



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

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

Monday, 4 March 2019 at 2.00 pm

County Hall, New Road, Oxford

A handwritten signature in cursive script, appearing to read 'Yvonne Rees'.

Yvonne Rees
Chief Executive

February 2019

Committee Officer: **Graham Warrington**
Tel: 07393 001211; E-Mail:
graham.warrington@oxfordshire.gov.uk

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

Membership

Chairman – Councillor Les Sibley
Deputy Chairman - Councillor Jeannette Matelot

Councillors

Mrs Anda Fitzgerald-
O'Connor
Mike Fox-Davies
Stefan Gawrysiak
Bob Johnston

Glynis Phillips
G.A. Reynolds
Judy Roberts
Dan Sames

John Sanders
Alan Thompson
Richard Webber

Notes:

- **Date of next meeting: 15 April 2019**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

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

AGENDA

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

To approve the minutes of the meeting held on 21 January 2019 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Continuation of development without complying with Condition 2 (mineral extraction cessation date) of Planning Permission no. 18/00060/CM (MW.0001/18) in order to extend the period permitted for the extraction of mineral from 31 December 2018 to 31 December 2019 - MW.0001/19** (Pages 9 - 30)

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

This is a planning application to allow a further period of time, up to 31 December 2019, for the extraction of the mineral. The application area is within the overall permission for Shipton on Cherwell Quarry which had a range of uses on the site and currently includes waste recycling, land filling and restoration.

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

The main issues with the application is the effect on the local amenity, and the need to extract the mineral. It is felt that the effect on the local amenity can be controlled by conditions and that there is a need to remove the reserve rather than have it sterilised. Therefore, the recommendation is to approve the application

It is RECOMMENDED that planning permission for application no. MW.0001/19 be approved subject to conditions to be determined by the Director of Planning and Place to include the Conditions set out in Annex 1 to the report PN6.

7. **Relevant Development Plan and Other policies** (Pages 31 - 40)

Paper by the Director for Planning & Place (**PN7**).

The paper sets out policies in relation to Item 6 and should be regarded as an Annex to that report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 4 March 2019** at **12 midday** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 21 January 2019 commencing at 2.00 pm and finishing at 3.36 pm

Present:

Voting Members:

Councillor Les Sibley – in the Chair

Councillor Mrs Anda Fitzgerald-O'Connor

Councillor Mike Fox-Davies

Councillor Stefan Gawrysiak

Councillor Bob Johnston

Councillor Charles Mathew (In place of Councillor Jeannette Matelot)

Councillor Glynis Phillips

Councillor G.A. Reynolds

Councillor Judy Roberts

Councillor John Sanders

Councillor Alan Thompson

Councillor Liam Walker (In place of Councillor Dan Sames)

Councillor Richard Webber

Other Members in Attendance:

Councillor Mark Gray (for Agenda Item 6)

Officers:

Whole of meeting

G. Warrington and D. Mytton (Law & Governance); D. Periam (Planning & Place)

Part of meeting

Agenda Item

Officer Attending

6.

M. Hudson (Planning & Place) & K. Griffin (School Organisation)

7

K. Broughton

8

M. Walker (Countryside Records)

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.

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

<i>Apology for absence</i>	<i>Temporary Appointment</i>
Councillor Jeannette Matelot Councillor Dan Sames	Councillor Charles Mathew Councillor Liam Walker

2/19 MINUTES
(Agenda No. 3)

The minutes of the meeting held on 10 December 2018 were approved and signed.

3/19 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

Speaker	Item
David Cooper (Resident) Bill Pattison (Chair, Benson PC) County Councillor Mark Gray (Local Member) Chris Hambleton (Architect, Frank Shaw Associates) Helen Crolla (Headteacher, Benson CE School) Jo Chapman (Chair of Governors, Benson CE School)))))) <i>Item 6 – Benson CE School – Application R3.0114/18</i>))))
Gemma Crossley (Agent for the Applicant)	<i>Item 7 – Shipton on Cherwell – Application MW.00017/17</i>

4/19 CHAIRMAN'S UPDATES

(Agenda No. 5)

Dix Pit – Sheehan Haulage & Plant Hire Limited

- Application MW0073/17 (Section 73) - An appeal lodged by the applicant against a decision by the Committee on 8 January 2018 to refuse Application MW0073/17 had been allowed but that an application by the applicant for costs had been refused.
- The Chairman read out the following note of correction on behalf of Councillor Charles Mathew which acknowledged that comments he had made at the meeting on 8 January regarding violations of the routeing agreement that Sheehan Haulage and Plant Hire Limited was subject to had been incorrect.

"During the course of the Planning & Regulation Committee Meeting on 8 January 2018 Councillor Mathew stated that on his way to Oxford that morning some 5 lorries had passed him going to the Dix Pit site belonging to Sheehan Haulage & Plant Hire Limited (SHPHL) in breach of the routeing agreement that SHPHL is subject to. The routeing agreement states that no heavy goods vehicles (HGVs) belonging to SHPHL should use the restricted route on the B4449 passing through Sutton between 07.30 — 09.00 am and 04.30 — 06.00 pm Monday — Friday, SHPHL is also required to use its best endeavours to ensure that no HGVs belonging to third parties use the route between the restricted hours either.

Having since been provided with evidence by SHPHL regarding the location of the vehicles attending its Dix Pit site on the morning in question, Councillor Mathew now acknowledges that he was mistaken in his belief that the 5 lorries which passed him on the morning of 8 January 2018 were in breach of the routeing agreement."

5/19 NEW SINGLE STOREY THREE CLASSROOM TEACHING BLOCK, INCLUDING WITHDRAWAL ROOM, TOILETS, STORES, ANCILLARY ROOMS TOGETHER WITH MINOR MODIFICATIONS TO HARD AND SOFT LANDSCAPING AND MODIFIED PARKING ARRANGEMENTS.

(Agenda No. 6)

The Committee considered PN6) an update report following the submission of further information from the applicant in response to queries raised by the Planning & Regulation Committee when deferring this application on 10 December 2018.

The application proposed a new single storey three classroom teaching block, including withdrawal room, toilets, stores, ancillary rooms together with minor modifications to hard and soft landscaping and modified parking arrangements. The site lay in a conservation area and there would be a loss of school playing field. Various objections had been received including on those issues but also including the impact on the local highway network of additional associated vehicle movements. The application was being considered against development plan policies and other material considerations and recommended for the grant of conditional

planning permission subject to the completion first of a unilateral undertaking to secure the payment of a School Travel Plan monitoring fee.

Having presented the report and in response to Councillor Mathew Ms Hudson confirmed that the new playing field area was situated north of Littleworth Road and sufficiently large enough to meet expected requirements.

The Chairman acknowledged receipt of an email from John Phillingham which had been sent to all members of the Committee.

David Cooper a local resident stated he was a great supporter of Benson CoE school and his children had been pupils there but feared that this would merely be a sticking plaster solution to a much bigger accommodation problem which the village was likely to face in the future in view of the proposed housing development. The school had grown over the years with each phase encroaching onto the playing field area. In 1945 that had been 10,650 sq metres but would now be reduced under these plans to 4,600 so any further loss would be disastrous. The new building would jar with houses opposite, the new car park would be too prominent and visually intrusive.

He then responded to Councillor Gawrysiak to confirm that the proposed building would, in his opinion, jar with the houses to the north as shown on the top of the report plan.

Bill Pattison Chair of Benson Parish Council also alluded to the view that in preparing this scheme no consideration seemed to have been given to factor in what could happen with regard to demand in the future as a result of proposed development in the village. There was a great deal of local concern over these proposals and he agreed that this was very much a short-term fix bearing in mind plans for 760 houses in the Benson Neighbourhood Plan. That growth would inevitably create even more demand and needed to be factored in to any proposals for the provision of education facilities such as a new school rather than this piecemeal approach. The land was contaminated and if this proposal went ahead would mean further erosion of available playing space. The County Council needed to take into account the level of objection which included the South Oxfordshire District Council.

He then responded to questions from;

Councillor Fox-Davies – he couldn't provide an alternative solution to what he saw as a short-term fix but was convinced that the correct solution lay with linking future provision with proposals for development.

Councillor Johnston – the land had been a second world war airfield runway which had been broken up so contained concrete and contaminants that you'd expect to find from an old airfield.

Chris Hambleton supported by Kevin Griffin invited questions from members regarding current issues of concern as well as those raised at the last meeting. Concerning the point raised regarding contaminated land he confirmed surveys had been done and any issues raised would be addressed. Car parking was to be provided away from the existing location and although there would be a loss of informal playing space on the current site that would be replaced.

