

To: Members of the Planning & Regulation Committee

Notice of a Meeting of the Planning & Regulation Committee

Monday, 19 January 2026 at 2.00 pm

Room 2&3 - County Hall, New Road, Oxford OX1 1ND

If you wish to view proceedings online, please click on this [Live Stream Link](#).
However, this will not allow you to participate in the meeting.



Martin Reeves
Chief Executive

January 2026

Committee Officer: **Committees Team**
E-Mail: committeesdemocraticservices@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

Chair – Councillor Diana Lugova
Deputy Chair - Councillor Tony Worgan

Councillors

Ron Batstone
Mark Cherry
Stefan Gawrysiak
Jenny Hannaby

Saj Malik
Gavin McLauchlan
Lesley McLean
Paul-Austin Sargent

Geoff Saul
Roz Smith

Notes:

- **Date of next meeting: 23 February 2026**

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 below**
- 3. Minutes of the Previous Meeting (Pages 7 - 12)**

To approve the minutes of the meeting held on 24 November 2025 and to receive information arising from them.

- 4. Petitions and Public Address**

Members of the public who wish to speak on an item on the agenda at this meeting, or present a petition, can attend the meeting in person or 'virtually' through an online connection.

Requests to present a petition must be submitted no later than 9am ten working days before the meeting.

Requests to speak must be submitted no later than 9am three working days before the meeting.

Requests should be submitted to committeesdemocraticservices@oxfordshire.gov.uk

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9am on the day of the meeting. Written submissions should be no longer than 1 A4 sheet.

- 5. Land at Former Wicklesham Quarry, Faringdon, SN7 7PH (Pages 13 - 124)**

Report by Planning Development Manager

Outline flexible planning application for a total of up to (29, 573) sq m GIA of commercial floorspace for Use Classes E(g) i (offices); and/or, E(g)(ii) (research and development); and/or, E(g)(iii) (light industrial); and/or B2 (general industrial); and/or B8 (storage and distribution); and ancillary uses. All matters reserved for future determination except for access.

It is RECOMMENDED that subject to a Traffic Regulation Order to secure the raised island crossing and a Section 106 agreement to cover the matters outlined in Annex 2, planning permission for MW.0151/23 be approved subject to conditions to be determined by the Director of Economy and Place, to include those set out in Annex 1.

6. Land at Thrupp Farm, Radley, Abingdon, Oxfordshire Grid (Ref: SU 51539 97065) (Pages 125 - 258)

Report by Planning Development Manager

Application for determination of the conditions to which a planning permission is to be subject (Permission numbers DD1 and DD2).

It is RECOMMENDED:

- a) That in the absence of there being a position in law to refuse the application to determine the conditions to which planning permission numbers DD1 and DD2 are to be subject despite the significant effect identified through the loss of irreplaceable and priority habitats, refer the application to the Secretary of State for their consideration as to whether to call the application in for their own determination;**
- b) Should the Secretary of State decline to call the application in for their own determination, authorise the Director of Economy and Place to determine the conditions to which planning permissions DD1 and DD2 are to be subject including those set out in Annex 4 but without the condition restricting development in the areas of irreplaceable and priority habitats.**

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registerable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registerable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 24 November 2025 commencing at 2.00 pm and finishing at 3.52 pm

Present:

Voting Members:	Councillor Diana Lugova – in the Chair Councillor Tony Worgan (Deputy Chair) Councillor Ron Batstone Councillor Mark Cherry Councillor Stefan Gawrysiak Councillor Jenny Hannaby Councillor Saj Malik Councillor Gavin McLauchlan Councillor Paul Austin Sargent Councillor Geoff Saul Councillor Gareth Epps
Other Members in Attendance:	Councillor Chris Brant (Cropredy & Hook Norton)
By Invitation:	Parish Councillor Harvey Marcovitch (Wroxton PC) Gemma Crossley (Agent)
Officers:	Jack Ahier (Senior Democratic Services Officer), Jennifer Crouch (Principal Solicitor – Regulatory), David Periam (Planning Development Manager), Rachel Jones (Minerals and Waste Planning Consultant)

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]/[the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional documents], copies of which are attached to the signed Minutes.

15/24 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received from Cllr Roz Smith, substituted by Cllr Gareth Epps.

16/24 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE BELOW

(Agenda No. 2)

There were none.

17/24 MINUTES OF THE PREVIOUS MEETING

(Agenda No. 3)

The minutes of the meeting held on 13 October 2025 were approved and signed by the Chair as a correct record.

18/24 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

Three requests to address the Committee had been received from:

- Cllr Chris Brant (Cropredy and Hook Norton)
- Parish Cllr Harvey Marcovitch (Wroxton PC)
- Gemma Crossley (Applicant's Agent)

They would be heard, and Members could ask questions if they had any after the officer presentation.

19/24 LAND AT WROXTON FIELDS, QUARRY, STRATFORD ROAD A422, WROXTON, OXFORDSHIRE, OZ15 6EZ

(Agenda No. 5)

The Chair introduced the item to the meeting.

The Minerals and Waste Planning Consultant introduced the application, which was about the extraction of mineral, importation of inert restoration material, revised restoration scheme, aggregate recycling facility and other ancillary development at the existing Wroxton Fields Quarry.

Officers provided a few brief updates to the report, outlined below:

- Elements of retrospective development, including extraction of minerals in the existing phases 5 and 6, and the implementation of a temporary staff car park.
- In paragraph 156, the landscape officer commented about concerns that bunding would likely not be effective in mitigating views from the road but could be mitigated by not excavating the southern part of phase 2b or to reduce the timeframe of excavation. The Applicant provided further clarification that the historic extraction was split into 3 sections separated by hedgerow. Further extraction from phase 2b would not take place in the southern-most section, minimising the impact views from outside of the site.

Officers stated that Horton Quarry had been worked out and that Alkerton Quarry had reached the end of its productive life.

The main elements of the application was to extract 410,000 tonnes of iron stone from phase 6c and 340,000 tonnes of mineral from phase 2b. The processing of minerals was proposed to continue to take place in phase 4 of the development.

Photos and maps were shown of the site, including the current and proposed areas of extraction; the site entrance and the processing plant area. The application seeks 150,000 tonnes to be processed through the site per annum and permission would exist until 2042.

There were no outstanding objections from technical consultees, but there were from the local County Councillor and Wroxton Parish Council. Liaison meetings are held with the Quarry, local stakeholders and local councillors.

Councillor Chris Brant (Cropredy and Hook Norton) addressed the Committee as the local Member and thanked the applicant for a recent site visit. He highlighted the impact of the application on the village of Wroxton, which if agreed, would be 100m from the nearest dwelling. He also noted the public health concerns caused by dust from the site on the primary school children and urged the Committee to refuse planning permission, noting that the applicant should come back with a revised proposal without the area closest to the school.

Members asked the speaker several questions, relating to potential conditions if the application was approved and regarding the accessibility of the rights of way within the site and interactions with the local liaison group. Councillor Brant noted his main concerns were the distance of the quarry from the village and any conditions should reflect a further distance from the site. Regarding the rights of way, it was noted that the site does a good job of managing that situation through diversions, but that the local liaison group did not regularly meet for a couple of years and issues raised at that group included traffic, lorry access and speeding.

Parish Councillor Harvey Marcovitch (Wroxton Parish Council) addressed the Committee about the Parish Council's concerns about the extension of the quarry relating to air quality as a public health issue. It was commented on the wind measurements were inaccurate and measured at a different quarry. He noted the good engagement with the liaison group on breaches of conditions, which were usually resolved quickly. Nonetheless, he expressed concerns relating to public health and asked the Committee to refuse planning permission on the extension of phase 6c.

Members asked about the evidence of air quality issues and the details of measurements being incorrect in the document. It was stated that the measurements were taken from the centre of the school rather than the boundary of the playground; whilst also noting that wind measurements were taken from the Great Tew Quarry. It was referenced that the further away the quarry was, the less interference there would be, but there was no evidence that the Parish Council had to support this.

Members asked how the issue of dust was reported. Parish Councillor Marcovitch noted that dust issues were reported to the Parish Council and issued are reported to the liaison group to be resolved. One of the conditions is that the lorries cannot enter the site until 7am, but that lorries would queue in Wroxton from 6:30am; but that the applicant deals with these issues. He stated that a potential future condition could be to have the site more than 200m away from the boundary of the school; and proper environmental assessments to base those findings.

Members noted that there was no evidence of dust on the vegetation on Wroxton/South Newington Lane; and during the site visit, whilst the quarry was in operation, the noise was minimal. Parish Councillor Marcovitch clarified that noise complaints were received when lorries were queuing up to enter the site, rather than when the site was in operation. Dust was not a big problem on the road to North Newington as the road was not used by lorries.

On behalf of the applicant, the agent, Gemma Crossley, addressed the Committee and raised some of the key benefits; outlining that planning policies supported extension of quarries. She noted that the Local Aggregate Assessment 2024 demonstrated 3 and ½ years of mineral reserves in Oxfordshire. It aimed to improve the restoration scheme, drainage and provide in excess of the 10% biodiversity gain. The processing plant being in phase 4 provided natural mitigation in terms of noise and dust as that section was lower down. Issues raised at the liaison groups include vehicle speed and routing, which Earthline have tried to rectify by putting trackers on their vehicles. Thorough noise and environment assessments had been undertaken, which complied with policy and the applicant supported the officer recommendation to recommend approval.

Members raised the following points:

- The need to ensure controls were in place to manage dust in dry periods, which was confirmed that water could be sprayed on dry areas in these circumstances as there weren't water shortages at the quarry. Substantial boundary planting was also in place as mitigation.
- Trying to resolve vehicle idling in Wroxton and surrounding areas would be important and should be raised with Earthline. Whilst all lorries were not Earthline vehicles and could not be tracked, all drivers entering the site are given an induction to understand what is required.
- The importance of understanding the levels of particulates of dust at the school. Monitoring equipment was installed in 2021 within the school grounds to monitor dust levels and fine dust was found, as heavy dust doesn't travel very far. It was also confirmed that directional work could be undertaken to see which direction the dust had travelled from, and that a Dust Monitoring Plan would be beneficial.
- The importance of consistent monitoring from planning officers, in consultation with other teams such as public health.
- The possibility of including open rock faces when the site is restored for geological and educational purposes.

Following a question from Members, officers clarified the distances from the extraction areas to different parts of Wroxton Primary School:

- From the edge of extraction area to edge of school playground – 165m.
- From the edge of extraction area to edge of school building – 240m.
- From the edge of consented quarry boundary to edge of school playground – 136m.

It was noted that meteorological data would have been taken from the nearest monitoring station, which could also be the closest point to other quarries in the area.

Condition 13 in the report was noted to be a circular statement, as it should refer to item 12. Officers noted the error and would amend the document.

Officers clarified that the Oxfordshire Minerals and Waste Local Plan had been superseded by the core strategy. The core strategy did not bring over either policy PE1 or PE18, which had been referred to in several responses. Furthermore, recommended buffer zones between areas of mineral extraction and residential areas had also been superseded by National Planning Practice Guidance, which states to rely on environmental assessments in individual circumstances.

It was noted that conditions could not be enforced on things outside of the planning permission boundary, such as on vehicles travelling to the site or on the primary school. Certain areas couldn't be stipulated in conditions but could form part of wider plans put forward by the planning authority.

Councillor Gawrysiak proposed the recommendations as set out on page 52 in the report that the application be approved. This was seconded by Councillor Sargent.

It is RECOMMENDED that subject to a S.106 legal agreement to cover the matters in Annex 2, planning permission for MW.0063/24 be approved subject to conditions to be determined by the Planning Development Manager, to include those set out in Annex 1.

RESOLVED: that the Committee unanimously approved the recommendation to approve the application as set out above.

..... in the Chair

Date of signing

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Division Affected – Faringdon

PLANNING AND REGULATION COMMITTEE

Date 19th January 2026

Outline flexible planning application for a total of up to (29, 573) sq m GIA of commercial floorspace for Use Classes E(g) i (offices); and/or, E(g)(ii) (research and development); and/or, E(g)(iii) (light industrial); and/or B2 (general industrial); and/or B8 (storage and distribution); and ancillary uses. All matters reserved for future determination except for access.

Report by Planning Development Manager

Contact Officer: David Periam

Location: Former Wicklesham Quarry, Faringdon, SN7 7PH

OCC Application No: MW.0151/23

VOWH Application No: P23/V2519/CM

District Council Area: Vale of White Horse

Applicant: De Montalt Life Sciences Limited jointly with Mr Tom Allen-Stevens, Ms Cheryl Allen-Stevens, Frobisher (Wicklesham) Ltd

Application Received: 2nd November 2023

Consultation Periods:
16th November – 7th December 2023
20th May - 11th June 2024
19th September – 10th October 2024
8th – 30th May 2025
26th June – 17th July 2025
6th August – 21st August 2025
26th September – 20th October 2025
27th October – 12th November 2025
1st December – 19th December

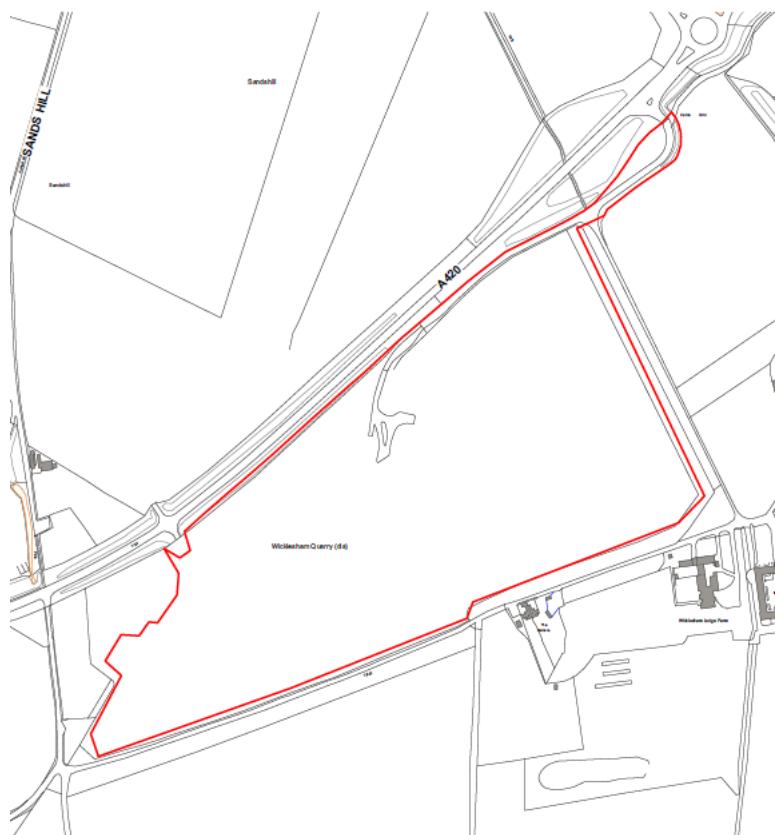
Contents

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

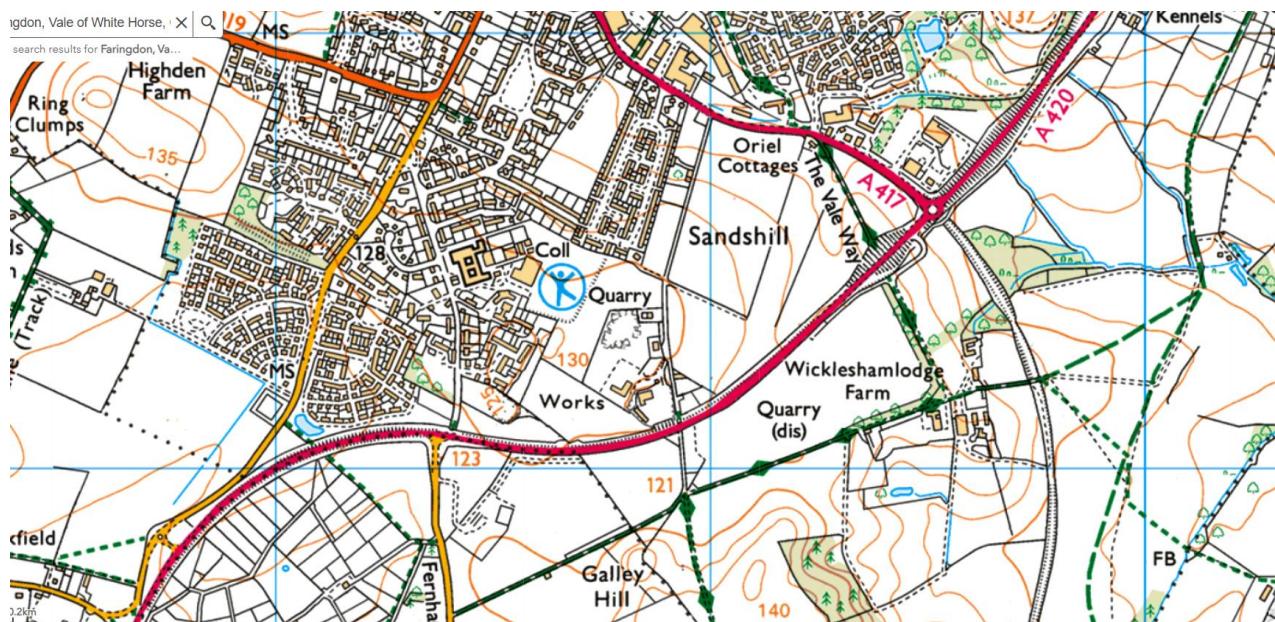
PART 1- FACTS AND BACKGROUND

Location (see Plans 1, 2 and 3)

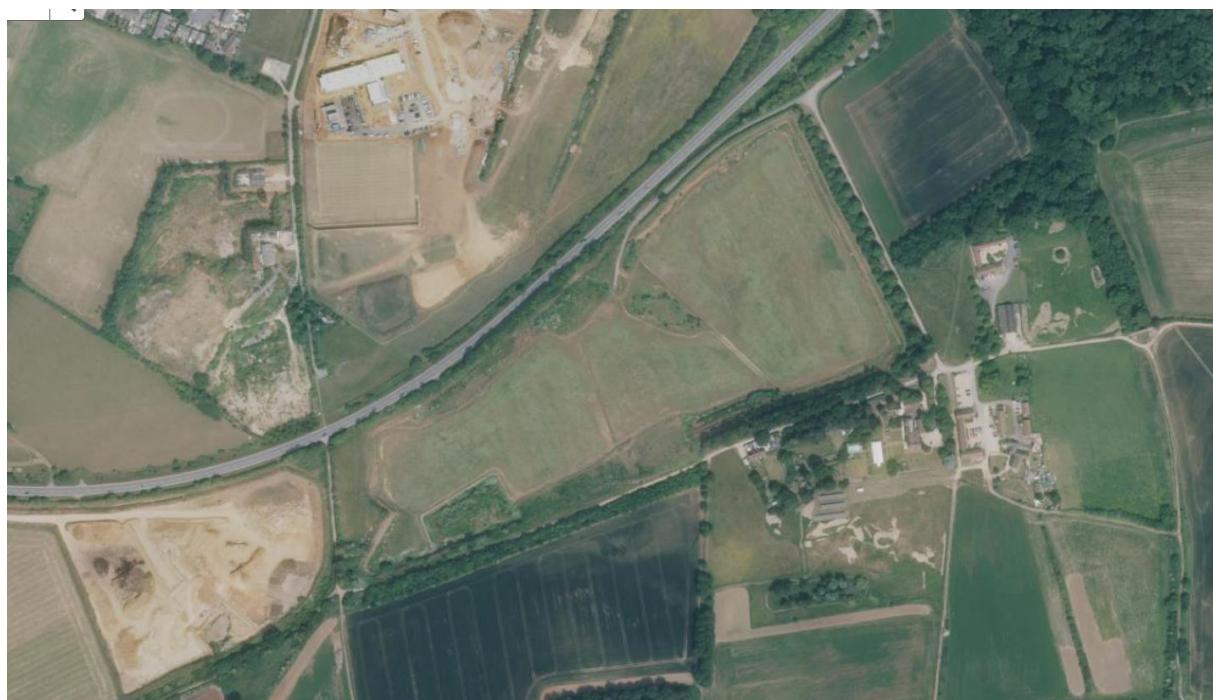
1. The former Wicklesham Quarry lies in Vale of White Horse District and Great Faringdon parish.
2. The site lies immediately south of the A420, approximately 1km (0.6 miles) south of Faringdon. The application site includes an existing access onto the A420.



