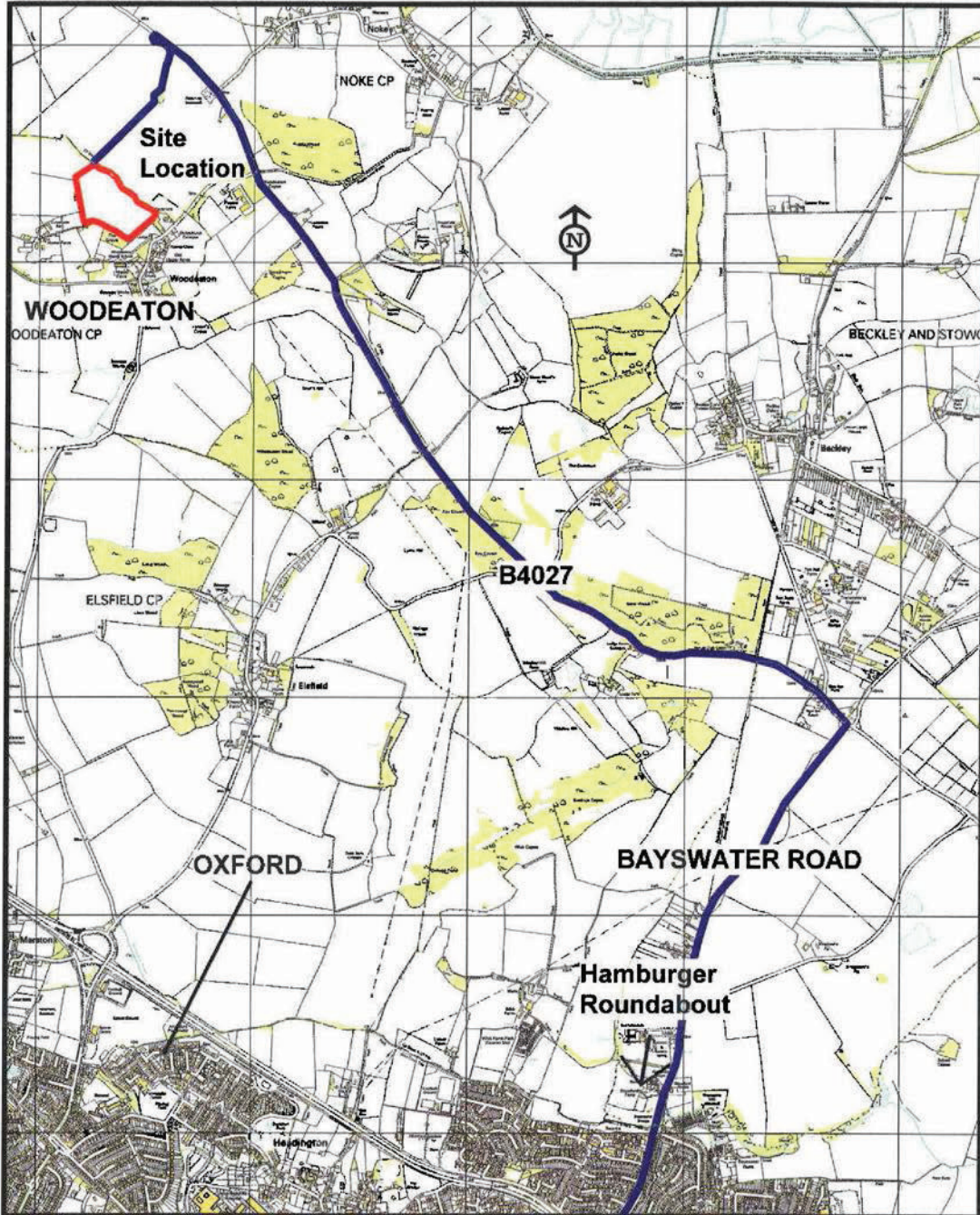
Loads brought onto the site are suitable for landfilling or for topsoil manufacture and therefore the recycling operations are kept minimal.

MARTIN TUGWELL
DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY(GROWTH &
INFRASTRUCTURE)

April 2012

Annex 1 – Site Plan

Plan1 - Location Plan



This plan shows only an indication of the proposed development and should not be scaled from

Annex 2 - Representations

1. A representation has been received from the local County Councillor. This stating that the main causes for concern are the infilling activity at the quarry and traffic. A better noise assessment should be undertaken in relation to both the traffic and the screening machinery. Noise could have a particularly adverse impact on Woodeaton Manor School. The local road network is not suitable for an increase in HGVs. There would be an adverse effect on the residents of properties close to the road, the B4027 has a poor accident record and is used by cyclists. The road network suffers from congestion already. The only way to prevent the negative impacts is to refuse the application. However, should the application be approved suitable conditions must be imposed, and some are suggested.
2. An objection has been received by the local member for Barton and Churchill. This states that the increased volume of HGVs on Bayswater Road would be inappropriate for a residential road which cuts through the Barton estate and is therefore often crossed by children and families. Further pressure should not be placed on the Headington Roundabout as traffic there has already been blamed by the bus companies for late buses. Many Barton residents rely on public transport. The speed bumps in Barton would cause a problem with noise disturbance from larger vehicles.
3. 33 letters have been received from individuals in response to this application, including one letter of support and a number of letters which supported some kind of infill and restoration but expressed concern about the details of the current proposals. The officer response to the objections raised is provided in italics.

Traffic concerns

- B4027
 - The B4027 is narrow and has corners of limited visibility.
 - Problems with cars overtaking on the B4027 near the junction with New Inn Road into Beckley village. Lorries would make this even more dangerous and a speed limit wouldn't help.
 - Slow moving HGVs would impede motorists speed and vision.
 - Concerned about horserider safety.
 - This route is much used by cyclists especially on a Saturday morning.
 - There should be a voluntary speed limit and speed should be monitored on this road.
- Barton, Bayswater Road
 - Children crossing the road in Barton to get to school. Area not designed for lorries from either a congestion or emissions perspective.
 - Traffic humps are used by children and elderly.
 - Shaking of houses caused by HGVs over the traffic calming features.
 - Bayswater Road – on a hill, causes speeding.

- Impact on residents of Meadowbrook – close to the carriageway and accommodation for elderly, disabled and ill people.
 - There should be liaison with Oxford crematorium for particularly busy or sensitive funerals.
- General
- Traffic study misleading as it shows the increase in traffic rather than the increase in HGV traffic, which would be substantial.
 - Danger for pedestrians and cyclists.
 - Particular concern for danger to cyclists after dark – lorries should be during daylight hours only.
 - Contrary to transport policy – not well related to the highway network.
 - Routeing agreement would be difficult to enforce.
 - Already delays on the Headington roundabout.
 - More traffic on Wheatley/Islip road will make access to this road from Woodeaton more difficult.
 - Operating hours should be reduced to avoid peak times for vehicle movements (9-3 Monday to Friday only, no Saturday working).
 - Smaller lorries should be used – maximum of 24 tonnes.
 - Should comply with the emission restrictions operating in London.
 - There should be traffic monitoring to ensure that levels are adhered to.
 - Sightlines at the access junction should be improved and roadside vegetation removed.

There has been no objection from the Highways Authority and the transport assessment submitted with the application shows that HGV generation as a result of this development is not likely to be any higher than under the permitted mineral extraction operation. The applicant has submitted a plan with sightlines that satisfy the Highways Authority and development in accordance with this and maintenance of visibility splays should be a condition. A condition is also recommended to limit the annual tonnage of waste in order to ensure that lorry movements are kept in line with that proposed. This is consistent with the conditions on the existing mineral consent.

Green Belt

- Strict regulations on residential development in the Green Belt so this industrial development should not be permitted.
- There are other sites available outside of the Green Belt.

Green Belt Policy is considered in the main report.

Geo- and Biodiversity

- Wildlife might get hit by lorries or affected by emissions.
- Impact on flora and fauna.
- Impact on SSSI.

There has been no objection from the County's ecology officer or Natural England. As detailed in the report it is considered that the overall long term impact on biodiversity and the SSSI would be positive.

Quarry Operation – the quarry operation had a negative impact and it would be the same if this were allowed to go ahead.

- Noise.
- Air contamination impact on health.
- Dust in the air – couldn't dry washing.
- Dousing to prevent dust could cause water pressure to drop in surrounding properties (this is a problem already in the village).
- OCC did not monitor or enforce effectively either the quarry operations or the routeing agreement.

The impacts of this development would be different to the impacts of quarrying and has less potential for noise and dust nuisance as stone would not be loaded onto metal lorries. The last time that the quarry was worked was before the new conditions were attached in 2005. Oxfordshire County Council now has a monitoring and enforcement team who regularly visit sites to monitor compliance with planning conditions .

Amenity Concerns

- Noise/vibration.
- Air pollution.
- Dust – dispute the relevance of windrose used.
- Noise survey inadequate – materials used not representative and screener not in correct location.
- Traffic.
- Hours – there should be no Saturday working.
- Reversing beepers.

The amenity concerns listed can be adequately dealt with through planning conditions. There has been no objection from the Environmental Health Officer who is satisfied with the submitted work by the applicant on noise. The operating hours recommended are in line with the hours that were imposed on the quarry operations by the Secretary of State following an appeal. These are shorter than standard operating hours but do include some Saturday working.

Impact on children at Woodeaton Manor School

- This school caters for the needs of pupils with emotional and social difficulties – more sensitive to noise
- Dangerous for pupils to know quarry is there – typically they have no sense of danger and are obsessive
- School has a residential facility only 80 metres from edge of site.
- School is rated outstanding and the quiet and attractive setting is part of its success
- When quarry was last worked it was a different type of special school – children with less challenging difficulties.

The noise assessment submitted with the application suggests that subject to mitigation, ambient noise levels at the school would be unchanged. This is an opportunity to ensure that development on the site is controlled by strong and enforceable conditions. Ultimately, the restoration of the quarry will result in a much safer landform adjacent to a school and it would prevent the quarry being worked for

mineral again, which could potentially cause more noise. Noise conditions containing noise limits could be imposed.

Groundwater/hydrogeology

- Other evidence contradicts the supporting statement and illustrates that there is continuous groundwater within principle aquifers.
- More information should be provided on the types of inert waste.
- Application only refers to a secondary aquifer but the site also lies on a primary aquifer.
- Risk of underground water pollution.

There has been no objection either from the Environment Agency or the County Council drainage team. I am satisfied that the proposal is acceptable in terms of the impact on the water environment. Matters relating to water pollution are dealt with under the Environment Agency's permitting process.

Planning Policy

- Not included in the sites list for the emerging waste plan.
- Waste development should not be located in the open countryside unless there is an overriding need and no other suitable site available.
- There is not the need for inert waste disposal to justify this scheme.
- PPS2 and PPS10 state that waste development in Green Belt is inappropriate.
- Justified on the basis of bringing in waste from the local area, but there would be nothing to stop a national firm coming in and bringing waste from further afield.

Planning policy does not exclude minerals or waste development from the Green Belt and in this case there is an existing quarry which requires restoration. It is unlikely that waste would be brought in from great distances because of the transport cost.

Alternative restoration using less waste would be preferable

- Evidence that there is not enough suitable material for the restoration – surplus of recycling capacity.
- Inspector considered that 150,000 tonnes would be sufficient to restore to agriculture – the amount now proposed is excessive.
- Shipton on Cherwell Quarry has a 3 year consent – this would be sufficient for this site also; 10 years is excessive.

While it would be possible to restore the site at a lower level using a smaller quantity of material, the main committee report finds that there is no overriding reason to refuse permission for the quantities proposed. This would allow the creation of a landform with contours similar to the pre-quarrying situation.

Restoration

- Villagers want an agricultural restoration – not nature conservation as this will become derelict.
- Applicant made a loss in 2010 – concerned that they might not complete the restoration works – should be a guarantee that is binding on successors in title.
- Restoration plan ignores the existing levels of spoil in the quarry.

- Does not adequately address how the SSSI would be accessed following restoration. Suggests it would be through the village but there is no parking.
- Evidence from old maps suggests that the final restoration contours would be higher than the original ground levels – should be no higher than original.

The restoration scheme incorporates both grassland, which would be used for grazing and wetland, and scrub/woodland features, which would enhance biodiversity. This would be supported by a total of 20 years of management (5 year statutory aftercare period and a 15 year long term management period secured by legal agreement.) Planning policy supports the restoration of mineral workings to uses which enhance biodiversity. By the end of the long term management period stock grazing on the land and the ecological features would be well established. The application includes a survey and takes account of the current site contours. Full details of the restoration including access arrangements would be approved at a later date, however, it is considered unlikely that the access arrangements to the SSSI geological face would cause a problem with parking in the village. It is a possibility that the site could be kept locked with a key holder scheme for access.

Other comments

- Impact on house prices.
- Quarry is not currently a safety concern.
- If there is still stone in the quarry this is a resource and shouldn't be covered in waste.
- How would they be sure that waste was indeed inert?
- No legal easement over adjacent land for access.
- Better fencing should be required.
- There should be no weekend working.
- Topsoil production should take place elsewhere.

The impact on house prices is not a material planning consideration. Although the safety of the quarry is primarily a matter for the landowner, the restoration of quarries is required by planning policy. The issue of safeguarding the mineral resource is covered in the main report. The applicant would require a waste permit from the Environment Agency in order to carry out the development and that would include conditions to ensure only suitable wastes were used. It is recommended to attach a condition prohibiting the use of the southern access. The permission could only be implemented if the applicant could secure a right of access over the northern access. Details of the fencing of the site can be required by planning condition. It is recommended that operating hours for this development are consistent with those for the mineral permission. This does allow some Saturday working but starting at 8.30am, rather than at 7am as per Oxfordshire County Council's standard operating hours. The proposals to create topsoil onsite are considered acceptable as it would not give rise to any significant adverse impact.

Annex 3 – Consultation Responses

South Oxfordshire District Council –No objection.

- Green Belt – The openness of the Green Belt would be maintained as views are very limited and the quarry is below ground and at the brow of a hill.
- Noise – The majority of the work will be within the quarry and noise will be contained within the site. The restoration process has the most potential for disturbance but this will be temporary. Overall it is considered that the works will not cause a loss of amenity to the area.
- Ecology and geology – the proposals would safeguard the ecological and geological interest of the site.
- Land contamination – There is a nearby water abstraction hole located at an Oxfordshire County Council control centre. The impact on the borehole should be considered when determining the application.

Woodeaton Parish Meeting –Opposed to the application on the following grounds:

- Need has not been demonstrated; the quarry could be restored with less material.
- Noise assessment is inadequate.
- Impact on pupils at Woodeaton Manor School not assessed.
- Road safety issues.
- No detail on access to the site following restoration.
- Risk of flooding at the base of the geological features.

Suggests conditions to be applied should permission be given.

Beckley and Stowood Parish Council – Concerned for parishioners who live close to or on the proposed route. The B4027 is not suitable for the type of vehicle proposed and there would be a danger to other users. There would also be increased noise, fumes and vibration from the traffic. There is adequate capacity elsewhere and no need to re-open this quarry for inert waste. The noise generated, particularly by lorries, would be detrimental to health. The quarry is not well related to the strategic road network. More information should be provided on the minimum amount of waste required to restore the quarry, the total amount of waste already on the site, a more detailed traffic survey and additional noise tests. If permission is granted it should be subject to suitable conditions – suggestions are provided.

Noke Parish Council – No objection. The quarry is presently in a dangerous state. The proposed section 106 agreement to no longer implement the existing consent would bring more certainty and control and provide for completion of works at the quarry within a shorter timescale. The proposed restoration has benefits in terms of landscape, biodiversity, education, safety and protection of archaeology. Conditions should be applied to avoid the dust and mud on the road that were problems when the quarry was last worked. There should be a noise management plan. The largest problem with the development is traffic. There would be a significant increase in HGV traffic, although overall traffic levels would only rise slightly. Mitigation measures should be considered – voluntary 40 mph speed limit for HGVs,

improvement of sightlines at junctions, hedgerow removal on verges, occasional use of a mobile speed radar, limit on HGV movements on Saturday mornings.

Stanton St John Parish Council – Object. The applicant has not demonstrated a need for the facility. Other sites have capacity. There would be an unacceptable adverse impact on the environment and amenity. The proposed access and routes to it are not suitable for the traffic that would be generated. The roads are already heavily used and there are accident blackspots. Road bumps in Barton are unsuitable and the roads are used by cyclists and pedestrians. Traffic movement at Headington roundabout would be affected.