He responded to questions from:

Councillor Phillips – the option to place the car park on the new playing field had not been considered.

Councillor Gawrysiak – the proposed field for sport activity would be accessed from the top corner of the school site and was relatively close.

Kevin Griffin added that the additional land had been secured from the developer for a playing field area for team games to address the shortage of space for curriculum use, it had not been secured to provide for car parking. It was accepted that the school would be

constrained but it would be sufficient for the proposed 1.5 form entry and any effects would be mitigated by the additional playing field. He then responded to questions from:

Councillor Roberts – there would be sufficient playing space for the school to expand to 2 form entry level if required with options available to take provision to 18,010m² well above the Department for Education guideline maximum area of 15,630m². The building design allowed for the required building and hard play area and for further expansion if necessary.

Councillor Thompson – the developers would be responsible for archaeological matters on the secured field under the S106 agreement.

Councillor Mathew – he was aware of proposals for development in Benson and while accepting that pupil forecasting was not an exact science the current forecast was for a 1.5 form entry.

Helen Crolla headteacher at Benson school since 2013 confirmed that numbers had grown steadily over the years to a current 193 although there had been a dip in 2015. There was an expectation that the school would be oversubscribed for September 2019 intake reflecting the school's popularity and highlighting the need for this expansion. A new nursery class had been opened in 2016 and the school was constrained at KS1. At KS2 the school could go over 30 but room size currently prevented that. The school had worked closely with OCC and would manage the available play space accordingly. With regard to the car park she felt that need to be sited as proposed to benefit for staff who often worked late and needed to carry bulky items.

Jo Chapman the Chair of school governors endorsed the effort made to find a solution in order for the school to meet its current needs. She agreed that a new school would be wonderful but there was an immediate requirement for school places which needed to be met. There would be a less than 25% encroachment and the new sports field was an added benefit.

They then responded to questions from:

Councillor Johnston – the other school in Benson served the RAF community on a military site. When children from RAF families had attended the nursery school they had been unable to offer places. There had been no discussion held regarding the expansion of the RAF Benson school.

Councillor Fox-Davies – the formal school expansion would be in September 2020 but the school would be able to accept above numbers in reception in September 2019 in readiness for 2020.

Councillor Reynolds – if permission was not given and the school was oversubscribed than children would have to travel. There were other schools locally that were oversubscribed.

Kevin Griffin confirmed that the County Council was responsible for ensuring all children had a school place and would, therefore, be required to transport children to another school.

County Councillor Mark Gray stated that he and others were not specifically asking for a new school but merely that other factors in the village should be taken into account to secure the future for the next 20 years or more before settling for what many saw was a sticking plaster approach. The loss of 25% outdoor space would seriously affect the running of the school and while he understood and appreciated that the school had immediate issues there was still time to get a solution which addressed the many local concerns. He asked whether this scheme reflected the best use of the land available and referred to an assortment of buildings at the back of the school and wondered if those buildings could be consolidated in order to allow the extension to be built along the northern side of the site. He felt a more imaginative solution could be found which would last for many years rather than the scheme now proposed which he saw as a short-term fix. Consideration needed to be given to long term future provision.

Mr Periam confirmed that the Committee needed to determine the application before it and could not change the detail.

Responding to members' comments Mr Griffin confirmed that work on site would be disruptive with a 9 month build but the current design allowed for future expansion and site strategy. Building elsewhere would increase disruption, create problems such as the impact on daylight into the building and lead to further constraints from tree preservation orders. He was satisfied that following discussions with the architects and the school this represented the best solution.

Councillor Phillips having been to the site prior to deferral at the December meeting considered this to be the least worst option for a land locked site and having listened to the views expressed by the head teacher and chair of governors had been convinced that this scheme was needed to meet current needs. She moved the officer recommendation as printed in the report. Councillor Fox-Davies seconded.

The motion was put to the Committee and carried by 10 votes to 3.

RESOLVED: that Subject to the applicant first providing a Unilateral Undertaking for the payment of the School Travel Plan monitoring fee of £1240 it is RECOMMENDED that planning permission for R3.0114/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include the following:

- i. Detailed compliance;
- ii. Permission to be implemented within three years;
- iii. Provision of a School Travel Plan prior to the first occupation of the development;
- iv. Provision of additional scooter and cycle parking;
- v. Submission, approval and implementation of a Construction Management Plan;
- vi. Provision of external lighting scheme;
- vii. Provision of bird boxes.

6/19 ERECTION OF A NOISE ATTENUATION BUND AT SHIPTON ON CHERWELL - APPLICATION NO. MW.00017/17

(Agenda No. 7)

The Committee considered (PN&) a planning application to regularise an existing noise attenuation bund at the existing quarry site.

Mr Broughton presented the report and addenda and responded to questions from:

Councillor Phillips - the revised date in Condition iii was to ensure the life of the bund was tied in with the end date for the recycling area.

Councillor Johnston – it was proposed to use a tussock grass mix.

Councillor Webber – there was no right of appeal for third party objectors other than judicial review on process and he confirmed that all correct procedures had been followed.

Gemma Crossley attended for the applicant and responding to a question from Councillor Walker confirmed that planting would be carried out in the next available season. That hadn't been done during the last planting season as it had been abnormally dry.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Johnston and carried unanimously) that planning permission for application no. MW.0001/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the following conditions:

- i. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise:
 - Application form dated 6/12/2016
 - Planning Statement dated December 2016
 - Drawing no SHIPTSV1608 1 D – Site Location Plan
 - Drawing no SHIPEXT1610 2 A – Screening Bund
 - Drawing no SHIPTSV1608 3 C – Bund update survey 06.06.2016
 - Drawing no SHIPTSV1608 4 D – Noise Bund - cross sections
 - Technical Note dated 5 October 2016
- ii. The scheme shall be implemented during the next planting season.
- iii. The bund shall be removed by 31 December 2025.

7/19 PUBLIC PATH ORDERS - CHANGE IN PRACTICE WHERE ORDERS ARE SUBJECT TO OBJECTION

(Agenda No. 8)

The County Council had powers to make Public Path Orders to divert and extinguish public footpaths, bridleways and restricted byways under the provisions of the Highways Act 1980 and the Town and Country Planning Act 1990. Such applications might be made to the Council by landowners, developers, etc with a charge made to cover the costs of processing them up to the Order-Making stage. Presently, any decision as to whether an Order should be made, or an application rejected, was delegated to the Strategic Director for Communities. If an Order was made and no objections were received, the Order was confirmed and brought into effect. However, where an Order received an objection the individual case was referred for consideration by the Planning & Regulation Committee to determine whether to either abandon the Order or authorise its referral to The Planning Inspectorate to determine. The Committee now considered a report (PN8) outlining a proposed change to that part of the procedure so that such cases were not routinely referred to Committee, thereby shortening the decision-making process.

Having presented the report Mr Walker confirmed that there would be no cost to the County Council from this change and that most of the applications received did go through unopposed. Local members would continue to be consulted,

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Webber and carried by 12 votes to 9, with one abstention) to note that decisions to refer Public Path Orders to The Planning Inspectorate where objections had been made would be referred to the Committee only in those cases where: -

- (a) the Strategic Director for Communities considered a case to be significantly contentious or of sufficient importance to warrant consideration by members; and/or
- (b) concerns had been raised by the local County Councillor.

..... in the Chair

Date of signing

For: PLANNING AND REGULATION COMMITTEE – 4 March 2018
By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Continuation of development without complying with Condition 2 (mineral extraction cessation date) of Planning Permission no. 18/00060/CM (MW.0001/18) in order to extend the period permitted for the extraction of mineral from 31st December 2018 to 31st December 2019

Division Affected: Kirtlington and Kidlington North

Contact Officer: Kevin Broughton **Tel:** 07979 704458

Location: Shipton-on-Cherwell Quarry, Bunkers Hill, Kidlington, OX5 3BA

Applicant: Shipton Ltd, 5-7 Grosvenor Court, Foregate East Street, Chester, Cheshire, CH1 1HG

Application No: MW.0001/19

District ref Nos: 19/00022/CM

District Council Area: Cherwell

Date Received: 21st December 2018

Consultation Period: 10th January 2019 – 31st January 2019

Contents:

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

RECOMMENDATIONS

It is RECOMMENDED that planning permission for application no. MW.0001/19 be approved subject to conditions to be determined by the Director of Planning and Place to include the Conditions set out in Annex 1 to this report.