Plan 1 – Application Area



Plan 2 – Site Location



Plan 3 – Aerial view

Site and Setting

3. The application site comprises a former quarry which has been restored to agriculture at the lower level. Mineral working has ceased, the quarry has been restored, and the five-year statutory aftercare period has been completed.
4. The application site covers a total of 11.7 hectares. It comprises agricultural fields, trees, shrub and hedgerow planting, retained mineral faces and two ponds. It lies approximately 8 metres below the level of the surrounding land,

with steep exposed quarry walls. The site is generally level, with a slight fall from west to east. There is a ditch along the southern boundary.

5. The site is within and surrounded by open countryside to the south of the A420. The site is located within the landscape character area of North Vale Corallian Ridge. The specific landscape character type of the site and its immediate surrounding area is defined as Rolling Farmland.
6. The A420 forms the northern site boundary, and immediately north lies Oriel Gardens, a Bloor Homes housing development on the edge of the built area of Faringdon. This development is currently being built. A service station and retail park lie 300 metres north east of the site, beyond a roundabout junction on the A420.
7. To the west of the site lies an active quarry, known as Faringdon Quarry. The eastern-most phase of this development has been worked and restored and incorporated into the restoration of Wicklesham Quarry such that the boundary between the sites is not identifiable on the ground.
8. The south of the site is bounded by a track carrying a bridleway (207/21/40), and the east of the site is bounded by a private access road leading to the collection of buildings at Wicklesham Lodge Farm, which carries a footpath (207/17/30). This footpath continues towards Faringdon centre on the other side of the A420 as footpath 207/17/20. Immediately south west of the site is a crossroads of tracks from where bridleway 207/22/10 runs south and bridleway 278/2/10 runs west.
9. The nearest properties to the site (1 The Gardens, 2 The Gardens and Wicklesham Lodge Farm) are immediately adjacent to the quarry on the southern boundary.
10. Lyde Copse Local Wildlife Site (LWS) lies approximately 1km south of the site.
11. The site lies within Flood Zone 1, the area of least flood risk. However, Environment Agency mapping shows that the site contains areas of low, medium and high risk of surface water flooding.
12. Wicklesham Lodge Farm, which houses a number of offices in former farm buildings, lies immediately to the south-east on the other side of a track. The complex of building includes a Grade II listed barn and granary 'Old Barn', 150 metres to the south-east of the site. There are also dwellings amongst these buildings.
13. An area of ancient woodland lies 200 metres to the east of the site, at Wicklesham Copse.
14. The entire site lies within Wicklesham and Great Coxwell Pits Site of Special Scientific Interest (SSSI). This is a geological SSSI designated due to exposures created during quarrying with geological and palaeontological

interest. The exposed quarry walls run along the eastern site boundary and parts of the northern, southern and western site boundaries.

15. The site is within the West Oxfordshire Heights Conservation Target Area (CTA).
16. The site has direct access to the A420 via a private road.
17. Lord Berner's Folly lies approximately 1.3 kilometres to the north-east on Folly Hill. This tower is a Grade II listed building, which can be viewed from the site.
18. Bridleway 207/21 runs parallel to the southern boundary and links to further bridleways to the south and west and continues to the east. Footpath 207/17 runs along the eastern boundary to meet the bridleway to the south and the A420 in the north, crossing the access road. It then continues towards Faringdon on the northern side of the A420. There is currently no crossing over the A420 but there are steps down the road embankment and signage. This footpath forms part of the Vale Way promoted route. The bridleway is higher than the site due to the quarrying activity.

Planning History

19. Planning permission was first granted in 1986 for the extraction of sand and gravel from the quarry. Since then, the County Council has granted several permissions for the site mainly to extend the time to complete extraction of minerals and then restore the site but also for the importation of materials to be used in connection with construction of golf courses together with operations for the blending of imported and indigenous quarried materials.
20. The most recent permissions for the quarry (MW.0134/15 and MW.0133/15) required the cessation of the permitted operations by 30th September 2015 with restoration by 30th April 2016.
21. The land was restored in February 2018, and it formally entered the five-year aftercare period in July 2019. At the time that this application was submitted, the quarry was in its fifth and final year of aftercare. A final monitoring visit confirmed that aftercare was complete in July 2024.
22. The quarry to the west was originally permitted as an extension to Wicklesham Quarry and operates under permission MW.0117/16, granted in 2013. This requires mineral working to be complete by the end of 2034, restoration complete by the end of 2035 and therefore the five-year aftercare to be completed by the end of 2040. The extension site is now under different land ownership and is known as Faringdon Quarry.
23. An application for the development at the site (with the addition of reference to a data centre in the description of development) was submitted to Vale of White Horse District Council in 2023 and registered with reference number

P23/V1476/O. However, it was a County Matter application because the site is a former quarry which was still subject to an aftercare condition at the time the application was submitted. Therefore, the District application was invalidated and a new application was submitted to Oxfordshire County Council.

Planning Authority

24. This application was made to Oxfordshire County Council because at the time it was submitted, the site was a former quarry subject to an aftercare condition. Aftercare was completed in summer 2024. Therefore, if the application was being made now, the correct planning authority would be the Vale of White Horse District Council. However, Oxfordshire County Council must determine the application which was correctly made to them.

Details of Proposed Development

25. The application proposes up to 29,573 square metres of commercial floorspace. As an outline application, full details of the proposed development have not been provided at this stage. However, the buildings would be used for uses falling into specified use classes: offices, research and development, light industrial, general industrial and storage and distribution. The application also includes ancillary uses.
26. The application states that there is a market requirement for new research and laboratory accommodation in the vicinity of Oxford and suggests that the development would form new research and laboratory facilities serving the life sciences sector. However, the description of development is not specific in this respect and any permission granted further to this application would permit a range of potential industrial, storage, distribution and office uses.
27. A Parameter plan has been submitted as part of the application (Annex 5) along with a Phasing plan (Annex 5); these two plans are both submitted for approval whereas other submitted plans are illustrative at the outline application stage. Buildings of up to 12 metres high to the ridge are proposed over most of the site. A lower height for eaves is not specified in the submitted documents. The combined building footprints would be a maximum of 50% of the developable area (Area shown yellow on the Parameter plan). There would be a rectangular area excluded from built development extending into the site north-east from the southern boundary. There would be no buildings in this area to create a viewing corridor from the bridleway on the southern boundary, towards Lord Berner's Folly. The Phasing plan shows the development being carried out in three phases, phase 1 being the largest and forming the eastern part of the site, phase 2 being the northern part of the western part of the site and phase 3 being the southern part of the western part of the site.
28. Buildings would surround a central linear park, which would be planted with wildflowers. There would be ornamental landscaping adjacent to the buildings.

29. As the application is for outline consent, detail on the exact form that the buildings would take has not been provided at this stage. However, a Design Code has been provided, setting out design principles and indicative visuals, including an indication of materials. These indicative details show seven buildings, comprising 3 smaller rectangular buildings, 3 L-shaped buildings and a larger U-shaped building. Buildings would have a light-coloured base zone and this would either continue to building height or have a dark top zone, to break up the massing. Materials would be selected to allow the building to achieve a BREEAM 'Excellent' rating.
30. Ecological buffer zones and landscaping buffer zones are proposed to preserve the existing quarry walls and provide access to the geological faces. This would also protect areas of tree planting which is developing as part of the quarry restoration. The ecological buffer zones would be approximately 12 metres wide and the landscaping buffer zones would be approximately 10 to 11 metres wide.
31. An Illustrative Masterplan has been provided, showing a ring road around the outer edge of the buildings to service them, with green space in the central area forming the linear park, which the buildings would face. There would be woodland planting in the south-west of the site. Cycle stores and visitor parking, including disabled parking spaces would be provided in association with the buildings.
32. Although the Masterplan and Landscape Design are illustrative, the principles have been incorporated into the Design Code which supports the Parameter Plan which has been submitted for approval.
33. The proposal is for the park and boundaries to be seeded and tree-planted with open spaces adjacent to the buildings subject to more formal ornamental planting. However, the detail of planting and landscaping would be subject to condition.
34. Access would be via the existing A420 junction and private access road into the centre of the northern site boundary. Improvement works would include widening the A420 in this area and the junction to create a right turn lane to allow vehicles to turn right from the A420 into the site. It is proposed to reduce the speed limit in the vicinity of the junction to 40 mph. A surfaced 3-metre wide footway/cycleway would be provided along the access, leading to a new toucan crossing over the A420. To the north of the new toucan crossing, the footway/cycleway would continue along the current route of footpath 207/17/2 to meet Park Road. It is also proposed to extend the provision along the A420 to connect the existing footway/cycleway by bus stops.
35. Some existing trees would be removed, including one B-grade (moderate value) tree, one C-grade (low value) tree and one U-grade tree (dangerous). Two C-grade groups would be entirely removed, and four C-grade groups would be partially removed. The most significant area of tree removal would be around the site access.

36. The application was accompanied by an Air Quality Assessment, Waste Statement, Flood Risk Assessment and Drainage Strategy, Landscape and Visual Appraisal, Ecological Assessment, Noise Statement, Sustainability Statement, Transport Assessment, Framework Travel Plan and Heritage Assessment. Further to a request for additional information, an Arboricultural Impact Assessment, Arboricultural Method Statement and Geological Site Management Plan were submitted, along with Technical Notes to supplement the original Transport Assessment.
37. A BREEAM pre-assessment report sets out how the scheme could achieve an 'excellent' rating.

Amendments to the Application Since Submission

38. The application was originally submitted in November 2023. Following the initial consultation, further information and amendments were submitted in April 2024. The changes related to a reduction to the maximum height of the buildings, which was originally 25 metres (to ridge), to amended to 18 metres to the ridge (15 to eaves). In both the original proposals and the first amendment to the building heights, there was a proposed central corridor running diagonally from the north-east site corner, in which buildings would be subject to a lower maximum height, with no buildings in the southern part of the corridor.
39. A revised Landscape and Visual Appraisal, Design and Access Statement, Design Code and Site Sections were submitted to reflect the reduction in building height. The submission included a modified junction design at the entrance to the site, outside of the red line area. Technical Notes comprising an addendum to the Transport Assessment and a response to third party highways comments were received. There was a second consultation.
40. In September 2024, further information was submitted to respond to comments received during the second consultation. The description of development was also amended to reduce the maximum floorspace proposed. When the application was originally submitted, 42 286 square metres gross internal area (GIA) floorspace was proposed, but this was reduced to 33 592 m² GIA, as a consequence of a reduction in building height that had already been consulted on.
41. In April 2025, the application was amended again to further reduce the maximum building height and therefore maximum floorspace. The current proposals are for maximum building heights of 12 metres across the whole of the site to be developed, with a maximum floorspace of 29, 573 m² GIA. Further amendments were made in June 2025 to address the consultation responses of the council's Landscape Advisor and the District Council Heritage Officer. Updated biodiversity metrics and a Landscape & Ecological Mitigation And Enhancement Plan were provided in August 2025. The application was amended again in September 2025 to further address the consultation responses of the council's Landscape Advisor and District Council Heritage Officer to show a central landscaped linear park, additional landscape buffer and tree screening to the perimeter and restored pond habitat. Updated

biodiversity metrics and a Biodiversity Gain Framework Plan were provided in October 2025. Further amendments including to the biodiversity metrics and Biodiversity Gain Framework Plan, the Parameter Plan, the Design and Access Statement, Design Code and the Illustrative Masterplan were submitted in November and December 2025.

42. Should the council be minded to grant planning permission, the applicant has agreed the following contributions and matters which would need to be delivered through a Section 106 Agreement:

- i) Transport contributions a) £574,213.08 towards bus services, b) £21,154.00 towards bus service infrastructure and c) £3,265.00 towards Travel Plan monitoring.
- ii) Rights of way contribution – £65 000 towards surface and infrastructure improvements within c2km of the site.
- iii) Habitats Monitoring and Management Plan monitoring contribution.
- iv) Implementation of the management strategy for the quarry walls, including access to the geology by prior arrangement and education/interpretation provision
- v) Commitment to undertake the proposed works to highway to deliver the active travel improvements under a s278 agreement

PART 2 – OTHER VIEWPOINTS

43. There were nine consultation periods. When the application was originally submitted it was for buildings up to 25 metres high. Following the comments received during the first consultation period, the application was amended to reduce the building height to 18 metres. A second period of consultation was held on the amended plans. Following that consultation, further amendments were made to reduce the maximum floorspace. A third period of consultation was then held. The application was amended again to reduce the maximum height to 12 metres, with a reduction in maximum height floorspace. A fourth consultation was held on the amended application. The Landscape Officer continued to object to the proposals and amended plans were submitted to address these and the District Council Heritage Officer's concerns and a fifth consultation period was held in June/July 2025 to allow comment on these amendments. A sixth period of consultation was held on the biodiversity related information received in August 2025. A seventh period of consultation was held on the amendments made in September 2025 and an eighth period of consultation on those made on the biodiversity related information in October 2025. Following further amendments to address consultee comments including to the Parameter Plan, a further period of consultation was carried out in December 2025. In response to comment received from the council's

44. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0151/23. These are also summarised in Annex 3 to this report.

¹Click [here](#) to view application MW.0151/23

45. 243 third-party representations were received during the initial consultation. Nine of these were in support, three were in partial support and the rest were objections. 93 representations were received during the second consultation, of which five were in support and the rest were objections. 36 representations were received during the third consultation period, of which five were in support and the rest were objections. 8 representations were received following the end of the third consultation. 30 representations were received during the fourth consultation. 16 representations were received during the fifth consultation period, of which one was in support and fifteen in objection. 8 representations were received during the sixth consultation period of which one was in support and 7 in objection. 15 representations were received during the seventh consultation period of which one was in support and 14 in objection. Five representations were received during the eighth consultation period which were all in objection to the application. Four representations were received during the ninth consultation period of which one was in support and three in objection. For the subsequent consultations, people were advised that they did not need to write in again if their view had not changed, as all comments would be taken into account.

46. The main issues raised in representations included concerns about highway impacts, landscape impacts, concern about ecology and the geological SSSI, objections to the height and size of proposed buildings, concern about expansion of Faringdon beyond the A420, concern that this is not the correct site for this type of development and concerns with regard to the status of policy 4.5B of the Faringdon Neighbourhood Plan. More detail of the points raised are provided in Annex 4.

PART 3 – RELEVANT PLANNING DOCUMENTS

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

Development Plan Documents

48. The Development Plan for this area comprises:

- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
- Oxfordshire Minerals and Waste Local Plan 1996 (Saved Policies) (OMWLP)
- Vale of White Horse Local Plan 2031 Part 1 (Strategic Sites and Policies)
- Vale of White Horse Local Plan 2031 Part 2 (Detailed Sites and Policies)
- Faringdon Neighbourhood Plan (FNP)

49. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS) was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies. The OMWCS policies were relevant to the determination of this application at the point that it was submitted, because the proposal affected the restoration of the quarry, which made the application a county matter. In the time which has passed since the application was submitted, the aftercare period has finished, and the application would no longer be a county matter if the application was submitted now. Therefore, the specific policies of the OMWCS are not considered relevant to the determination of this application as it is not minerals or waste development and does not affect the restoration of a quarry.

50. The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) was adopted in July 1996 and covered the period to 2006. Some policies of the OMWLP were replaced following adoption of the OMWCS in 2017 but 16 site specific policies continue to be saved, pending the allocation of new sites. None of these policies are relevant to this site, as the application is not for minerals development and the application is no longer a county matter. Therefore, the policies of the OMWLP are not relevant for the consideration of this application.

51. Faringdon Neighbourhood Plan (FNP) forms part of the development plan. County Matters are 'excluded development' which cannot usually be covered by Neighbourhood Plans. However, in this case the FNP has some weight even when the application was submitted, as the proposals are for development proposed for after the completion of quarry aftercare. As the aftercare period has now been completed, the council must have regard to the FNP policies as part of the development plan, so far as they are material to the development under consideration.

52. Objection has been raised with regard to the legality of policy 4.5B of the FNP. Whilst the FNP has been subject to past legal challenge and application for judicial review, this was turned down. Whilst the judge did criticise some aspects of the process, the decision was that whilst there was some internal conflict and legal errors made, these were not so significant as to undermine the legality of the decision and in those circumstances, since the outcome for the claimant would not have been substantially different if the identified legal error had not occurred, the court had to refuse relief and so the neighbourhood plan is lawful and part of the development plan.

53. Objection has also been raised that FNP policy 4.5B is inconsistent with and superseded by the Vale of White Horse Local Plan Parts 1 and 2 which do not similarly identify the application site for development. The FNP is part of the Development Plan and therefore a material consideration. The Local Plan did not need to reproduce policies in neighbourhood plans already adopted at the time.

Emerging Plans

54. The emerging Joint Local Plan 2041 has been prepared between Vale of White Horse and South Oxfordshire District Councils. The Plan was submitted to the Secretary of State for independent examination, held 03 – 05 June 2025. The Planning Inspector's letter dated 26 September 2025, found that the Plan had not met the Duty to Cooperate and gave the two councils two options, to either withdraw their plan from examination, or ask the Planning Inspectorate to prepare a report setting out their conclusions. Subsequently and in light of the Ministerial Letter setting out central government's intention to remove the Duty to Cooperate in the new Local plan making system and so that it also be removed from plans in the current Local Plan making system, the two councils have written to the inspectors advising that they wish to resume the hearings and progress the Joint Local Plan through examination and, all being well, to adoption. A response from the inspectors is awaited, therefore the South and Vale Joint Local Plan 2041 is still considered as a submitted Local Plan. Upon adoption, the Joint Local Plan 2041 would replace the adopted Local Plans for Vale of White Horse District Council and South Oxfordshire District Council.
55. In December 2022, the Oxfordshire Minerals and Waste Local Development Scheme (13th Edition) (OMWDS) was approved at Cabinet. This set out a process for pursuing a new Minerals and Waste Local Plan which upon adoption would have replaced Part 1 and included Part 2: Site allocations. Since the publication of the OMWDS (13th Edition) central government have proposed significant changes to plan to make and also introduced a requirement for all Local Plans to be submitted by December 2026. It is considered the Council would be unable to meet this deadline and therefore in July 2025 Cabinet agreed to stop work on the new Minerals and Waste Local Plan and await the new plan making process. This is set out in the revised Minerals and Waste Development Scheme (14th Edition), which was published in July 2025. A revised Minerals and Waste Development Scheme will be published in due course. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy remains in place as part of the Development Plan for Oxfordshire.

Other Policy Documents

56. The Oxfordshire Local Nature Recovery Strategy (OLNRS) is a coordinated strategy to develop a shared ambition to recover nature across the county, help wildlife to flourish, improve air and water quality, and mitigate the impacts of climate change. The strategy is part of a series to cover the whole of England and assist the delivery of the Environment Act 2021. The final version of the LNS was approved by the council at its Cabinet meeting on 21st October 2025. It is a material consideration in the determination of planning applications.
57. The emerging South Oxfordshire and Vale of White Horse Joint Local Plan is supported by a Local Landscape Designation (LLD) review (LUC 2024). This shows a candidate LLD: Faringdon and Buscot, which would adjoin the application site to the south.
58. Other documents that are relevant to determining this application include:

- National Planning Policy Framework (NPPF) (as revised December 2024)
- Planning Practice Guidance (PPG)
- Oxfordshire Local Transport and Connectivity Plan 2022-2050 (LTCP)

59. On 16th December 2025, central government published a consultation on the NPPF and other changes to the planning system. This consultation runs until 10th March 2026. Whilst it does not therefore at this time replace the current NPPF, it does provide indication of the intentions of central government with regard to the planning system and some weight should be attached to the draft policies and changes set out in it.