Forest Hill with Shotover Parish Council – If planning permission is granted for this development, it should be in accordance with the conditions suggested by Woodeaton Parish Council. Also, lorries should be restricted to 40 mph on the B4027.

Woodeaton Quarry Action Committee – There is no need to landfill the quarry with imported waste. The need for inert waste disposal has been exaggerated and it is not necessary for the restoration of the quarry as there is quarry waste on site. Restoration would not make the quarry safe as an SSSI face would be left. The development would cause disturbance to villagers in terms of noise. Concerned about how the noise tests were carried out. The proposed transport route is not suitable as it would compromise the safety of road users and would affect residential and environmental amenity. If permission is to be granted then conditions should be attached including a reduction in the amount of waste and working hours, road safety measures, a liaison committee and monitoring.

CPRE – Endorses proposed restricted route to protect Woodeaton, Islip and Forest Hill. The transport statement states that there would be an average of 11 trips per day. However, this could be much higher on occasion. There should be a condition to cap lorry movements to 11 per day, with no trips at weekends.

Oxford Green Belt Network – Scheme provides a welcome means of restoring the Green Belt at Woodeaton. The present quarry is an eyesore. Hope the restoration can be carried out as proposed to unimproved grassland or nature conservation with public access with regard for the geological interest. Aware of concerns regarding the movement of waste, expect that this would be addressed through conditions to include control of vehicle numbers, adherence to a timetable, wheel washing and avoidance of noise and dust impacts on Woodeaton.

Environment Agency – No objection. The hydrological assessment incorrectly identifies the Tayton Limestone as a secondary aquifer, it is a principal aquifer. The applicant will need to obtain an environmental permit for this development. They state that no artificial sealing liner will be required, if it is operated as an inert landfill this would be needed. However, this is not a reason to prevent the issue of planning permission at this stage as if a basal liner is required this is not likely to have significant implications from a land use perspective. There should be no increased risk of flooding off site as the site will slope into the site. However, a condition for a drainage scheme should be added. Suggest a condition for a surface water drainage scheme and informatives.

Natural England – Regarding the SSSI it is considered that the restoration plan would be beneficial to the site in terms of protection of, and access to, the geological features. Welcome the submission of ecological surveys, the County Ecologist should advise on these. Soils used for the creation of the restoration should be suitable for the purpose and only handled when they are in a dry and friable condition and the ground is dry.

Oxfordshire Geology Trust – No objection. Would like to highlight the fact that this is a registered Local Geology Site (LGS) as well as an SSSI.

Sustrans – Traffic associated with this development will follow a route used by cyclists. Measures should be put in place to protect them and other vulnerable road users.

Highways Authority –

- Access - Satisfied with amended plan showing visibility splays.
- Traffic generation – Although the access road to the quarry is too narrow for two way traffic, a passing place is not required given the anticipated traffic flows. The application shows that the development would mean a slight reduction in movements when compared to the extant permission. Therefore, the proposed traffic generation would not be of detriment to the operation of the surrounding highway network. A routeing agreement is required.

Drainage – A condition is needed requiring the provision of details of the design and size of swales (including the infiltration tests and supporting calculations).

Rights of Way – No objection. The proposal would not appear to affect any recorded public rights of way.

Ecology and Landscape – No Objection. The restoration is consistent with the priority habitats set out for the Oxford Heights Conservation Area and would contribute to biodiversity targets subject to positive management. Works and restoration should be carried out in accordance with the submitted proposals. The applicant should enter into a section 106 agreement to ensure the suitable management of the site. An ecological management plan should be submitted prior to the start of operational works. Conditions should be added to ensure that development commences while the ecological survey work is up to date and that protected species are protected.

Archaeology – No objection. The proposals would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

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For: PLANNING AND REGULATION COMMITTEE – 16 APRIL 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (GROWTH & INFRASTRUCTURE)

Development Proposed:

Planning application for the use of a processing plant site to process sand and gravel extracted from 94 acres of land at Radley (Ref P/369/71) and the installation of a field conveyor system to the site boundary and ancillary facilities for the transportation, storage and processing of sand and gravel.

Division Affected: Kennington and Radley

Contact Officer: Mary Thompson **Tel:** Oxford 815901

Location: Thrupp Lane Quarry, Radley

Application No: MW.0001/12

Applicant: Tuckwells

District Council Area: Vale of White Horse District Council

Contents

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

Part 1 – Facts and Background

Location (see site plan Annex 1)

1. Thrupp Lane Quarry processing plant is located 800 metres to the east of the outskirts of Abingdon and 1 kilometre (0.6 mile) south of Radley and within the Oxford Green Belt.

Site and Setting (see site plan Annex 1)

2. The wider Thrupp Lane quarry covers an area of 22 hectares and has been extensively worked for sand and gravel and progressively restored with pulverised fuel ash (pfa). The processing plant area is in the north west of the wider site, immediately south of Thrupp Lane, which is the access. The application area covers 9.4 hectares.
3. The site is surrounded by land which has been worked for sand and gravel and restored. There is a separate area of land which has permission for sand and gravel extraction (permission P369/71) which has not yet been worked. This lies to the south west of the application site, adjacent to the River Thames.
4. The area to the west of the site has been designated a County Wildlife Site.
5. The nearest dwelling is Home Farm, located approximately 200 metres away.

Planning Background

6. The plant has processed sand and gravel since 1982 and was intended to be used for sand and gravel worked from the adjacent quarry. An application to extend the quarry and processing plant was submitted in 2008 when it was resolved to grant permission subject to a number of requirements including the applicant contributing a sum of money to maintain Thrupp Lane. The applicant was not willing to do this and so the application was refused.
7. Following the refusal of permission for an extension of time the applicant submitted an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD) to Oxfordshire County Council. This claimed that the plant site has been processing imported sand and gravel without planning permission since 1995. The CLEUD application was refused. A further application has been submitted but has not yet been determined. A CLEUD application does not deal with the planning merits of the proposal - rather it is determined purely on the basis of whether the activities that have taken place on the site before the application was made have become lawful by lapse of time. In this case the available evidence would have to show that the claimed activities had taken place (without planning permission) for a period of ten years. If a CLEUD is granted the activities covered by the certificate would be lawful and immune from enforcement.
8. There is an old minerals consent (P/369/71) on an area of land 800 metres to the south west of the application site with permission for the extraction of sand

parking and a repair workshop and the sale of decorative gravels and stone, which are ancillary uses to the previous use of the wider site as a quarry.

Part 2 – Other Viewpoints

Representations

16. Nine letters of objection have been received from local residents. Copies of the letters are available in the Members' Resource Centre and Annex 2 to this report contains a summary of points raised. The key concern is the impact of HGVs on Thrupp Lane.

Consultations

17. Consultation responses have been received from a number of statutory and non-statutory consultees. The full text of these responses can be seen on the eplanning website. They are also summarised at Annex 3 to this report. There has been no objection from statutory consultees. Radley Parish Council have not objected subject to a number of conditions. Some of these can be attached to any permission granted but others do not relate to this permission. The Parish Council response is considered in detail at Annex 4.

Part 3 – Relevant Planning Documents

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

18. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
19. The relevant development plan documents are:
 - The South East Plan (SEP)
 - Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP)
 - The Vale of White Horse Local Plan (VLP)
20. Oxfordshire Draft Minerals Strategy (ODMS) is a material consideration. This has not been formally adopted but it is at an advanced stage and the draft has been out to consultation and an updated version including proposed changes was considered by Cabinet on 13 March. Therefore, some weight should be given to the emerging policies in this document.
21. The SEP forms part of the development plan. However, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order had been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.

consider applications in a timely manner and these proposals include provisions for both situations i.e. whether the ROMP material becomes available for processing or not. The grant of this permission now would have immediate benefits including that the existing processing plant site would be removed.

29. It is my view, therefore, that, subject to the proposals conforming to development plan and other relevant policy and not having any adverse environmental or amenity impacts, the development would potentially be beneficial in terms of providing a processing facility for a mineral reserve which already has permission to be worked.

(ii) Green Belt and landscape

30. Green Belt policy requires that developments maintain the openness of the landscape and do not conflict with the purposes of the Green Belt or harm its visual amenities. Inappropriate development can only be permitted in the Green Belt in very special circumstances. Green Belt designation does not preclude mineral extraction and processing and as such the proposal is not considered to be inappropriate development.
31. Oxford Green Belt Network have objected on the basis that allowing the ROMP would prolong industrial activity in this area. However, the ROMP area already has permission for extraction regardless of the outcome of this application. A number of other consultees have stated the wish to see this site restored and returned to Green Belt.
32. The dismantling and removal of the existing sand tower and gravel washing plant would have a positive impact on the openness of the Green Belt. At present the plant is partially visible above the trees, particularly in winter. The use of a low, modern mobile plant, if and when the ROMP site material becomes available, would have less visual impact and would not conflict with the purposes of the Green Belt. Any plant or structure in this location has the potential to harm the visual amenity of the Green Belt and therefore the proposed additional landscaping is important.
33. The proposed restoration of a large part of the site would return the land to nature conservation use, which is appropriate in the Green Belt and would contribute to the Green Belt objectives in PPG2 and now the NPPF.
34. The proposals therefore represent an improvement in terms of Green Belt policy over the current situation. Overall, I consider that this application would accord with relevant Green Belt policy (PPG2, VLP GS3, NPPF).
35. This permission would secure the immediate removal of the existing processing plant and the restoration of the site, either within 5 or 15 years depending on whether mineral extraction takes place on the ROMP area. These actions would have landscape and amenity benefits consistent with policy relating to the timely removal of mineral processing plant and restoration of sites (ODMPS policy M6, OMWLP policy PB1, PE13).

43. The main amenity concern from this development is the impact of traffic using Thrupp Lane. The Highway Authority acknowledge that this road is not designed for the HGVs that use it and that they have an adverse impact on the amenity of people who live on Thrupp Lane or use it for walking and cycling. However, this development has the potential to reduce the number of HGV movements along the road.
44. There has been concern raised about the potential for dust generation. This application would provide an opportunity to bring the processing operations at the site under control using enforceable planning conditions. Therefore, if permission is granted it should be subject to conditions to ensure that dust mitigation measures are put in place. This includes the sheeting of lorries and the dampening of the site during operations in dry conditions.
45. Other amenity concerns, such as reversing beepers can be addressed through planning condition.
46. Therefore, I consider that the potential amenity concerns arising from this development can be adequately controlled by planning conditions.

(v) Other Issues

47. Radley Parish Council have expressed their support for the application subject to a number of conditions. Some of these have been proposed by the applicant, some are reasonable and can be added to any consent that might be given, but others, such as the control of activities not included in this application, refer to matters which cannot be covered by this consent. Annex 4 contains a more detailed consideration of the Parish Council's response.
48. The Thrupp Lane Resident's Association and CPRE have suggested that any permission should be conditional on HGVs using Barton Lane rather than Thrupp Lane to gain access to the highway network. Abingdon Town Council has voiced its objection to the use of Barton Lane as an access to the site. No link exists at present and no new road is proposed as part of this development. The County Council has been instrumental in setting up a new local liaison group which includes representatives of residents, businesses and the council's planning and highways teams. It is chaired by the local county councillor. This group is exploring the possibility of alternative means of access to the site and the funding for this.
49. There are other developments on site including lorry parking and a repair workshop, a residential caravan for security and the sales of small quantities of decorative stone. The current application does not seek consent for these activities and therefore any permission granted would not refer to them. An informative could be added to make this clear.
50. Permission should not be issued without certainty that the existing plant will be swiftly removed and the CLEUD application withdrawn, as offered by the application. These actions will need to be secured by legal agreement.

51. A number of consultees have stated that the benefits proposed by this application should be secured through legal agreement, rather than by condition. It is not necessary to use a legal agreement in order to make planning conditions effective. If permission is granted County Council staff would monitor the site on a formal basis to assess compliance. Where breaches of planning control are identified the County Council would take appropriate action to secure compliance and remedy the breach.
52. Save Radley Lakes have asked for reassurance that this permission would not prejudice the consideration of any possible future applications to process the ROMP material elsewhere. I can confirm that any future application for processing facilities would be considered on its merits.

Conclusions

53. The proposed development could be beneficial in providing a locally situated processing facility for a mineral reserve which already has permission to be worked. It provides a way for the ongoing processing activities to be brought under planning control through the use of conditions. The removal of the existing plant and replacement (if necessary) with a new temporary plant will result in less visual impact. There would be no increase to HGV traffic on Thrupp Lane and there would be the potential for a significant reduction in movements.
54. The proposal accords with relevant policy on Green Belt, traffic and amenity.

Recommendation

55. **It is RECOMMENDED that subject to:**
 - (a) **prior completion of an agreement under s106 of the Town and Country Planning Act 1990 in terms to be agreed by the County Solicitor to secure removal of the existing processing plant by 30 September 2012;**
 - (b) **the Applicant withdrawing his CLEUD application for existing processing plant before this planning permission is issued;**

that Application No. MW.0001/12 be approved subject to conditions to be determined by the Deputy Director (Growth & Infrastructure) to include the following matters:

1. **Development carried out in complete accordance with approved plans.**
2. **Commencement within 5 years.**
3. **No new fixed plant, machinery or structures to be erected on the land.**

4. **Stockpiles within the flood plain shall be sited so as not to impede flow of flood water.**
5. **Sheeting of any lorries leaving the site except those carrying stone in excess of 500mm.**
6. **Reversing beepers shall use white noise.**
7. **Control of external lighting.**
8. **Standard operating hours (0700-1800 Mondays to Fridays, 0700-1300 Saturdays and additionally 1300-1800 Saturdays for plant maintenance only).**
9. **Retention and maintenance of trees.**
10. **Dust control measures.**
11. **Submission of a detailed restoration plan, supported by a full ecological and photographic survey.**
12. **Removal of material, buildings and plant when no longer required, or before the completion of restoration.**
13. **Implementation of restoration including permissive right of way.**
14. **Timescales for restoration – within 5 years from the date of consent or within 1 year of the completion of gravel extraction on the ROMP site.**
15. **5 year aftercare of restored site in accordance with a detailed management plan to be submitted and approved.**
16. **Submission of details of the conveyor across the site and receiving hopper.**
17. **No material to be imported by road to processing plant for processing, only material from the ROMP site to be processed, to be brought by conveyor.**
18. **Submission of details and implementation of landscape planting, there should be no impact on visibility splays.**
19. **Submission of details of the new processing plant and implementation in accordance with approved details.**