• **Part 1 – Facts and Background**

Location (see site plan Annex 1)

1. The quarry is situated 10km (6.2 miles) north-west of Oxford, immediately north of the village of Shipton-on-Cherwell and east of the A4260. Bletchington 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 lies within the Oxford Green Belt.
2. The quarry is in open countryside covering 71 hectares, of which most of the site comprises a largely worked out dormant limestone quarry. The site also includes an aggregate recycling facility (ARF) located in a central 3.5 hectares area of the quarry, immediately east of the permitted haul road. The ARF is covered by a separate planning permission.
3. 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.
4. The quarry has been designated a County Wildlife Site and parts of it are designated as a geological Site 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.
5. The nearest dwellings to the proposed development are in Jerome Way (in Shipton-on-Cherwell village) 250 metres to the south.

Background

6. In September 2006 the County Council approved a proposal for the comprehensive restoration and development of the quarry. 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.
 - 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.
7. Several previous section 73 permissions to vary the conditions of that application have been granted, the latest of which is reference number MW.0001/18, and the current application seeks to change a condition

relating to the mineral extraction element of that wider planning permission.

8. Planning permission was granted in February 2018 to extend the period for the mineral extraction from 31 December 2017 to 31 December 2018.

Details of the Developments

9. The applicant seeks a further year for the period for mineral extraction be extended from 31 December 2018 to 31 December 2019.
10. The applicant states that although the mineral extraction has progressed well this year and that the permitted reserves are coming to an end, there remain unworked permitted reserves within the quarry. This is because the demand for mineral was reduced, due to the exceptionally dry summer which led to less demand for primary mineral; and the short-term availability of materials from several local construction projects.
11. The application was submitted before the permission expired.

Part 2 – Other Viewpoints

Representations

12. There are five third party representations that raise the following issues:
 - Noise
 - Dust
 - The applicant said the need for mineral extraction would cease sometime in 2018 so there is no need for further extraction.
 - This is the sixth extension of time requested for mineral extraction.
 - The application site is safeguarded for waste recycling, but not for mineral extraction.
 - The application should be refused because it is inappropriate development in the Green Belt.
 - The development has continued past the deadline of 31st December 2018.
 - The application is contrary to policies M3, M5 and C5 of the Oxfordshire Minerals and Waste Core Strategy.
 - Visual Intrusion.
 - The effect on the bird population, and wildlife.
 - Lorry movements.

Consultations

13. Cherwell District Council – no objection.

14. Environment Agency – no objection.
15. Natural England – no comment.
16. OCC Highway Authority – no objection.
17. OCC Biodiversity – no objection.

Part 3 – Relevant Planning Documents

Relevant planning policies (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 policies in this case are:

Oxfordshire Minerals and Waste Core Strategy (OMWCS)

M2: Provision for working aggregate minerals
M3: Principle locations for working aggregates minerals
M4: Sites for working aggregates minerals.
M5: Working of aggregates minerals
M10: Restoration of mineral workings
C1: Sustainable development
C5: Local environment, amenity and economy.
C7: Biodiversity and geodiversity
C8: Landscape
C10: Transport
C12: Oxford Green Belt

Cherwell Local Plan 2031 (CLP)

PSD1: Presumption in Favour of Sustainable Development
ESD 13: Local Landscape Protection and Enhancement
ESD 14: Oxford Green Belt

The NPPF is also a relevant material consideration.

• Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

20. Policy C1 of the OMWCS states that a positive approach will be taken to minerals development in accordance with the presumption in favour of sustainable development. This is echoed by policy PSD1 of the CLP which states that when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy

Framework. Ensuring that existing permitted mineral reserves can be extracted without adverse impacts is considered to be sustainable development.

21. The main issues for this application are the Green Belt, need for and location of mineral workings, restoration, local amenity, landscape character and highways impacts.

Green Belt

22. Policy C12 of the OMWCS states that proposals constituting inappropriate development in the Green Belt, will not be permitted except in very special circumstances. Policy ESD14 of the CLP states that development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.
23. Paragraph 146 of the NPPF defines mineral extraction that does not affect the openness of the Green Belt as not inappropriate development. Whilst the existing planning permission covers more than just mineral extraction the proposed development is solely to amend the time period for the completion of mineral extraction and the permission is not changed in any other way. In this context, it is therefore not inappropriate and does not therefore need to demonstrate very special circumstances.

Mineral Working Need and Location

24. Policy M2 of the OMWCS states that provision will be made for a supply of 10,512 million tonnes of crushed rock to allow for a ten years supply. Paragraph 4.41 of the OMWCS states that permitted reserves will last until 2030. This is above the amount of permitted reserve needed, but the mineral at Shipton Quarry would nevertheless contribute to this reserve.
25. Policy M3 of the OMWCS sets out the principal locations for working crushed rock. Shipton Quarry is outside those areas. Policy M5 of the OMWCS states that prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2 and provided that the proposal is in accordance with the locational strategy in policy M3. In this case the working would contribute to the crushed rock reserve but is not within an identified strategic resource area for crushed rock. However, it is an existing quarry and the proposal is solely to allow an additional year for the extraction of the mineral which already forms part of the crushed rock landbank required to be maintained under policy M2. Therefore, it is not considered that there is any conflict with the intention of these policies.

Restoration

26. Policy M10 of the OMWCS requires mineral working to be restored in a timely manner. The proposed development would extend the mineral extraction by one further year and would be in the context of a much wider site that has yet to be fully restored. No delay to the permitted timescale for restoration is proposed. Progressive restoration will continue and will not be delayed by the extended extraction end date. The application would not therefore render the timescale for the restoration of the site to be contrary to Policy M10.

Local Amenity

27. Policy C5 of the OMWCS states that proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on: the local environment; human health and safety; residential amenity; and the local economy. Those impacts include from: noise; dust; traffic; mud on the road; and the cumulative impact of development. The site currently has conditions in place to protect the local amenity from noise, dust, and mud on the road. This is combined with other conditions relating to other uses on the site that in combination cover the cumulative impact.
28. There have been objections to the application based on those issues. The site is monitored regularly and spot checks also take place. The overall levels of noise were found to be within the acceptable limits, and were affected by noisier activities in the monitoring locations. Dust was observed within the site and has been raised by residents. There have been concerns about the number of vehicle movements exceeding the permitted levels but these would relate to all the permissions on the site and have been raised and it is understood are being addressed by the applicant. I therefore consider that the planning conditions on the site are effectively monitored and that breaches identified are pursued with the applicant.
29. The applicant doesn't propose to alter the way the mineral is extracted. All existing conditions and schemes on site protecting the local amenity will continue. Whilst the extension of time for the extraction of the remaining mineral will extend any impacts arising from that part of the permitted development and it is acknowledged that this is not the first such application for an extension of time to complete the mineral extraction, the period proposed is relatively short. All existing conditions restricting noise, dust and traffic levels will be brought forward into any new planning permission granted. Therefore, whilst the objections are noted it is not considered that the situation will significantly alter from that already permitted.
30. There is now a local liaison meeting, and an informative could be added advising that the applicant to keep the liaison meeting informed of the progress of the mineral extraction so that the local residents will be aware of the date that mineral extraction will finish.

31. With the conditions in place the development would be controlled to the extent that it would not adversely affect the local amenity. The number of concerns from the local residents with regard to the existing development highlight the need for specific issues to be investigated when they arise, and this is facilitated through the liaison committee meeting regularly as well as the councils' monitoring visits.

Landscape Character

32. Policy C8 of the OMWCS states that proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character. Policy ESD13 of the CLP seeks opportunities to secure the enhancement of the character and appearance of the landscape through, among other things, the restoration, management or enhancement of existing landscapes.
33. The permission for the quarry currently has a restoration condition, and that would remain unchanged by this proposal. The landscape character would therefore continue to be suitably protected.

Highways

34. Policy C10 of the OMWCS states that minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps. The proposed development would make no changes to the existing access and routing of lorry movements. It would therefore comply with this condition.

Other matters

35. Policy C7 of the OMWCS states that minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity. The proposal would have no overall effect on biodiversity.
36. The conditions have been reviewed to see whether any further controls are necessary to meet the concerns of the local residents, but it is considered that the controls are already in place to cover the issues raised.

Conclusions

37. The proposed development would allow the extraction of the remaining mineral and avoid its sterilisation. The concerns of the local residents are noted and individual issues of breaches to conditions are and would continue to be investigated and pursued with the applicant. However, the proposed conditions are such that the local amenity and other impacts discussed above would continue to be protected. It is disappointing that the applicant has not completed mineral extraction within the time period

which was approved one year ago which was not in itself the first extension of time granted but this is not in its own right a reason to refuse planning permission to this application. The development remains generally in accordance with development plan policy, is sustainable development and should be approved.