Relevant Development Plan Policies

60. The VLP1 policies most relevant to the consideration of this application are:

- Core Policy 1 – Presumption in favour of sustainable development
- Core Policy 6 – Meeting Business and Employment Needs
- Core Policy 7 – Providing Supporting Infrastructure and Services
- Core Policy 15 - Spatial Strategy for South East Vale Sub-Area
- Core Policy 28 – New Employment Development on Unallocated Sites
- Core Policy 33 – Promoting Sustainable Transport and Accessibility
- Core Policy 35 – Promoting Public Transport, Cycling and Walking
- Core Policy 37 – Design and Local Distinctiveness
- Core Policy 39 – Historic environment
- Core Policy 40 – Sustainable Design and Construction
- Core Policy 42 – Flood Risk
- Core Policy 43 – Natural Resources
- Core Policy 44 – Landscape
- Core Policy 45 – Green Infrastructure
- Core Policy 46 – Conservation and improvement of biodiversity

61. The VLP 2 policies most relevant to the consideration of this application are:

- Development Policy 16 – Access
- Development Policy 17 – Transport Assessment and Travel Plans
- Development Policy 21 – External Lighting
- Development Policy 23 – Impact of development on amenity
- Development Policy 25 – Noise Pollution
- Development Policy 26 – Air Quality
- Development Policy 28 – Waste Collection and Recycling
- Development Policy 29 – Settlement Character and Gaps
- Development Policy 36 – Heritage assets

62. Draft South Oxfordshire District Council and Vale of White Horse District Council Joint Local Plan (JLP)

- CE1 – Sustainable Design and Construction
- CE2 – Net zero carbon buildings
- CE3 – Reducing embodied carbon
- CE6 – Flood Risk
- CE7 – Water Efficiency
- CE11 – Light pollution
- CE8 – Water Quality
- JT1 – Meeting Employment Needs
- DE1 – High Quality Design
- DE5 – Neighbouring Amenity
- DE7 – Waste Collection and Recycling
- NH1 - Biodiversity
- NH2 – Nature Recovery
- NH3 – Trees and Hedgerows in the Landscape
- NH5 – District Valued Landscapes
- NH6 – Landscape
- NH7 – Tranquillity
- NH8 – Historic Environment
- NH9 – Listed Buildings
- NH11 – Archaeology
- IN2 – Sustainable Transport and Accessibility
- IN5 – Cycle and Car Parking Standards
- SP5 – A Strategy for Faringdon
- HP6 – Green Infrastructure in New Developments

63. The following FNP policies are relevant:

- 4.5B – Wicklesham Quarry
- 4.7A – Materials and roofscapes
- 4.7E – Visual Impact

64. OMWCS and OMWLP 1996 policies are minerals and waste policies and are therefore not relevant to the determination of this application, however this report references OMWCS policy M10 in explaining the background to the application.

Relevant Supplementary Planning Guidance

- SODC and VOWH Joint Design Guide (2022)

- SODC & VOWH Green Infrastructure Strategy (2017)

Other Material Considerations

65. Relevant sections of the NPPF include those on building a strong and competitive economy, achieving well-designed places, meeting the challenge of climate change and conserving and enhancing the natural environment.
66. Relevant sections of the PPG include specific advice on determining a planning application and natural environment.

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Planning Development Manager

67. The NPPF sets out a presumption in favour of sustainable development (paragraph 11), which is supported by VLP1 policy CP1. This means taking a positive approach to development and approving applications which accord with the development plan without delay.
68. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.

Quarry Restoration and Aftercare

69. OMWCS policy M10 expects mineral sites to 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. It also states that restoration proposals should take into account the quality of agricultural land, the surrounding landscape, the amenity of local communities and capacity of the local transport network.
70. The site was restored in accordance with the approved restoration plan in 2018. The five-year aftercare ran until July 2024. Monitoring visits confirmed that the aftercare plan was being implemented satisfactorily, and aftercare was completed in July 2024.
71. The proposed development on the site would conflict with the restoration afteruse. However, there is no expectation in planning law or policy, that restored quarries will remain in their restoration afteruse in perpetuity. The requirement from the quarrying permission was to restore the site and then manage it for five years to facilitate the successful establishment of an

agricultural afteruse. This has taken place and there are no further obligations in relation to the quarry consent.

72. It is considered that whilst OMWCS policy M10 was relevant at the point that the application was submitted, it is no longer relevant since the statutory aftercare period was completed in July 2024. This application would not be a County Matter if it had been submitted after July 2024.
73. Following restoration and aftercare, quarries have the same status as any other greenfield land. The NPPF definition of Previously Developed Land specifically excludes former quarries which have been restored. There is nothing to prevent further development on the land, subject to compliance with other planning policies. The former use as a quarry lends no support to future development, but neither does it prevent it.

Principle of the development

74. NPPF paragraph 85 states planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It goes on to state that the approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This proposal is for an outline consent that would enable the delivery of commercial floorspace that could be used in whole or in part for any of the uses set out in the application including offices, research and development facilities (although the application is not specifically for laboratory space), industrial processes, general industrial uses and/or a storage and distribution centre and ancillary uses to any of these.
75. NPPF paragraph 87 states that planning policies and decisions should recognise and address the specific locational requirements of different sectors, including making provision for clusters or networks of knowledge and data-driven creative or high technology industries, and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries and for storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation. Oxfordshire is already home to world leading science research facilities. Draft JLP objective 9 is to plan for enough new jobs, a flourishing local economy, and a wide range of jobs, not only in the science and innovation sector for which the districts are well known, but in the foundational economy which underpins this.
76. Therefore, the NPPF recognises the importance of finding appropriate sites for new businesses including new laboratory and life sciences space and for storage and distribution. Science and technology industries are already a key part of the local economy which the NPPF encourages should be built upon.

Whether or not this specific site is appropriate for the proposed uses needs to be considered through the determination of the application. Although the submitted information refers to research and laboratory facilities, the outline application is not specific about uses and if granted, an outline consent would allow a range of industrial, storage and office uses as set out above. Concern has been raised that an outline consent could allow different uses to the life science laboratory space indicated in the application. This is correct, however this is the nature of the outline planning consent that has been sought.

77. Concern has been raised about the loss of agricultural land, particularly as part of the site is grade 3a. However, the site has been allocated for employment use in the FNP and therefore the principle of development has been accepted.

Site Location

78. VLP1 policy CP15 sets out the spatial strategy for the South East Vale Sub Area. This states 208 hectares of employment land will be provided for business and employment growth, in accordance with policy CP6. VLP1 policy CP6 states that proposals for employment related development on unallocated sites will be supported in accordance with CP28.
79. The site is not allocated for development in the VLP and is outside the existing settlement boundary of Faringdon. However, VLP1 policy CP6 states that proposals for employment on unallocated sites will be supported in accordance with VLP1 policy CP28. VLP1 policy CP28 states that proposals for new employment development (Use Classes B1, B2 or B8) will be supported on unallocated sites in or on the edge of, the built-up area of Market Towns, Local Service Centres and Larger and Smaller Villages provided that the benefits are not outweighed by any harmful impacts, taking into account the following:
 - i. the effect on the amenity of nearby residents and occupiers,
 - ii. the provision of safe site access for pedestrians and cyclists and for all types of vehicles likely to visit the sites, and measures to promote the use of sustainable modes of transport where possible, and
 - iii. the scale, nature and appearance of the employment development and its relationship with the local townscape and/or landscape character
80. Faringdon is defined as a market town in VLP1. Therefore, this policy lends support for the proposed B2 and B8 uses, subject to the above criteria being met.
81. It is considered that criteria i and ii are met. There are a limited number of properties within close proximity to the site and it is considered that the site design would ensure that there would be no unacceptable amenity impacts. There has been no objection from Transport Development Management, and

the proposed access for pedestrians, cyclists and vehicles is considered to be acceptable.

82. Criterion iii raises some concerns. The site is relatively large and even at the reduced height of 12 metres, the buildings would be high in comparison with other nearby buildings. By its nature, the design does not fit easily into the immediate landscape, or the townscape of Faringdon. This is partly because the development would be outside of the settlement boundary of Faringdon and on the other side of the A420, which currently marks the eastern and southern limit of built development. However, this in itself cannot be a reason for concluding that criterion iii is not complied with, as the FNP accepts the principle of the development of this site for employment use, which will inevitably lead to development beyond the current settlement boundary. However, the scale of the proposed development has raised concerns, which are addressed in more detail in the landscape section below.
83. VLP2 policy DP29 states that proposals must demonstrate that the settlement's character is retained, and physical and visual separation is maintained between settlements. It references VLP1 policy CP4, however policy CP4 relates to housing and is not relevant to this proposal. The development of agricultural land beyond the settlement boundary on the south-eastern limit of Faringdon, and on the other side of the physical boundary formed by the A420, has the potential to change the character of Faringdon and would extend its built area towards rural villages to the southeast, such as Fernham and Shellingford. However, the development would not compromise the physical separation between Faringdon and any other settlements, as the site area is limited in comparison to the extent of open countryside that would be remaining between settlements. The proposal is not considered to be contrary to VLP2 policy DP29.

Faringdon Neighbourhood Plan

84. When the application was submitted, the weight which could be given to FNP policies was limited, as County Matters are 'excluded development' for neighbourhood plans. However, the application would not be a County Matter if it were submitted now. Therefore, FNP can be given full weight at the point of determination.
85. FNP policy 4.5B is directly relevant. This site is safeguarded for employment uses (B2 and B8) following the completion of quarrying and restoration by the Faringdon Neighbourhood Plan, under policy 4.5B. This states that employment development will be supported on this site if no other suitable sites closer to the town centre are available, providing there is demonstrable need and subject to all the following criteria:
 - i) appropriate transport mitigation is provided;
 - ii) appropriate provision is made within the site for pedestrians and cyclists:

- iii) the proposed employment development does not have a detrimental impact on the relationship between the site and the wider landscape in which it sits;
- iv) appropriate ecological mitigation and enhancement measures are incorporated into the proposals;
- v) any development would not result in demonstrable harm to the geological special interest of the site;
- vi) employment proposals should incorporate measures to provide access to the protected site for the visiting public.

86. Further detail of these criteria is provided in the supporting text.

87. It is noted that the policy safeguards the site for employment (B2 and B8), which covers general industrial (B2) and storage and distribution (B8) uses. However, the proposed development is for use classes that may include B2 and B8, but also Use Class E(g)(i) (offices) and/or, E(g)(ii) (research and development); and/or, E(g)(iii) (light industrial), and these additional use classes are not referred to in FNP policy 4.5B.

88. Evidence that there is a need for this type of development has been submitted with the application. Other allocated sites in the FNP and VLP in the area are either already being developed or would be too small for the scale and type of development proposed. It is accepted that there is no other site closer to the town centre that would be suitable for the scale and type of development proposed. Letters of support have also stated that this is the case, and therefore the 'demonstrable need' referred to in the policy is considered to exist. There has been no objection from Transport Development Management or Active Travel England subject to conditions and completion first of a Section 106 Agreement to cover the items set out in Annex 2. It is therefore considered that criteria i) for appropriate transport mitigation, and ii) for appropriate provision within the site for pedestrians and cyclists, are met, subject to conditions and a Section 106 agreement to secure the necessary contributions.

89. Criterion iii) relates to landscape. Landscape is considered in detail in the section below. Overall, taking into account the Landscape Officer's views, it appears that whilst there is the potential for a detrimental impact on the relationship between the site and the wider landscape, contrary to this part of the policy, given the context of the policy support given by FNP policy 4.5B she does not object to the application subject to conditions.

90. Criterion iv) relates to biodiversity. Biodiversity is considered in detail in the separate section below and, taking into account the OCC Ecology Officer's views, the information submitted does demonstrate that there would be ecological enhancement and mitigation measures including the delivery of a biodiversity gain.

91. Criteria v) and vi) relate to the site's geological interest. This is addressed in more detail in the geodiversity section below, but the conclusions are that the proposal is unlikely to result in demonstrable harm to the geological interest of

the site. Arrangements for access have been offered through the Geological Site Management Plan. Overall, it is considered that criteria v) and vi) are met.

92. Overall, the proposal is considered to accord with the criteria of FNP policy 4.5B.
93. The FNP supporting text to policy 4.5B states that 'Wicklesham Quarry is considered by local stakeholders to be a significant opportunity site that would expand the provision of local jobs...A site of this scale could also encourage new types of businesses into the parish to help diversify the range of local jobs on offer...Any development on the site would need to be sensitively designed so as to be hidden within the landscape.' This text suggests that the policy anticipates the scale of employment development at the application site would be significant but also suggests an expectation that it could be 'hidden' in the quarry void.
94. It is considered relevant that Faringdon Town Council support the application and in their view the proposals meet the criteria of FNP 4.5B. They objected to the application as originally submitted and then removed their objection and indicated their support when the application was amended to reduce building height and further details provided. The Town Council has requested consideration of financial contributions to (1) help support the town centre and visitor economy and (2) enable the provision of sports/leisure/recreation facilities. NPPF paragraph 58 states that planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. It is not considered that for the development proposed at the site proposed such contributions would be necessary, directly related to the development or fairly and reasonably necessary
95. As set out above, concern has been raised in representations that Faringdon Neighbourhood Plan is not in conformity with the Vale of White Horse Local Plan. However, it has been 'made' and forms part of the Development Plan, so its policies are relevant for determining this application.
96. However, specialist advice from the relevant technical officers should be accorded due weight in the planning balance.
97. Draft JLP policy SP5 1) c refers to providing new employment opportunities in Faringdon. Whilst the weight that this draft policy can be given at this point in time is limited, this offers some support to the general principle of employment development in Faringdon.

Design

98. VLP1 policy CP37 states that all proposals for new development will be required to be of high quality design, and lists a number of criteria, including that the design must respond positively to the site, create a distinctive sense of place through high quality townscape and landscaping, provide legible and

easy to navigate spaces, is well connected to provide safe and convenient ease of movement to all users, incorporates green infrastructure and enhances biodiversity, is flexible to the changing requirements of occupants, is visually attractive, ensures sufficient well-integrated car and bicycle parking and is sustainable and resilient to climate change. Draft JLP policy DE1 similarly requires high quality design.

99. FNP policy 4.7A states that new buildings should be constructed using sympathetic building materials in keeping with the local character and style. The roofscape should be designed with careful regard for the potential impacts on the townscape and surrounding landscape.
100. FNP policy 4.7E states that all new build commercial buildings should be of a scale and form appropriate to their location and landscape setting and should create a high-quality environment combining the best modern design with local influences.
101. As this is an outline application, the detail of building design is not available for consideration. Therefore, this matter would be assessed at the reserved matters stage and the submitted Design Code is not considered to be contrary to FNP policy 4.7A at this stage.
102. VLP2 policy DP28 states that development proposals must ensure sufficient space for storage of recycling and refuse containers, the location of these should be integral to the design, separate from cycle storage, car parking and key circulation areas. It lists matters that will be considered in assessing refuse and recycling provision, including its location, security and impact on amenity. The applicant has submitted a Waste Statement addressing this policy. It confirms that although the detailed requirements of this policy are not applicable to an outline application, waste facilities have been considered and the design code requires the site to be accessible by waste vehicles and facilities to be located at convenient locations, which minimise visual impact across the site. Waste management facilities will not impact neighbouring amenity and site management will ensure appropriate security measures. The proposal is considered to be in accordance with VLP2 policy DP28.

Landscape

103. The site is identified in the FNP in policy 4.5B for employment use, subject to criteria. This includes (iii) that the proposed employment development does not have a detrimental impact on the relationship between the site and the wider landscape in which it sits. VLP1 policy CP44 states that the landscape will be protected from harmful development, and where possible enhanced, in particular features such as trees, hedgerows, woodland, field boundaries and water bodies, important views and visually sensitive skyline and views, and tranquillity and the need to protect against light pollution, noise and motion.
104. The site is not located in a nationally or locally designated landscape, but the North Wessex Downs National Landscape is approximately 7 km away and is visible from elevated locations near the application site, including Lord

Berner's Folly. A candidate Local Landscape Designation (LLD) proposed under the emerging Joint Local Plan adjoins the site to the south (Faringdon and Buscot candidate LLD).

105. The Oxfordshire Landscape and Wildlife Study (OWLS) shows the development to be located in the Landscape Type 'Wooded Estatelands' and the Local Character Area 'Faringdon' (CR/2). Key characteristics of this landscape type include rolling topography with localised steep slopes, blocks of ancient woodland and mixed plantations of variable sizes, parklands and mansion houses, regularly shaped field pattern dominated by arable fields and small villages with strong vernacular character.
106. The Vale of White Horse Landscape Character Assessment (2017) shows the site to be located in the Landscape Type LM4 'Corallian Limestone Ridge with Woodland' and the Landscape Character Area LM4 'Coleshill to Faringdon and Fernham Corallian Limestone Ridge with Woodland'.
107. The VWH District Council have produced a number of landscape related documents as part of their JLP evidence base. Although the JLP has not yet been adopted, the OCC Landscape Officer has stated that the new landscape studies are being used in the decision making process. She has identified that the site is located in Landscape Character Area LCA 7A: Faringdon Ridge Hilltops in the Landscape Character Assessment 2024, which replaces the 2017 document. It also adjoins the Candidate Local Landscape Designation (LLD) Faringdon and Buscot.
108. The Landscape Officer has also listed the following new documents produced to support the JLP: Green Infrastructure Strategy and Open Space Study (2024), Tranquillity Assessment (2024), Local Landscape Designation Review (2024), Dark Skies/Light Impact Assessment (2024), Renewable Landscape Sensitivity Assessment (2024).
109. A Landscape and Visual Appraisal (LVIA) was submitted with the application and revised when the application was amended to reduce maximum building heights. The revised LVIA concludes that there would be a negligible magnitude of change to the wider landscape and a medium/high magnitude of change to the site and immediate surroundings during construction and on completion, reducing to medium after 15 years when new planting has established.
110. The Landscape Officer's most recent consultation response is set out in full in Annex 3. On the basis that the site forms part of the development plan, and the principle of industrial development on this site has been established by the allocation of the site in the Neighbourhood Plan, she considers the development on balance acceptable in landscape and visual terms subject to conditions including Landscape and Visual Impact Assessment at Reserved Matters Stage, design in line with the latest revision of the Parameter Plan and the principles outlined in the Design Code (including material and colour choices), building materials and roof design, lighting, detailed Landscaping scheme and long-term landscape management plan. The District Council has

advised that whilst previous detailed concerns have now been addressed, the scale and form of the proposed development remain at odds with the rural landscape character at the edge of the town.

111. The scale and location of the proposed development means that it does not fit easily with policies protecting the landscape. Whilst full details of the proposed development are not yet known, conclusions about the acceptability in landscape terms can be drawn on the basis of the information provided, including maximum floorspace and building heights. The applicant has made amendments to the application to address the landscape impacts of the proposed development from the original submission. Given the policy support provided by FNP Policy 45B, and subject to conditions, the council's Landscape Officer does not object to the application. As this is an outline application, the final design details will be a matter for reserved matter applications should planning permission be granted to this application. As far as is possible at outline application stage, it is considered that it has been demonstrated that there would not be a detrimental impact on the relationship between the site and the wider landscape in which it sits such as would support refusal of the application as being contrary to FNP policy 4.5B (iii) and to VLP1 policy CP44.
112. However, the assessment of the landscape impact is a matter of planning judgment and one that members will need to consider carefully for a major development in what is presently a rural location separated from the existing built development of Faringdon by the A420.

Trees

113. As set out above, VLP1 policy CP44 states that trees, hedgerows and woodland will be protected and enhanced.
114. Following initial comments from the Tree Officer, an Arboricultural Impact Assessment was submitted, including a tree survey. This identifies trees that would need to be removed for the development to take place and sets out how trees to be retained would be protected.
115. The Tree Officer remained concerned about the removal of trees around the access point, given the value of these trees in the landscape. A revised Arboricultural Impact Assessment was submitted assessing the highway trees to be removed near the access as individual trees, rather than a group. This demonstrated that the majority are of low arboricultural value. There was no objection from the Tree Officer, although he states that a comprehensive landscaping plan would be required to help mitigate the loss of the significant number of trees to be lost. This could be considered in detail at the reserved matters stage. Conditions are requested for a detailed planting plan, landscape management plan and to secure the Arboricultural Method Statement and Tree Protection Plan.
116. The Arboricultural Officer also highlighted policy 14 of the Tree Policy for Oxfordshire, which states that the County Council will seek compensation from

any organisation or individual requesting removal of any public trees. This is information relevant for the applicant but is not directly relevant to the determination of the planning application.

117. Overall therefore, as there has been no objection from the Tree Officer, subject to conditions, the proposals are not considered to be unacceptable in terms of impacts on trees. However, the concern about the landscape impact of the loss of these trees is noted, and adds to the need for careful consideration of the potential landscape impact of the proposed development as set out in the section above.

Biodiversity

118. NPPF paragraph 187 states that planning decision should contribute to and enhance the natural environment by, amongst other things, minimising impacts on and providing net gains for biodiversity. Amongst other things, NPPF paragraph 193 states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
119. The site is identified in the FNP in policy 4.5B for employment use, subject to criteria. This includes (iv) that the appropriate ecological mitigation and enhancement measures are incorporated into the proposals.
120. VLP1 policy CP46 states that development that will conserve, restore and enhance biodiversity will be permitted. Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be actively sought, with a primary focus on delivery in the Conservation Target Areas. A net loss of biodiversity will be avoided.
121. VLP1 policy CP45 states that a net gain in green infrastructure, including biodiversity, will be sought. Proposals for new development must provide adequate green infrastructure in line with the Green Infrastructure Strategy. Proposals will be required to contribute to the delivery of new Green Infrastructure and/or the improvement of existing assets including Conservation Target Areas in accordance with the standards in the Green Infrastructure Strategy and the Habitats Regulations Assessment.
122. Draft JLP policy NH2 states that development in VOWH must deliver at least 20% Biodiversity Net Gain (BNG), unless the development is not subject to the statutory framework for BNG. This is a draft policy and currently the statutory minimum is 10%. However, in this case, the development is not subject to statutory BNG, as the application was submitted prior to the Regulations coming into force. Therefore, even if the policy was adopted it would not apply. The relevant policy requirement for BNG is therefore found in VLP1 policy CP45, which states that BNG will be sought, but does not state a percentage.
123. The site was restored in accordance with the requirements of the previous mineral planning permission. This included a large area of grassland, two nest

ponds, woodland and hedgerow planting. The site has now passed through its five year aftercare period which was completed in 2024.