Informatives

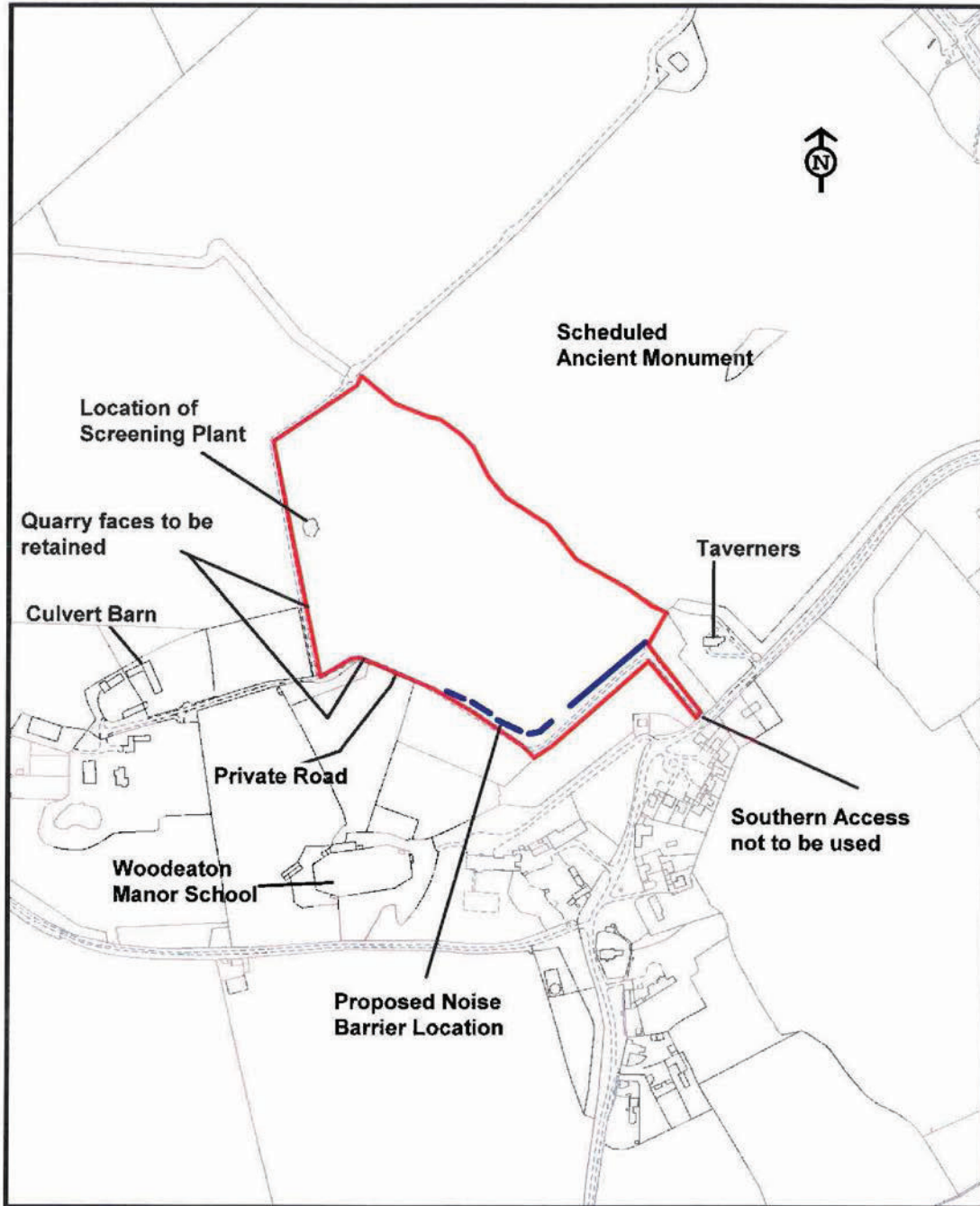
1. **Participation in liaison committee.**
2. **Clarification of development not covered by the consent (workshop, lorry yard, stone sales).**
3. **Oil storage tanks should be located on an impervious base.**
4. **Silt ponds require a permit issued by the Environment Agency.**
5. **Discharge of water into a watercourse requires a discharge licence issued by the Environment Agency.**

MARTIN TUGWELL
Deputy Director (Growth & Infrastructure)

April 2012

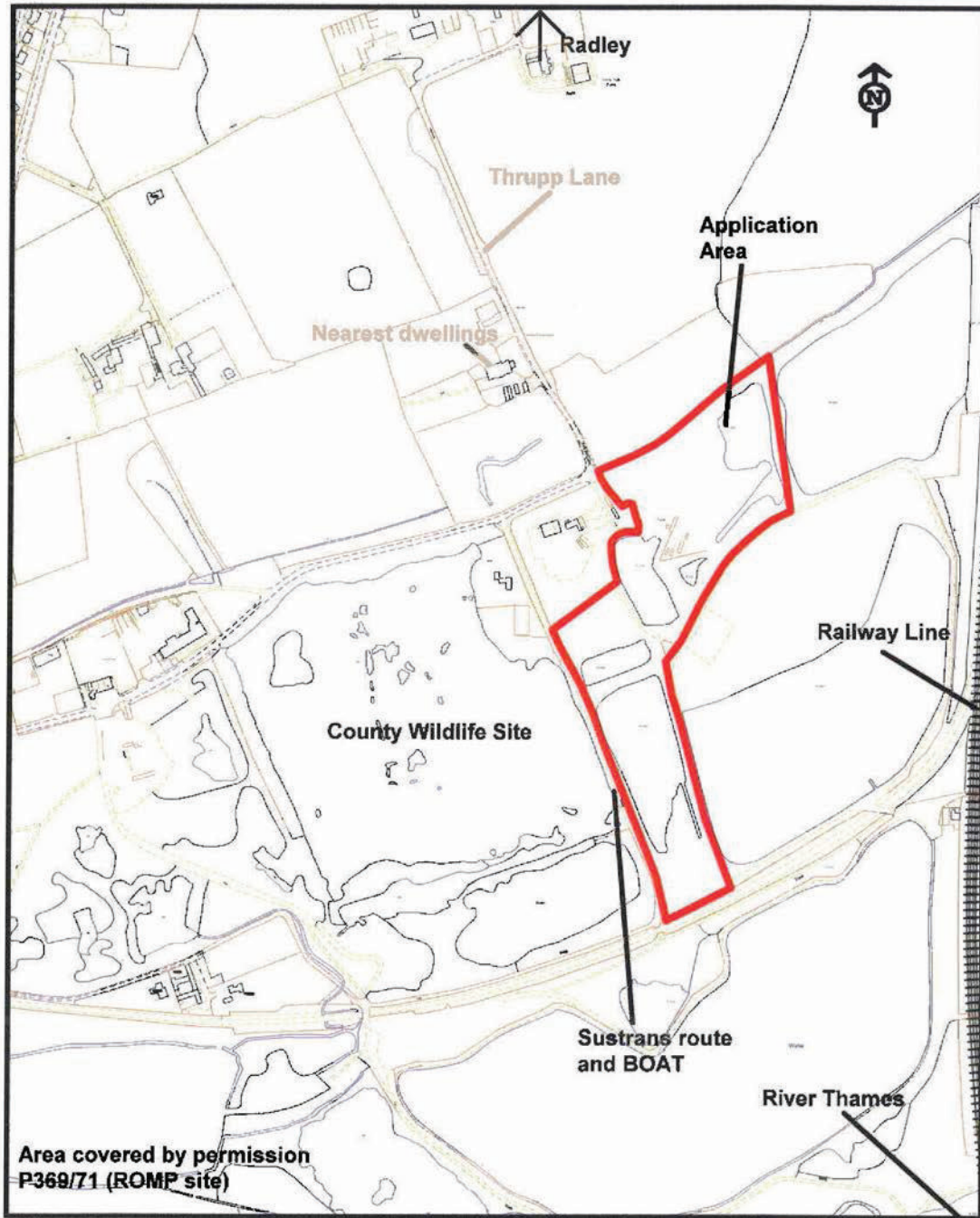
Annex 1 – Site Plan

Plan 2 - Site Plan



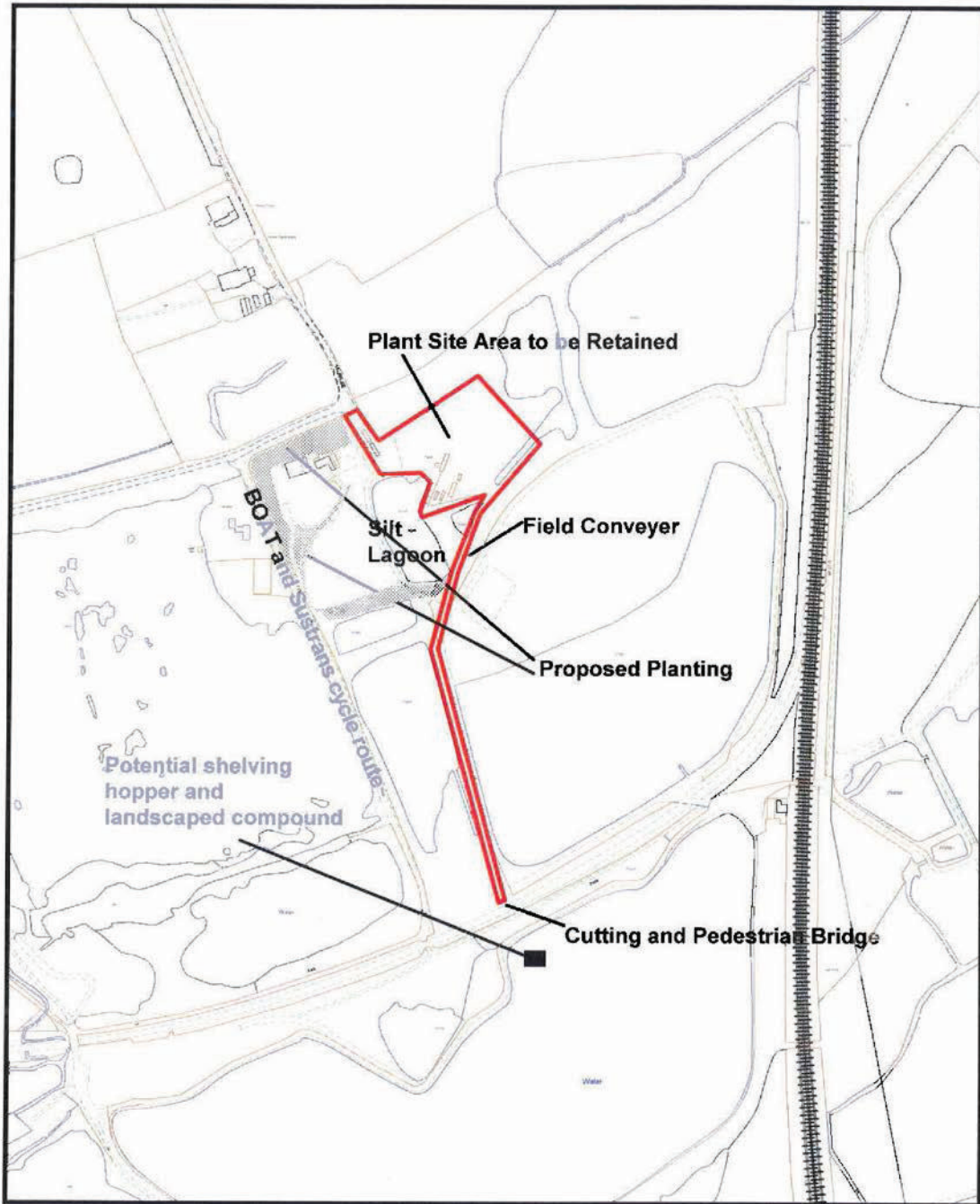
This plan shows only an indication of the proposed development and should not be scaled from

Site Plan



This plan shows only an indication of the proposed development and should not be scaled from

Site Plan



This plan shows only an indication of the proposed development and should not be scaled from

Annex 2 – Representations

Below is a summary of objections received from members of the public. Nine letters were received. The officer response to these comments is provided in italics.

Current nuisance from lorries on Thrupp Lane – would like to see plant closed down due to-

- Noise. Can't open windows or sit outside.
- Vibration – house shakes when lorries pass.
- Litter from drivers.
- Drivers leaving engines running when sitting in the layby.
- Drivers entering private driveways to allow other vehicles to pass.
- Impact on community – traffic deters residents from using the lane for cycling and walking.
- Was told when purchasing property that use of Thrupp Lane by HGVs was temporary.

Concern about safety on Thrupp Lane – further development and traffic would make matters worse –

- Not wide enough for HGV use – very dangerous.
- In a poor state of repair.
- Drainage not adequate.
- Many vulnerable users – walkers, cyclists, people going to the lakes etc.
- The lane is a designated cycle route.
- Traffic on the lane has increased significantly since 2005.
- Do not believe that the development would cause the reduction in traffic suggested.

It is acknowledged that the use of Thrupp Lane by HGVs causes local concern in terms of safety and nuisance. However, it is not possible to close down Tuckwell's operations on the site and end HGV movements along Thrupp Lane as the concrete batching plant on the site has a permanent consent and not all of the HGVs using Thrupp Lane are associated with Tuckwells. This application would allow the potential for the concrete batching plant to be supplied by sand and gravel supplied by conveyor from the local area, which has the potential to reduce HGV movements. It would also allow for conditions to be added to control vehicles related to this consent, for example requiring that they should be sheeted.

Alternative Access Arrangements

- Proposal to create a walk/cycle way alongside the lane is unrealistic. It would be very expensive and require the purchase of adjoining land.
- Use of Barton Lane should be investigated.

The suggestion that access should be via Barton Lane is addressed in the main report. This application does not propose a walkway on Thrupp Lane.

Concern about dust:

- Would adversely affect wildlife and vegetation and the site is near Radley Lakes nature reserve.
- Potential harm to air quality affecting residents.

Potential dust impact could be controlled through the use of planning conditions.

Requirements if permission is granted:

- Limit on traffic movements – no increase, no importation of aggregates while there is a stockpile.
- Hours 8-4.30 with no Saturday working.
- Repair workshop only used for Tuckwells own vehicles.
- No reversing beepers.
- New plant and machinery to limit amenity impacts.
- Permission must be sought for the processing of waste water from processing.
- 20 mph speed limit on Thrupp Lane.
- Weight limit as Thrupp Lane is a failed road.
- The site should be stringently monitored.
- No further extraction from beneath the concrete batching plant.

Conditions can be attached to cover reversing beepers and it is proposed to use modern new plant. Compliance with conditions will be monitored by Oxfordshire County Council's monitoring and enforcement team. The repair workshop is not a part of this application. It is not possible to use conditions on this consent to limit total vehicle numbers, speed or weight on Thrupp Lane as it is also used by vehicles of other companies located along the Lane. Standard hours are proposed and considered to be acceptable in this case. There is no planning permission for extraction of material on the site, including beneath the concrete batching plant.

Other Matters

- New independent traffic survey should be conducted.

This has not been required by the Highways Authority.

- There has been a lack of planning control and enforcement in relation to Thrupp Lane.

This application will provide an opportunity to control the processing operations on the site through the use of conditions which would be monitored by OCC. If planning permission is granted the site would be regularly visited by Monitoring Officers on a formal basis to assess compliance. Where breaches of planning control are identified the County Council will take appropriate action so as to secure compliance and remedy the breach. Planning enforcement action will be proportionate to the breach of planning control and in accordance with national guidance and local policy.

- Separate application should be made for the retail and haulage business. This causes a nuisance as vehicles arriving to buy products are unsheeted.

An informative should be added to any consent to confirm that this application and consent do not relate to the retail and haulage business.

- Mobile plant should be sited at the extraction location or in the Curtis yard, which is closer to the extraction and Barton Lane.

Alternatives for the location of the processing plant will be considered through the determination of the ROMP application for new conditions. However, the application site is considered suitable as set out in the main report.

- Impact on Radley Lakes nature reserve – location of conveyor would disturb wildlife.

There has been no objection from the Council's Biodiversity Officer who considers that the development would be acceptable in terms of impact on biodiversity if the conveyor was raised above the ground. A condition could be added for the submission of full details of the conveyor before it is installed. This would then be consulted upon to ensure that the most appropriate design and route is used.

- Site is in the Green Belt.

Green Belt policy is considered in the main report.

Annex 3 – Consultations

Vale of White Horse District Council – Any decision made on this application needs to be tied into the county council's consideration of the related stalled ROMP application. No objection if the plant is deemed to be required for the processing of sand and gravel from the ROMP site.

Radley Parish Council – No objection subject to conditions and a legal agreement. Strongly held position that the industrial activities on this site should be brought to an end and the site restored to Green Belt countryside. However, due to the wider threat to the area due to the ROMP application and other welcome benefits offered in this application, the Council offers no objection to permission being granted, subject to a section 106 agreement.

Abingdon Town Council – Concerned about additional traffic in the area, especially if lorries come out at Barton Lane/ Audlett Drive.

Save Radley Lakes – No objection subject to benefits such as the restoration and new right of way being secured by section 106 agreement, not just condition and reassurance that granting this permission would not prejudice future applications for processing the ROMP material elsewhere. Further comments that the application proposes further industrialisation of the Green Belt and it is undesirable that it is being considered in advance of the ROMP application.

Thrupp Lane Residents' Association – This application and the CLEUD application should be refused on the basis of the increase in traffic and the site restored to Green Belt. If it is allowed it should be on the condition that all HGV traffic uses Barton Lane and a weight limit is imposed on Thrupp Lane. Tuckwells base their assertion that there would be a decrease in HGV traffic by comparison with historic data from 2003-2007. However, the level of business has fallen since 2007 so it is likely traffic has too. In fact the export of 1 million tonnes of mineral is likely to lead to an increase in HGV movements. There should be a new traffic survey to determine this. There is no permission for the retail activity on the site and there should be a condition requiring that this cease. Other conditions should include hours of operation shorter than those proposed with no weekend working, noise proofing of processing equipment, limit to the numbers of HGVs, repair workshop to be used for Tuckwells HGVs only, 20 mph speed limit on Thrupp Lane and an agreement not to extract mineral from beneath the concrete batching plant.