SUSAN HALLIWELL
Director of Planning and Place

February 2019

European Protected Species

The habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore, no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council take a positive and creative approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service; by updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this case there were no concerns that needed to be overcome prior to the decision being made.

Local Liaison Meeting

The applicant should make use of the local liaison meeting to keep the local residents informed of the progress of the mineral extraction, and the likely end date of the extraction.

Schedule 1 - Conditions

1. The development shall be carried out strictly in accordance with the following plans and particulars except as modified by conditions of this permission:
 - Application form dated 27/11/17
 - Application Form dated 6/10/16
 - Planning Statement dated 27/11/17
 - Site Location Plan - Drawing No. K.0117_06-3
Previously approved under permission MW.0125/16
 - Cover Letter dated 6th October 2016
 - Application Form dated 15th March 2016
 - Planning Statement (Amended 28th June 2016)
 - Application Form dated 22/08/2011
 - Supporting Planning Statement dated August 2011
 - Transport Statement (August 2011)
 - Phased Operational Schedule dated 27th February 2012
 - Supporting Planning Statement reference CRM.007.002 dated 12th February 2010
 - Proposed Schedule of Staged Activities and Scheme Pursuant to Condition 26 & 36 (Revised) dated 14th April 2010
 - Planning Statement (Further revised) dated August 2007)
 - Statement of Community Involvement (August 2006)
 - Design and Access Statement (Further revised in August 2007)
 - Report on Investigations for an Extension of Excavations (July 2006)
 - Approved document titled "Condition 10 – Surfacing of Access" (May 2009).
 - Approved document titled "Condition 15 – Advisory Lorry Routeing" (May 2009)
 - Advisory Lorry Routing (October 2012)
 - Approved Noise & Vibration Monitoring Locations K.0118_27-1a
 - Reptile Fencing & Schedule 1 Bird Exclusion Zone Plan dated May 2009
 - Approved document titled "Condition 16 – Dust" (May 2009)
 - Approved document titled "Groundwater Monitoring Plan" (reference JER7612 revision 4) (September 2009)
 - Approved document titled "Desk Study Report & Site Remediation Strategy" (May 2009)
 - Approved document titled "Condition 35a - Surface Water Drainage" (May 2009)
 - Letter from Veronique Bensadou to James Irvine dated 24th June 2010 and plan CRM.003.004-001 (Proposed Contour Plan dated June 2010)
 - Approved document titled "Condition 35b – Disposal of Foul Sewage" (May 2009)
 - Approved document titled "Condition 37 – Lighting" (May 2009)
 - Approved document titled "Condition 41 – Translocation of Reptiles" (May 2009)
 - Approved document titled "Condition 44 – Storage of Limestone" (May 2009)

Ecological Mitigation and Management Plan pursuant to condition 41 of Planning Permission 11/01492/CM

- Ecological Mitigation and Management Plan

- Application Form dated 13/08/2015 (Ecological Mitigation & Management Plan)
- Approved Bat Survey Summary (Ecological Mitigation & Management Plan)
- Approved Breeding & Winter Survey Results (Ecological Mitigation & Management Plan)
- Phase 1 Habitat - Drawing No: D.001 (Ecological Mitigation & Management Plan)
- Approved Reptile Fencing Positions (Ecological Mitigation & Management Plan)
- Approved Reptile Results (Ecological Mitigation & Management Plan)
- Approved Site Photographs (Ecological Mitigation & Management Plan)

Reptile Mitigation Plan (Revised) dated March 2016 pursuant to condition 42 of Planning Permission 11/01492/CM.

- Reptile Mitigation Plan (Revised) V3 March 2016
- Reptile Presence/Likely Absence Survey dated 29th June 2015
- Application Form dated 07/07/2015 Site Location Plan - Drawing Number K.0117_06-3

Plans (April 2007)

- Aerial Photograph – Drawing Number K.0117_09-2
- Primary Contours Existing Levels – Drawing Number K.0117_10-2
- Plan of Proposed Excavation Area and Cross Section Locations – Drawing No. K.0117_14-2
- Cross Sections through Northern Part of Quarry – Drawing No. K.0117_15-2
- Cross Sections through Eastern Part of Quarry – Drawing No. K.0117_16-2
- Plan Showing Contours and Proposed Direction of Quarry Development – Drawing No K.0117_17-2
- Scheme of Filling (Revised) – Drawing No. K.0117_11-3
- Plan Showing Fill and Cut Area and Cross Section Locations (Revised) – Drawing No. K.0117_18-3
- Cross Sections 1 & 2 – Drawing No. K.0117_19-2
- Cross Sections 3, 4 & 5 – Drawing No. K.0117_20-2
- Cross Sections 6, 7, 8 & 9 – Drawing No. K.0117_21-2
- Proposed Access Arrangement – Drawing No. K.0117_13-3
- Proposed Geological Exposures – Drawing No. K.0117_24-3
- Proposed PDI Unit Floorplans – Drawing No. K.0117_32-1
- Proposed PDI Unit Elevations – Drawing No. K.0117_26-3
- Proposed Unit 1 Floorplan – Drawing No. K.0117_33-1
- Proposed Unit 1 Elevations – Drawing No. K.0117_27-3
- Proposed Unit 2 Floorplan – Drawing No. K.0117_34-1
- Proposed Unit 2 Elevations – Drawing No. K.0117_28-3
- Proposed Aggregate Depot Layout – Drawing No. K.0117_29-3
- Proposed Aggregate Depot Elevations – Drawing No. K.0117_30-3

Plans (August 2007):

- Interim Restored Uses Masterplan – Drawing No. K.0117_48-5
- Interim Landscape Masterplan – Drawing No. K.0117_22-44
- Final Restored Uses Masterplan – Drawing No. K.0117_53-1
- Final Landscape Masterplan – Drawing No. K.0118_78-1

- Development Construction Programme – Baseline – K.0117_25-0d
- Development Construction Programme – Phase 3 – K.0117_25-3d
- Development Construction Programme – Phase 4 – K.0117_25-4d
- Development Construction Programme – Phase 5 – K.0117_25-5d
- Development Construction Programme – Phase 6 – K.0117_25-6d
- Development Construction Programme – Phase 7 – K.0117_07-5
- Development Construction Programme – Phase 8 – K.0117_25-8d
- Development Construction Programme – Phase 9 – K.0117_52-1

Plans (May 2011):

- Site Location Plan No. 3 dated May 2011

Plans (July 2011):

- Planning Application and Ownership Areas Plan No. 4 dated July 2011

Plans (August 2011):

- Development Construction Programme Phase 1: Drawing No. K.0117_25-1d
- Development Construction Programme Phase 2: Drawing No. K.0117_25-2e

2. The extraction of minerals shall cease by 31st December 2019.
3. No aggregates shall be imported to the site by road for any purpose except for construction of site infrastructure and other aggregates, excluding gravel, which shall only be imported to the rail aggregates depot and which shall not be greater than 30% of the total aggregates import to the rail aggregates depot.
4. From the date of this permission the operators shall maintain records of all heavy goods vehicle movements to and from the site. The records shall detail the date, time of day, vehicle registration number, name of company operating the vehicle and a description of the vehicle's load including the tonnage. Such records shall be made available to the Minerals and Waste Planning Authority upon request.
5. No waste or inert material needed for the restoration of areas B, C, and D as shown on approved plan K.0117_25-1d (Phase 1) shall be imported to the site by road after the end date of 12th February 2025 of this permission.
6. No more than 250,000 tonnes of waste shall be imported by road in any period of a year starting from the date of this permission.
7. No mineral extraction, waste disposal, demolition works or construction of any buildings or structures, including HGVs entering and leaving the site, but excluding water pumping or environmental monitoring, shall be carried out at the site except between the following times:-
 - a. 7:00 am to 18.00 pm Mondays to Fridays; and
 - b. 7.00 am to 13.00 pm Saturdays
 - c. No operations shall take place on Sundays, Public or Bank Holidays.