124. There is habitat suitable for Great Crested Newts (GCN) close to the site and on an aftercare monitoring visit in 2024, the OCC Ecologist noted that ponds within the site were holding water, including an additional pond not shown on the restoration plan. Therefore, an update to the ecological assessment and recommendations was requested. Concern about GCN was also raised in representations. The applicant responded with detailed information about GCN explaining that the site itself does not contain suitable habitat for breeding GCNs as ponds created through the quarry restoration fail to hold water. Standing water forms after heavy rain but then drains. They also explained why the site did not contain suitable terrestrial habitat and why GCNs in the wider area were unlikely to disperse to the site. Even if GCNs did access potential terrestrial habitat, this would be the rough grassland around the quarry margins and would not be directly affected by the proposal. A Construction and Environmental Management Plan (CEMP) could be conditioned which would include further pre-construction ecological assessments and any measures required to protect any protected species, including GCNs. The OCC Ecologist was satisfied regarding the response.
125. An Ecological Assessment was submitted with the application, which assesses the current ecological value of the site, the impacts of the proposed development and outlines proposed enhancements. It states that given the modest impacts of habitat loss within the footprint of the development and the extensive proposed areas of habitat creation and enhancement outside the development site, there would be a significant biodiversity net gain. Although the application is not subject to statutory BNG, BNG calculations and a metric spreadsheet were submitted to demonstrate how much BNG could be provided and these have been updated.
126. The OCC Ecologist concluded that the ecological assessment provided was appropriate and advised that there should be a condition for a further updated ecological appraisal and any phase 2 surveys required by this. He also requested that at least one of the ponds on site should be enhanced as part of the BNG.
127. Following further clarifications, the OCC Ecologist does not object to the application subject to conditions including for an updated ecological appraisal and any required phase 2 surveys, a Construction and Environmental Management Plan (CEMP), a lighting scheme, an updated BNG assessment and a Habitat Management and Monitoring Plan (HMMP), all to be based on the final development design. Therefore, if planning permission is granted to the application, it is recommended that any permission granted is subject to these requirements. A financial contribution to cover monitoring the HMMP would also be required.
128. It is noted that impacts on ecology have been a concern amongst those who submitted representations and that Bbowt object, expressing concerns about the methodology used for the BNG calculations. However, the OCC

Ecologist has confirmed that he has considered BBOWT's comments and does not agree.

129. Subject to conditions for the submission of details at the reserved matters stage as set out above, it is considered that the development meets the requirements of the above policies.

Geodiversity

130. The site is identified in the FNP in policy 4.5B for employment use, subject to criteria. This includes (v) that any development would not result in demonstrable harm to the geological special interest of the site. VLP1 policy CP46 states development likely to result in the loss, deterioration or harm to geological conservation interests will not be permitted unless the need for the development outweighs the adverse effect, the development could not reasonably be located on an alternative site and measures are secured to avoid, mitigate and, as a last resort, compensate for the adverse effects. The level of protection and mitigation should be proportionate to the status of the site. Damage to the geological and palaeontological interest of the SSSI was a concern raised in representations, including in responses from individuals claiming expertise in this field.
131. A Geological Site Management Plan was submitted as further information prior to the second consultation. This was prepared by Oxfordshire Geology Trust. It sets out that there would be a 10-metre buffer around the quarry walls to protect them and allow access for viewing and management. It includes details of management of the quarry faces, to suppress excess vegetation and discourage the build-up of shrubs over the exposed walls. The exposed faces would be inspected on an annual basis and the fossil collecting spoil heaps mechanically turned at least once every two years. It states that there would be interpretation panels, with the location and content to be agreed through the reserved matters application. A virtual portal would be established so that the quarry walls can be viewed via computer. Access would be by appointment, to protect quarry faces and palaeontology from vandalism.
132. Whilst Oxfordshire Geology Trust are a consultee on applications at quarries in Oxfordshire, they have also prepared the Geological Site Management Plan submitted by the applicant. Therefore, some representations express concern about OGS's impartiality. Concern has also been raised that the geological SSSI covers the entire quarry, not only the walls.
133. In their second response, Natural England queried the proposed 10-metre buffer and encouraged the reinstatement of a 25-metre buffer to ensure better views of the geological features and for access for machinery. The applicant responded by providing a letter from Oxfordshire Geology Trust stating that the 10m buffer would be sufficient, particularly given that there would be a further 6m strip without buildings in it for roads and landscaping. They consider 25 metres would be excessive given the height of the quarry walls. Natural England were given the opportunity to comment further but did not respond. Overall, it is understood that the proposed 10 metre buffer is

acceptable. Nonetheless, the submitted Parameter plan shows ecological buffer zones approximately 12 metres wide and landscaping buffer zones would be approximately 10 to 11 metres wide, giving an overall buffer to the quarry walls of 22 to 23 metres.

134. Natural England have statutory responsibility for the geological SSSI and whilst expressing concern as set out, they have not raised objection to the application. Therefore, it is concluded that the development would not be likely to result in the loss, deterioration or harm to geological conservation interests, subject to conditions to secure the maintenance of the buffer set out on the Parameter Plan, implementation of the Geological Site Management Plan and ongoing provision for public access to the geological features in the quarry faces through a S.106 Agreement. Therefore, the development is considered to comply with FNP Policy 4.5B (v) and VLP1 policy CP46 in this respect. As the 25 metres buffer zone recommended by Natural England would not be provided, in accordance with the requirements of the Wildlife and Countryside Act 1981 as amended, it would be necessary to first advise them of any intention to approve the application subject to a S.106 Agreement and conditions and how their advice has been taken into account, prior to issuing any planning permission.

Transport

135. VLP1 policy CP33 states that impacts of new development on the strategic road network will be minimised, developments should be designed to promote sustainable transport access and transport improvements will be designed to minimise effects on amenities, character and special qualities of the surrounding area.
136. VLP1 policy CP35 relates to promoting public transport, cycling and walking and states that new development should be located close to, or along, existing public transport corridors and adequate parking should be delivered in accordance with Oxfordshire County Council's parking standards.
137. VLP2 policy DP16 states that adequate provision must be made for loading, unloading, servicing and vehicle turning and proposals should demonstrate acceptable off-site improvements to the highway infrastructure, cycleways, rights of way and public transport can be secured, where these are not adequate to serve the development.
138. VLP2 policy DP17 sets out the requirements for Travel Plans and Transport Assessments to be submitted with planning applications.
139. A Transport Assessment was submitted with the application. This includes junction capacity assessments, demonstrating that whilst there would be some capacity issues on the network, these would occur regardless of whether the proposed development goes ahead. The A420 through-route would not be materially affected and overall, the development is not anticipated to give rise to any material off-site highways issues. It sets out the proposed improvements to encourage walking and cycling.

140. Transport Development Management initially objected to this application, requiring further work on the site access arrangements and a revised junction capacity analysis. Following the submission of further information, including amendments to the proposed junction, Transport Development Management have confirmed that they have no objections to the proposals subject to conditions and a S.106 agreement. The requirements include the provision of the proposed off-site highways improvement works, details of the access footway/cycleway, vision splay details, a Construction Traffic Management Plan (CTMP), Framework Travel Plan and Traffic Regulation Order for the raised island crossing. Active Travel England also have no objection to the application subject to conditions for a Travel Plan and provision of cycle parking. The proposals are considered to be safe from a highways perspective and the traffic impact is considered acceptable. The proposal is therefore considered to be in accordance with VLP1 policies CP22 and CP35 and VLP2 policies DP16 and DP17.

Access Road

141. Residents of dwellings accessed from the site access point off the A420 and the access road along the eastern site boundary, have expressed concern that construction works would cut off their houses and leave them with no access. However, it is not the case that granting planning permission to develop the site would have any impact on existing rights of access along this track.

Alternative schemes

142. A number of representations have requested changes to the access arrangements for both vehicles and active travel users. This includes requests that access should be direct from the roundabout, rather than the existing separate access road. Requests have also been made for a bridge over the A420, rather than the proposed signalised crossing. However, these do not form part of the proposal before the council for consideration. The application submitted must be considered on its merits, and there has been no objection to it from Transport Development Management.

Rights of Way

143. VLP1 policy CP37 states that development should incorporate and/or link to high quality Green Infrastructure, including public rights of way.

144. The OCC Rights of Way officer originally requested an additional A420 crossing point west of the site, for bridleway 207/29/10, and suggested that this could include a refuge island or signalised crossing with surface and infrastructure upgrade works. He also requested that the revised footpath layout to the northeast of the site be upgraded to a shared use cyclepath.

145. The applicant responded to confirm the rights of way improvements being proposed and stated that internal arrangements at the site are not for approval at outline stage.
146. In response to the further information and amended application, the Rights of Way officer confirmed that the signalised crossing is a reasonable alternative to a bridge over the A420 and noted and welcomed footpath and cycleway improvements. The additional crossing west of the site is not being taken forward, and there is no objection from the Rights of Way Officer.
147. The Rights of Way Officer also requested a contribution towards improving rights of way in the vicinity of the site, as set out above in paragraph 42. The applicant has agreed this.
148. Overall, the development is considered to be in accordance with VLP1 policy CP37. There are no rights of way within the application site area, but the proposals offer linkages to the wider network particularly through the delivery of a new footpath/cycleway link over the A420 and into Faringdon.

Amenity

149. VLP2 policy DP24 states that development proposals should be appropriate to their location and should be designed to ensure that the occupiers of new development will not be subject to adverse effects from existing or neighbouring uses. Development will not be permitted if it is likely to be adversely affected by existing or potential sources of (amongst other things) noise, vibration and dust.
150. Therefore, consideration should also be given to potential impacts from the neighbouring quarry, which has permission for extraction until the end of 2034, on the proposed new use at this site. It is not considered that the existing quarry would have unacceptable adverse impacts on occupants of the proposed employment site. The quarry is controlled by suitable planning conditions and impacts are generally limited to within the site boundaries.
151. VLP2 policy DP21 relates to external lighting and states that there should be no adverse effect on the character of the area, neighbouring uses or biodiversity, no hazards for transportation or pedestrians and the lighting proposed is the minimum necessary. As this is an outline application, full details of lighting have not been provided. However, the location of the proposed development at the lower level of a former quarry, with screening vegetation, would mitigate impacts of any external lighting and it is considered unlikely that lighting would cause an amenity or safety impact. A lighting scheme can be required by condition.
152. VLP2 policy DP23 states that development proposals should demonstrate that they will not have significant impacts on the amenity of neighbouring uses in relation to a number of factors, including loss of privacy, daylight or sunlight, visual intrusion, noise, dust, pollution or lighting. The ecological and landscape planting buffer around the edges of the site would ensure that the built

development would not be close to the boundary and therefore the distance between the new buildings and existing residential buildings is considered sufficient to ensure that there would not be significant impacts on neighbouring amenity in terms of loss of privacy, daylight or sunlight. The setting of the buildings at the lower level in the quarry would mitigate visual intrusion as does the existing planting albeit this would be more limited in the winter months. It is not considered that there would be significant impacts from visual intrusion, dust or lighting that could not be mitigated by conditions.

153. VLP2 policy DP25 states that noise generating development that would have an impact on environmental amenity or biodiversity, and noise sensitive developments in locations likely to be affected by existing sources of noise, will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design.
154. The proposal has the potential to be noise generating and so a preliminary noise assessment was submitted with the application. This concludes that mitigation measures could be included in the detailed site design to mitigate noise impacts in line with national and local policy. Details of mitigation measures are not provided, as it is an outline application. However, they could include acoustic screening on the southern boundary, positioning of buildings around the service area, designing buildings so that the windows and doors do not face residential properties, conditions to control noise levels of fixed plant. Regarding increased traffic noise, the report concludes that this would be imperceptible.
155. The Environmental Health Officer has no objections and considers that the impacts of noise and dust on sensitive receptors should be considered as part of the full application (by which they are understood to mean reserved matter application).
156. VLP2 policy DP26 states that development proposals that are likely to have an impact on local air quality will need to demonstrate measures / mitigation that are incorporated into the design to minimise any impacts associated with air quality.
157. An Air Quality Assessment was submitted with the application. This concludes that although there is the potential for dust emissions during construction, these effects would not be significant as long as good practice dust control measures are implemented. Emissions from vehicles during the operational phase are also considered and also assessed as not significant. Therefore, the development is considered to be acceptable from an air quality perspective.
158. Draft JLP policy DE5 similarly seeks to ensure that development would not result in significant adverse impacts on the amenity of neighbouring uses.
159. Overall, the proposals are considered to be capable of being acceptable in terms of impacts on neighbouring amenity. Further detail of the proposed

development is required to assess the level of impact on specific receptors. This is not available at outline stage but would be provided through the reserved matters process. There is no reason to conclude that the proposal is not capable of complying with these policies. Therefore, the proposal is considered to be in accordance with VLP2 policies DP21, DP23, DP25 and DP26.

Neighbouring Properties

160. Objections were received from occupants of nearby properties, some of whom were concerned that residential properties had been left off the application plans. I am satisfied that the closest properties to the site were clear on the application plans. Whilst the application documents did not clearly indicate which properties within the Wicklesham Lodge Farm building complex were used as residential dwellings, as opposed to offices and farm buildings, this is not considered to be material to the decision, as these dwellings are further from the site than the properties identified at The Gardens and Wicklesham Lodge Farm and would not suffer any greater impact.

Flooding and the Water Environment

161. VLP1 policy CP42 states that the risk and impact of flooding will be minimised through directing new development to areas of lowest flood risk, ensuring new development addresses the effective management of all sources of flood risk, ensuring development does not increase the risk of flooding elsewhere and ensuring wider environmental benefits of development in relation to flood risk. It states that the sequential and, where necessary exception test will be used to assess the suitability of development in flood zones. Developments will be expected to incorporate sustainable drainage systems and ensure that runoff rates are attenuated to greenfield run-off rates.
162. Draft JLP policy CE6 similarly directs development to areas of least flood risk. The NPPF section on Planning and Flood Risk (paragraph 170 onwards) sets out when the sequential and exception tests should be applied.
163. A Flood Risk Assessment and Drainage Strategy was submitted with the application. This sets out that although the site is at low risk of tidal, fluvial and groundwater flooding, it is at risk from overland flows from the southwest. Details of how surface water would be managed are provided. A pumped outfall would be used to lift storm water from the quarry base. There would be a series of swales and ponds, and if necessary, attenuation tanks beneath the parking areas.
164. As the site lies in flood zone 1, the area of least flood risk, there is no requirement to undertake the sequential and exception tests with regard to fluvial flood risk. However, the site is subject to surface water flooding. The Flood Risk Assessment addresses this, noting that as the quarry is a significant excavation from the natural topography it is inevitable that models will show rainwater pooling there. Lidar data confirmed a significant area of

high ground falls towards the site from the south. However, there is a ditch on the southern boundary which would assist in intercepting rainwater. The FRA calculates that extending and deepening an existing depression would be sufficient to prevent flooding. The LLFA have confirmed that they have no objection, subject to a condition for a detailed surface water drainage scheme.

165. There has been no objection from either the Environment Agency or the LLFA subject to appropriate conditions. The site lies within the zone of lowest flood risk. Surface water management can be effectively addressed by condition. The proposed development is considered to be in accordance with VLP1 policy CP42.
166. With regard to the provision of water supply and foul water drainage, Thames Water as the relevant utility company have not objected to the application but have stated that the existing water supply and foul water drainage network does not have sufficient capacity to serve the development proposed. As such, they request that conditions be attached to any planning permission granted such that the development shall not be occupied until confirmation is provided that either: all necessary upgrade to the foul water and water supply network to accommodate the additional flows/the demand for water have been completed or relevant phasing plans for development and infrastructure have been submitted and approved.
167. Officers engaged further with Thames Water on this. Thames Water have advised that their assessment of this development has identified a potential risk to their ability to deliver services in accordance with our statutory obligations. This risk affects not only the proposed development but also existing customers within the same catchment area. To address this, hydraulic modelling will be required to determine whether sufficient network capacity exists. If capacity is inadequate, Thames Water must identify the necessary reinforcement to support the additional demand generated by the new development. Thames Water undertakes hydraulic modelling only after a development has received planning permission in order to ensure that resources are directed toward developments that are likely to proceed. Thames Water relies on the planning authority to impose appropriate conditions that align the occupation of new properties with either confirmation of available capacity or the completion of any required reinforcement works. Thames Water is committed to working collaboratively with developers to establish a phased plan for infrastructure and development. This can be done in one of two ways:
 - 1) Thames Water offer a pre-planning service. The applicant can understand from the point of planning their development whether there is sufficient capacity for their proposal or if network reinforcements are likely to be required. They will be given paperwork to support their planning application and be advised of the next steps to progress to hydraulic modelling once they own the land and have received planning permission.
 - 2) The applicant can send Thames Water proof of ownership, decision notice, drainage strategy for wastewater, connection plans for potable water and phasing information once they have received permission. Thames Water can

then commence hydraulic modelling the development for reinforcement and provide the applicant with the necessary documentation to discharge the condition at a later date.

Thames Water advise that in many cases, new connections can be made in parallel with reinforcement delivery. However, there will be instances where our network cannot accommodate new connections until reinforcement is fully completed.

168. The applicant has advised that they are familiar with the approach taken by Thames Water on other developments and that they have engaged in their pre-application advice, a copy of Thames Water's advice having been submitted as part of the application documents. The applicant has also advised that their structural engineer has also been liaising with Thames Water on practical matters including connection points. Thames Water's consistent response to them has been that they will not allocate internal resource until outline consent is secured.
169. The applicant considers that the pragmatic response is to secure outline consent with an appropriate condition ensuring connections cannot be made until capacity is available which is consistent with Thames Water's own statutory obligations and established practice elsewhere.
170. VLP1 policy CP7 addresses Supporting Infrastructure and Services. This sets out that all new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. I am concerned at permitting development where the relevant consultee is advising that the infrastructure is not in place at this time. However, it is the case that Thames Water is the relevant body to provide the infrastructure to meet the requirements of development and has statutory obligations under the Water Industry Act 1991 as amended to provide, improve and extend a system of public sewers and to develop and maintain an efficient and economical system of water supply. The legal onus is therefore on Thames Water to provide the infrastructure, not the applicant. They have not raised objection to the application subject to the conditions cited. As this is an outline application, it is therefore concluded that conditions can be attached requiring that the development is not occupied until connections to the relevant infrastructure for foul water disposal and water supply have been provided. This is consistent with the approach taken by other planning authorities in the determination of outline planning applications.
171. Thames Water have also requested that a condition be attached to any permission granted requiring that no construction take place within 5 metres of a strategic water main. This can be provided for by condition.

Historic Environment and Archaeology

172. VLP1 policy CP39 states that new development should conserve, and where possible enhance, designated heritage assets.

173. VLP2 policy DP36 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the more important the asset, the greater the weight that will be given. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harms to its significance.
174. VLP2 policy DP37 states that proposals for development within or affecting the setting of a Conservation Area must demonstrate that it will conserve or enhance its special interest, character, setting and appearance.
175. VLP policy DP38 states that proposals for development within the setting of a Listed Building must demonstrate that they will preserve or enhance its special architectural or historic interest and significance. Proposals within the setting of a Listed Building must demonstrate that they will: respect, preserve or enhance features that contribute to the special interest and significance of the building.
176. Draft JLP policy NH8 similarly seeks to protect heritage assets, with NH9 specifically addressing listed buildings.
177. NPPF paragraph 213 states that any harm to the significance of a designated heritage asset requires clear and convincing justification and substantial harm to grade II listed buildings should be exceptional. Paragraph 215 states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Paragraph 216 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. NPPF paragraph 219 states that Local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
178. A Heritage Assessment was submitted with the application. This confirms that as a former quarry, most of the site has no remaining archaeological interest. However, it recommends an archaeological watching brief in relation to the access road. The response from the council's archaeologist stated that there are no archaeological constraints and no conditions have been requested.
179. The submitted Heritage Assessment concludes that the site makes a largely neutral contribution to the immediate historic environment setting of the Grade II Listed barn and granary, Old Barn, which lies 150 metres to the south east of the site. It states that it is possible that the new buildings proposed would be visible from the northern end of the Old Barn, which could have a very minor negative effect on the wider, rural setting of the listed building. It also

concludes that the scheme would also be visible from non-designated heritage assets, including other buildings within the Wicklesham Lodge farmstead complex. The scheme could therefore have a very minor, negative effect on the wider, rural setting.