Oxford Green Belt Network – Object. Had hoped for the restoration of the area. Allowing the ROMP application would prolong industrial activity in the area. Aware of the long term benefits proposed in the application but this appears to be based on the assumption that the activities taking place on site have permission. However the CLEUD application has not yet been determined. Concerned about the impact of HGVs on Thrupp Lane, which is not suitable.

CPRE – Object unless:

- the approval is made separate to access being from a new road to Barton Lane and Thrupp Lane being closed to HGVs.
- there are rigorous controls on operation and restoration.

- there are conditions to cover the undertakings given by the applicant in the supporting statement, particularly the closure and removal of the existing plant.

Thames Water – No comment.

Environment Agency – No objection. Recommend a condition for the submission of a detailed restoration plan supported by an up to date ecology survey. The site is partly in flood zone 2 and stockpiling of material is proposed. It would be difficult to establish an accurate flood level at the site without carrying out extensive modelling, which would be disproportionate to the scale and nature of the proposal. Therefore, there is no objection on flood risk grounds due to temporary nature of works, existing development arrangements and flood risk classification of the site as flood zone 2.

Natural England – No comments on this application. However, the planning authority should consider the fact that the ecological surveys are 4 years old and surveys over 2 years old are generally considered to be unreliable. The council should also consider securing measures to enhance the biodiversity of the site from the applicant.

County Archaeological Services – No archaeological constraints to this scheme.

County Ecologist Planner - No objection. The ecological survey found that the continuation of works on this site would not have a detrimental impact on the wildlife already existing on the site. The survey was from 2008 and does not cover the potential impacts of a conveyor system. However, the installation of a conveyor would not affect any of the protected species on site, or their movement across the site if it is raised above the ground.

County Rights of Way officer – Welcomes the provision of a new footpath. The exact line and construction can be agreed later. The submitted plan is incorrect to show a right of way on part of the old railway line running east from the junction of Thrupp Lane. Would like the path to be dedicated as a definitive path so it is protected by legislation and protected in perpetuity.

Highways Authority – No objection. Tree planting along the northern boundary should not affect any visibility splays. There should be a condition to cover this. Disappointed that initial requests for additional information and for a contribution towards the repair/improvement of Thrupp Lane have been declined. However, given the likely reduction in HGV movements along Thrupp Lane if this application is approved there is no objection.

Annex 4 – Radley Parish Council Response

Radley Parish Council have not objected to this application subject to a number of conditions and a section 106 agreement to bind the application to those conditions. As explained in the main report it is not necessary to use a legal agreement in order to make planning conditions effective.

The conditions proposed by Radley Parish Council are discussed below.

- To ensure that all of the listed benefits are achieved, and the obligations as listed in sections 1 and 2 of the Supporting Statement are then complied with. *Conditions will be attached to ensure that the development is carried out as proposed and the proposed benefits are secured.*
- To ensure that the development, in terms of scale and conveyor route, does not deviate significantly from the proposal. *A standard condition will be attached to ensure that development takes place in complete accordance with approved plans.*
- To ensure processing of indigenous gravel only - no importation of unprocessed or as-dug gravel from other places. *A condition prohibiting the import of material for processing at the sand and gravel processing plant will be added to any permission granted.*
- To prohibit unnecessary imports of aggregates, whether processed or not. As far as possible, and while there is a stockpile, the sole feedstock for the concrete plant should be indigenous sand and gravel. *Conditions on this permission cannot be used to control the concrete batching plant development as it has a separate consent.*
- To limit, as far as feasible, the level of HGV traffic using Thrupp Lane during the period of ROMP extraction. As a minimum, this should not exceed stated current levels. *Not all HGV traffic on Thrupp Lane relates to Tuckwells and not all of Tuckwells traffic relates to the development currently under consideration. Therefore, it would not be possible to attach such a condition.*
- To limit hours of working, noise from plant and machinery. Working hours should be limited to 8am – 4.30pm on weekdays and 9am – 1pm on Saturdays, with no working on Sundays or Public Holidays. *Activities on site would be limited in accordance with the standard hours in the Oxfordshire Minerals and Waste Local plan (07.00-18.00 weekdays, 07.00-13.00 on Saturdays with no workings on Sundays or bank holidays). The hours suggested by the Parish Council are shorter than these. In this case there does not appear to be sufficient justification to vary the standard hours.*
- To minimise the nuisance impact on residents and other road users of lorry traffic using the site by requiring that lorries carrying friable loads should be sheeted and by forbidding reversing klaxons etc. *Conditions would be added to require the sheeting of lorries leaving the site and white noise on reversing beepers.*

- To limit, as far as possible, through conditions, the residual permanent activities on the site. Where appropriate, additional planning permissions may need to be sought for some of the proposed activities, and these should not be conferred or implied by this permission, should it be granted. *It is not possible to attach conditions relating to any aspect of the development not covered by this application. However, an informative could be added to confirm that the permission relates only to the development described and not to other development on the site.*

For: PLANNING AND REGULATION COMMITTEE – 16 APRIL 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (GROWTH & INFRASTRUCTURE)

Developments Proposed:

- 1) An application to import, store and process inert construction and demolition waste and operation of an Aggregate recycling facility**
- 2) An application for the continuation of planning permission 10/00360/CM (for the comprehensive restoration and redevelopment of Shipton-on-Cherwell Quarry) with a variance of condition 1 (to amend phasing plans to take account of the proposed aggregate recycling facility), condition 6 (to extend import of material by road from 3 years to 10 years) and condition 7 (to remove the limit on the total volume of waste imported by road)**

Division Affected: Kidlington and Yarnton

Contact Officer: David Flavin **Tel:** Oxford 815655

Location: Shipton-on-Cherwell Quarry, Shipton-on-Cherwell
Oxfordshire

Applicant: Hansteen Land Ltd.

Application Numbers MW.0119/11 (aggregate recycling)
MW.0120/11 (variation of conditions)

District Council Area: Cherwell

Contents: Part 1 – Facts and Background
Part 2 – Other Viewpoints
Part 3 – Relevant Planning Documents
Part 4 – Opinion and Conclusions

Part 1 – Facts and Background

Site Location (see site location plan)

1. The quarry is situated 10km (6.2 miles)¹ north west of Oxford, immediately north of the village of Shipton-on-Cherwell and east of the A4260. The site lies within the Oxford Green Belt.
2. Bletchingdon lies 2km (1.2 miles) to the east of the site. To the north west of the site is the linear settlement of Bunkers Hill, separated from the quarry by the A4095. Oxford Airport lies 1km (0.6 miles) to the south west. The site is within the Oxford Green Belt.

Site and Setting (see site plan)

3. The quarry is in open countryside covering 71 hectares, of which 67 hectares comprise a largely worked out dormant limestone quarry. Derelict and decaying cement works buildings, including a 76m high chimney are situated within the north east corner of the site. The proposed aggregate recycling facility (ARF) would be located in a central 3.5 hectare area of the quarry, immediately east of the permitted haul road. This area has planning permission for inert landfill to create a development platform.
4. To the north eastern boundary of the quarry, the land falls away to the Oxford Canal/River Cherwell. The Birmingham to Oxford railway line runs along the eastern boundary.
5. The quarry has been designated a County Wildlife Site and parts of it are designated as geological Sites of Special Scientific Interest (SSSI). A public right of way skirts the site to the north and south. Parts of the site are contaminated and are subject to remediation measures required by conditions attached to the extant planning permission.
6. The nearest dwellings to the proposed aggregate recycling site are in Jerome Way (in Shipton-on-Cherwell village) 400 metres to the north west.

Background

7. In September 2006 the County Council approved a proposal for the comprehensive restoration and development of the quarry². This development incorporated:
 - Import and deposit of inert waste in order to raise the quarry floor above water level and create a development platform.
 - Re-establishment of rail sidings, construction of a rail aggregates depot and rail storage depot.
 - Mineral extraction.

¹ All distances are approximate

² Planning permission reference 06/02046/CM

- B8 industrial use.
 - Demolition and recycling of existing structures.
 - Wildlife and geological conservation areas.
 - Temporary car storage (15 years).
 - Woodland for managed timber production (after 15 years).
 - Improvements to A4260 / A4095 junctions.
8. In 2010 an application³ to vary two of the planning conditions attached to the above permission was approved by the County Council. Both these variations allow for the staged submission of details relating to the investigation and remediation of contaminants on the site. This permission repeated all the other planning conditions from the original permission and superseded the original consent. The permission was implemented in 2010 when works were undertaken to raise the internal haul road above the water table.

Details of the Aggregate Recycling Facility

9. The aggregates recycling facility is proposed for a period of 10 years⁴ with a capacity of 250,000 tonnes per annum. It would operate in conjunction with Phase 1 of the existing permission which currently allows inert waste to be imported by road for a period of 3 years whilst the railhead, referred to in paragraph 7 is constructed. At the end of the 3 year period the present permission anticipates further imports would be by rail. This current proposal is for a recycling facility (serviced solely by road imports) to be established as part of Phase 1 and 2 for a period of 10 years. This would also mean that road imports to the site would be extended (from 3 to 10 years, see separate variation of conditions application). It would allow more time for a rail contract to be secured and railhead built.
10. Specifically, the proposal involves the siting of machinery including a crusher and a screener which would be used to process and screen imported inert waste into grades of recycled aggregate and to recover topsoil and subsoil. Some recovered material would be used for onsite engineering purposes, whilst the majority would be exported from the site. The applicant anticipates that up to 60% of the imported material could be recycled. The remaining non-recyclable portion of the waste would be used in the permitted infilling works.
11. The facility would be located within Phase 1 of the permitted infilling works and would be moved around as the construction of the development platform progresses. The crusher would be 4 metres high and 14 metres long, the screener would be 3 metres high and 14 metres long. Both processed and unprocessed material would be stockpiled on the site.
12. The proposal also seeks retrospective permission for a weighbridge, site office and wheel wash that have been placed on site.

³ Planning permission reference 10/00360/CM

⁴ The applicant originally applied for a temporary period of 25 years, but reduced this duration following consultation.

13. Vehicle movements for the import of waste and export of recycled materials are anticipated to amount to a maximum of 144 movements per day (72 lorries in, 72 lorries out). The existing planning permission at the site limits the vehicle movements to 318 per day. The proposed recycling activities, in conjunction with the other permitted operations would not exceed this permitted daily limit.
14. The demolition and recycling of the buildings and structures that comprise the derelict cement works on the wider site is already permitted as part of Phase 1 of the existing planning permission.

Details of Variations to the Existing Planning Permission

15. The proposal to vary Condition 1 in order to amend the phasing plans of the present permission to show how the aggregate recycling facility would fit in with the consented development has been outlined in the previous section of this report.
16. Condition 6 of the comprehensive restoration and redevelopment planning permission limits the import of waste by road (for use in the construction of the development platform) to a period of 3 years. The original planning application envisaged that 3 years would be a suitable timescale to re-establish the rail head connection at the site and that all waste material after this period would come in by rail.
17. The applicants now state that they envisage that 3 years is insufficient time to secure rail based waste contracts and to carry out the necessary works to re-establish the rail head connection. This application therefore proposes that Condition 6 be varied to allow import of waste by road for 10 years. Initially the application proposed to remove this condition but, during the course of consultations on the proposal, the applicant agreed to limit imports by road to 10 years and is linked to the proposed duration of the aggregate recycling facility. It is likely that waste imported by rail would be largely non-recyclable as it is generally more efficient to recycle waste closer to its source.
18. Condition 7 of the existing permission limits the amount of waste imported by road to 250,000 tonnes per year. It also restricts the total amount of waste that can be imported to the site by road to 750,000 tonnes.
19. This application proposes that Condition 7 is varied to remove the restriction on the total amount of waste that can be imported to the site. The requirement to limit the annual import of waste by road to 250,000 tonnes would be retained.

Part 2 – Other Viewpoints

20. In addition to the initial round of consultation on the applications, comments have been received following notifications of the adjustment to the proposal (reducing the life of the recycling facility from 25 to 10 years).

Representations

21. Seven objections have been received from residents of Shipton-on-Cherwell concerning noise, dust and increased traffic. Two of the representations request that contaminated material present in the quarry be removed prior to any new operations. One resident requests that crushing is not carried out after 5 pm or at weekends.

Consultations

Cherwell District Council

22. CDC has reservations about the aggregate recycling facility, primarily due to its location in the Green Belt. They consider that the proposal would cause harm by way of inappropriateness and effect on the openness of the Green Belt.
23. CDC note that there are benefits associated with the facility and its potential to increase recycling, but are not convinced that these amount to very special circumstances that outweigh the presumption against inappropriate development in the Green Belt. They consider that the County Council is best placed to assess whether a very special circumstances case can be made in relation to Green Belt policy.
24. With regard to the application to vary conditions of the existing consent, CDC have concerns about the increased duration over which lorry movements to the site will take place. CDC are of the opinion that approval of this application will reduce the applicant's urgency to secure a rail linked waste contract. Should the application be approved, OCC is asked to consider that the improvements to highways and traffic arrangements proposed during Phase 4 of the consented development should be carried out prior to the commencement of aggregate recycling.
25. The District Environmental Health Officer has no objection subject to noise and dust conditions.

West Oxfordshire District Council Planning

26. No objections.

Shipton-on-Cherwell and Thrupp Parish Council

27. No objections and support both applications subject to:
 - Retention of the existing routing agreement.
 - Retention of the existing condition limiting HGV movements to 318 per day.
 - Limiting the recycling facility and import of waste by road to a period of 10 years.
28. The Parish Council have in principle always supported the comprehensive redevelopment and restoration of the site and would like to see some useful

activities in the quarry as soon as possible. They hope that allowing the proposed recycling facility will lead to the full implementation of the existing consent.

Kidlington Parish Council

29. The Parish Council objects to further development and the relaxation of conditions as there has been no demonstration of sufficient commitment to achieving the objectives of the original permission, which was to secure alternative transport means for the import of materials to the site.
30. The Parish have not commented on the amendment to the application reducing the time limit of the recycling facility from 25 years to 10 years.

Bletchingdon Parish Council

31. Object to the removal of Condition 6 which limits import by road to 3 years as they believe it would protect them from more vehicles coming through the village.

Bladon A4095 Action Group

32. Request that traffic be prohibited from being routed west along the A4095 in the direction of Witney from the A4095 junction with A44.

Oxford Greenbelt Network

33. Object to the applications and are disappointed that a rail-based scheme for dealing with inert waste may become one that is almost entirely dependent upon road transport. OGBN consider the number of anticipated lorry movements is large and have reservations about the impact of traffic on local roads.
34. OGBN maintain that the nature of the operation, involving the movement of material by road, the processing of large quantities of waste on site and the retention of the weighbridge buildings conflicts with the openness and visual amenity of the Green Belt. This constitutes the principle basis of their objection, but they are also concerned about the impact of the proposed operations on the wildlife that has colonised the quarry, and especially about the impact on birdlife which is particularly rich at Shipton Quarry.
35. OGBN note that as far as the Green Belt is concerned, one of the attractions of the previously approved scheme was that the unsightly buildings of the old cement works would be removed fairly soon. This is important if the visual amenity of the Green Belt in this vicinity is to be enhanced. OGBN do not wish to see any further delay to what they had hoped to see achieved and what they see as relevant in terms of Green Belt policy and aims.
36. Finally, OGBN is unclear how the present proposals fit in with the emerging County Minerals and Waste Plan. OGBN express concern over the reference

to need for an additional recycling plant for construction, demolition and excavation waste close to Oxford. If the proposed facility at Shipton Quarry satisfies this perceived need, it could have the merit of saving the Green Belt from yet another recycling development on a greenfield site.

Campaign for the Protection of Rural England

37. No objection providing there is no increase in traffic movements and that the conditions pertaining to the existing permission for the restoration of the site are retained. CPRE would particularly like to see the old cement works demolished and the geological SSSI and biodiversity of the site protected.

Environment Agency

38. No objection subject to conditions on surface water drainage and the disposal of foul water.

Natural England

39. No objection subject to damage being prevented to the designated rock faces (for example from machinery or vehicles using the site) and a condition preventing waste processing and storage from occurring directly in front of the designated rock faces.

BBOWT

40. No objection providing the recommendations of the County Council's Ecologist are conditioned. Reptile surveys will need to be updated before any works are carried out. Regard must be had to the approved Reptile and Amphibian Translocation Method Statement.