8. Prior to the completion of the road junction and access referred to in Condition 68, no vehicular access to the site shall be used other than that shown on approved plan K.0117_25-1d (Phase 1) as a black arrowhead onto the A4095. The first 100 metres of the access road in use shall be metalled and maintained to ensure a smooth running surface free of pot holes, mud and other debris at all times.
9. Any remaining length of access or haul road not surfaced in accordance with approved plan K.0117_25-4d (Phase 4) shall be hardened to ensure a smooth running surface free of pot holes and shall be maintained as such and kept free of mud and other debris at all times.
10. No vehicles loaded with minerals shall leave the site unsheeted except those only carrying stone in excess of 500 mm.
11. A drainage system shall be installed and maintained to ensure that no surface water from the site flows on to the public highway. That drainage system shall include a swale feature alongside the public highway.
12. No commercial vehicles shall enter the public highway until their wheels and chassis have been cleaned to prevent material being deposited on the highway.
13. The sign and road markings advising drivers to turn left out of the site entrance, as shown on approved document titled "Advisory Lorry Routing (October 2012)", shall be maintained until such time as the access referred to in Condition 68 and 69 is in use.
14. No development shall take place except in accordance with the dust suppression measures specified in the approved scheme titled "Condition 16 - Dust" dated May 2009.
15. No blasting for the purposes of mineral extraction shall be carried out on the site.
16. With the exception of the operation of the rail storage depot and aggregate depot, as shown on approved plan K0117_25-4d, between the hours of 07:00 am to 18:00 pm Monday to Friday and 7:00 am to 18:00 pm Saturdays the noise levels arising from mineral extraction, mineral processing or waste disposal shall not exceed 55 dB(LAeq) (1 hour), freefield at the properties marked on approved plan K.0118_27-1a (Noise and Vibration Monitoring Locations) with the exception of site 4. The rated level of noise emitted from the uses on open storage area, the PDI Unit and Units 1 and 2, all as shown on approved plan K.0117_07-5 (Phase 7), shall not exceed background when measured in accordance with British Standard BS 4142:1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas at any noise sensitive location within the vicinity of the open storage area, the PDI Unit or Units 1 and 2.

17. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.
18. The noise emitted at any time from the site from mineral working, mineral processing and waste disposal activities shall not contain any discrete continuous noise, i.e. whine, hiss, screech, hum or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) distinguishable at the locations identified in condition 16 above.
19. In the event of justified noise complaints i.e. where noise levels set out in condition 16 are exceeded, night time operations shall cease until a scheme detailing appropriate noise mitigation measures has been submitted to and agreed in writing by the Mineral and Waste Planning Authority. Any scheme that is approved shall be implemented.
20. No development shall take place except with arrangements for ensuring that reversing vehicles do not emit warning noise other than white noise.
21. The rail storage depot and aggregate depot as shown on approved plan K.0117_25-3d (Phase 3) shall not be used for storage until noise impact assessments for the depots have been submitted to the Mineral and Waste Planning Authority and approved in writing. Approval of either will enable that one to be implemented in advance of the other that has not yet been approved. The assessments shall set out acceptable noise levels in terms of LA max N noise criteria as well as LAeq terms and shall include mitigation measures to achieve these acceptable noise levels. Any mitigation measures that are approved shall be implemented and retained for the life of the depots.
22. Any chemical or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container's or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls.
23. Repair, maintenance and refuelling of plant and machinery, shall where practical, only take place on an impervious surface drained to an interceptor.
24. Schemes to deal with the risks associated with contamination of the site identified in the approved document titled "Desk Study Report & Site Remediation Strategy (May 2009)" shall be submitted to and approved by the Minerals and Waste Planning Authority in accordance with the approved document titled "Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36 (revised)" dated 14/04/2010. In addition a scheme to deal with the risks associated with contamination from all waste stockpiles located around the north of the site (as detailed on page 6 of the approved Desk Study Report & Site Remediation Strategy dated May 2009) shall be submitted prior to the commencement of Stage 4. These schemes shall include all of the following elements:

- a. A site investigation scheme, based on the findings of the approved Desk Study Report & Site Remediation Strategy, sufficient in scope to provide information for an assessment of the risk to all receptors (including those off site) that may be affected by the contamination.
- b. The results of the site investigation, a risk assessment that identifies the magnitude of any risks to receptors and a method statement based on those results giving full details of the remediation measures required and how and when they are to be undertaken.

No stage of development as listed in the approved schedule (Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36 (revised) dated 14th April 2010) shall take place until the details required prior to that stage have been submitted and approved in writing by the Mineral and Waste Planning Authority. The development shall proceed in strict accordance with any approved details.

25. Within one month of completion of any remediation measures required by condition 25 a verification report confirming that the remediation measures have been undertaken in accordance with the method statement shall be submitted to the Mineral and Waste Planning Authority. The verification report shall set out measures for maintenance, further monitoring and reporting.
26. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out in the specific area affected by the contamination until the developer has submitted, and obtained, written approval from the Minerals and Waste Planning Authority for an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with. Remediation measures shall then be undertaken in complete accordance with the amended method statement.
27. Piling or any other foundation designs using penetrative methods shall not take place except in accordance with a scheme agreed in writing by the Mineral and Waste Planning Authority.
28. Details of the final surfacing and containment arrangements for all areas used for the storage, handling, loading and unloading of fuels, oils, chemicals or effluents shall be submitted to, and approved in writing by the Mineral and Waste Planning Authority. Any approved scheme shall be fully implemented and retained throughout the life of that part of the development that it serves.
29. No soakaways shall be constructed in contaminated ground.
30. No development shall take place except in accordance with the groundwater monitoring scheme as set out in the approved scheme titled "Groundwater Monitoring Plan" (reference JER7612 revision 4) dated September 2009.
31. Groundwater levels shall not be artificially maintained below the current dewatered level of 56 m AOD at any time except in accordance with a

scheme that shall first be agreed in writing by the Mineral and Waste Planning Authority.

32. There shall be no direct connection between the River Cherwell and any surface water features within the development area.
33. For the duration of mineral extraction, infilling and restoration groundwater levels shall continue to be monitored on a monthly basis in accordance with the groundwater monitoring scheme approved under condition 31. This data shall be forwarded to the Minerals and Waste Planning Authority 6-monthly.
34. No development shall take place except in accordance with the approved surface water drainage scheme dated May 2009 as amended by letter from Veronique Bensadou to James Irvine dated 24th June 2010 and plan CRM.003.004-001 (Proposed Contour Plan dated June 2010).
35. No development shall take place except in accordance with the approved scheme for the disposal of foul sewage titled "Condition 35b" Disposal of Foul Sewage" dated May 2009.
36. The former landfill of high alkaline content waste in the northern corner of the site shall be removed off site or an onsite remediation strategy to address the high alkaline content shall be submitted to and approved by the Mineral and Waste Planning Authority in accordance with the approved document titled "Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36" dated 14th April 2010 (prior to landfilling of the third hectare area as shown on approved plan K.0117_25-5d (Phase 5)). Any agreed remediation strategy shall be implemented in accordance with the approved details.
37. No development shall take place except in accordance with the arrangements to minimise potential nuisance from light spillage, as specified in approved document titled "Condition 37 - Lighting" dated May 2009.
38. No reflective materials shall be used on the walls and roofs of buildings to be constructed on site.
39. By 12th February 2017 an aftercare scheme for Area A marked on approved plan K.0117_25-1d shall be submitted for the approval of the Mineral and Waste Planning Authority and shall include all the areas to be restored to nature conservation use and shall address the monitoring and management of that land, water body, plant and animal community. Any scheme that is approved shall be implemented in any restored area from the date that that area is restored.

By 12th February 2020 an aftercare scheme for Area B-D marked on approved plan K.0117_25-1d shall be submitted for the approval of the Mineral and Waste Planning Authority and shall include all the areas to be restored to nature conservation use and shall address the monitoring and management of that land, water body, plant and animal community. Any

scheme that is approved shall be implemented in any restored area from the date that that area is restored.

40. Details of the site's ecological mitigation and management shall be in accordance with the approved Ecological Mitigation and Management Plan pursuant to condition 41 of Planning Permission 11/01492/CM.
41. Details of the site's reptile mitigation shall be in accordance with the approved Reptile Mitigation Plan (Revised) dated March 2016 pursuant to condition 42 of Planning Permission 11/01492/CM.
42. Translocation of reptiles from any part of the site where extraction or infilling is to take place shall be completed before that extraction or infilling commences in that part. Translocation shall take place to the reptile receptor area as shown on approved plan Reptile Fencing & Schedule 1 Bird Exclusion Zone Plan or in accordance with the mitigation strategy approved pursuant to Condition 42 of Planning Permission 11/01492/CM.
43. The existing trees, bushes and hedgerows within the site, as denoted by the red line and as shown as being retained and protected during construction on approved plan K.0117_25-1d (Phase 1), shall be retained and shall not be felled, lopped, topped or removed. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Mineral and Waste Planning Authority, in the planting season immediately following any such occurrences.
44. Within 6 months of a cessation of mineral extraction or waste disposal for a period exceeding 24 consecutive months, at any time before the mineral extraction or waste disposal development is completed, a reinstatement and restoration scheme shall be submitted in writing forthwith to the Mineral and Waste Planning Authority for approval. The scheme shall provide revised details of final levels, restoration, capping, landscaping and a timescale for the implementation of the scheme and each element within it. The approved scheme shall be carried out in accordance with the approved timescale.
45. Crushing, screening, processing and storage of minerals shall not take place other than on the quarry floor.
46. No extraction of limestone shall take place except within the area bounded by the line shown as "proposed limit of extraction" on approved plan K.0117_14-2 (Scheme of Mineral Working: Proposed Excavation Area and Cross Section Locations).
47. No mineral extraction shall take place below 67 metres AOD.
48. No storage of skips shall take place on the site.
49. No waste other than non-recyclable construction, demolition or excavation wastes shall be deposited on the site.