180. The VOWH Conservation Officer has commented that the proposals by virtue of their scale fail to preserve or better reveal the contribution that the rural and agricultural setting make to the identified heritage assets. The response also identifies concerns about the visual impacts on Faringdon Conservation Area and the setting of Lord Berner's Folly and also Great Coxwell Conservation Area. It also references the visual impacts on the undesignated heritage asset 'The Gardens', and designated and undesignated heritage assets at Wicklesham Lodge Farm south-east and east of the site.
181. They conclude that agreement of roof materials and planting is necessary to reduce the visual impact of the development on the adjacent designated and non-designated heritage assets. Subject to this the identified impacts would be harmful, but less than substantial.
182. I agree with the Conservation Officer's conclusion that subject to the roof materials and planting details which could be provided as reserved matters impacts on the significance of designated and undesignated heritage assets would be less than substantial. Subject to this, NPPF paragraphs 215 applies in the case of the designated heritage assets and the harm must be weighed against the public benefits of the proposal. In this case, the new development is relatively shielded from Old Barn, as Old Barn is set within a courtyard of other previously agricultural buildings and it is also screened by vegetation. The closest of the new buildings could be visible through vegetation from the northern end of Old Barn, but it would depend on the final design and height of the buildings which is not yet known other than it would not exceed 12 metres in height. Overall, it is accepted that the harm to the setting of the Listed Building would be limited, although it would be permanent.
183. The impact on the setting of Lord Berner's Folly on Folly Hill is considered to be of greater concern. Whilst at some distance, the Folly stands on top of a hill from which the land falls on all sides and settles into the rolling landscape extending to the south. Its setting is extensive and includes the application site. It is noted that there is new built development being carried out which is extending the built footprint of Faringdon to the north of the A420 and that this also sits within its setting. However, there is a clear and open window of largely open countryside being a mix of agricultural land and woodland which includes the application site. The submitted Parameter plan includes a rectangular area excluded from built development to create a viewing corridor from the bridleway on the southern boundary towards Lord Berner's Folly, it is considered this would provide some mitigation. The Folly also lies within the Faringdon Conservation Area which includes Folly Hill and extends up to Stanford Road. There would also be limited mitigation of the impact on the Faringdon Conservation Area and there would be some lesser impact on Great Coxwell Conservation Area which lies at some distance to the west of the application site.

- 184. The public benefits to be weighed against the identified harms include securing the long-term management of the geological SSSI, the improved active travel infrastructure including a crossing over the A420 and the provision of additional jobs. In my view these public benefits can be weighed against the less than substantial harm to heritage assets to reach a conclusion that the proposal is, on balance, not contrary to NPPF paragraph 215 and to the Development Plan policies protecting heritage.
- 185. Similarly, in consideration of the visual impacts to the undesignated heritage assets, NPPF paragraph 216 applies and the significance of these assets should be taken into account in the decision.
- 186. There is also a requirement to take into account section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. In my view, the proposal would preserve Old Barn listed building and also largely preserve its setting however it is considered that it would impact more greatly on the setting of Lord Berner's Folly and the Faringdon Conservation Area and their settings.
- 187. The development would introduce a relatively large scale urban built form to a previously agricultural landscape. The applicant has sought to mitigate this including by reducing the maximum height of the buildings proposed from 25 metres to 12 metres. There would be impacts on the setting of designated heritage assets, particularly Lord Berner's Folly and Faringdon Conservation Area and on non-designated heritage assets. When balanced against the public benefits it is considered that the application complies with development plan policies aimed at protecting heritage assets, including VLP1 policy CP39 and VLP2 policies DP36, DP37 and DP38.

Climate Change and Natural Resources

- 188. VLP1 policy CP40 encourages developers to incorporate climate change adaptation and design measures to combat the effects of changing weather patterns and lists a number of example measures, such as use of planting, materials, natural ventilation and window orientation.
- 189. VLP1 policy CP43 states that developers should make provision for the effective use of natural resources, including through the minimisation of waste, use of recycled materials, making efficient use of water, avoiding the development of best and most versatile land and re-using previously developed land.
- 190. Draft JLP policy CE1 seeks new development to minimise carbon and energy impacts and to be designed to improve resilience to the effects of climate change. It sets out that all new non-domestic buildings must complete CIBSE TM52, which is an overheating assessment methodology. Draft JLP policy CE2 requires new non-domestic buildings to achieve a space heating demand

of <15 kWh/m²/year and require new offices to achieve a Total Energy Use Intensity (EUI) of 55 kWh/m²/year. Draft JLP policy CE3 requires all new major development to complete a whole life carbon assessment in accordance with RICS Whole Life Carbon Assessment guidance and demonstrate actions to reduce life-cycle carbon emissions and requires new non-residential development over 5000m² to limit embodied carbon to 475 kgCO₂e/m² GIA.

191. The Sustainability Statement provided with the application sets out how passive solar heating and lighting would be maximised through building orientation and proportions, how energy demand would be reduced through design, allowing for the use of green energy sources such as air source heat pumps. It states that PV technology installed on buildings where they can be orientated south. Water use would be well managed to secure BREEAM excellent, including water monitoring, leak detection and water efficient equipment.
192. Whilst details of the building design are not known at outline stage, it is considered that the proposals are capable of being carried out in a way which conserves natural resources and takes into account the need to reduce carbon emissions to mitigate climate change. The design would also take into account potential effects of climate change. Further details would be provided at the reserved matters stage, once building and site design are finalised, however on the basis of the information submitted, the development appears capable of complying with VLP1 policies CP40 and 43. The detailed specifications required in the draft JLP policies are not yet part of the development plan.

Sustainable Development

193. VLP1 policy CP1 reflects the presumption in favour of sustainable development contained in the NPPF. It states that applications in accordance with policies in the plan will be approved unless material considerations indicate otherwise.
194. There is support for the development in development plan policy notably FNP policy 4.5B. The development would though introduce new commercial development into what is currently a rural location with potential impacts which have been addressed above. It is considered that the decision on this application is a finely balanced one which will require careful consideration. On balance, it is the officer advice that outline planning permission should be granted subject to completion of a S.106 Legal Agreement and to conditions including for the details of the development to be subject to reserved matter applications and as such it would be sustainable development.

Financial Implications

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

Legal Implications

196. The report determines the application in accordance with the Town and Country Planning Act 1990 (as amended) and all relevant legislation and guidance.

Equality & Inclusion Implications

197. In accordance with Section 149 of the Equality Act 2010, in considering this proposal, due regard has been had to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
184. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.
185. In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups. It is not however considered that any such issues are raised in relation to consideration of this application.

Conclusions

186. This application is contentious, and objections have been received from local residents, neighbouring Parish Councils and the OCC Landscape Officer. However, some letters of support have also been received from the public and Faringdon Town Council support the application as according with the Neighbourhood Plan, specifically policy 4.5B. There has been no final objection from the Environment Agency, Natural England, Active Travel England, OCC Transport Development Management, the OCC Landscape Advisor or OCC Ecology Officer. The District Council Heritage Officer has identified that, there would still be less than substantial harm to heritage assets which needs to be weighed against the public benefits.
187. The development of the application site for employment use is specifically supported by FNP policy 4.5B. As this application is for outline consent only, full details of the proposal are not available. Therefore, impacts on landscape have been assessed on the basis of the maximum floor space, building heights and developed area of the site as shown on the submitted plans. Concerns raised by the Heritage Officer at VOWH District Council about potential impacts on the setting of heritage assets also link to the landscape

impacts as they are both concerned about the scale and visual impact of the development within the context of the area's rural landscape.

188. The proposals are in accordance with other development plan policies, including those relating to transport, flooding and climate change. It is not possible to fully assess the proposals in terms of design or amenity impacts on the basis of the information provided, but it is concluded that the proposal is capable of complying with those policies.
189. The heritage asset concerns can be considered alongside the NPPF paragraph 85 requirement that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development and the local support for this through the delivery of employment floorspace on this site, demonstrated through its identification in the FNP, and the support of Faringdon Town Council to this application.
190. It is considered that the proposal therefore does meet the criteria in FNP policy 4.5B which safeguards the site for employment use and the proposal has support from the NPPF as it would support economic growth and would provide a type of development for which there is demand at a site which has been identified for such a use by the local community in the Neighbourhood Plan.
191. The benefits of the development must be weighed against the potential harms identified. This application is finely balanced and members will need to consider very carefully the evidence before them both for and against the proposed development, but my recommendation is that the benefits do outweigh the harms. The application has been before the county council for the over two years, it has been amended and supplemented by additional information a number of times and further consultations carried out and it is considered that a decision should now be made on it.
192. If the committee is minded to grant planning permission, it is asked to consider whether it would wish any of the detailed submissions to be reported to the committee for determination.

RECOMMENDATION

It is RECOMMENDED that subject to a Traffic Regulation Order to secure the raised island crossing and a Section 106 agreement to cover the matters outlined in Annex 2, planning permission for MW.0151/23 be approved subject to conditions to be determined by the Director of Economy and Place, to include those set out in Annex 1.

David Periam Planning Development Manager

Annexes:

- Annex 1: Conditions
- Annex 2: Section 106 Heads of Terms
- Annex 3: Consultation Responses
- Annex 4: Representations
- Annex 5: Parameter Plan
- Annex 6: Phasing Plan
- Annex 7: European Protected Species

Annex 1 – Conditions

1. Complete accordance with approved Parameter Plan and Phasing Plan;
2. Commencement within 3 years;
3. Approval of reserved matters, including site layout, elevations, design (including roofs), materials (including colours), specified uses to be in accordance with the principles set out in the Design Code;
4. Submission and approval of Landscape Visual Impact Assessment;
5. Submission, approval, implementation of Landscape Management Plan (Possibly incorporated into the HMMP);
6. Submission, approval, implementation of detailed landscaping and planting plans;
7. Submission, approval, implementation of Arboricultural Method Statement;
8. Submission, approval, implementation of Tree Protection Plan;
9. Submission, approval, implementation of Construction and Environmental Management Plan (CEMP);
10. Submission, approval, implementation of updated Ecological Assessment;
11. Submission, approval, implementation of any phase 2 surveys required by the updated Ecological Assessment;
12. Submission and approval of updated Biodiversity Net Gain Assessment;
13. Submission, approval, implementation of Habitat Management and Monitoring Plan (HMMP);
14. Submission, approval, implementation of lighting details;
15. Submission, approval, implementation of detailed surface water drainage scheme;
16. Record of the installed SuDS and site wide drainage scheme to be submitted and approved
17. Submission, approval, implementation of public art details;
18. Submission, approval, implementation of community employment plan;
19. Submission, approval, implementation of remediation strategy and verification report in relation to contaminated land;
20. Should previously unidentified contamination be found, construction work must cease until a remediation strategy is provided;
21. Submission, approval, implementation of scheme for managing boreholes;
22. No drainage system utilising the infiltration of surface water to the ground shall be installed, unless in accordance with a scheme which has been submitted and approved;
23. Implementation of the Geological Conservation Management Plan;
24. Provision of access to quarry face for vegetation clearance and collection of material for scientific purposes;
25. Submission, approval, implementation of full details of access and footway/cycleway;
26. Submission, approval, implementation of full details of off-site highways works;
27. Development to not be occupied within a phase until connection to the foul water drainage system has been secured;
28. Development to not be occupied within a phase until connection to the water supply system has been secured;
29. Submission, approval, implementation of Construction Traffic Management Plan (CTMP);
30. Submission, approval, implementation of Framework Travel Plan;

31. Submission, approval, implementation of Cycle Parking details;
32. Submission, approval, implementation of vision splay details;
33. Off site highways works to be completed prior to occupation; and
34. Submission, approval, implementation of detailed noise and dust assessments based on detailed design.

Compliance with National Planning Policy Framework

In accordance with paragraph 39 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible. We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, as was the case with this application, and
- updating applicants and agents of issues that have arisen in the processing of their application, for example in this case the application was significantly amended following feedback from the initial consultation, in particular concerns about the landscape and visual impact of buildings of the scale originally proposed in this location.

Annex 2 - Section 106 Heads of Terms

1. Transport contributions i) £574,213.08 towards bus services, ii) £21,154.00 towards bus service infrastructure iii) £3,265.00 towards Travel Plan monitoring.
2. Rights of way contribution – £65 000 towards surface and infrastructure improvements within c2km of the site.
3. HMMP monitoring contribution.
4. Implementation of the management strategy for the quarry walls, including access to the geology by prior arrangement and education/interpretation provision.
5. Commitment to undertake the proposed works to highway to deliver the active travel improvements under a s278 agreement.

The applicant has confirmed that they agree in principle to these requirements.

Annex 3 – Consultation Responses Summary

Vale of White Horse District Council - Planning

Final Response

1. Ecology

There has not been sufficient time to review the detailed technical information. Suggest comments from the County Ecologist are considered.

Landscape

The scale and form of the proposed development remain at odds with the rural landscape character at the edge of the town. The specific points previously raised have however now been addressed.

Sixth Response

2. Heritage Officer - The additional planting in the south-eastern corner of the site would help to mitigate the impact on the setting of the grade II listed Old Barn and adjoining granary, and the previously discussed non-designated heritage assets. To effectively screen the development from views of the listed building and thereby preserve the rural character of its setting, the detailed design of the proposals would need to utilise roof forms, materials and/or lighting design complementing detailed landscape proposals that would make for a camouflaged development in views from the vicinity of the listed building. I am satisfied that the amended parameter plan could achieve this. The following amendments would still be required to the Design Code:

- Light colour materials should be reserved for the ground floor of buildings. Upper stories should be of the top cladding examples as on page 28 of the Design Code. Elevations Buildings up to 12m Variation 1 should be removed or replaced with full elevations of the top cladding options.
- Roofs should be predominantly green allowing for solar panels in locations to be determined at reserved matters stage.
- Full elevations of glass should be avoided. This will require removing some of the examples on page 29.

3. The form and scale of the proposals is discordant with that of the market town of Faringdon or its rural surroundings. These amendments are also therefore necessary to minimise the obtrusiveness of the development in views; to and from the grade II listed Folly which contribute to its significance as a viewing point, and which enable appreciation of the character and significance of Faringdon Conservation Area as a historic market town. They should be made alongside layout and landscape amendments in accordance with the landscape officers comments to minimise the impact on their significance.

4. Ecology Officer - I have reviewed this application again. Since my previous response (under S&V application response P25/V1335/CM) a revised biodiversity net gain (BNG) calculation has been submitted, supported by a further revision to the Biodiversity Net Gain Framework Plan, Biogenia dated September 2025) and the Landscape & Ecological Mitigation and Enhancement Plan (Landmark Trust Rev H, undated). These presumably now reflect the revised habitat areas in the amended landscape design. It also broadly, but not entirely, addresses the issues I previously raised with the achievability of proposed enhancement and creation actions. There are some outstanding issues. Specifically:

1. The BNG baseline has now been simplified to just one version, with the previously supplied post restoration baseline calculation not having been updated. The current onsite baseline calculation as updated is presumed now to be the only version for consideration. I have no strong views about this, but it has nullified a previous discrepancy in the former calculation regarding the type of agricultural land present on site.
2. The proposed woodland enhancement and creation have been amended to deliver Other Woodland, Broadleaved in Good condition. This is a more realistic habitat type than the previously proposed (and higher-value) Lowland Mixed Deciduous Woodland. However, in my view the targeted condition score is still too optimistic. This is because achieving Good condition requires the woodland to develop at least some characteristics that take a very long time to develop (such as a complex structure with excellent natural regeneration, a species-rich ground layer vegetation community with ancient woodland indicator species, extensive standing and fallen deadwood and presence of veteran or ancient trees). These are unlikely to be achieved in the 30-year BNG timescale, and this is reflected by a warning in the creation and enhancement tabs. I recommend that the applicant is made to change the achieved condition to Moderate. Additionally, the enhancement of woodland is still shown as having been started 5 years in advance, with no obvious justification having been provided for this and no evidence that the targeted management techniques needed to uplift woodland condition have been commenced. In my view the current state of the woodland on site should be treated as the base point and use of this multiplier should be avoided.
3. The proposed enhancements to create woodland from different broad habitat types have been removed, but the applicant is still seeking to create ponds from scrub. Justification for this has been provided (the scrub is on the site of former ponds created during the quarry restoration but which were unsuccessful and did not hold water) but treating this as an enhancement rather than loss and replacement is still technically not in line with the User Guide to the Statutory BNG metric. I defer to the County Ecologist's view as to whether this is of concern. The pond enhancement is also erroneously shown as being commenced 5 years ago again, I can see no evidence that this is the case.

4. The LEMEP has now reverted to not showing the superbloom treatment as per previous iterations, and the calculator now shows that Other Neutral Grassland in Good condition will be created through the centre of the site, not Lowland Meadows . This is a more realistic habitat classification, but in my view the proposed Good condition is relatively unlikely to be achievable, due to the concentration of this grassland in high-traffic areas (Green Infrastructure corridor) between the buildings and the extensive tree planting in this area (which incidentally does not seem to have been included in the metric). These factors are likely to complicate the traditional hay meadow management required to achieve Good condition and to limit condition of large areas via shading. In my view this grassland is only likely to achieve Moderate condition.

5. The baseline metric does not incorporate any ponds, now justifying this by arguing that proposed ponds in the quarry restoration programme have not been successful and have become dominated by scrub. This does not entirely agree with previous consultation responses from myself and others noting standing water onsite at different times. I defer to the county ecologist's view on whether ponds are present or not and therefore whether any standing water habitats should be included in the baseline habitats.

5. Landscape Architect – The energy centre has been relocated from the north eastern corner of the site, allowing more space for planting, however there is still a lack of depth available for planting on the eastern boundary to the rear of building 4, and the perimeter strip is still shown as swale and landscape screen; these are incompatible and should be shown separately as noted in previous comments. The parameter plan shows no increase in the 11m width shown in the previous proposals in this part of the eastern boundary, although additional space is shown in the southern section, and a slight increase on the north east corner. I am concerned that most of the 11m strip could be taken up by a swale, with little space left for the necessary tree belt planting. This also applies to the eastern part of the northern boundary. Screening on these site boundaries is important due to the elevated views from Faringdon Folly.

The Design Code refers to a maximum building footprint of 50% of the development area, this is not stated on the parameter plan. This should be secured as part of any outline permission.

Design Code refers to car parking decks limited to 12m height (pages 12/13), whilst also showing smaller buildings opposite the bridleway, to maintain openness; the masterplan no longer shows decked car parks. Please confirm that there will be no decked car parks and amend the Design Code accordingly. The Design Code states that there will be office pod structures (page 15), within an area in the western site shown as a landscaping/screening zone on the parameter plan, and not within the area shown as developable zone. Please amend the Design Code accordingly.

The following also need to be amended in the Design Code:

Green roofs should be used predominantly to limit the adverse effect on elevated views from Faringdon Folly.

There should be no large areas of glazing facing the rural area or apparent in views from Faringdon Folly. Glazing should not extend to the full height of the buildings, contrary to examples shown in the Design Code page 29.

There should be no pale coloured building materials on the upper parts of the buildings; these should be restricted to the ground floors where they will be filtered by vegetation (omit variation 1).

Conclusion

The scale and form of the proposed development would remain at odds with the rural landscape character at the edge of the town. The parameter plan still does not indicate that there would be adequate space for landscape mitigation, sufficient to screen and assimilate the proposals in the long term, on the boundaries of the north eastern part of the site, as noted above.

There are contradictions between the Design Code and the Illustrative Masterplan and Parameter Plan; the Design Code needs to be updated and amended as set out above, and should be secured as part of any outline planning permission.