Thames Water

41. No objection.

Network Rail

42. No objection.

Highways Agency

43. No objection.

Ministry of Defence

44. No objection.

Health & Safety Executive

45. No objection.

County Ecologist

46. No objections subject to conditions relating to the protection of reptiles, the protection of breeding birds and the submission of an Ecological Management Plan.

County Archaeologist

47. No objections.

County Drainage Engineer

48. No objections.

Transport Development Control

49. No objections subject to retention of the existing 318 limit on daily HGV movements.

Part 3 – Relevant Planning Documents (Relevant planning documents and legislation (see Policy Annex to the committee papers))

50. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
51. The relevant development plan documents and policies are:

The South East Plan: Policies BE1, CO4, W6, W17, M2, NRM5, NRM9, NRM10

Adopted Cherwell Local Plan: Policies GB1, C1, C2, C5, C7, C30, TR7, TR10, ENV1

The Oxfordshire Minerals and Waste Local Plan: Policies W3, W4, PE5, PE14

52. The Oxfordshire Minerals & Waste Core Strategy proposed submission Document (draft) (OMWCS) is a material consideration. It has not been formally adopted but is at an advanced stage. The draft has been out to consultation and proposed changes were considered by Cabinet on 13 March and a report will be taken to Full Council on 3 April.
53. The SEP forms part of the development plan. However, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order has been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.

54. At the time of writing the government's National Planning Policy Framework has just been published (27 March). Any consequences which may flow from this new document will be reported at Committee.
55. PPS10: Sustainable Waste Management remains as extant government advice on waste planning matters.

Part 4 – Opinions and Conclusions

Comments of the Deputy Director for Environment & Economy (Growth & Infrastructure)

56. The two applications under consideration in this report should be decided on their own merits, but they are closely interlinked and it is sensible to consider all the relevant issues affecting and referring to both applications.
57. The main issues to be considered relate to:
 - need for the development and waste management
 - location of the development (open countryside within the Green Belt)
 - environmental impact on local residents
 - traffic implications
 - impact on ecological/geological interests

Need and waste management facilities

58. The work undertaken on needs assessment as part of the emerging Minerals & Waste Core Strategy has established that there is a general need for this type of recycling facility in the country, particularly on sites close to the main centres of population, in this case Oxford (Policy W5). The operation of a recycling facility on an already established permitted site could reduce the need to open up further temporary facilities close to the city (possibly also within the Green Belt).
59. With the recent publication of the NPPF, a large number of government policy statements and guidance notes have been superseded. PPS10 (Sustainable Waste Management) however remains in force and states that “the overall objective of government policy on waste, as set out in the strategy for sustainable development, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible”.
60. The Aggregate Recycling Facility (ARF) would be temporary in nature and would be carried out in association with the permitted infill activities. It is for a temporary period of 10 years which is well within the overall timescales associated with the existing planning permission for development of this site. It would promote aggregate recycling, diverting waste from landfill and pushing waste up the waste hierarchy, in accordance with both national and regional policy. The development would contribute towards helping the County reach its recycling targets but such benefits must be weighed against any potential harm

the development might cause to the amenity of the Green Belt (this issue is dealt with in the following section).

Location of the development (Open Countryside and Green Belt)

61. Policy W4 of the OMWLP does not support recycling proposals in open countryside unless there is an established overriding need and/or the development forms part of a mineral extraction or landfill site and will be removed on completion of extraction or landfill. Although surrounded by open countryside this is an old established quarry with consent for landfilling and the application proposes a 10 year life for the recycling operation with it being removed to allow final restoration of the site.
62. Policy W3 of the OMWLP supports recycling provided such facilities are located close to the source of the waste (or market for the recycled aggregate), have good links to the highway network, will not cause environmental nuisance or pose a risk to the water environment, or conflict with other local plan policies. This proposal satisfies the above criteria apart from local plan (and Green Belt) policy which is considered below.
63. Government guidance on Green Belts (PPG2) has been superseded by the new NPPF. The latter document, however, continues the government's commitment to the Green Belt, maintaining its openness and ensuring that developments conflicting with the purposes of the Green Belt or harming its visual amenities are not permitted.
64. The NPPF maintains the presumption against inappropriate development within the Green Belt and confirms that development should not be approved except in very special circumstances. The ARF with its associated stockpiles of material, buildings (site office) and structures (wheelwash and weighbridge), is inappropriate development and, therefore, very special circumstances are required to justify this proposal in this Green Belt location.
65. The original consent for the comprehensive redevelopment and restoration of this site was approved on the basis that the benefits of the removal of the derelict buildings on the cement works site together with the comprehensive restoration and after use (and long term management) of the site did justify very special circumstances to allow it to take place in the Green Belt.
66. This current proposal would not jeopardise the comprehensive redevelopment proposed. It would, however, delay the implementation of some of the elements of the permitted scheme – the railhead for instance – by pushing back the date by which the rail head facility should be brought on line (originally it was to be 3 years but it is now proposed to be within 10 years).
67. The proposal would still, therefore, form part of the comprehensive package to secure the eventual restoration of this site. The demolition of the cement works buildings themselves will require a significant financial investment and the income generated by an ARF would make their removal more viable. Indeed the removal of these derelict buildings (including the chimney) is currently

required by condition on the existing consent (i.e. within one year of the commencement of any mineral extraction). This application presents the opportunity to again promote removal of these unsightly buildings by the attachment of a condition requiring the derelict buildings to be removed within one year of aggregate recycling commencing.

68. The temporary harm to the openness of the Green Belt as a result of the ARF being approved is, I believe, limited in the context of this large site and relative to the significant permanent elements of the existing consented development. Planning & Regulation Committee considered very special circumstances existed when approving the comprehensive scheme in 2006 and the proposal before you now is, in my view, compatible with the comprehensive long term plans for this site. As such I consider that this proposal does amount to very special circumstances to support the wider restoration package and enable this development to proceed in this Green Belt location.

Environmental Impact on local residents

69. AFRs by their very nature can generate noise and dust. Objections in this respect have been received from local residents. The facility would be sited towards the centre of the quarry on the quarry floor. As such I consider that the direct environmental impact on neighbouring properties would be minimal. The District Council Environmental Health Officer has raised no objection to the application subject to conditions controlling operating hours, noise limits and dust management. HGVs entering and leaving the site can also be generators of noise; in this instance the access into the site from the B4095 does not pass any residential properties and so noise from vehicle movements should not present a problem.

Traffic Implications

70. The existing permitted development allows for up to 318 (159 in, 159 out) vehicle movements per day. The proposed ARF facility would generate in the region of 144 movements and the applicant has confirmed that total movements to the whole site over the course of the development would not exceed the 318 figure. The existing permitted development is also subject to a routeing agreement which prevents vehicles travelling through settlements including Kidlington and Bletchington. This routeing agreement would be retained for the current proposal. Transport Development Control consider that, subject to the maximum number of vehicle movements being restricted to that already permitted, the traffic generated by this proposal should be well within the capacity of the existing highway network.
71. This proposal will of course involve road import to this site for a period beyond that permitted (originally 3 years, but now 10 years is proposed). It could be argued, therefore, that this development lessens the applicant's incentive to secure a rail contract to serve this site. This may be true but I consider that, in order to achieve the benefits in terms of the overall restoration of this site, it is beneficial to the viability of these long term aims that this development is allowed to proceed with its extended period of road borne traffic; noting again

that the highway network has the capacity to take the level of traffic proposed without directly impacting on residential properties.

Ecology/geology

72. Some of the rock faces in the quarry are designated as a Geological Site of Special Scientific Interest. The ARF would be sited outside this designated area. The haul road, which is within this application area, does pass through the SSSI but this is an existing road and no further impact is anticipated as a result of this development. The quarry is also designated as a County Wildlife Site.
73. In determining planning applications the Council has to have regard to the provisions of both national (the Natural Environment and Rural Communities Act 2006 and Circular 6/05 – Biodiversity & Geological Conservation) and European (the EC Habitats Directive) legislation. In this instance consultations have taken place with Natural England, BBOWT and both the District and County Ecologists based on the survey information undertaken by the applicant. As a result it is considered that the EC Habitats Directive has been duly considered in that the welfare of any protected species found to be present will continue to be protected through this development. The proposal therefore accords with the provisions contained within the new NPPF relating to biodiversity issues and Policy C2 of the Cherwell Local Plan.

Variation of Conditions

74. The applicant is seeking to vary condition 6 of the original comprehensive redevelopment permission due to the inability thus far to secure a rail linked inert waste contract. This means that, in order to continue with the permitted development, the applicant needs to be able to continue, beyond the original three year permitted period, to import and export waste and material by road. It is proposed therefore that this condition is amended to allow the use of the road network for a period of 10 years.
75. This would then have an implication for condition 7 of the original permission, as this condition provides a restriction on the overall amount of material which can be imported by road within the three year period (maximum of 250,000 tpa). The applicant therefore seeks that this condition be varied to remove the reference to the total amount of material which can be imported by road for the life of the recycling operation to give the applicant flexibility in this respect.
76. In addition, condition number 1 needs to be varied to allow the plans and documents approved as part of the original permission to be changed from those currently included within the list of approved documents to address the changes proposed to conditions 6 and 7 and indicate the location of the proposed ARF. This has no significant consequences for the development itself.
77. In terms of the merits of the proposals, the change sought to the conditions is not likely to have any substantive greater impact upon the openness or visual

amenities of the Green Belt compared to the extant permission, given that ultimately the change to the conditions relates to the way in which waste and material is transported to and from the site rather than a change to the volume of material or how the material will be processed. Similarly I don't believe there is likely to be any notable impact upon the visual amenities of the area and wider landscape, the residential amenity of neighbouring properties or the ecology of the area than the impact which has already been considered and accepted as part of the original planning permission.

78. There is clearly a highway implication from these proposals although as has already been stated, County development control officers have no objection to these proposals as they consider that the highway network can accommodate the amount of traffic proposed for this extended period.
79. The submitted documents state that the applicant continues to express the intention that import of inert material will occur by rail into the site. However, this is dependent on being able to secure a rail linked inert waste contract, which has not been possible to date. There is therefore a legitimate concern that the approval of this permission would reduce the applicant's urgency in securing a rail linked contract which may never be secured. The applicant originally applied for a 25 year period for road import before rail imports were introduced but has reduced this now to 10 years. I think that this timescale, when viewed within the timescale of the overall comprehensive redevelopment of this site, is reasonable in the context of a desire to see implementation of other elements of the permitted redevelopment come to fruition.

Conclusion

80. There is an existing planning permission to redevelop and restore this large quarry which currently suffers from significant areas of decay and dereliction. Since that permission was granted, little has been done in terms of implementing that consent and particularly clearing up the dereliction that exists. The site lies within the Green Belt but very special circumstances were put forward and accepted which justified approval of the original redevelopment proposal.
81. Despite the temporary nature of the development, the aggregate recycling proposal constitutes inappropriate development in the Green Belt, and very special circumstances are required to justify a permission. It is my view that there are benefits associated with the provision of the ARF within this location in relation to Oxford in terms of increasing recycling and that given the extensive nature of the existing permission on the site, the current proposal would not detract from the openness of the Green Belt.
82. The proposal to extend the period for road imports as against rail importation is regrettable but is accepted by transport officers in highway terms. I consider that the very special circumstances that were put forward to justify the 2006 permission are applicable to the changes here proposed and that permitting this latest development would help to provide the impetus to implement the various beneficial elements of the original consent and offer the opportunity to

secure the removal of the dereliction that currently exists and restore the site to a condition appropriate to its green belt countryside location.

Recommendation

83. It is **RECOMMENDED** that:

(A) subject to:

- (a) the Secretary of State deciding not to call in the application (as a departure from the Development Plan);**
- (b) amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;**
- (c) a routeing agreement;**

that planning permission be granted for Application No. MW.0119/11 (aggregate recycling facility) subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. Detailed compliance – as per approved plans.**
- 2. Temporary consent – recycling facilities and road imports limited to 10 years.**
- 3. Details of working plan to show stockpiles and location of plant as landfill progresses.**
- 4. Demolition of derelict cement buildings within one year of aggregate recycling.**
- 5. Restriction on vehicle movements.**
- 6. Working hours to be agreed.**
- 7. Noise from aggregate recycling not to exceed permitted levels.**
- 8. Noise restrictions during site preparation for final restoration.**
- 9. Dust management plan to be submitted and agreed.**
- 10. Details of surface and foul water drainage to be submitted and agreed.**
- 11. No damage to designated rock faces.**
- 12. No waste processing or storage directly in front of designated rock faces.**
- 13. Submission of an Ecological Management Plan.**
- 14. Updated reptile surveys to be undertaken prior to works commencing;**

Informatives

- Environment Agency and Thames Water advice relating to oil storage bunding.**
- Network Rail advice relating to the safe operation of the railway.**
- Ecological informative relating to breeding birds and reptiles.**

and

(B) subject to:

- (a) amendments to the existing Legal Agreements attached to the existing planning permission to take account of the aggregate recycling facility;**
- (b) a routeing agreement;**

that planning permission be granted for Application No. MW.0120/11 subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the following matters:

- 1. All conditions (excluding those to be varied below by this application) to be carried over from existing planning permission (ref: 10/00360/CM).**
- 2. Condition 1 of Permission No. 10/00360/CM to be amended to include revisions to Phasing Plans 1 and 2.**
- 3. Condition 6 of Permission No. 10/00360/CM to be amended to limit road imports to 10 years.**
- 4. Condition 7 of permission No. 10/00360/CM to be amended to allow limit of waste to be imported by road to be 250,000 tonnes per annum.**

Informatives

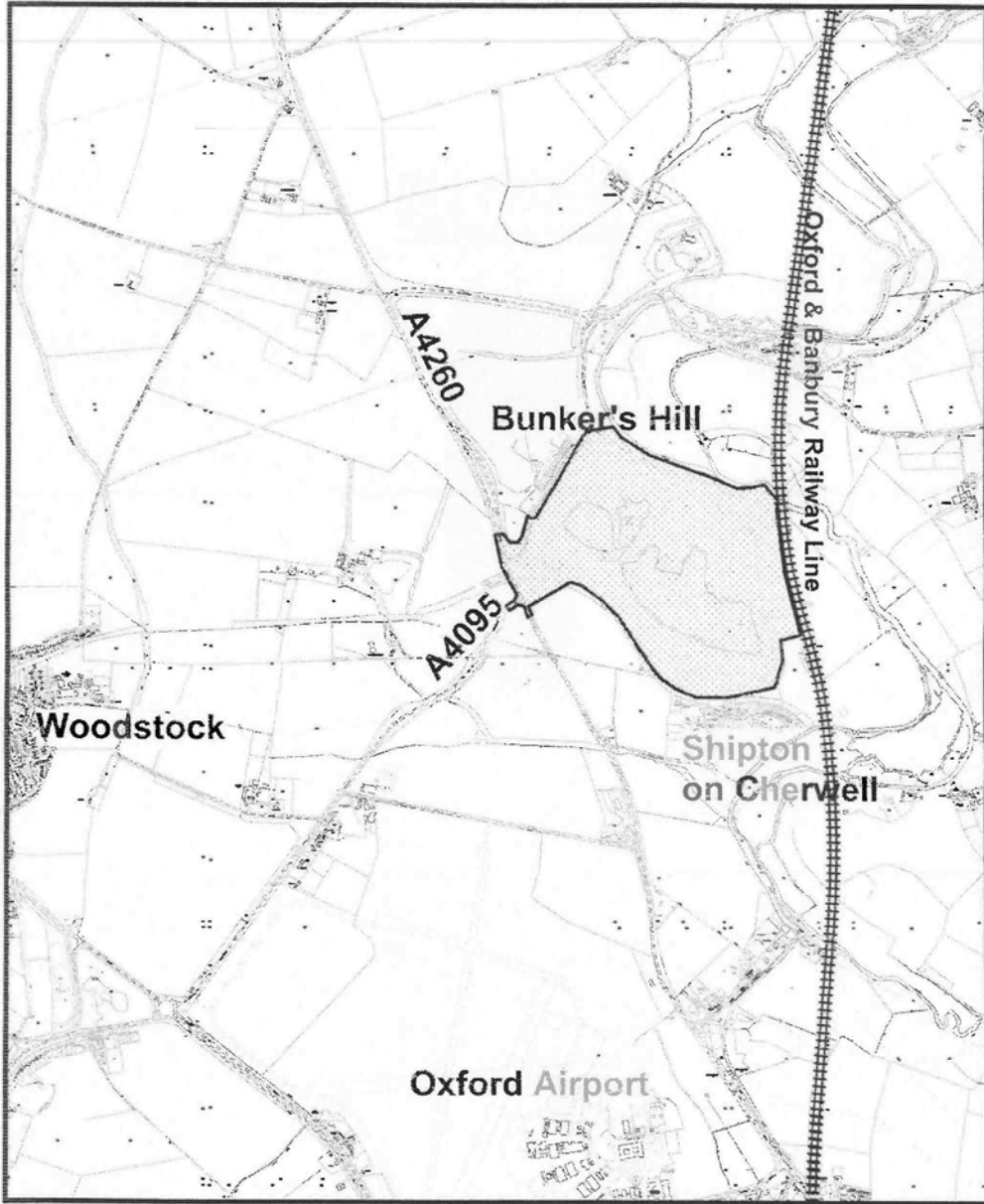
- Environment Agency and Thames Water advice relating to oil storage bunding.**
- Network Rail advice relating to the safe operation of the railway.**
- Ecological informative relating to breeding birds and reptiles.**