50. A restoration scheme shall be submitted to and approved in writing by the Mineral and Waste Planning Authority for Area A marked on approved plan K.0117_25-1d by 12th February 2017. The restoration scheme shall be based on the Schematic Restoration Plan for Zone A included in the approved Reptile Mitigation Plan (Figure 2.1) and include additional details:

- a. Restored habitats, which shall include the habitat elements shown on approved plan K.0117_25-3d (Phase 3)
- b. Measures for safeguarding and protecting existing areas of biodiversity and details of regrading other areas to create new habitats
- c. The provision of a bird hide within area A
- d. Details showing the provision of paths and a car park for public access to the site including:
 - Perimeter paths for area A and public access arrangements
 - Specifications with regard to width, construction materials, waymarking, fencing and resting places
- e. Details of the creation of the three geological windows as shown on approved plan K.0117_24-3 (Geological Exposures) or alternatives and how public access to them will be provided
- f. the removal and re-deposition of the excess materials deposited above the levels permitted in planning permissions 98/00470/CM, 98/02053 and 02/02602/CM.

A restoration scheme for Area B-D shall be submitted and approved in writing by the Mineral and Waste Planning Authority by 12th February 2020. The scheme shall be based on the approved Final Landscape Master Plan K.0118_78-1 and include additional details of:

- a. Tree, hedgerow and scrub planting, including a woodland planting scheme for areas C and D designed to maximise a range of bird habitats and will detail the species, ages, spacing and distribution of plants
- b. Restored habitat in area B which shall include the habitat elements shown on approved plan K.0117_25-3d (Phase 3)
- c. Measures for safeguarding and protecting existing areas of biodiversity and details of regrading other areas to create new habitats
- d. The provision of a bird hide within area B
- e. Details showing the provision of paths and a car park for public access to the site including:
 - Paths around and through the whole site
 - Links to the local existing public rights of way
 - Specifications with regard to width, construction materials, waymarking, fencing and resting places
- f. Details of the creation of the two geological windows as shown on approved plan K.0117_24-3 (Geological Exposures) or alternatives and how public access to them will be provided
- g. the removal and re-deposition of the excess materials deposited above the levels permitted in planning permissions 98/00470/CM, 98/02053 and 02/02602/CM.

Any restoration scheme approved in writing by the Mineral and Waste Planning Authority shall be implemented in accordance with condition 53 and will supersede approved plans K.0118_78-1 (Final Landscape Masterplan) and K.0117_53-1 (Final Restored Uses Masterplan) and the restoration details shown on approved plans K.0117_07-5 (Phase 7), K.0117_25-8d (Phase 8), K.0117_52-1 (Phase 9), and K.0117_48-5 (Interim Restored Uses Masterplan).

51. Notwithstanding condition 6, soil for the purposes of restoration of the area shown as open storage area on approved plan K.0117_48-5, shall be imported by road to the site, following the removal of the hardstanding, for a period of no more than two years.
52. The restoration plan shall be implemented in areas A, B, C and D as shown on approved plan K.0117_25-1d (Phase 1) as follows:
 - a) Area A shall be completely restored before unit 1, as shown on approved plan K.0117_07-5, is constructed.
 - b) Area D shall be completely restored within five years of the commencement of car storage operations in the area marked as 'second 10 hectares ...' on approved plan K.0117_25-5d.
 - c) Areas B and C shall be completely restored within 2 years of the cessation of car storage in these areas or by 17 June 2036, whichever is sooner.
53. Final restoration levels shall not exceed the limits shown on approved plans K.0117_11-3 (Scheme of Filling), K.0117_18-3 (Plan Showing Fill and Cut Area and Cross Section Locations), K.0117_19-2 (Cross Sections 1 & 2), K.0117_20-2 (Cross Sections 3, 4 & 5) and K.0117_21-2 (Cross Sections 6, 7, 8 & 9).
54. Demolition of the derelict cement works buildings and structures (including the chimney) shall be completed by 12th February 2020 in accordance with details to first be submitted to and approved in writing by the Mineral and Waste Planning Authority.
55. The operator shall inform the Mineral and Waste Planning Authority, in writing, of the date when cars are starting to be stored on site. Car storage shall not take place for a period exceeding 15 years from the date when car storage first began. In any event, car storage shall cease by 17 June 2034.
56. The Pre Delivery Inspection (PDI) unit building shall not be constructed other than in the position shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and then only in accordance with the proposals in approved plans K.0117_32-1 (Proposed PDI Unit Floorplans) and K.0117_26-3 (Proposed PDI Unit Elevations). Notwithstanding the Use Classes Order 1987 any Order or any Order replacing it the building shall not be used for purposes other than the pre delivery inspection of motor vehicles. The building shall be removed when the land on which it is located is restored.