Fifth Response

6. Heritage Officer - The area of additional planting proposed is insufficient to effectively screen the development, therefore previous comments remain.
7. Ecology Officer - Layout has changed somewhat in response to comments from the County Landscape Officer and a revised Landscape and Ecology Masterplan has been submitted. The substantive changes appear to be the removal of a multistorey/ deck car park, the minor relocation of buildings 4 and 4 and minor strengthening to landscape buffer planting. No objection to this change but a revised version of the biodiversity net gain (BNG) calculation has not been provided to incorporate these changes, meaning the BNG information is now inaccurate in terms of the extents of proposed habitats. The significant issues with the classification and condition assessment of habitats raised in previous response has not been addressed. A revised and substantially more realistic BNG calculation needs to be provided prior to determination. Updated LEMP refers again to the 'superbloom' treatment through the centre of the site – a landscape typology which was previously removed. Previous comments highlighting the inappropriateness of claiming this habitat as 'lowland meadows' in the BNG calculation still apply. 'Introduced shrubs' or 'vegetated garden' is a more realistic classification.
8. Forestry Officer - Previous comments remain valid.
9. Landscape Architect - Amendments have been made to the parameter plan and illustrative masterplan to include a peripheral landscape strip. Whilst this is shown as around 10m wide on the parameter plan the masterplan indicates that this will

partly be taken up by a swale. It seems that it will only allow for a single line of trees on some boundaries which will not be adequate to screen the development, particularly in elevated views. Further clarification of the depth of the planting strip proposed required, separate to any space required for the swale. The parameter plan does not show the linear park in the centre of the site which is important as it allows for large tree planting within the site which will help to screen and assimilate the development in the longer term, particularly in elevated views. Whilst the Design Code refers to the linear park and a maximum building footprint of 50% of the area, these need to be secured as part of the outline permission through the parameter plan. The car park at the south-eastern corner of the site on the rural edge has been retained and this is not appropriate in this rural location. The scale and form of the proposed development remains at odds with the rural landscape character at the edge of the town and the parameter plan does not indicate that there would be adequate space for landscape mitigation sufficient to screen and assimilate the proposals in the long term.

Fourth Response

1. Cllrs Foxhall and Patel (Watchfield and Shrivenham) – Updates appear to be corrections to documents that were outdated following an earlier reduction in floorspace and height, therefore comments stand unchanged. [N.B. *In fact this consultation related to a further reduction in floorspace and height.*] Would like to highlight some further points: Faringdon Neighbourhood Plan only makes provision for Class B2 and B8, not the additional Class E applied for. Great Crested Newts have been recorded at the site. Additional weight should be given to the VOWH's Landscape and Heritage officers' comments, as in normal circumstances this application would fall to VOWH to determine.
2. Heritage Officer – The reduction in height to 12m is an improvement to the scheme, making the proposed buildings lower in relation to the historic farmstead and landscape. The large building footprints, urban forms and lighting, however, remain at odds with the rural landscape character. The urban form of the buildings is of stark contrast to the rural edge of the town. Proposals rely on planting outside the site to screen the development, which will not prevent views, particularly in the autumn/winter months and is not in the control of the site. Additional planting within the site is necessary to mitigate visual impacts. The urbanising impact of light spill, would prevent visual impact being entirely mitigated. Development would be visually intrusive and have adverse effects on views from the tower and on the setting of Faringdon and Great Coxwell. Recommend roof materiality as an element in the design guide, to ensure that light and shiny materials creating glare, including solar panels, are avoided. Also consider that the proposal would affect the setting of Faringdon Conservation Area as a rural market town viewed from the Folly. Subject to the suggested

amendments to planting and roof materials, the proposals would have a less than substantial impacts on the significance of adjacent buildings, on the significance of the Folly and Faringdon Conservation Area. This should be weighed against the public benefits in line with paragraphs 215 and 216 of the NPPF.

3. The proposal does not comply with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, due to impacts on the setting of listed building Old Barn, and views from the listed Folly. It is considered to fail to meet the tests of NPPF paragraphs 212, 213 and 219 and policies CP39 and DP36-38 of the Local Plan.
4. Landscape Officer – Whilst the reduction in building height to 12m would allow the buildings to sit lower in the landscape, the large building footprint and urban form remains unchanged, and is still at odds with the rural landscape character, with the development remaining incongruous and intrusive. Light spillage would further add to the adverse effects on character and views. No significant planting is proposed on the perimeter of the built development and the proposals largely rely on vegetation outside the site, particularly in the eastern part of the site. Mitigation should be provided within the site. The proposed development is immediately adjacent to a valued landscape, forming part of a candidate Local Landscape Designation as set out in the Local Landscape Designation Review 2024. Views from the bridleway would be compromised, views from Folly Tower would remain open where there are gaps in vegetation. Concerned about solar panels on roofs, pale building materials and light spillage. A green infrastructure parameter plan would be required to secure the linear green park shown on the illustrative masterplan. Conclude there would be some conflict with Local Plan Core Policies 37 and 44, Development Policy 29 and policies 4.5b and 4.7e of the Neighbourhood Plan.
5. Air Quality – The AQ Assessment does not take into consideration the councils' AQ Guidance for Developers and does not include information on whether the best practice design features outlined in this document will apply to the proposed development. Recommend conditions for electric vehicle charging points and secure cycle parking storage.
6. Forestry Officer – Satisfied that the trees requiring removal for the site entrance are correctly categorised. Condition should be applied as required by OCC Tree Officer for updates to the AMS and TPP to reflect any future changes to layout. Agree that removals should require significant replanting of trees, including additional landscaping to the east of the site but also at the entrance. Remain concerned about loss of H2 which does not appear necessary.
7. Ecology Officer – Submitted documents contain inconsistencies and unrealistic proposed habitat assumptions. Although the latest changes relate to building height and do not have ecological implications, there remain a number of issues with the BNG metric that should be addressed prior to determination including the classification of existing grassland, realistic aims for woodland enhancement and

grassland. Inconsistency in relation to waterbodies currently on site should also be addressed.

Third Response

8. Cllrs Foxhall and Patel (Watchfield and Shrivenham) – Earlier comments continue to apply as the current changes relate to the earlier reduction in building height. Would like to add further comments on biodiversity. Do not believe the application is compliant with BNG policy, as set out in consultation responses from BBOWT and the Ecology Officers at OCC and VOWH.
9. Heritage – Comments remain largely the same as before. The proposed parameter plans and design code are insufficient to determine whether there would be harm to the setting of heritage assets. The urban form of the proposals would be a stark contrast to the rural edge to the town as experienced from Lord Berners Folly, Faringdon Conservation area, Wicklesham Lodge Farm and undesignated assets. As submitted, the proposals by virtue of their scale fail to preserve or better reveal the contribution that the rural and agricultural setting of the identified heritage assets makes to their significance. Harm is therefore identified, and this must be appropriately weighted as per the NPPF and Local Plan policy requirements.
10. Ecology – Scheme appears unchanged other than building heights. PEA is the same, so comments substantively the same as previously, although the response of the applicant to the OCC Ecology comments and the BNG calculations provide useful context. In my view is that the ecological supporting information remains deficient in some aspects, particularly biodiversity net gain (BNG). Detailed comments provided on designated sites, habitats, BNG, reptiles and great crested newts.
11. Forestry – Information on tree removals has now been provided. Overall consider that the removals are still amply shown as mitigated by the landscape proposals. Though these would need to be secured. Some losses are not sufficiently justified at present, including those associated with the adjusted site entrance. The re-design of the junction seems to have been led by a highways focus without due consideration to arboricultural constraints. A more detailed assessment is necessary and further justification should be made for some of the removals, or changes should be made to facilitate their retention. Would support a refusal, but if permission were granted then conditions should be applied for an updated Arboricultural Method Statement & Tree Protection Plan and for the submission of a detailed landscape and planting plan.
12. Landscape – There are some additional individual trees indicated to the perimeter of the buildings in the eastern part of the site at quarry base level. These would not mitigate the adverse impact and would take a long time to mature. Previous comments still apply. The scale, height and urban form of the proposed

development would remain completely at odds with the rural landscape character and with the adjacent edge of town, the development would be visually dominant and intrusive, resulting in significant adverse effects on the landscape character and views, and on the setting of the town. There would be significant adverse effects on important views to and from Faringdon Folly.

Second Response

13. Cllrs Edwards and Thomas – Welcome suggested changes to the building height and provision of an arboricultural management plan. However, there is still need for further improvements. Believe that the proposed junction will increase disruption to the normal flow of the A420. Exit from site should be located onto the existing Park Road roundabout. Welcome the site as a source of employment, but believe it would add pressure to highways. Request for a footbridge has been sidestepped by a discussion about an extended bridleway.
14. Cllrs Foxhall and Patel (Watchfield and Shrivenham) – The minimal changes proposed do not materially change the application and do nothing to address impacts on traffic, ecology, local plan adherence, impact on landscape, highways and access and sewerage and water infrastructure. Concerned about setting a precedent for industrial development in the rural Vale, the visual impact, highways and access, ecology, trees, geodiversity, sewage infrastructure.
15. Conservation Officer – Previous comments largely still apply. The LVIA has been updated and notes designated heritage assets. The updated Design Code seeks to protect a long landscape view of Faringdon Folly from the bridleway, but reducing overall building heights. Despite this, built form of this scale would be alien in the landscape. Preservation of a single view cone makes little difference to the overall impact of the development. No further discussion of the relationship between the proposed development and the Grade II listed barn and adjoining granary.
16. Ecology – The applicant should provide pond creation as a suitable enhancement, as part of the habitat creation scheme. Not enough information has been provided to confirm that the proposed BNG can be delivered.
17. Forestry – An Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement should be sought. However, unlikely to object as few trees would be removed and a large number of trees would be planted.
18. Landscape – Previous comments largely still apply. The photomontages demonstrate that the reduction in building height would make limited difference to the landscape and visual impact, due to the nature of the views. The scale, height and urban form would remain at odds with the rural landscape character and the development would be visually dominant and intrusive. There would be significant adverse effects on important views from Faringdon Folly. The dark coloured

buildings are unlikely to merge into the background when viewed from the Folly in reality. Internal and external lighting would add to the adverse impact.

First Response

19. The site is not allocated in the VLP. The site is safeguarded in the FNP. The County Council needs to satisfy itself that quarrying is complete and aftercare has been completed, there are no other suitable sites closer to the town centre available, there is a demonstrable need for the development, the criteria of the policy are met and permitted uses are restricted to Use Classes B2 and B8.
20. The large scale, height and form of the buildings would be completely at odds with the rural landscape character. There would be significant adverse effects on views to and from Faringdon Folly, loss of amenity to the Vale Way long distance path. Proposals would be contrary to VLP Core Policies 37 and 44 and Development Policy 29. They would also conflict with FNP policies 4.5b and 4.7e.
21. The proposals fail to preserve or better reveal the contribution of the rural and agricultural setting to heritage assets, contrary to VLP Development Policies 36, 37 and 38.
22. Should permission be granted, appropriate provision for pedestrians and cyclists must be secured, including links to the northern side of the A420, specialist advice should be sought on impacts on the geological significance of the site, there should be biodiversity net gain and conditions should be applied to clarify specified uses and secure public art and a community employment plan.
23. There is a risk of surface water flooding through the centre of the site from the southwest corner. The County Council should satisfy itself that adequate capacity would be available to accommodate wastewater.
24. District Cllrs Foxhall and Patel (Watchfield and Shrivenham) - Concerned about the scale and proximity to the rural Vale. The site is not allocated in the Vale Local Plan, the site is an SSSI and the Faringdon Neighbourhood Plan requires the protection of landscape, wildlife, geology and the provision of safe access. Would set a precedent. No other village or town in Oxfordshire has been allowed to straddle the A420. Amenity impact on rural villages. Site is green field. Concerned about height of buildings, access arrangements and Great Crested Newts. Faringdon Sewage Treatment Works does not have capacity and should be upgraded prior to any further development.
25. District Councillors Edwards and Thomas (Faringdon) – Object. The proposed signalised crossing would cause more disruption in a congested area, a foot/cycle bridge would be preferred. Improvements should be made to intersections to mitigate impact of increased traffic volumes. Consideration should be given to public transport and bus routes. The height of the buildings should be significantly reduced to remedy landscape impacts. Would like to see ecological mitigation to ensure significant biodiversity net gain. Access must be provided for scientific study. Overall, the proposal does not meet the criteria set out in FNP policy 4.5B.

26. Ecology Officer - The biodiversity net gain calculation provided in the ecology report is considered to be unlikely to be achieved and cannot be verified as the calculations have not been provided. These should be requested. Although the risk of reptile presence is low, consideration should be given to asking for a survey and mitigation proposals. Accept that the former ponds have dried and been invaded by scrub, however Great Crested Newts are long-lived and could still be present. At least one of the ponds should be re-instated as an enhancement measure.

Vale of White Horse District Council – Environmental Protection

Seventh Consultation (September 2025)

27. Confirmed no additional comments to make.

Fifth Consultation (June 2025)

28. Confirmed no additional comments to make.

Second Consultation (May 2024), Third Consultation (October 2024) and Fourth Consultation (May 2025)

29. Responded with the same comments as previously made.

First Response

30. No significant objections at this stage, subject to further information including mitigation measures and specific uses for the site, being provided as part of the full application.
31. Unable to provide detailed feedback due to the flexible potential uses of the site at outline stage. However, the Noise Impact Assessment highlights that noise from changes in road traffic, fixed plant associated with the development, break out noise and additional activities will need to be considered in greater detail when further information is available. The full application should also consider impacts from construction noise and dust on nearby noise sensitive receptors, as part of a construction management plan.

Vale of White Horse District Council – Contaminated Land

32. Contaminated Land – The content of the submitted report satisfactorily addresses the requirements for a Phase 1 preliminary risk assessment. Potential sources of ground contamination have been found and intrusive investigations are now required. Therefore, conditions should be attached to cover this.

Faringdon Town Council

Final Response

33. This development will increase the prosperity and vitality of Faringdon by providing much-needed, high quality employment opportunities for local residents thereby reducing the necessity for commuting. Biotechnology and life science is specifically mentioned as a growth area in the Government's proposals for the revision of the NPPF and a development such as this could create a focus for attracting more businesses to Faringdon.
34. The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan) which contains specific caveats to protect the unique quarry walls and require them to be accessible to geologists and students of geology.
35. Unfortunately, the emerging Local Plan has no proposals for the development of Faringdon to complement the 83% increase in housing that has occurred over the last 25 years and, as a result, the working age population is overwhelmingly employed elsewhere. It should be noted that Faringdon has no other large-scale employment sites available that would be in accordance with local policies.
36. In accordance with planning obligation legislation, Faringdon Town Council request an appropriate level of developer funding to (1) help support the town centre and visitor economy and (2) enable the provision of sports/leisure/recreation facilities.

Sixth Response

37. This development will increase the prosperity and vitality of Faringdon by providing much-needed, high quality employment opportunities for local residents thereby reducing the necessity for commuting. Biotechnology and life science is specifically mentioned as a growth area in the Government's proposals for the revision of the NPPF and a development such as this could create a focus for attracting more businesses to Faringdon.
38. The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan) which contains specific caveats to protect the unique quarry walls and require them to be accessible to geologists and students of geology.
39. Unfortunately, the emerging Local Plan has no proposals for the development of Faringdon to complement the 83% increase in housing that has occurred over the last 25 years and, as a result, the working age population is overwhelmingly employed elsewhere. It is likely that should this application fail, this site will be proposed for housing development thereby contributing to Faringdon's decline as a sustainable community.
40. In accordance with planning obligation legislation, Faringdon Town Council request an appropriate level of developer funding to (1) help support the town

centre and visitor economy and (2) enable the provision of sports/leisure/recreation facilities.

Fifth Response

41. This development will increase the prosperity and vitality of Faringdon by providing much-needed, high quality employment opportunities for local residents thereby reducing the necessity for commuting. Biotechnology and life science is specifically mentioned as a growth area in the Government's proposals for the revision of the NPPF and a development such as this could create a focus for attracting more businesses to Faringdon.
42. The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan) which contains specific caveats to protect the unique quarry walls and require them to be accessible to geologists and students of geology.
43. Unfortunately, the emerging Local Plan has no proposals for the development of Faringdon to complement the 83% increase in housing that has occurred over the last 25 years and, as a result, the working age population is overwhelmingly employed elsewhere. It is likely that should this application fail, this site will be proposed for housing development thereby contributing to Faringdon's decline as a sustainable community.
44. In accordance with planning obligation legislation, Faringdon Town Council request an appropriate level of developer funding to (1) help support the town centre and visitor economy and (2) enable the provision of sports/leisure/recreation facilities.
45. This development will increase the prosperity and vitality of Faringdon by providing much-needed, high quality employment opportunities for local residents thereby reducing the necessity for commuting. Biotechnology and life science is specifically mentioned as a growth area in the Government's proposals for the revision of the NPPF and a development such as this could create a focus for attracting more businesses to Faringdon.

Fourth Response

46. This development will increase the prosperity and vitality of Faringdon by providing much-needed, high quality employment opportunities for local residents thereby reducing the necessity for commuting. Biotechnology and life science is specifically mentioned as a growth area in the Government's proposals for the revision of the NPPF and a development such as this could create a focus for attracting more businesses to Faringdon.

47. The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan) which contains specific caveats to protect the unique quarry walls and require them to be accessible to geologists and students of geology.
48. Unfortunately, the emerging Local Plan has no proposals for the development of Faringdon to complement the 83% increase in housing that has occurred over the last 25 years and, as a result, the working age population is overwhelmingly employed elsewhere. It is likely that should this application fail, this site will be proposed for housing development thereby contributing to Faringdon's decline as a sustainable community.
49. In accordance with planning obligation legislation, Faringdon Town Council request an appropriate level of developer funding to (1) help support the town centre and visitor economy and (2) enable the provision of sports/leisure/recreation facilities.

Third Response

50. Confirm that previous comments still apply.

Second Response

51. Support the application as it stands. Suggest adjustments to mitigate the impact on the town. Access should include an exit on the existing roundabout. All traffic mitigation should be installed before construction begins. A pedestrian and cycle bridge is essential to safety across the A420. Strongly support the recommendation for a second crossing at Sands Hill. Reducing the building height further to 15 m would further mitigate the impact on the surrounding landscape. Any buildings without solar panels should have a living roof installed to increase biodiversity.

First Response

52. Object on the grounds that the current proposals do not conform with Faringdon Neighbourhood Plan policy 4.5B, as the criteria are not met.
53. The proposed access with right turning into the site eastbound is unacceptable in mixing motorised and non-motorised traffic. Vehicles should enter via the Park Road roundabout as now. Right turning egress could result in traffic jams as in Milton Park at peak periods. The proposed Toucan crossing may not be adequate for the current traffic volumes at peak periods. It was expected that pedestrian crossing to the site would be from the bridleway between Sands Hill and Quarry Hill, but the application site does not have an entrance in the NW corner. Recommend that the only safe and acceptable access for non-motorised traffic is via a bridge from the Sands Hill bridleway.
54. The 25 metre building height is contrary to policies 4.7A and E. Buildings should be no higher than two stories or 15 metres. Massing is also a concern, the size of the buildings should be reduced.

55. Access to the SSSI should be permanent and not restricted by site security. There should be adequate Fencing and indefinite maintenance. There should be a Section 106 agreement for an educational facility to disseminate information about the Faringdon fossils. There is also the opportunity for the provision of sports pitches as this is the only piece of flat land left undeveloped in Faringdon.

Great Coxwell Parish Council

Final Response

56. Object. Concerned about traffic, visual amenity and overall character of the area. Not in accordance with VOWH's spatial strategy. Would disrupt local traffic flows and impact the local character and landscape. Major employment site outside the local plan. Access inadequate. Traffic modelling provides little reassurance. Impact of the development pushes Great Coxwell junction over capacity by 2030.

Fist Response

57. Object on basis of safety of the access and traffic impact. Will limit comments to site access, as all other matters are reserved. The A420 between the Faringdon roundabout and Coxwell turn is busy and relatively dangerous. The proposed access is not suitable. The site was not considered for such development in the Vale Local Plan. The increase in traffic have not been considered in relation to other development in the area. Effects on traffic will be exacerbated by allowing pedestrians to cross. Safe pedestrian access must be provided, but should not disrupt traffic, for example an overpass. Road access would seem more sensibly provided by the adjacent roundabout.

Little Coxwell Parish Council

Final Response

58. Little Coxwell Parish Council strongly objected to this application back in July 2023 and these objections are still valid throughout all of the latest updates and changes. However, we would like to comment on the latest documents presented; The document from Thames Water is extremely alarming and shows that they have some major concerns over the impact on the infrastructure of this application. Little Coxwell has already seen a deterioration of its water supply since the introduction of the new housing in Faringdon, as our supply is gravity fed and not pumped. So clearly, a major development such as this will impact us further and a major infrastructure review programme, including both water supply and sewerage, needs to be undertaken for this application. To us, this makes it unviable and another example of further impacts on the community for what we believe is an unnecessary development. We, and others have strongly argued that it is the WRONG development in the WRONG location and should

be rejected. This development is not necessary and is purely financial for a small group of individuals, and the cost to the environment, wildlife, traffic and the wider community of Faringdon is too great. It has also been a great strain on the planning process for an 'Outline planning application' that the applicant, OCC Planning and all of us know will never be built and we will end up with something else that is of no benefit to the community and cause the loss of a SSSI site and most importantly the wildlife that enjoys the space at the moment.