MARTIN TUGWELL

Deputy Director for Environment & Economy (Growth & Infrastructure)

April 2012

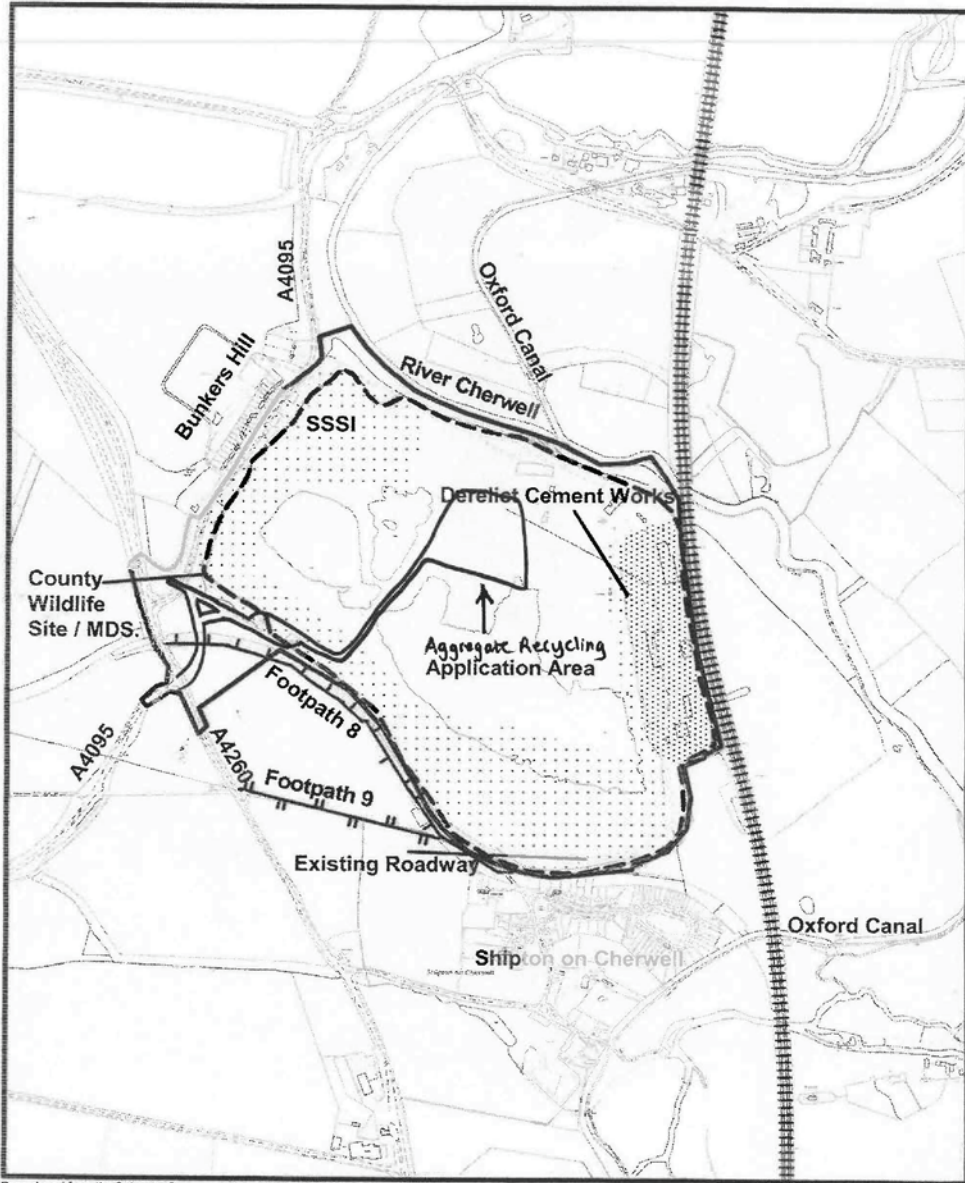
Plan 1 - Location Plan



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Plan 2 - Site Plan



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Plot Date:17/12/2007

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PLANNING & REGULATION COMMITTEE – 16 APRIL 2012

POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)

The South East Plan - Regional Spatial Strategy for the South East of England, May 2009

POLICY BE1: MANAGEMENT FOR AN URBAN RENAISSANCE

Local authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment. They will:

- i. through their community strategies and local development frameworks, set out an overall strategy for enhancing the quality of life in each urban area which reflects a vision developed in consultation with local communities
- ii. work closely with key service providers to ensure that physical, community, cultural and green infrastructure is planned and phased in accordance with planned development
- iii. in partnership with other public agencies, the private sector and the local community, establish innovative management arrangements for town centres, business parks, and residential neighbourhoods
- iv. develop and implement public realm and open space strategies
- v. promote and support design solutions relevant to context and which build upon local character and distinctiveness and sense of place, including the sensitive reuse of redundant or under-used historic buildings
- vi. support and identify opportunities for appropriate higher density and mixed-use development schemes
- vii. draw up design-led supplementary planning documents to help implement development briefs, design codes and master plans for key sites in consultation with key stakeholders.

POLICY C4: LANDSCAPE AND COUNTRYSIDE MANAGEMENT

Outside nationally designated landscapes, positive and high quality management of the region's open countryside will be encouraged and supported by local authorities and other organisations, agencies, land managers, the private sector and local communities, through a combination of planning policies, grant aid and other measures.

In particular, planning authorities and other agencies in their plans and programmes should recognise, and aim to protect and enhance, the diversity and local distinctiveness of the region's landscape, informed by landscape character assessment.

Positive land management is particularly needed around the edge of London and in other areas subject to most growth and change. In such areas long-term goals for

landscape conservation and renewal and habitat improvement should be set, and full advantage taken of agri-environmental funding and other management tools.

Local authorities should develop criteria-based policies to ensure that all development respects and enhances local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.

POLICY C6: COUNTRYSIDE ACCESS AND RIGHTS OF WAY MANAGEMENT

Through Rights of Way Improvement Plans and other measures, local authorities should encourage access to the countryside, taking full advantage of the Countryside and Rights of Way Act 2000, particularly by:

- i. maintaining, enhancing and promoting the Rights of Way system, and permissive and longer distance routes, to facilitate access within, to and from the countryside for visitors and all members of the local community
- ii. identifying opportunities and planning for routes within and between settlements, seeking to reduce car use for shorter journeys
- iii. where possible, making new routes multi-functional to allow for benefits for multiple users and contribute to the wider objectives of green infrastructure
- iv. on Natura 2000 and Ramsar wetland sites with an identified risk of adverse impact from recreational use or other urbanisation impact (including air pollution), promote appropriate access and other management measures (both pedestrian and vehicle), to avoid such risks.

POLICY CC7: INFRASTRUCTURE AND IMPLEMENTATION

The scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and pace of development will be dependent on additional capacity being released through demand management measures or better management of existing infrastructure, or through the provision of new infrastructure. Where new development creates a need for additional infrastructure a programme of delivery should be agreed before development begins.

Funding will be provided by a combination of local government and private sector partners, and substantial contributions from central government.

To help achieve this:

- i. infrastructure agencies and providers will aim to align their investment programmes to help deliver the proposals in this Plan
- ii. local development documents (LDDs) will identify the necessary additional infrastructure and services required to serve the area and the development they propose together with the means, broad cost and timing of their provision related to the timing of development
- iii. contributions from development will also be required to help deliver necessary infrastructure. To provide clarity for landowners and prospective developers, local authorities should include policies and prepare clear guidance in their

LDDs, in conjunction with other key agencies, on the role and scope of development contributions towards infrastructure.

The phasing of development will be closely related to the provision of infrastructure. In order to create confidence and assurance in the timely delivery of infrastructure in relation to new housing a more proactive approach to funding will be adopted. This will involve a joint approach by regional bodies, local authorities, infrastructure providers and developers. Consideration will be given to the pooling of contributions towards the cost of facilities, development tariffs and local delivery vehicles. Mechanisms to enable forward funding of strategic infrastructure will be agreed between regional bodies and Government. One of these, a Regional Infrastructure Fund is currently being developed for the South East Region.

In order to further secure effective delivery of the Plan, and particularly the timely delivery of the necessary supporting infrastructure, an Implementation Plan will be prepared, monitored and reviewed by the regional planning body, which will set out the requirements and obligations for public and private sector bodies at the national, regional and local levels. The Implementation Plan will include a regional and sub-regional investment framework identifying the strategic infrastructure schemes needed to deliver the Plan.

POLICY CO4: GREEN BELT

A Green Belt will be maintained around Oxford to:

- i. preserve the special character and landscape setting of Oxford
- ii. check the growth of Oxford and prevent ribbon development and urban sprawl
- iii. prevent the coalescence of settlements
- iv. assist in safeguarding the countryside from encroachment
- v. assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

A selective review of Green Belt boundaries will take place on the southern edge of Oxford through one or more co-ordinated development plan documents. It will identify land to be removed from the Green Belt to facilitate a sustainable urban extension to Oxford with minimal impact on village identity and the landscape setting of the city.

Development in the Green Belt will only be permitted if it maintains its openness and does not conflict with the purpose of the Green Belt or harm its visual amenities.

POLICY M2: RECYCLED AND SECONDARY AGGREGATES

The use of secondary aggregates and recycled materials in the South East should increase from 6.6mtpa (29% of the guidelines for primary aggregate production in the region) to at least 7.7mtpa (34%) by 2016 so as to reduce the need for primary aggregates extraction. To enable this target to be met, and where possible exceeded, mineral planning authorities (MPAs) should ensure that their mineral development frameworks enable provision to be made for the following:

Mineral Planning Authority Area	Apportionment of recycled and secondary aggregate provision (million tonnes per annum) by 2016
Berkshire Unitaries	0.7 mtpa
Buckinghamshire	0.6 mtpa
East Sussex/Brighton and Hove	0.5 mtpa
Hampshire/Portsmouth/Southampton/ New Forest	1.7 mtpa
Isle of Wight	0.1 mtpa
Kent	1.4 mtpa
Medway	0.2 mtpa
Milton Keynes	0.2 mtpa
Oxfordshire	0.9 mtpa
Surrey	0.8 mtpa
West Sussex	0.8 mtpa

MPAs should identify sites to contribute to such provision in minerals development frameworks. Local planning authorities should safeguard these sites through their local development frameworks.

Policy W17 – Location of Waste Management Facilities applies to all proposals for mineral recycling facilities. Where temporary recycling facilities are to be proposed in the Green Belt, Areas of Outstanding Natural Beauty or National Parks, they should be sited at existing minerals or waste sites wherever possible.

Note

The reference to mineral development frameworks should be taken to embrace mineral, waste or combined mineral and waste development frameworks.

POLICY M3: PRIMARY AGGREGATES

The supply of construction aggregates in the South East should be met from a significant increase in supplies of secondary and recycled materials, a reduced contribution from primary land-won resources and an increase in imports of marine-dredged aggregates. Mineral planning authorities should plan to maintain a landbank of at least seven years of planning permissions for land-won sand and gravel which is sufficient, throughout the Plan period, to deliver 13.25 million tonnes (mt) of sand and gravel per annum across the region, based on the following sub-regional apportionment:

Berkshire Unitaries	1.57mtpa
Buckinghamshire	0.99mtpa
East Sussex/Brighton & Hove	0.01mtpa
Hampshire/Southampton/Portsmouth	2.63mtpa
Isle of Wight	0.5mtpa
Kent/Medway	2.53mtpa
Milton Keynes	0.12mtpa
Oxfordshire	1.82mtpa
Surrey	2.62mtpa
West Sussex	0.91mtpa

and 2.2 million tonnes of crushed rock per annum across the region, based on the following sub-regional apportionment:

Kent	1.2mtpa
Oxfordshire	1.0mtpa

POLICY NRM5: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Local planning authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.

- i. They must give the highest level of protection to sites of international nature conservation importance (European sites). Plans or projects implementing policies in this RSS are subject to the Habitats Directive. Where a likely significant effect of a plan or project on European sites cannot be excluded, an appropriate assessment in line with the Habitats Directive and associated regulations will be required.
- ii. If after completing an appropriate assessment of a plan or project local planning authorities and other bodies are unable to conclude that there will be no adverse effect on the integrity of any European sites, the plan or project will not be approved, irrespective of conformity with other policies in the RSS, unless otherwise in compliance with 6(4) of the Habitats Directive.
- iii. For example when deciding on the distribution of housing allocations, local planning authorities should consider a range of alternative distributions within their area and should distribute an allocation in such a way that it avoids adversely affecting the integrity of European sites. In the event that a local planning authority concludes that it cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European sites.
- iv. They shall avoid damage to nationally important sites of special scientific interest and seek to ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided, including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.
- v. They shall ensure appropriate access to areas of wildlife importance, identifying areas of opportunity for biodiversity improvement and setting targets reflecting those in the table headed 'Regional Biodiversity Targets – Summary for 2010 and 2026' below. Opportunities for biodiversity improvement, including connection of sites, large-scale habitat restoration, enhancement and re-creation in the areas of strategic opportunity for biodiversity improvement (Diagram NRM3) should be pursued.
- vi. They shall influence and applying agri-environment schemes, forestry, flood defence, restoration of mineral extraction sites and other land management practices to:
 - deliver biodiversity targets

- increase the wildlife value of land
 - reduce diffuse pollution
 - protect soil resources.
- vii. They shall promote policies that integrate the need to accommodate the changes taking place in agriculture with the potential implications of resultant development in the countryside.
- viii. They shall require green infrastructure to be identified, developed and implemented in conjunction with new development.

POLICY NRM9: AIR QUALITY

Strategies, plans, programmes and planning proposals should contribute to sustaining the current downward trend in air pollution in the region. This will include seeking improvements in air quality so that there is a significant reduction in the number of days of medium and high air pollution by 2026. Local development documents and development control can help to achieve improvements in local air quality through:

- i. ensuring consistency with Air Quality Management Plans
- ii. reducing the environmental impacts of transport, congestion management, and support the use of cleaner transport fuels
- iii. mitigating the impact of development and reduce exposure to poor air quality through design, particularly for residential development in areas which already, or are likely to, exceed national air quality objectives
- iv. encouraging the use of best practice during construction activities to reduce the levels of dust and other pollutants
- v. assessing the potential impacts of new development and increased traffic levels on internationally designated nature conservation sites, and adopt avoidance and mitigation measures to address these impacts.

POLICY NRM10: NOISE

Measures to address and reduce noise pollution will be developed at regional and local level through means such as:

- i. locating new residential and other sensitive development away from existing sources of significant noise or away from planned new sources of noise
- ii. traffic management and requiring sound attenuation measures in major transport schemes
- iii. encouraging high levels of sound-proofing and screening as part of sustainable housing design and construction.

POLICY T1: MANAGE AND INVEST

Relevant regional strategies, local development documents and local transport plans should ensure that their management policies and proposals:

- i. are consistent with, and supported by, appropriate mobility management measures

- ii. achieve a re-balancing of the transport system in favour of sustainable modes as a means of access to services and facilities
- iii. foster and promote an improved and integrated network of public transport services in and between both urban and rural areas
- iv. encourage development that is located and designed to reduce average journey lengths
- v. improve the maintenance of the existing transport system
- vi. include measures that reduce the overall number of road casualties]
- vii. include measures to minimise negative environmental impacts of transport and, where possible, to enhance the environment and communities through such interventions
- viii. investment in upgrading the transport system should be prioritised to support delivery of the spatial strategy by:
 - a. supporting the function of the region’s international gateways and inter-regional movement corridors (see Diagram T1 at the end of this chapter)
 - b. developing the network of regional hubs and spokes (see Diagram T2 at the end of the chapter)
 - c. facilitating urban renewal and urban renaissance as a means of achieving a more sustainable pattern of development
 - d. improving overall levels of accessibility.