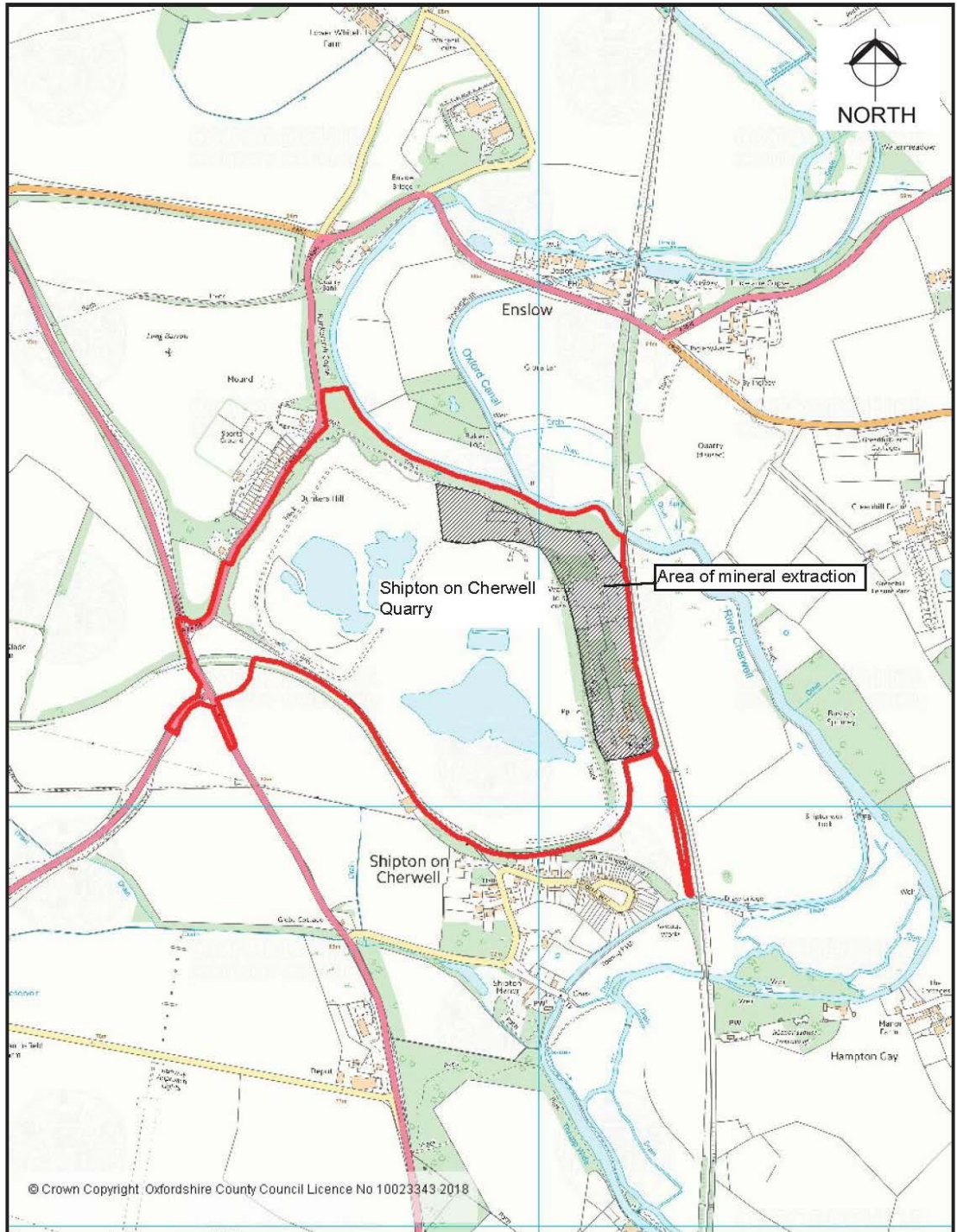
57. Notwithstanding the Use Classes Order 1987 or any Order replacing it, the Open Storage Area as shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) shall not be used for any other purpose than the storage of cars.
58. When car storage ends on site all the fences shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) shall be removed other than those around the rail storage depot, aggregates depot and the curtilages of Unit 1 and 2 buildings all as shown on approved plan K.0117_52-1 (Phase 9).
59. Notwithstanding condition 7, rail access may take place at any time but no railway transporter or wagon shall be emptied or filled on the site of the aggregates depot as shown on approved plan K.0117_52-1 (Phase 9) other than during the hours noted in condition 7.
60. No development shall take place that may adversely affect the main railway line or its safe operation, its drains or culverts.
61. The area marked as 'rail storage depot' on approved plan K.0117_25-3d (Phase 3) shall not be used for any purpose other than the offloading or loading of railway transporters or rail wagons or the storage of materials brought in by rail.
62. No rail imported aggregates shall be stored on site except in the bays constructed in the location shown on approved plan K.0117_29-3 (Proposed Aggregates Depot Layout) or within the rail storage depot, as shown on approved plan K.0117_52-1 (Phase 9), within such structures and in such locations and to such dimensions that the Mineral and Waste Planning Authority approve in writing.
63. No development of the rail storage depot, as shown on approved plan K.0117_25-3d (Phase 3), shall take place until details of the plant, machinery, buildings and structures there have been submitted to and approved by the Mineral and Waste Planning Authority in writing.
64. Notwithstanding the provisions of part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at either the rail storage depot or aggregate depot, as shown on approved plan K.0117_25-3d (Phase 3) other than as shown in the details on approved plan K.0117_29-3 (Proposed Aggregates Depot Layout) and in details agreed pursuant to condition 63.
65. The Unit 2 building shall not be constructed other than in the position shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and in accordance with approved plans K.0117_34-1 (Proposed Unit 2 Floorplan) and K.0117_28-3 (Proposed Unit 2 Elevations). The building shall not be used

for any purpose other than a B8 use as defined by the Use Classes Order 1987 or any Order replacing it.

66. Notwithstanding condition 65 the area immediately around the Unit 2 building defined by the fence shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) shall not be used other than to store materials related to the activities in the building. No storage of materials shall take place above the level of the eaves of the building as shown on approved plan K.0117_28-3 (Proposed Unit 2 Elevations).
67. The Unit 1 building shall not be built other than in the location shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and then only in accordance with approved plans K.0117_33-1 (Proposed Unit 1 Floorplan) and K.0117_27-3 (Proposed Unit 1 Elevations). The building shall not be used for any other purpose than a B8 Use as defined by the Use Classes Order 1987 or any Order amending or replacing it. The area immediately around the building defined by the fence shown on approved plan K.0117_48-5 shall not be used other than to store materials related to the activities in the building. No storage of materials shall take place above the level of the eaves of the building as shown on approved plan K.0117_27-3.
68. The PDI and class B8 buildings, as shown on approved plan K.0117_25-4d (Phase 4) shall not be used nor cars stored or exported from the site until the road junction marked 'Construction of light controlled junction and A4260/A4095/Quarry link road' on approved plan K.0117_25-4d has been constructed. On completion of construction, road vehicles shall not use any access to site other than as shown on approved plan K.0117_25-4d.
69. Prior to the use of the site access referred to in Condition 68, a sign shall be erected and thereafter maintained advising drivers of vehicle routes approved by the Mineral and Waste Planning Authority. The wording and construction details of the sign shall be submitted for the approval of the Mineral and Waste Planning Authority prior to the use of the access. The sign must be in accordance with the approved details.
70. HGV movements to and from the site shall not exceed 318 (159 in, 159 out) in any day.
71. The road marked 'haul-route-existing route to remain' on approved plan K.0117_25-1d (Phase 1) shall not be used for the transport of minerals or waste materials or in connection with any activities approved by this permission. It shall revert to use as a track for agricultural, rail (but not in connection with the rail storage depot or rail aggregate depot) and site security uses before the construction of Unit 1 shown as 'Construction of 1 ha (2.5 acre) class B8 building ...' on approved plan K.0117_25-4d (Phase 4) is complete.
72. The road, marked as 'surfaced access road' on approved plan K.0117_25-4d shall be realigned so that it runs between restoration areas B and C, rather than A and B. The realignment shall be completed before restoration of areas

B and C are complete. The residual line between restoration areas A and B shall be removed and the area restored in accordance with the restoration plan approved under condition 50 and within the timescales for restoration for those areas as set out in condition 52.

Application no MW.0001/19 - Shipton on Cherwell Quarry



NTS

Oxfordshire County Council, Spectrum Software.

PLANNING & REGULATION COMMITTEE – 4 MARCH 2019

Policy Annex (Relevant Development Plan and other Policies)

Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)

POLICY C1: SUSTAINABLE DEVELOPMENT

A positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework and the aim to improve economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the National Planning Policy Framework; or
- specific policies in the National Planning Policy Framework indicate that the development should be restricted.

POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
- human health and safety;
- residential amenity and other sensitive receptors; and
- the local economy;
including from:
 - noise;
 - dust;
 - visual intrusion;
 - light pollution;
 - traffic;
 - air quality;
 - odour;
 - vermin;
 - birds;
 - litter;
 - mud on the road;
 - vibration;
 - surface or ground contamination;
 - tip and quarry-slope stability;
 - differential settlement of quarry backfill;

- subsidence; and
- the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

POLICY C7: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.

The highest level of protection will be given to sites and species of international nature conservation importance (e.g. Special Areas of Conservation and European Protected Species) and development that would be likely to adversely affect them will not be permitted.

In all other cases, development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity (or geodiversity). In addition:

- (i) Development that would be likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other development) will not be permitted except where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the Site of Special Scientific Interest and any broader impacts on the national network of Sites of Special Scientific Interest.
- (ii) Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees, will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.
- (iii) Development shall ensure that no significant harm would be caused to:
 - Local Nature Reserves;
 - Local Wildlife Sites;
 - Local Geology Sites;
 - Sites of Local Importance for Nature Conservation;
 - Protected, priority or notable species and habitats,except where the need for and benefits of the development in that location clearly outweigh the harm.

All proposals for mineral working and landfill shall demonstrate how the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity (including fossil remains and trace fossils), including contributing to the objectives of the Conservation Target Areas wherever possible. Satisfactory long-term management arrangements for restored sites shall be clearly set out and included in proposals. These should include a commitment to

ecological monitoring and remediation (should habitat creation and/or mitigation prove unsuccessful).

POLICY C8: LANDSCAPE

Proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. Where significant adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements shall be made to offset the residual landscape and visual impacts.

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except in exceptional circumstances and where it can be demonstrated they are in the public interest, in accordance with the 'major developments test' in the NPPF (paragraph 116). Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

POLICY C10: TRANSPORT

Minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain and, if possible, lead to improvements in:

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

Where development leads to a need for improvement to the transport network to achieve this, developers will be expected to provide such improvement or make an appropriate financial contribution.

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

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

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

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

Proposals for minerals and waste development that would generate significant amounts of traffic will be expected to be supported by a transport assessment or transport statement, as appropriate, including mitigation measures where applicable.

POLICY C12: OXFORD GREEN BELT

Proposals that constitute inappropriate development in the Green Belt, will not be permitted except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Conditions may be imposed on any permission granted to ensure that the development only serves to meet a need that comprises or forms an 'other consideration' in the Green Belt balance leading to the demonstration of very special circumstances.