Third Response

59. Strongly objects. **The updated Application Form, Design and Access Statement, Sustainability Statement, and Design Code**, - all seem to be updates due to the reduction in floorspace from 42,286 sq mtrs to 33,592 sq mtrs.

However, this is highly misleading. There is no reduction in the footprint of this application from the original submitted, and this latest documented reduction is as a result of the reduced height defined in the changes submitted back in May 2024. Why weren't the changes made then, as it was clearly known that a reduction in height and the removal of a whole floor of rentable space would lead to an overall reduction in floorspace. Our belief is that the applicant wants to show responses to continued objections to this development, by showing firstly a reduction in height and then a reduction in floorspace when they are one and the same thing.

This example of continuing to frustrate the planning process and the public is further evidenced by this statement that we found in the Sustainability Statement;

"Buildings have been designed at this early stage to have large floor to ceiling heights that will accommodate uses such as industrial production but that can also be broken down into multiple levels of laboratory floor space or even offices, depending on the required use. This not only means that a multiple of tenants can be sought for the site, but that building uses can easily changed beyond that first tenant."

It shows that this is not a "Life Sciences" development (a marketing statement) but an industrial development for rent to the highest bidder for whatever use they require, even beyond those classifications defined in the application.

Biodiversity Net Gain Assessment (updated)

This is a highly complex data analysis that we do not have the software and tools to question its validity but its findings are clearly flawed and misleading.

The changes seem to indicate that there is an increased Biodiversity Net Gain as a result of this proposed development. This makes no sense and common sense tells you that there will be a major biodiversity reduction from this huge development. The site is currently isolated from human intervention as there is no access, so it will be used by a huge variety such as Owls, bats and all sorts of animals, insects etc for hunting etc whilst living in the surrounding woods and land so no amount of introduced trees and hedgerows will compensate for this loss. I see no where in the calculations accounting for this huge loss of biodiversity?.

The modified Arboricultural Assessment document also states;

"36 trees will need to be removed in order to construct the proposed development" also "One C-grade hedgerow will also need to be removed to make space for a new pedestrian access route."

This is a change from 4 trees to be removed, from the original document
It also states;

“The widening of the access junction connecting to the A420 will require the removal of Highway trees either side of the existing access onto the A420.”

So clearly there is a much larger tree removal process defined in these new documents that does not appear to have been factored into the Net Gain Bio Diversity calculations and needs professional scrutiny.

Landscape and Ecological Mitigation and Enhancement Plan (LEMP) (updated)

– there is no ‘superseded’ document to compare?

Technical Note 4 – Addendum to Transport Assessment (new) – this again is a complex document with detail that it is from proprietary software that we do not have the skills to analyse. However, the conclusions again do not make sense based on todays experiences of traffic flows in the area without this large development and increased traffic flows that will inevitably ensue. It states;

“The Park Road roundabout would also remain within capacities.”

This is laughable, as today at the Park road roundabout at peak travel times the queues along park road and up and down the A420 are huge before any introduction of a major development as this?

Again, these calculations and conclusions need professional scrutiny.

From a Little Coxwell Parish perspective, this document confirms our worst fears for the Fernham road junction onto the A420, it states;

“The results of this assessment reveal that the junction is currently experiencing delay for traffic emerging from the minor arm, which is expected to worsen in the reference case with the addition of committed development to a point where it fails in the PM peak with no traffic able to emerge safely from the minor arm, Fernham Road.”

We therefore reiterate our original objections and this new document confirms them.

Technical Note 4 – Appendices (new) – this appears to be the detail to the above new document?

Arboricultural Impact Assessment (updated) – the statement within the first page of this document states “ Arboricultural advice was taken early in the planning process”

However, this amended document goes onto advise “ To construct the proposed development, 36 trees will need to be removed in order to construct the proposed development “

This is a change from the original document “ 4 trees will need to be removed in order to construct the proposed development”.

How has this much larger volume of tree removal happened and not been part of the original application and continues to show the increased impact of this major development.

The updated document adds in an additional visit date of the 24th of August 2024 and revises the number of trees surveyed from the original document of 33 trees and 5 hedgerows to 75 trees and 5 hedgerows. Again, why wasn’t the number of trees surveyed at the outset not included and how do we know this is the correct number and a number haven’t been omitted?

The modified document also states;

“36 trees will need to be removed in order to construct the proposed development” also “One C-grade hedgerow will also need to be removed to make space for a new pedestrian access route.”

This is a change from 4 trees to be removed, from the original document.

This is a significant omission and change from the original submission and does not list the number of trees to be planted and only states “ The loss of trees will be compensated by an extensive programme of new tree planting, which has been designed to provide robust green infrastructure. “

How can we be confident in this new planting?

Arboricultural Method Statement (updated) – the only difference seems to be a new drawing advising the trees requiring the cellular confinement system?

Letter regarding power to the site (new) – LC Parish Council has no comments

Technical Note – Landscape (new);

1) there is much comparison with the Oriel Gardens development and using this as an excuse for the visual impact. Oriel Gardens is on the ‘town’ side of the A420 and hence the visual impact is not so severe on the countryside views

2) one of the comments in this document is about light spillage, especially at night. No comments have been made on the harmful light pollution for wildlife?

Amended Visualisations (new) – This is a new document with photographs from various places including the folly and the public rights of way. It is clear that the views from the PRoW's will be impacted by this large development, and the attempt to show a photograph from almost ground level rather than head height shows what lengths the applicant is prepared to go to mask the impact of this development will have on the views of the surrounding PRoW's

The documents that we have reviewed and commented on do nothing to mitigate the issues raised, in fact they re-enforce our original objections that we have originally made for this highly unnecessary application.

In fact, due to the nature of these modified and new documents that have been submitted we further object on the grounds of Policy M10 - ‘Restoration of mineral workings’ of the ‘Minerals and Waste Core Strategy’ - it states:

“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, amongst others:

- **the characteristics of the site prior to mineral working;**
- **the character of the surrounding landscape and the enhancement of local landscape character;**
- **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**
- **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;**

Second Response

60. Strongly object. The amendments do nothing at all to address previous concerns raised, which are repeated. It would still be development on agricultural land and an SSSI which is not in accordance with the VOWH Local Plan and is in excess of the employment needs for Faringdon, and would result in transport chaos.

First Response

61. Major areas of concern include the impact of such a large development on traffic. The proposed mitigations are inadequate. The development would lead to more traffic on the A420 and the introduction of traffic lights for pedestrian access will exacerbate the situation. Site is agricultural land and development is speculative. The SSSI should be protected. Concerned about impacts on biodiversity. Does not meet the requirements of FNP policy 4.5B in relation to landscape. This development would not have the benefits for Faringdon envisaged. The majority of employment will come from outside the area and it will not benefit the town centre. No other settlement along the A420 has been allowed to straddle it. Application should be refused. Recognise the land is safeguarded for employment in the FNP, but this proposal is much larger than was envisaged and does not meet the criteria.

Longcot Parish Council

62. Object. Concerned about huge increase in traffic. There appears to be no way to ensure the safety of the A420. Would like to know how the roads would be kept safe. The plan to use the roundabout will cause queues at an already busy roundabout. Concerned about increase in air pollution. Excellent farming land should not be lost to this inappropriate development. Will affect local bridleways and footpaths. Concerned about flooding, drainage and water management.
63. *Officer's note: the proposal is not to create access from the roundabout as stated in this response.*

Uffington Parish Council

Final Response

64. Object. The revisions do nothing to address our view that this is a major development in the wrong place. The proposal would damage an important SSSI. The buffer suggested is inadequate. The buildings are still too high and would impact on the landscape. Concerned about impacts on the A420. Concerned that nothing has been done to address the original consultation response from Thames Water.

First Response

65. Object. Concerned about the development encroaching on the local countryside, particularly when it crosses a settlement boundary or reduces highway safety. Site has not been allocated for this use in the Vale Local Plan.

The Faringdon Neighbourhood Plan is now out of date. The site is south of the A420 whereas whole of Faringdon is to the north. The site is an unallocated greenfield site which is a designated SSSI. Concerned about pressure on the A420 particularly during rush hours. Wish to see the access incorporated into the roundabout. Would set a harmful precedent for industrial development outside of the Local Plan.

County Councillor (Faringdon) – Cllr Bethia Thomas

Final Response

66. Main objection relates to the highways management, and the need for a suitable footway across the A420. At the moment the plan does not seem fit for purpose and would cause an awful lot of congestion in an already congested area.

Second Response

67. Comments relate to the additional information. Welcome the arboricultural work and the reduction in eave height. However, there still need to be further improvements. The site would increase traffic movements on the A420. Believe that the proposed junction from the site would increase disruption. This would be reduced by locating the exit onto the existing Park Road roundabout. Concerned that the request by many for a footbridge over the A420 has been sidestepped. If it would be difficult to accommodate a bridge to accommodate horses, then would argue for a footbridge for pedestrians and cyclists would be welcome and necessary. Welcome the other suggestions for improved active travel and potential reduction in speed limit on the A420. Without careful management of traffic, the A420 and roads leading to it from surrounding villages, including Little Coxwell and Fernham, would be adversely affected.

First Response

68. Do not support. Understand that the Faringdon Neighbourhood Plan intended to see this used as employment land, this does not meet the conditions of the policy. Does not appear to include adequate provision for traffic and highways. Junction improvements would be required and enhanced along with improved mitigation for active travel, including a footbridge over the A420. The impact on the landscape is significant and unacceptable. The proposed building height should be reduced. There would need to be mitigations to protect ecology and geology and a significant level of biodiversity net gain.

69. Also concerned about the validity of the application as the site is not in the VLP Part 1 or 2. The designation in the FNP does not apply until summer 2024. Concerns have been raised about the FNP safeguarding a site which is a county matter.

70. Given the proximity to settlements and the age of the policy, the conditions may be outdated and do not take into account additional pressures seen since the

adoption of the Faringdon Neighbourhood Plan. Until see significant improvements in the design, with the insertion of a footbridge, speed reduction schemes and enhanced management at numerous intersections, would remain strongly opposed.

Environment Agency

Amended Application Consultation 4 Response August 2025

Amended Application Consultation 5 Response July 2025

Amended Application Consultation 6 Response May 2025

71. No additional comments, previous comments still apply

Third Response

72. No comments to make. Please continue to use the recommendations in our previous response.

Second Response

73. No comments to make. Please continue to use the recommendations in our previous response.

First Response

74. No objection. The previous use of the land presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located on a secondary A aquifer, in an area of shallow groundwater with surface water features, in an SSSI. The submitted information demonstrates that it would be possible to manage the risks posed to controlled waters, however further detailed information would be required prior to development.

75. Request conditions requiring the submission and approval of a remediation strategy and verification report, a condition requiring work to cease until a remediation strategy is supplied should previously unidentified contamination be found, submission and approval of a scheme for managing boreholes and a condition preventing drainage systems for the infiltration of surface water to the ground without further agreement.

Natural England

Further Amended Application Response – September 2024

Further Amended Application Response – July 2025

Further Amended Application Response – November 2025

Further Amended Application Response`- December 2025

76. Confirmed previous comments still apply.

Second Response

77. No objection, subject to appropriate mitigation being secured. Without appropriate mitigation the development would damage or destroy the interest features for which the Wicklesham and Coxwell Pits SSSI has been notified. In order to mitigate this, a condition should be added securing access to the nationally important geological features in the quarry face, so that they can be maintained, cleared and made available for collection of material for scientific purposes. A suitable buffer in front of the geological faces should be retained. Note that this has been reduced from 25 metres to 10 metres in the amended plans and encourage that the larger buffer is reinstated. A planning condition is also required to ensure the Geological Conservation Management Plan is implemented as proposed.

First Response

78. Further information requested to determine impacts on Wicklesham and Coxwell Pits SSSI. Requires further information in order to determine the significance of these impacts and the scope for mitigation. The geo-conservation measures proposed to mitigate impacts of the development must be clearly detailed within a geological site management plan. Without this information, Natural England may need to object.

Active Travel England

Final Response

79. No objection - welcomes a pedestrian-cyclist-equestrian toucan crossing (TN 3, p.2) and that the proposed shares foot/cycleway as being deemed appropriate for this location and subject to conditions for Travel Plan and cycle parking.

Sixth Response

80. No objection subject to conditions including for suitable crossing for the A420 and active travel footway/cycle way on the northern perimeter of the A420, Travel Plan and cycle parking.

Fifth Response

81. No objection subject to conditions. Repeats comments provided to previous consultations.

Fourth Response

82. No objection subject to conditions. Note the reduced floorspace since the last consultation. Position remains the same as previous response.

Third Response

83. No objection subject to conditions. Note the reduced floorspace since the last consultation. Position remains the same as previous response.

Second Response

84. No objection subject to planning conditions, including for a travel plan and cycle parking. Acknowledge the improved commitment to active travel in the amended application, including new footway along Park Road, connection with bus stop opposite Waitrose, extension of footway along the A420, provision of suitable A420 crossing, provision of footway/cycleway connections utilising existing links, provision of shared use footway/cycleway from the new signal junction north west to link with bridleway 207/2. Welcome the proposal for a toucan crossing, given the explanation of why a bridge crossing is not proposed.

First Response

85. Not currently in a position to support. Request further information in relation to a suitable crossing of the A420, the submission of a Framework Travel Plan and further details of cycle parking facilities and locations.

Thames Water

Final Response

86. Comments remain as per previous consultation.

Fourth Response

87. Waste Comments: Thames Water has identified that the existing FOUL WATER network does not have sufficient capacity to support the proposed development. As such, we request that the following condition be attached to any planning permission granted: The development shall not be occupied until confirmation is provided that either:

1. All necessary upgrades to the foul water network to accommodate additional flows from the development have been completed; or
2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents.

If the Local Planning Authority considers this condition inappropriate or is unable to include it in the decision notice, it is essential to consult with Thames Water's Development Planning Department at Devcon.team@thameswater.co.uk before determining the application.

Please note where network modelling is required, Thames Water will need confirmation of outline planning permission, a development phasing plan, and evidence of land ownership to be submitted to devcon.team@thameswater.co.uk . Modelling can take 9-12 months to complete and will not commence until these have been provided.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

88. Water Comments: The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

Third Response

89. No objection, subject to conditions. The catchment is subject to high infiltration flows during certain groundwater conditions. However, the scale of the proposed development does not materially affect the sewer network. The application indicates that surface water would not be discharged to the public network. If this changes, an amendment to the application would be needed. The existing foul water network and sewage treatment works is unable to accommodate the needs of this development, therefore a condition should be added to ensure the development is not occupied until either foul water network upgrades have been undertaken, or a development and infrastructure phasing plan is agreed.

90. Recommend that petrol/oil interceptors should be fitted to all car parking facilities. The proposed development is located within 5 metres of a strategic water main. A condition is required to prevent construction within 5 metres of the water main. Details of diversion of this asset, or alignment of the development to avoid it, should be required by condition.

Second Response

91. Repeat comments previously provided, however now advise that there would be no objection with regards to water network infrastructure capacity and no conditions are required on this. The developer should take into account the minimum pressure in the design.

First Response

92. Thames Water are working with the developer to identify and deliver the off-site foul water infrastructure. An appropriately worded planning conditions should be

added to ensure that the development does not outpace the delivery of essential infrastructure.

93. Note that surface water will not be discharged to the public network. Approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.
94. Would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges to the public sewer. Any discharge made without a permit is deemed illegal. Suggest an informative should be added to any consent granted, highlighting the need for a Groundwater Risk Management Permit from Thames Water for discharging groundwater into a public sewer.
95. Have identified an inability of the existing water network infrastructure to accommodate the needs of this development. Therefore, recommend a condition requiring that the development is not occupied until necessary water upgrades have been made.
96. The proposal is within 5 metres of a strategic water main. Request a condition to ensure that there is no building over this main, or within five metres of it.

Oxfordshire Geology Trust

Amended Application

97. *No response. There was no response to the second consultation, but OGT wrote the Geological Site Management Plan that was submitted with the amended application, and a letter responding to Natural England's concern about the buffer zone advising that in their experience a buffer zone of 10 metres provides an appropriate buffer zone to manage, maintain and view the geological features seen on the Wicklesham quarry faces. As they contributed to application documents, it would not have been appropriate for them to also comment on them.*

First Response

98. The development would incorporate Wicklesham and Coxwell Pits SSSI, designated for their unique geological interest. The SSSI owner has a statutory obligation to manage it appropriately and conserve its special features. It is one of the richest palaeontological localities in the UK. The quarry floor has minimal geological interest, but the faces allow study of the strata containing fossil assemblages. The current proposal makes little mention of the geological characteristics. To minimise the impact of any development, a Geological Site Management Plan will be necessary. This should include maintenance of quarry walls, retention of spoil heaps, permanent, unrestricted public access and provision of geological interpretation panels.

Oxford Friends of the Earth

99. Object. Site is part of a Conservation Target Area and the centre of a network of we-used rights of way. The landscape is an amenity. It is not an appropriate use of land. Impacts on traffic on A420 are a matter of extreme concern. Impossible to assess the impacts and damage without more detail.

CPRE

Final Response

100. The previous comments still stand. Faringdon Town Council, state that the "The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan)". Our understanding is that the Local Plan takes precedence, and that, despite the Neighbourhood Plan having been properly made, any sites that it proposes for employment have no standing, unless they are supported by the Local Plan. We cannot understand how this application has been allowed to drag on for two years and seven rounds of consultation, without a ruling on the obvious issue that this site should never come forward for development because it is not in the Local Plan.

Fourth Response

101. The previous comments still stand. Faringdon Town Council, state that the "The proposal is in accordance with Policy 4.5B of the made Faringdon Neighbourhood Plan (and, therefore, part of the current Local Plan)". Our understanding is that the Local Plan takes precedence, and that, despite the Neighbourhood Plan having been properly made, any sites that it proposes for employment have no standing, unless they are supported by the Local Plan. We cannot understand how this application has been allowed to drag on for two years and seven rounds of consultation, without a ruling on the obvious issue that this site should never come forward for development because it is not in the Local Plan.

Third Response

102. The previous comments still stand: This site is an SSSI, and is not allocated for development in the current Vale Local plan and hence this application should be refused. We cannot understand how the LPA has continued to accept minor amendments, and has not yet ruled on the substantive issues, which should preclude any development on the site. CPRE supports the objections raised by Great and Little Coxwell, Longcot and Uffington Parish Councils, and also the objections from the Vale District Council

Second Response

103. Confirm that comments submitted in December still stand.

First Response

104. Support the objections of Faringdon Town Council. The application should be refused. The SSSI should be protected. The site is not allocated in the VLP.

Historic England

Fifth, Sixth, Seventh, Eighth and Ninth Consultation

105. Responded, no comments.

Third Consultation

106. Responded, no comments.

Second Consultation

107. Defer to the views of the Local Planning Authority's Conservation Officer with regard to the impact of the proposed development on the settings of Little Coxwell Conservation Area and the Grade II Listed barn and granary east of Wicklesham Lodge Farmhouse.

First Consultation

108. No comment did not need to be consulted.

BBOWT

Final Response

109. The BNG baseline should not be current conditions, it should be the final product of the approved quarry restoration plan, including the ponds shown on the plan. The restoration plan already includes most of the woodland now proposed, so this cannot be considered to be new habitat. Similarly, the enhancement of medium distinctiveness poor condition woodland to high distinctiveness good condition woodland is something that should have happened in any case. If ponds are not to be included, these should be shown as lost in the metric, as they are in the approved quarry restoration. The grassland proposed would not meet the definition of lowland meadow as it comprises non-native species and would not provide benefits to native pollinator species.

Third Response

110. Maintain objection. Belief BNG should be calculated using the baseline following restoration rather than existing site conditions, for reasons previously set out and also because the aftercare was not completed until 2024, but the baseline condition was assessed between 2020 and 2023. The woodland included in the BNG metric cannot be considered new habitat as it features on the quarry restoration plan. The two large ponds on the restoration scheme should be

included. Proposals do not meet the definition of lowland meadow and comprises non-native species.

Second Response

111. Maintain objection. Insufficient evidence has been provided of a net gain in biodiversity. Queries apparent errors in the submitted metric, including regarding off-site provision.

First Response

112. Object on the following grounds: 1) protected species and surveys, 2) insufficient evidence of biodiversity net gain, 3) net gain should be in perpetuity.

113. Request further information is provided in relation to the ecological features referenced in the ecology statement for application MW.0084/17. Impacts on these features should be avoided, or as a last resort fully mitigated. Habitat suitable to support great crested newts will be impacted and further surveys are required in relation to this and also potential otter and water vole habitat. Also concur with the OCC ecologist's comments regarding biodiversity net gain. The net gain in biodiversity should be in perpetuity, which is at least 125 years. Natural England's advice should be sought due to the location of the SSSI.