POLICY T7: RURAL TRANSPORT

Local transport plans covering areas that are not wholly urban should:

- i. take a co-ordinated approach to encouraging community-based transport in areas of need
- ii. include a rural dimension to transport and traffic management policies, including looking for opportunities to improve provision for cyclists and pedestrians between towns and their nearest villages
- iii. develop innovative and adaptable approaches to public transport in rural areas that reflect the particular and longer-term social and economic characteristics of the region.

POLICY W6: RECYCLING AND COMPOSTING

The following targets for recycling and composting should be achieved in the region:

Year	Municipal Solid Waste		Commercial and Industrial		Construction and Demolition		All Waste	
	mt/yr	%	mt/yr	%	mt/yr	%	mt/yr	%
2008	1.6	36	3.9	46	5.8	48	11.3	45
2010	1.9	40	4.5	50	6.1	50	12.9	50
2015	2.6	50	5.5	55	6.1	50	15.0	55
2020	3.1	55	6.4	60	7.3	60	17.1	60
2025	3.6	60	7.3	65	7.3	60	19.1	65

Regional Recycling and Composting Targets

Source: Regional Waste Management Capacity: Survey, Methodology and Monitoring, Updated Final Report, 2008 (modelled Scenario 1)

Note: Percentage targets for diversion from landfill in the year 2008 have been interpolated.

Waste authorities should adopt policies and proposals to assist delivery of these targets and waste management companies should take them into account in their commercial decisions.

POLICY W7: WASTE MANAGEMENT CAPACITY REQUIREMENTS

Waste planning authorities (WPAs) will provide for an appropriate mix of development opportunities to support the waste management facilities required to achieve the targets set out in this strategy. The annual rates of waste to be managed as shown in the table below provide benchmarks for the preparation of development plan documents and annual monitoring.

Waste Authority Area	Waste Type	2008-2010	2011-2015	2016-2020	2021-2025
Berkshire Unitaries	MSW	441	480	522	563
	C&I	845	919	999	1061
Buckinghamshire	MSW	272	296	322	347
	C&I	993	1080	1175	1247
East Sussex, Brighton & Hove	MSW	391	426	463	499
	C&I	446	485	527	560
Hampshire, Southampton, Portsmouth and New Forest National Park	MSW	910	990	1077	1160
	C&I	1785	1942	2113	2242
Isle of Wight	MSW	97	105	115	123
	C&I	147	160	174	185
Kent & Medway	MSW	958	1042	1133	1221
	C&I	2120	2307	2509	2663
Milton Keynes	MSW	123	134	146	157
	C&I	27	29	32	34
Oxfordshire	MSW	319	347	377	406
	C&I	630	685	745	791
Surrey	MSW	638	694	755	813
	C&I	830	903	982	1042
West Sussex	MSW	473	514	559	603
	C&I	943	1026	1116	1185

Average Tonnages to be Managed (thousand tonnes)

Source: Regional Waste Management Capacity: Survey, Methodology and Monitoring, Updated Final Report, 2008 (modelled Scenario 1)

Note: MSW and C&I data used excludes both intra and inter-regional waste movements.

In bringing forward and safeguarding sites for waste management facilities, WPAs should consider the type, size and mix of facilities that will be required, taking into account:

- activities requiring largely open sites, such as aggregate recycling and open windrow composting
- activities of an industrial nature dealing with largely segregated materials and requiring enclosed premises, such as materials recovery facilities, dis-assembly and re-manufacturing plants, and reprocessing industries
- activities dealing with mixed materials requiring enclosed industrial premises, such as mechanical-biological treatment, anaerobic digestion and energy from waste facilities
- hybrid activities requiring sites with buildings and open storage areas, including re-use facilities and enclosed composting systems.

In areas of major new developments consideration should be given to identifying sites for integrated resource recovery facilities and new resource parks accommodating a mix of activities where they meet environmental, technical and operational objectives.

The figures in the above table should be used as a benchmark for the production and testing of development plan documents, but WPAs should use more recent data where this is available in order to assess and plan for capacity. Any major changes to the figures may dictate a need to reconsider the apportionment through a review of the RSS.

POLICY W13: LANDFILL REQUIREMENTS

Waste development documents should provide for continuing but declining landfill capacity. Non-inert landfill capacity should be husbanded to provide for disposal of residential non-inert waste. At regional level there should be provision for at least the following landfill capacity:

Regional Landfill Requirements (mt/yr) 2008-2025

Year	MSW Landfill	C&I landfill	C&D Landfill	SE Sub-Total	London Imports	SE inc. London imports
2008	2.5	3.4	2.2	8.00	1.21	9.21
2010	2.3	3.1	2.1	8.48	1.03	8.51
2015	1.4	2.5	1.7	5.54	0.73	6.27
2020	1.0	2.0	1.5	4.44	0.55	4.99
2025	1.0	1.8	1.2	3.98	0.53	4.51

Source: Regional Waste Management Capacity: Survey, Methodology and Monitoring, Updated Final Report, 2008 (Modelled Scenario 1)

Landfill gas collection and energy recovery should be standard practice at all non-inert landfill sites.

POLICY W14: RESTORATION

Development plan documents will secure high quality restoration and, where appropriate, aftercare of waste management sites so as to help deliver the wider environmental and social objectives of this Plan.

POLICY W17: LOCATION OF WASTE MANAGEMENT FACILITIES

Waste development documents will, in identifying locations for waste management facilities, give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections. The suitability of existing sites and potential new sites should be assessed on the basis of the following characteristics.

- i. good accessibility from existing urban areas or major new or planned development
- ii. good transport connections including, where possible, rail or water
- iii. compatible land uses, namely:
 - active mineral working sites
 - previous or existing industrial land use
 - contaminated or derelict land
 - land adjoining sewage treatment works
 - redundant farm buildings and their cartilages
- iv. be capable of meeting a range of locally based environmental and amenity criteria.

Waste management facilities should not be precluded from the Green Belt. Small-scale waste management facilities for local needs should not be precluded from Areas of Outstanding Natural Beauty and National Parks where the development would not compromise the objectives of the designation.

Oxfordshire Structure Plan 2016

POLICY M2: MINERALS

Locations for sand and gravel working will be identified in the Minerals and Waste Development Framework. In identifying appropriate locations, the County Council will take account of the distribution of sand and gravel resources; the existing pattern of supply and distribution of workings; proximity to main market areas; accessibility to the main transport routes; risk of birdstrike; restoration and after use potential; and development plan policies, in particular which seek to safeguard:

- important archaeological remains, historic buildings and areas;
- areas and sites of nature conservation importance, especially Special Areas of Conservation and Sites of Special Scientific Interest;
- features of landscape importance, especially Areas of Outstanding Natural Beauty;
- best and most versatile agricultural land;
- the water environment;
- land uses which are sensitive to nuisance; and
- the safety and convenience of all road users, including pedestrians and cyclists.

Adopted Cherwell Local Plan 1996

POLICY GB1: DEVELOPMENT IN THE GREEN BELT

There will be a Green Belt around the built up area of Oxford, approximately 6.4-9.6 km (4-6 miles) wide, where development will be severely restricted. The purposes of the Green Belt are to:

- (i) protect the special character of Oxford and its landscape setting,
- (ii) check the growth of Oxford and prevent ribbon development and urban sprawl, and
- (iii) prevent the coalescence of settlements.

Inside the green belt, approval will not be given, except in very special circumstances, for development other than for agriculture, forestry, recreation, cemeteries, or for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Residential infilling or other appropriate development in settlements in the Green Belt may be permitted provided it does not conflict with the purposes of the Green Belt or its open and rural character. Some settlements within the Green Belt will not be covered by Green Belt policies in order to allow limited expansion.

Care will be taken to ensure that the visual amenities of the Green Belt are not injured by development within, or conspicuous from, the Green Belt which, although not prejudicial to its main purpose, might be inappropriate by reason of siting, materials or design.

POLICY C1: NATURE CONSERVATION

The council will seek to promote the interests of nature conservation. Development which would result in damage to or loss of sites of special scientific interest or other areas of designated wildlife or scientific importance will not normally be permitted. Furthermore, the council will seek to ensure the protection of sites of local nature conservation value. The potential adverse effect of development on such sites will be a material consideration in determining planning applications.

POLICY C2: NATURE CONSERVATION

Development which would adversely affect any species protected by Schedule 1, Schedule 5 and Schedule 8 of the 1981 Wildlife and Countryside Act, and by the E.C. Habitats Directive 1992 will not normally be permitted.

POLICY C5: NATURE CONSERVATION

The Council will seek to protect the ecological value and rural character of the following through the control of development:

- (i) the Oxford Canal and River Cherwell;
- (ii) the flood plain of the River Cherwell;
- (iii) Salt Way, Banbury
- (iv) the mineral-railway footpath route and geological site of special scientific interest, Banbury
- (v) the urban woodlands to the south of St Louis Meadow, at Grimsbury Green and to the north of Grimsbury Reservoir, Banbury
- (vi) Otmoor and the flood plain of the River Ray.

POLICY C7: LANDSCAPE CONSERVATION

Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.

POLICY C30: DESIGN CONSIDERATIONS

Design control will be exercised to ensure:

- (i) that new housing development is compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity;
- (ii) that any proposal to extend an existing dwelling (in cases where planning permission is required) is compatible with the scale of the existing dwelling, its curtilage and the character of the street scene
- (iii) that new housing development or any proposal for the extension (in cases where planning permission is required) or conversion of an existing dwelling provides standards of amenity and privacy acceptable to the local planning authority.

POLICY TR7: MINOR ROADS

Development that would regularly attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted.

POLICY TR10: HEAVY GOODS VEHICLES

Development that would generate frequent heavy goods vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted. The Council will resist proposals for the establishment of heavy goods vehicle operating

centres where they would create traffic problems or adversely affect the amenity of residential areas or villages.

South Oxfordshire Local Plan 2011

POLICY C1: LANDSCAPE CHARACTER

The conservation and where possible, enhancement of the landscape of the district will be sought. Development that would adversely affect the distinctive features of the landscape character areas will not be permitted.

Where development is acceptable in principle it should:

- (i) be integrated into the landscape character of the area;
- (ii) protect local features; and
- (iii) where possible, contribute to local distinctiveness.

Measures will be sought to integrate new development sensitively, mitigate impacts and where appropriate, enhance local landscape character through conditions and agreements attached to planning permissions.

POLICY C6: BIODIVERSITY CONSERVATION

In considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought. Full account of the effects of development on wildlife will be taken. Where there is any significant loss in biodiversity as part of a proposed development, the creation and maintenance of new landscape features, habitat links and wildlife corridors of appropriate scale and kind will be required to ensure there is no net loss in biodiversity resources.

POLICY C7: PROTECTION OF DESIGNATED SITES

Development that is likely to adversely affect a Special Area of Conservation, National Nature Reserve or Site of Special Scientific Interest will not be permitted. On locally designated sites of nature conservation importance, development that would damage biodiversity interest will not be permitted unless the importance of the development outweighs the local value of the site and unless the loss can be mitigated.

POLICY CON7: PROPOSALS AFFECTING A CONSERVATION AREA

Planning permission will not be granted for development which would harm the character or appearance of a conservation area.

The following will be required when considering proposals for development in conservation areas:

- (i) the design and scale of new work to be in sympathy with the established character of the area; and
- (ii) the use of traditional materials, whenever this is appropriate to the character of the area.

The contribution made to a conservation area by existing walls, buildings, trees, hedges, open spaces and important views will be taken into account. Proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted.

POLICY CON11: ARCHAEOLOGY AND HISTORIC BUILDING ANALYSIS AND RECORDING

There will be a presumption in favour of physically preserving nationally important archaeological remains, whether scheduled or not, and their settings.

POLICY G2: PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT

The district's countryside, settlements and environmental resources will be protected from adverse developments and opportunities sought to enhance the environment wherever they arise.

POLICY GB3: THE USE OF LAND IN THE GREEN BELT

Within the Green Belt the carrying out of engineering and other operations and the making of any material change in the use of land will not be permitted unless the openness of the Green Belt is maintained and there is no conflict with the purpose of including land within the Green Belt.

POLICY T1: TRANSPORT REQUIREMENTS FOR NEW DEVELOPMENTS

Proposals for all types of development will, where appropriate:

- (i) provide for a safe and convenient access to the highway network;
- (ii) provide safe and convenient routes for cyclists and pedestrians;
- (iii) be accessible by public transport and have a safe walking route to nearby bus stops or new bus stops and appropriate infrastructure should be provided;
- (iv) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;
- (v) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, be constructed to adoptable standards and be completed as soon as they are required to serve the development; and
- (vi) make adequate provision for those whose mobility is impaired.

Vale of White Horse Local Plan 2011

POLICY DC5 - ACCESS

Proposals for development will only be permitted provided that:

- i) safe and convenient access will be provided both within the site and to and from the adjoining highway network for all users including those with impaired mobility, and for all modes of transport;
- ii) the road network can accommodate the traffic arising from the development without causing safety, congestion or environmental problems;
- iii) adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning;
- iv) adequate and safe provision will be made for parking vehicles and cycles;
- v) off-site improvements to the highway infrastructure (including traffic management measures), cycleways, footpaths and the public transport network can be secured where these are not adequate to service the development; and
- vi) the scheme is designed to minimise the impact of vehicles and give priority to the needs of pedestrians, cyclists, the users of public transport and those with impaired mobility.

POLICY DC9 – IMPACT OF DEVELOPMENT ON NEIGHBOURING USES

Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, gases or other emissions;
- v) pollution, contamination or the use of or storage of hazardous substances; and
- vi) external lighting.

POLICY GS3

Development (including the change of use of land and engineering and other operations) will only be permitted if it does not conflict with the purposes of including land in the green belt and if it preserves its openness and the special character of Oxford and its landscape setting.

Subject to the above criteria new building will only be allowed for the following purposes:

- i) agriculture or forestry;
- ii) small-scale facilities essential for outdoor sport, recreation, cemeteries and other uses of land which preserve the openness of the green belt;
- iii) limited extension, alteration or replacement of existing dwellings. An extension to or the replacement of a dwelling will not be permitted if it exceeds the following limits:
 - a) existing dwellings with a floorspace of less than 80 square metres – up to 50% of the original volume of the dwelling (excluding outbuildings);

- b) existing dwellings with a floorspace of 81-120 square metres – up to 40% of the original volume of the dwelling (excluding outbuildings);
- c) existing dwellings with a floorspace greater than 121 square metres – up to 30% of the original volume of the dwelling (excluding outbuildings); and
- iv) limited infilling between existing build development in the villages of Farmoor, Shippon, South Hinksey, Sunningwell, Wootton Old Village and Wytham, as defined on the proposals May. Residential infilling will be limited to schemes of 1 or 2 dwellings unless it is for social housing for the local community in accordance with policy H18.

Proposals for the conversion and adaptation of existing buildings should not have a materially greater impact than the existing or previous use on the openness of the green belt or the purposes of including land in it.

The visual amenities of the green belt will be protected from development within or conspicuous from the green belt which might be harmful by reason of its siting, scale or design.

POLICY NE5 – PROTECTION OF SPECIES

Development likely to have an adverse affect on a specially protected species will not be permitted unless the adverse affects, either directly or indirectly, can be prevented or acceptably minimised or adequate alternative habitats can be provided.

POLICY NE7 – THE NORTH VALE CORALLIAN RIDGE

Development which would harm the prevailing character and appearance of the North Vale Corallian Ridge, as shown on the proposals map, will not be permitted unless there is an overriding need for the development and all steps will be taken to minimise the impact on the landscape.

Oxfordshire Minerals and Waste Local Plan 1996

POLICY PB1: PLANT AND BUILDINGS

The County Council will require processing plants, other necessary buildings and industries associated with a mineral working to be sited, designed, landscaped and maintained so as to minimise environmental disturbance. Any permission will be limited to the life of the mineral working or in the case of a waste disposal site, be subject to conditions requiring that the building or equipment is removed when no longer required in association with waste disposal.