POLICY M2: PROVISION FOR WORKING AGGREGATE MINERALS

Provision will be made through policies M3 and M4 to enable the supply of:

- sharp sand and gravel - 1.015 mtpa giving a total provision requirement of 18.270 million tonnes
- soft sand - 0.189 mtpa giving a total provision requirement of 3.402 million tonnes
- crushed rock - 0.584 mtpa giving a total provision requirement of 10.512 million tonnes

from land-won sources within Oxfordshire for the period 2014 – 2031 inclusive.

Permission will be granted for aggregate mineral working under policy M5 to enable separate landbanks of reserves with planning permission to be maintained for the extraction of minerals of:

- at least 7 years for sharp sand and gravel;
- at least 7 years for soft sand;
- at least 10 years for crushed rock;

in accordance with the annual requirement rates in the most recent Local Aggregate Assessment, taking into account the need to maintain sufficient productive capacity to enable these rates to be realised.

POLICY M3: PRINCIPAL LOCATIONS FOR WORKING AGGREGATE MINERALS

The principal locations for aggregate minerals extraction will be within the following strategic resource areas, as shown on the Policies Map:

Sharp sand and gravel
in northern Oxfordshire (Cherwell District and West Oxfordshire District):

- The Thames, Lower Windrush and Lower Evenlode Valleys area from Standlake to Yarnton;
in southern Oxfordshire (South Oxfordshire District and Vale of White Horse District):
- The Thames and Lower Thame Valleys area from Oxford to Cholsey;
- The Thames Valley area from Caversham to Shiplake.

Soft sand

- The Corallian Ridge area from Oxford to Faringdon;
- The Duns Tew area.

Crushed rock

- The area north west of Bicester;
- The Burford area south of the A40;
- The area east and south east of Faringdon.

Specific sites (new quarry sites and/or extensions to existing quarries) for working aggregate minerals within these strategic resource areas will be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, in accordance with policy M4.

Specific sites for extensions to existing aggregate quarries (excluding ironstone) outside the strategic resource areas may also be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document provided they are in accordance with policy M4.

Sites allocated for sharp sand and gravel working (including both new quarry sites and extensions to existing quarries, including any extensions outside the strategic resource areas), to meet the requirement in policy M2 will be located such that approximately 25% of the additional tonnage requirement is in northern Oxfordshire and approximately 75% of the additional tonnage requirement is in southern Oxfordshire, to achieve an approximately equal split of production capacity for sharp sand and gravel between northern and southern Oxfordshire by 2031.

POLICY M4: SITES FOR WORKING AGGREGATES MATERIALS

Specific sites for working aggregate minerals in accordance with policy M3, to meet the requirements set out in policy M2 will be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, taking into account the following factors:

- a) the quantity and quality of the mineral resource;
- b) priority for the extension of existing quarries, where environmentally acceptable (including taking into consideration criteria c) to l)), before working new sites;
- c) potential for restoration and after-use and for achieving the restoration objectives of the Plan in accordance with policy M10;
- d) suitability & accessibility of the primary road network;

- e) proximity to large towns and other locations of significant demand to enable a reduction in overall journey distance from quarry to market;
- f) ability to provide more sustainable movement of excavated materials;
- g) avoidance of locations within or significantly affecting an Area of Outstanding Natural Beauty;
- h) avoidance of locations likely to have an adverse effect on sites and species of international nature conservation importance and Sites of Special Scientific Interest; in the case of locations within the Eynsham / Cassington / Yarnton part of the Thames, Lower Windrush and Lower Evenlode Valleys area, it must be demonstrated that there will be no change in water levels in the Oxford Meadows Special Area of Conservation and the proposal must not involve the working of land to the north or north east of the River Evenlode; in the case of locations within the Corallian Ridge area, it must be demonstrated that there will be no change in water levels in the Cothill Fen Special Area of Conservation;
- i) avoidance of locations likely to have an adverse effect on the significance of designated heritage assets, including World Heritage Sites, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens and Registered Battlefields, or on archaeological assets which are demonstrably of equivalent significance to a Scheduled Monument;
- j) avoidance of, or ability to suitably mitigate, potential significant adverse impacts on:
 - i. locally designated areas of nature conservation and geological interest;
 - ii. non-designated heritage assets;
 - iii. local landscape character;
 - iv. water quality, water quantity, flood risk and groundwater flow;
 - v. best and most versatile agricultural land and soil resources;
 - vi. local transport network;
 - vii. land uses sensitive to nuisance (e.g. schools & hospitals);
 - viii. residential amenity & human health; and
 - ix. character and setting of local settlements;
- k) potential cumulative impact of successive and/or simultaneous mineral development, including with non-mineral development, on local communities; and
- l) ability to meet other objectives and policy expectations of this Core Strategy (including policies C1 – C12) and relevant policies in other development plans.

POLICY M5: WORKING OF AGGREGATE MINERALS

Prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where

this would contribute towards meeting the requirement for provision in policy M2 and provided that the proposal is in accordance with the locational strategy in policy M3 and that the requirements of policies C1 – C12 are met.

Permission will be granted for the working of aggregate minerals within the sites allocated further to policy M4 provided that the requirements of policies C1 – C12 are met.

Permission will not be granted for the working of aggregate minerals outside the sites allocated further to policy M4 unless the requirement to maintain a steady and adequate supply of aggregate in accordance with policy M2 cannot be met from within those sites and provided that the proposal is in accordance with the locational strategy in policy M3 and the requirements of policies C1 – C12 are met.

Permission will exceptionally be granted for the working of aggregate minerals outside the sites allocated further to policy M4 where extraction of the mineral is required prior to a planned development in order to prevent the mineral resource being sterilised, having due regard to policies C1 –C12.

Permission will exceptionally be granted for borrow pits to supply mineral to associated construction projects, having due regard to policies C1 – C12, provided that all of the following apply:

- the site lies on or in close proximity to the project area so that extracted mineral can be conveyed to its point of use with minimal use of public highways and without undue interference with footpaths and bridleways;
- the mineral extracted will only be used in connection with the project;
- it can be demonstrated that supply of the mineral from the borrow pit would have less environmental impact than if the mineral were supplied from an existing source;
- the borrow pit can be restored without the use of imported material, other than that generated by the project; and
- use of the borrow pit is limited to the life of the project.

Notwithstanding the preceding paragraphs, permission for working of ironstone for aggregate use will not be permitted except in exchange for an agreed revocation (or other appropriate mechanism to ensure the non-working) without compensation of an equivalent existing permission in Oxfordshire containing potentially workable resources of ironstone and where there would be an overall environmental benefit.

POLICY M10: RESTORATION OF MINERAL WORKINGS

Mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. The restoration and after-use of mineral workings must take into account:

- the characteristics of the site prior to mineral working;
- the character of the surrounding landscape and the enhancement of local landscape character;
- the amenity of local communities, including opportunities to enhance green infrastructure provision and provide for local amenity uses and recreation;

- the capacity of the local transport network;
- the quality of any agricultural land affected, including the restoration of best and most versatile agricultural land;
- the conservation of soil resources
- flood risk and opportunities for increased flood storage capacity;
- the impacts on flooding and water quality of any use of imported material in the proposed restoration;
- bird strike risk and aviation safety;
- any environmental enhancement objectives for the area;
- the conservation and enhancement of biodiversity appropriate to the local area, supporting the establishment of a coherent and resilient ecological network through the landscape-scale creation of priority habitat;
- the conservation and enhancement of geodiversity;
- the conservation and enhancement of the historic environment; and
- consultation with local communities on options for after-use.

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 where necessary the means of securing them in the longer term.

Proposals for restoration must not be likely to lead to any increase in recreational pressure on a Special Area of Conservation.

Cherwell Local Plan 2011-2031 (CLP)

POLICY ESD 13: LOCAL LANDSCAPE PROTECTION AND ENHANCEMENT

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

POLICY ESD 14: OXFORD GREEN BELT

The Oxford Green Belt boundaries within Cherwell District will be maintained in order to:

- Preserve the special character and landscape setting of Oxford
- Check the growth of Oxford and prevent ribbon development and urban sprawl
- Prevent the coalescence of settlements
- Assist in safeguarding the countryside from encroachment
- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.

Proposals for residential development will also be assessed against Policies Villages 1 and Villages 3.

A small scale local review of the Green Belt boundary in the vicinity of Langford Lane, Kidlington and Begbroke Science Park will be undertaken as part of the Local Plan Part 2, in order to accommodate employment needs (see Policy Kidlington 1). Further small scale local review of the Green Belt boundary will only be undertaken where exceptional circumstances can be demonstrated.

POLICY PSD 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

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