POLICY PB2: PLANT AND BUILDINGS

The County Council will normally require the removal of all processing plant, buildings and associated machinery within 24 months of extraction being completed or expiry of the permission, whichever is the sooner.

POLICY PE2: LOCATION AND CONTROL OF MINERAL WORKINGS

Planning permissions for mineral working will not be granted outside the areas identified in this Plan unless:

- (a) the working would be acceptable under policy SD2, or
- (b) (i) the proposal satisfies the policies of the Structure Plan and this Local Plan, and
 - (ii) in the case of sand and gravel, the apportioned supply from the county cannot be met from within the areas identified, or
 - (iii) in the case of other minerals, the demand cannot be met from within areas which are identified in the Plan.

POLICY PE3: BUFFER ZONES

Appropriate buffer zones will be safeguarded around mineral working or waste disposal sites for protection against unacceptable losses of residential or natural amenity.

POLICY PE4: GROUNDWATER

Proposals for mineral extraction and restoration (including waste disposal) will not be permitted where they would have an impact on groundwater levels in the surrounding area which would harm existing water abstraction, river flow, canal, lake or pond levels or important natural habitats. Proposals must not put at risk the quality of groundwater.

POLICY PE5: PROTECTING THE ENVIRONMENT

Mineral working or waste disposal should not harm the immediate setting and nature conservation value of the River Thames and other watercourses of significant visual or nature conservation value, or canals.

POLICY PE9: ARCHAEOLOGY

Scheduled Ancient Monuments, other archaeological remains of national importance and their settings should be preserved in situ. For all other remains of importance preservation in situ will be preferred. Where this is not appropriate and for all other remains, adequate provision should be made for their excavation and recording. This policy applies to all remains, including those not revealed by policy PE8.

POLICY PE11: RIGHTS OF WAY AND PUBLIC ACCESS

The rights of way network should be maintained and individual rights of way retained in situ. Diversions should be temporary, safe and convenient and should be reinstated as soon as possible. Any proposal for permanent diversion should fulfil the functions of recreational and communications use of the right of way. Improvements to the rights of way network will be encouraged.

POLICY PE12: RIGHTS OF WAY AND PUBLIC ACCESS

In appropriate cases general public access will be sought to restored mineral workings; where this is required, planning permission will not be granted until its provision and long-term management has been secured.

POLICY PE13: RESTORATION, AFTER-USE AND NATURE CONSERVATION

Mineral workings and landfill sites should be restored within a reasonable timescale to an after-use appropriate to the location and surroundings. Proposals for restoration, aftercare and after-use should be submitted at the same time as any application for mineral working. Planning permission will not be granted for mineral working or landfill sites unless satisfactory proposals have been made for the restoration and after-use, and means of securing them in the long-term.

POLICY PE14: RESTORATION, AFTER-USE AND NATURE CONSERVATION

Sites of nature conservation importance should not be damaged. Proposals which would affect a nature conservation interest will be assessed by taking into account the importance of the affected interest; the degree and permanence of the projected damage; and the extent to which replacement habitat can be expected to preserve the interest in the long-term.

POLICY PE18: PLANNING APPLICATIONS

In determining applications covered by this Plan the County Council will:

- (a) have regard to the appropriate provisions of the Code of Practice in Annex 1, which is part of this Plan, and
- (b) regulate and control development by the imposition of conditions on the grant of permission. Where this cannot satisfactorily be done, appropriate planning obligations will be sought.

POLICY SD1: Separate landbanks will be maintained for sharp sand and gravel and for soft sand at levels which accord with current Government advice and with the current regional apportionment.

POLICY SD2: SUPPLY AND DEMAND FOR MINERALS

Planning permission will normally be granted for small extensions to existing operating sand and gravel quarries where they would comply with national, Structure and Local Plan policies. Extraction from a small extension will not be expected to last for more than three years. Subsequent extensions to the same workings will not normally be permitted in advance of a review of the Plan.

POLICY W2: WASTE DISPOSAL

Provision will be made to accept waste from London and other parts of the South East for treatment and/or disposal within Oxfordshire, provided that the treatment or

disposal is consistent with regional, Structure and local plan policies. Proposals for the treatment or disposal of waste from London requiring road transport for the principal component of its journey will not be permitted.

POLICY W3: WASTE DISPOSAL

Proposals for re-use/recycling will normally be permitted provided that:

- (a) the site is close to the source of the waste and/or the market for the re-used/recycled material;
- (b) the site is well related to appropriate parts of the transport network, and located where the number and length of motorised journeys is likely to be minimised;
- (c) the proposal will not cause unacceptable nuisance in terms of noise, dust, fumes, smell, visual intrusion or traffic;
- (d) the proposal will not pose an unacceptable risk to the water environment;
- (e) the proposal does not conflict with Structure and Local Plan policies.

POLICY W4: WASTE DISPOSAL

Proposals for re-use/recycling and ancillary processes will not normally be permitted in the open countryside unless:

- (a) there is an established overriding need and there is no other suitable site available and/or;
- (b) the development is to form part of a mineral extraction/landfill site and will be removed on completion of extraction/landfill.

POLICY W5: WASTE DISPOSAL

In all cases waste treatment plant, buildings, machinery and stockpiles must be properly screened from the surrounding landscape. Such screening – by landscaping or other means – should be in place before any waste stockpiling or treatment begins.

POLICY W7: WASTE DISPOSAL

To control the release and location of landfill sites in such a way as to ensure that satisfactory restoration is progressively achieved with the least possible harm to the environment. Proposals will therefore be assessed against the following criteria:

- a) there is a definite need for the facilities which cannot be met by existing or permitted landfill sites;
- b) there should be no material damage or disturbance to the environment or to the amenities of residential and other sensitive uses or buildings, both during

- and after operation, by reason of noise, dust, vermin, smell, gas and other pollution, or long-term damage to the visual amenities;
- c) the proposed filling should not raise or impede the floodplain of rivers and streams or create risk of pollution of surface or underground water courses;
 - d) the proposal will cause no material damage to any feature of importance within a Site of Special Scientific Interest or other site of nature conservation importance which cannot be protected by measures incorporated within the proposal;
 - e) the proposal will cause no material damage to an ancient monument or archaeologically important area requiring permanent preservation;
 - f) the proposal will not adversely affect an Area of Outstanding Natural Beauty or of High Landscape Value;
 - g) in the case of proposals in the Green Belt the development should not injure the visual amenities of the Green Belt or conflict with its purposes because of inappropriate siting, scale or design;
 - h) the proposed access to the site, and transport routes for carrying waste to it, are suitable for the volume and nature of traffic which may be expected;
 - i) the site and the methods of operation proposed are capable of progressive restoration and completion within an acceptable period having regard to the particular circumstances in each case;
 - j) proposals for sites must meet with the hydrological and geological requirements for safe disposal of the particular waste concerned;
 - k) where waste disposal might damage the visual amenities of an area during the period of operation, the site will be screened by earth mounding, tree planting or other techniques appropriate to the area.

Oxfordshire Minerals and Waste Core Strategy

POLICY C3: ENVIRONMENTAL AND AMENITY PROTECTION

Proposals for minerals and waste development should demonstrate that they will not have an unacceptable adverse impact on the environment, residential amenity and other sensitive receptors.

POLICY C4: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should not take place where it would be likely to have a significant adverse effect on a Site of Special Scientific Interest, either individually or in combination with other development.

Minerals and waste development should not damage or destroy irreplaceable habitats or biodiversity, including ancient woodland and species rich grassland.

Where proposals for minerals and waste development would affect a site designated for its national or local importance for nature conservation, the development proposals should include appropriate measures to protect, conserve and enhance the nature conservation interest of the site.

Nationally and locally important geological features and sites should be protected from harmful development and retained in situ unless there are exceptional reasons justifying their removal, in which event their presence should be appropriately recorded.

Proposals for mineral working and landfill should demonstrate that the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity and geodiversity. Where mineral working or landfill is located in or close to a Conservation Target Area, developers will be expected to make an appropriate contribution to the achievement of Biodiversity Action Plan (BAP) targets through the maintenance and enhancement of the Conservation Target Area and relevant BAP priority habitats.

POLICY C5: LANDSCAPE

Proposals for minerals and waste development should demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals should include measures to mitigate adverse impacts on landscape, including through siting, design and landscaping.

High priority will be given to conservation and enhancement of the natural beauty of the landscape in Areas of Outstanding Natural Beauty (AONB). Proposals for minerals and waste development within or that would affect the setting of an AONB should demonstrate that they take this into account and are informed by the relevant AONB Management Plan. Development within AONBs should normally only be small-scale and should be sensitively located and designed.

POLICY C7: TRANSPORT

Minerals and waste development will be expected to make provision for adequate and convenient access to and along advisory lorry routes in a way that maintains and if possible leads to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network;
- residential and environmental amenity.

Where improvements to the transport network are required to achieve this, developers will be expected to provide the improvements or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and

- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

POLICY C8: RIGHTS OF WAY

The integrity of the rights of way network should be maintained and if possible retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, should be reinstated as soon as possible. If permanent diversions are required, these should seek to enhance and improve the public rights of way network.

Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration scheme, including making appropriate financial contributions.

POLICY M2: PROVISION TO BE MADE FOR WORKING AGGREGATE MINERALS

Permission will be granted for mineral working to enable landbanks of reserves with planning permission to be maintained of at least 7 years for soft sand and sharp sand and gravel and 10 years for crushed rock, based on the following rates of extraction:

- Sharp sand and gravel – 1.01 million tonnes a year;
- Soft sand 0.25 – million tonnes a year; and
- Crushed rock – 0.63 million tonnes a year.

POLICY M3: LOCATIONS FOR WORKING AGGREGATE MINERALS

The principal locations for sharp sand and gravel working, as indicated in figure 7, will be at:

- i. existing areas of working at:
 - Lower Windrush Valley;
 - Eynsham / Cassington / Yarnton;
 - Sutton Courtenay; and
 - Caversham;
 through extensions to existing quarries or new quarries to replace exhausted quarries; and
- ii. a new area of working at Cholsey, to replace Sutton Courtenay when reserves there become exhausted;

Within the Lower Windrush Valley and Eynsham / Cassington / Yarnton areas further working will only be permitted if it would not lead to an increase in the overall level of mineral extraction or mineral lorry traffic above past levels within these areas combined.

Within the Eynsham / Cassington / Yarnton area further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Oxford Meadows Special Area of Conservation; and land to the east and north east of the River Evenlode will not be identified as specific sites for mineral working in a site allocations development plan document.

The principal locations for soft sand working, as indicated in figure 7, will be:

- East and south east of Faringdon;
- North and south of the A420 to the west of Abingdon; and
- Duns Tew.

Within the area north and south of the A420 to the west of Abingdon further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Cothill Fen Special Area of Conservation.

The principal locations for crushed rock working, as indicated in figure 7, will be:

- North of Bicester to the east of the River Cherwell;
- South of the A40 near Burford; and
- East and south east of Faringdon.

Additional working of ironstone for aggregate use will only be permitted in exchange for revocation, without compensation, of an existing permission containing workable resources.

Preference will be given to extensions to existing soft sand and crushed rock quarries. New quarries will only be permitted if sufficient provision cannot be made through extensions.

Planning permission will not be granted for working aggregate minerals outside the locations identified in this policy unless the required provision cannot be met from within these areas.

Further working of minerals for aggregate use will not be permitted within Areas of Outstanding Natural Beauty.

POLICY M5: SAFEGUARDING MINERAL RESOURCES

Mineral resources will be safeguarded for the future and development which would prevent or otherwise hinder the possible future working of minerals will not be permitted unless it can be shown that:

- The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or
- The mineral will be extracted prior to the development taking place.

Mineral Safeguarding Areas will be defined, and identified in detailed maps, and will include the following mineral resources:

- Sand and gravel in the main river valleys and in other areas where there is a proven resource;
- Soft sand, limestone and ironstone in existing areas of working, including the areas proposed for working in policy M3;

- Fuller’s earth.

POLICY M6: RESTORATION OF MINERAL WORKINGS

Minerals workings should be restored to a high quality in a timely and phased manner to an after-use appropriate to the location and the capacity of the transport network and which is sympathetic to the character of the surrounding landscape and the amenity of local communities. Restoration and afteruse should accord with any restoration strategy for the area concerned in a site allocations development plan document.

Planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and after-use of the site, including the means of securing them in the long term. Where appropriate, operators and landowners will be expected to make provision for the management of restored mineral workings for an extended period, beyond any aftercare period required by condition, including making appropriate financial contributions.

Where mineral working is proposed on best and most versatile agricultural land, the restoration should be back to agricultural land if this is practicable.

Within the floodplain restoration of mineral workings should where possible include provision for increased flood storage capacity to reduce the risk of flooding elsewhere.

Where restoration could assist or achieve priority habitat or species targets and/or Biodiversity Action Plan targets, the relevant biodiversity after-use should be incorporated within the restoration scheme.

Where restoration could protect and/or improve geodiversity and improve educational opportunities this should be incorporated into the proposed restoration scheme, such as by providing for important geological faces to be left exposed and enabling access to the faces.

Where a mineral working site has the potential to provide for local amenity uses, including appropriate sport and recreational uses, these uses should be incorporated into the restoration scheme.

POLICY W3: WASTE MANAGEMENT TARGETS

Provision will be made for waste to be managed in accordance with the following targets, to provide for the maximum diversion of waste from landfill.

Oxfordshire waste management targets 2010 – 2030

Waste Management / Waste Type	Target Year				
	2010	2015	2020	2025	2030

Municipal waste:					
Composting & food waste treatment	28%	31%	33%	35%	35%
Dry Recycling	24%	31%	32%	35%	35%
Treatment of residual waste	0%	30%	30%	25%	25%
Landfill	48%	8%	5%	5%	5%
Total	100%	100%	100%	100%	100%
Commercial & industrial waste:					
Recycling and composting & food waste treatment	50%	60%	65%	70%	70%
Treatment of residual waste	0%	15%	25%	25%	25%
Landfill	50%	25%	10%	5%	5%
Total	100%	100%	100%	100%	100%
Construction, demolition & excavation waste:					
Recycling	50%	50%	60%	60%	60%
Landfill/Restoration	50%	50%	40%	40%	40%
Total	100%	100%	100%	100%	100%

MSW targets for 2010 approximate to actual performance for 2010/11

POLICY W5: STRATEGY FOR PROVISION OF WASTE MANAGEMENT FACILITIES

Strategic facilities will be located in a broad area around Bicester, Oxford, Abingdon and Didcot as identified in the key diagram (figure 7). Facilities to serve more local needs will be located where they are well related to the other main sources of waste (Witney/Carterton, Wantage/Grove and Banbury). Only small scale facilities, in keeping with their surroundings, will be located elsewhere in Oxfordshire.

Facilities for reuse, recycling and composting of waste and for food waste treatment will generally be encouraged in order to move the management of Oxfordshire's waste further up the waste management hierarchy. Provision will in particular be made for:

- A household waste recycling centre to serve Banbury;
- Municipal waste transfer stations to serve the south and west of the county;
- Recycling plants for commercial and industrial waste and for construction, demolition and excavation waste (to produce recycled aggregates and soils).

Additional plants for treatment of residual municipal and/or commercial and industrial waste arising in Oxfordshire will only be permitted if it can be demonstrated that

there is a need for additional treatment capacity to divert residual waste away from landfill that cannot reasonably be met by existing capacity within the county.

Waste sites will be expected to meet the criteria in policy W6 and the Core Policies.

POLICY W6: SITES FOR WASTE MANAGEMENT FACILITIES

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

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

Waste management facilities will not be permitted on green field land unless there is an over-riding need that cannot reasonably be met elsewhere. At mineral working and landfill sites, waste management facilities will be permitted provided that the development is related to and will be removed on completion of the mineral working or landfill operation.

Within the Green Belt, waste management facilities may be permitted provided that very special circumstances are demonstrated. Proposals for such facilities will need to demonstrate that they are required to serve a recognised need arising in Oxford and that there is no reasonable prospect of an alternative site becoming available outside the Green Belt. Controls may be imposed to ensure that such facilities serve a waste management need arising in Oxford.

Within Areas of Outstanding Natural Beauty, only small-scale waste management facilities to meet local waste needs will normally be permitted.