OCC Transport Development Management

Final Response

114. No transport related comments on this particular submission.

Fourth Response

115. No objection subject to legal agreement and conditions, following consideration of the Technical Note 5 submitted in January 2025. The traffic generation is acceptable and the updated figures represent a reduction in traffic generation compared to the originally submitted application. Impact on junctions is considered acceptable.

116. Previous comments highlighted road safety concerns related to the introduction of a signal junction close to the A420/Park Road roundabout. Now satisfied with the submitted Road Safety Audit. The proposals include reducing the speed limit on the A420 in the vicinity of the site access junction to 40 mph. This would need to be secured as part of a Traffic Regulation Order which is a separate process requiring public consultation.

117. Satisfied with the submitted swept path analysis, on the basis of the understanding that traffic associated with the farm access take place via the A417 and not through the site access. The existing footpath should be removed and the route diverted to the new toucan crossing, rather than a new footway supplementing the existing footpath. Some concerns about the deliverability of the proposed footway/cycleway connection to the Park Road bus stops due to the

adjacent embankment, however these concerns can be addressed at detailed design stage. The access road should be designed to OCC adoption standards, this can be addressed through reserved matters.

118. A direct desire line would need to be provided from the site to the bus stops on Park Road. This is a matter for a future reserved matters application. The Framework Travel Plan submitted does not meet OCC criteria and would need to be revised. This can be secured by condition.

119. There are a number of matters for design that would need to be addressed at reserved matters stage, including the size of the internal roundabout, access road speed limit, junction and forward visibility splays, traffic calming, widening of bends, minimum carriageway width, cycling facilities and carriageway and footway gradients, a stage 1 safety audit, drainage details, tree locations, highway construction. Parking provision would also be assessed at reserved matters stage.

120. A Section 106 agreement will be required to secure contributions (as set out in paragraph 43 of the main report) towards public transport services, public transport infrastructure and Travel Plan monitoring. The developer will need to enter into a Section 278 agreement to carry out the proposed mitigation and improvement works including site access works, widening of the A420 on the verges and lane markings, proposed toucan crossing and associated mitigation works, provision of new footway/cycleway from toucan crossing along the northern edge of A420 to connect with existing shared footway on Park Road and the provision of bus stop infrastructure on Henry Blake Way.

121. Conditions are required for full details of access footway/cycleway, full details of off-site highway works, vision splay details, Construction Management Plan, Framework Travel Plan, Traffic Regulation Order for the raised island crossing.

Third Response

122. Further Information Received. The decrease in floorspace would lead to a decrease in trips on the local network compared to the previously assessed proposal. However, in the information submitted is not clear and the year of opening used is not appropriate. A Stage 1 Safety Audit is required for the site access, prior to planning permission being granted as the findings may result in changes to the red line boundary.

Second Response

123. No response received.

First Response

124. Objection. Further work is needed regarding site access arrangements. The junction capacity analysis methodology is acceptable but should be repeated using a more realistic opening year, as 2024 is highly unlikely. Section 106

contributions would be required, and a Section 278 agreement would be needed to secure improvement/mitigation works including site access.

125. It is considered highly likely that the proposed signalisation of the existing quarry access would cause traffic to block back across the A420/Park Road roundabout causing congestion, when the west bound signal on the A420 is red. This would be unacceptable. A modelling exercise should be undertaken to demonstrate how the access would interact with the roundabout, and details should be provided. An alternative access arrangement should be proposed if the modelling shows unacceptable congestion from the current proposal. It is suggested that the junction could be moved further to the west. The inclusion of a toucan crossing is supported in principle.
126. Details of car parking provision, justification, cycle parking, electric vehicle charging points and a bicycle maintenance station should be provided at reserved matters stage.
127. Walking distance to bus stops should be minimised, a direct link through the site from the access road would be required. A pedestrian walking from the access to building 4 would need to walk 400m unnecessary distance compared to if they could cut through in the north east corner. The entrance to this building also appears to be located for access to the car park rather than to minimise walking distances.
128. The framework travel plan submitted with the application does not include the level of information required to meet the County's criteria and should be revised prior to first occupation and updated after three month's full occupation. A fee would be required to monitor this for five years.
129. The signalised access junction is too close to the roundabout and should be moved further west. The ghost island tapering is not to standard and will require more land to the west to achieve a satisfactory standard.
130. There are also a number of design issues that would need to be addressed at the reserved matters stage, including that the internal roundabout should be larger and another form of roundabout may be more appropriate, the speed limit of the access road should be clarified and junction and forward visibility splays should be shown.
131. If permission is granted despite this objection, a Section 106 agreement would be required with contributions towards public transport service, public transport infrastructure and travel plan monitoring. There would also need to be conditions to cover the new vehicular entrance and vision splay details.

OCC Rights of Way

Final Response

132. No additional comments to make regarding rights of way.

Third Response

133. No additional comments, previous comments still apply.

Second Response

134. Previous comments on layout, design, contributions and standard measures still apply.

135. Would support any proposal for a bridge over the A420 to serve this development but can see the significant difficulties associated with this. A signalised crossing is a reasonable and deliverable alternative. The footpath and cycleway connection improvements identified in the technical note are noted and welcomed. Additional detail will be required at reserved matter stage.

First Response

136. There is a missing A420 crossing point at the south west of the site that doesn't seem to have been considered. This unclassified road meets the A420 and connects to the access network on each side. It's an important link and there needs to be provision for active travel modes here to enable better access. This should be included in the package of on-highways works. This might include a refuge island (suitable for cycles/horses) or signalised crossing and surface and infrastructure upgrade works on both sections.

137. The proposal for a revised footpath layout to the northeast of the site and each side of the A420 is noted. This will have a separate legal process to divert the public right of way. Given its location and the rideable network to the south, it would be in everyone's interest to make this access route a shared use cycle path and footpath to connect to bridleway 207/21. The same could apply to the footpath 207/17 north of the A420. Detail design of the road access crossing and the interaction with the footpath/bridleway is required.

138. Offsite mitigation. The consideration of landscape and visual impact is noted. This development would have a major impact on the area with a corresponding impact on the surrounding public rights of way network. A s106 contribution will be sought, separate to any transport/highways works including points 1 and 2 above, to help address some of the impacts. At this stage the impact area below is considered appropriate and a sum of £65,000 will be sought and justified with a R122 statement. This will find surface and infrastructure improvements within c2km of the site.

139. Standard measures will apply at the appropriate point in the application lifecycle, including the requirement to take account of legally recorded public rights of way, ensuring that routes remain usable for the duration of the development, no temporary obstructions, no changes to routes without the appropriate formal diversion first being secured and no gates to open outwards from the site across any public right of way.

Final Response

140. No additional comments, previous comments still apply.

First Response

141. No objection. On the basis of previous mineral extraction and archaeological investigations undertaken within the application area, as noted in the submitted Heritage Assessment (OA October 2023), the proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

OCC Lead Local Flood Authority (LLFA)

Final Consultation Response

142. No Objection. The proposal describes a reduction in floorspace. The proposed reduction in floorspace is not deemed to have an impact on the surface water drainage regime of the site. The LLFA note the landscape buffer around the buildings has been increased, the multi-storey car park at the eastern end has been removed and replaced with tree planting and the Design Code, Illustrative Layout Plans and Landscape Plan identify a green roof requirement for buildings and car parking and specify key landscaping areas and character of the development. Should changes become necessary to the surface water drainage for the site the LLFA would request to be re-consulted.

Fourth Consultation Response

143. The proposed reduction in floorspace is not deemed to have an impact on the surface water drainage regime of the site. Should changes become necessary to the surface water drainage for the site the LLFA would request to be re-consulted.

Third Consultation Response

144. Responded to confirm previous comments still valid.

Second Consultation Response

145. Responded to confirm no amendments to comments already made.

First Consultation Response

146. No objection, subject to conditions requiring a detailed surface water drainage scheme and a record of the installed SuDS and site wide drainage scheme to be submitted and approved.

OCC Ecology

147. Recommendation: No objection

Comments

148. The submitted ecological appraisal is considered appropriate at this stage. An updated ecological appraisal and any required phase 2 surveys should be submitted prior to determination at the reserved matters stage based on the final design of the development which would be informed by but supersede the ecological appraisal report submitted in support of the outline application.

A Construction and Environmental Management Plan (CEMP) based on the final development design and updated ecological assessment should be submitted either prior to determination of the reserved matters application or secured via an appropriately worded planning condition or obligation.

A lighting scheme based on the final development design should be submitted either prior to determination of the reserved matters application or secured via an appropriately worded planning condition or obligation.

The applicant has demonstrated that a minimum of 10% measurable net gain in biodiversity can feasibly be achieved on site at this stage. An updated biodiversity net gain (BNG) assessment based on the final development design and phasing should be submitted in support of the reserved matters application prior to determination. This report would be informed by but supersede the BNG framework plan submitted in support of the outline application. The specific proposed habitat condition criteria should be included for all proposed and retained habitats.

A Habitat Management and Monitoring Plan (HMMP) based on the final development design should be submitted either prior to determination of the reserved matters application or secured via an appropriately worded planning condition or obligation. This HMMP would be informed by but supersede the proposed habitat intervention measures submitted in support of the outline application.

149. Recommendation: Additional information required

Comments

150. The proposed post development woodland habitat target habitat condition criteria proposed in section 2.2 of the submitted Biodiversity Net gain Framework Plan are considered ambitious particularly regarding age classes (criteria A) and

veteran trees (criteria K). These habitat condition criteria will likely take longer than 30 years to develop and therefore the 30-year implementation period proposed in section 8.05 of the submitted BNG Framework Plan is considered insufficient. While it is appreciated that these criteria will not necessarily be required to be met in order to achieve moderate ecological condition targeted for this habitat type, consideration should still be given to how long the HMMP is likely needed to cover to achieve these criteria and this should be stated in an updated report. Alternatively, the applicant may wish to amend the habitat condition criteria targeted to more reasonably achievable targets within 30 years, particularly with regards to habitat condition criteria that rely on the development of ancient and veteran trees.

Response to eighth consultation – October 2025

151. Recommendation: Additional information required

Comments

It is noted that the submitted biodiversity net gain (BNG) framework plan identifies the approved restoration scheme as delivering more BNG units than current site conditions. Any subsequent BNG plans submitted should take this account and demonstrate a BNG and additionality above the approved restoration scheme for the site.

The submitted response titled 'Mw 0151 23 Biogenia Occ Ecology Consultation 22 10 25 Response' states that no assumptions have been made regarding the habitat types and conditions included within the baseline BNG metric regarding the approved restoration as they are based on an assessment of the current site conditions and habitats present. However, other broad leaved woodland has been classified as poor ecological condition in the current baseline BNG metric and in good condition in the approved restoration scheme baseline BNG metric. Therefore an assumption has been made regarding the condition of this habitat in a poorer condition than is currently present on site. An assumption has also been made regarding pond habitat type and condition present within the restoration scheme baseline as there are currently no ponds present on site. An explanation of these assumptions is therefore requested and it is recommended that the approved aftercare scheme for the site is referred to.

Section 4.0 of the submitted BNG framework plan outlines the proposed phasing scheme for the site, however this does not appear to be reflected in the submitted BNG metric spreadsheets. Clarification is therefore requested to explain how the proposed phasing has been considered in the BNG values calculated and the submitted BNG metrics updated as appropriate.

It is appreciated that clarification has been provided regarding how strategic significance has been calculated. The enhancement of other broadleaved woodland included in tabs A3 of both submitted BNG metrics is classified as 'high' strategic significance along with hedgerow creation and enhancement

interventions in tabs B2 and B3. It is requested that this is amended in line with the stated methodology for determining strategic significance as outlined in section 3.0 of the submitted BNG framework as these habitat interventions are not delivering Conservation target Area objectives.

The proposed post development woodland habitat condition of good and target habitat condition criteria are considered ambitious particularly regarding age classes, canopy stories, veteran trees and ancient woodland ground flora. This habitat condition and criteria will likely take longer than 30 years to develop. While it is appreciated that not all of these criteria will be required to be met in order to achieve good ecological condition of this habitat type, consideration should still be given to how long the HMMP is likely needed to cover to achieve these criteria and this should be stated in an updated report. Alternatively, the applicant may wish to amend the habitat condition and criteria targeted to more reasonably achievable targets, particularly veteran trees and ancient woodland ground flora which may take hundreds of years to establish successfully even if introduced.

Response to seventh consultation – September 2025

152. Recommendation: Additional information required

Comments

The submitted Biodiversity Net Gain (BNG) assessment report should be amended and resubmitted to include an identification of the calculation with the baseline (current site conditions compared to the approved restoration scheme) with highest biodiversity value and how the BNG mitigation hierarchy was applied. This report should also include how other methodology has been applied including how strategic significance was determined. For example, other neutral grassland, other broadleaved woodland, ponds and lowland meadow are not identified as targets within the objectives of West Oxfordshire Heights Conservation Target Area (CTA). For the purposes of assessing strategic significance, inclusion within objectives of a CTA should be considered as 'within an area formally identified in a local strategy'. The report should be supported by the submission of an updated BNG metric spreadsheet that utilises the approved restoration scheme of the site to help inform the comparison mentioned above.

The figures submitted of the baseline habitats includes individual trees. Clarification is requested how this habitat type has been accounted for in the submitted BNG metric spreadsheet.

It is noted that the first line of the habitat enhancement tab involves the enhancement of scrub to pond habitat. Habitat enhancement should only be applied where the baseline habitat is retained and there is:

- an improvement in condition compared to the baseline state
- a change to a higher distinctiveness habitat within the same broad habitat

group compared to the baseline state

- restoration of relict high or very high distinctiveness habitats
- restoration of intertidal habitats

In line with BNG metric guidance the scrub habitat should therefore be identified as lost and the proposed pond habitat created.

The specific proposed habitat condition criteria should be included for all proposed habitats.

Response to sixth consultation (Biodiversity amendments) – August 2025

153. Recommendation: Additional information required

Comments

Document reviewed:

- Biogenia Bng Metric With Restoration Scheme Baseline July 2025
- Biogenia Bng Metric With Current Baseline July 2025 A
- 3622 Tip L Wicklesham Landscape & Ecological Mitigation And Enhancement Plan Rev C

The previously submitted Biodiversity Net Gain (BNG) assessment report should be amended and submitted to provide an accompanying explanation of the assessments and conclusions made including an identification of the calculation with the baseline with highest biodiversity value and how the BNG mitigation hierarchy was applied. This report should also include how other methodology has been applied including how strategic significance was determined. For example, other broadleaved woodland, ponds and lowland meadow are not identified as targets within the objectives of West Oxfordshire Heights Conservation Target Area (CTA). For the purposes of assessing strategic significance, inclusion within objectives of a CTA should be considered as 'within an area formally identified in a local strategy'.

It is noted that the post development habitat areas do not all match between the two submitted metrics. It is requested this is amended to ensure they match in order to ensure they are representative and to allow a comparison to be made.

The existing grassland is now classed as 'Rye Grass and Clover Ley' in the current baseline calculation but as cereal crops in the restoration baseline calculation. This does not match the approved restoration scheme that includes these areas as grassland.

Enhancement of woodland is proposed (second line in the enhancement tab of The metric using the approved restoration scheme as the baseline), from Other Woodland, Broadleaved in Poor condition to deliver Lowland Mixed Deciduous Woodland in Good condition. This process is aiming to create semi-natural Priority Habitat Woodland, which is considered unfeasible in a 30 management

time frame and may take hundreds of years. It is therefore requested that this is amended as appropriate.

The second line of enhancement for both metrics show Lowland Mixed Deciduous Woodland being delivered by enhancing non-woodland habitats including built linear features in the existing baseline calculator and non-priority ponds in the restoration baseline calculation. These changes should instead be treated as losses and new habitat creation.

The proposals still propose Lowland Meadow in Good condition, via grassland creation. Where areas of native species-rich grassland seed mixture are proposed lowland meadow is considered unlikely pending a soil sample. The applicant may wish to target 'Other Neutral Grassland' in moderate or good condition instead as this habitat and ecological condition(s) are considered more feasible.

The specific proposed habitat condition criteria should be included for all proposed habitats.

To summarise the information submitted is too incomplete and there are too many errors to be able to conclude whether the application will demonstrate a measurable net gain in biodiversity in order to satisfy NPPF and local planning policy.

Response to fifth consultation (landscaping amendments) – June 2025

154. Further information required. Due to the amendments to the landscaping proposals the BNG assessment should be updated. This is also an opportunity to correct errors identified in it.

Further Response – December 2024

155. No objection. The submitted ecological appraisal is appropriate at this stage. An updated ecological appraisal, any required phase 2 surveys and updated BNG assessment should be submitted prior to determination at the reserved matters stage based on the final design. Soil sampling should be undertaken. A Construction and Environmental Management Plan (CEMP), lighting scheme and Habitat Management and Monitoring Plan (HMMP) based on the final development design and updated ecological appraisal should be submitted either prior to determination of the reserved matters application or secured via an appropriately worded planning obligation

Further Response – 25th October 2024

156. The BNG report should be updated to reflect the BNG metric, and a number of other amendments requested in this response. The LEMP should be updated or withdrawn to be provided under condition. Some changes required to the BNG metric regarding habitat types. Soil sampling should be undertaken to determine the feasibility of creating lowland meadow habitat. This is needed prior to determination.

Fourth Response

157. Further updates to the BNG metric are required and amendments to submitted documents to ensure consistency.

Third Response

158. Further information required. Additional information submitted by the applicant addresses some previous concerns. Surveys for great crested newts and water voles can be secured by pre-commencement condition. It is appreciated that the existing pond basin is to be retained and enhanced. The justification for including on-native species in the planting mix is considered insufficient and it is less recommended that native alternatives are used. However, if these recommendations are not followed and other comments are fully addressed, it is likely that a measurable net gain in biodiversity will be achievable.

159. The BNG calculations need to be updated because the hedgerows on site meet the habitat definition for hedgerows, regardless of quality.

Second Response

160. Further information required, including an update to the ecological assessment to address the fact that the ponds have been holding water. At least one of the ponds should be enhanced. A revised BNG metric calculation should be provided. The introduced scrub and vegetated garden habitats to be created on site should be replaced with native alternatives.

First Response

161. More information required. The proposal would impact habitat suitable to support Great Crested Newts and further survey effort is needed in relation to this and also otters and water voles.

162. Further information is also required regarding Biodiversity Net Gain, including an updated metric and quote and agreement to demonstrate that offsite compensation can be achieved in line with the submitted assessment.

OCC Landscape

Final Response

163. The following response should be read in conjunction with my previous comments.

In response to my comments and those of others, the applicant has made further revisions to the Parameter Plan, Design Code and Illustrative Masterplan: In addition to the central buffer and larger landscape areas the Parameter Plan now includes a note that the combined building footprint will not exceed 50% of the developable (yellow) area. The swale and bicycle storage has also been removed from the eastern landscape buffer.

The design code has been updated so that it now states a greater emphasis on green roofs and material choices and arrangements (now dark materials on top/lighter materials at the bottom).

As such the latest revision address my previous comments.

On the basis that the site forms part of the development plan, and the principle of industrial development on this site has been established by the allocation of the site in the Neighbourhood Plan, I consider the development on balance acceptable in landscape and visual terms subject to conditions.

Conditions:

Condition covering the following are required should the development be approved:
Landscape and Visual Impact Assessment at Reserved Matters Stage

Design in line with the latest revision of the Parameter Plan and the principles outlined in the Design Code (including material and colour choices),

Building materials and roof design,

Lighting

Detailed Landscaping scheme

Long-term landscape management plan (it is likely that this can be covered by the HMMP)

Seventh Response

164. I have commented on the scheme before, and the following response should be read in conjunction with my previous comments.

As mentioned in my previous consultation responses it is my understanding that that the principle of industrial development on this site has already been established by the allocation of the site in the Neighbourhood Plan. Therefore, acceptability in landscape and visual terms depends on a design that keeps landscape and visual effects at a minimum and that positively responds to the site and its surrounds. The applicant has made further updates to address previous comments on the parameter plan, overall layout and illustrative material and design guidance.

The scheme has been revised, and the latest revision of the Parameter Plan and illustrative drawings in the design code show a reduced developable area, a central landscaping/screening zone running through the centre of the site, a larger undeveloped landscape zone at its western end and the southeastern corner, as well as a slightly enlarged landscaping zone at the northeastern corner. This is an improvement to the previous version of the plan, which only

indicated a 12m wide ecological peripheral buffer and a 10m wide landscape peripheral buffer. However, the peripheral landscape buffer still shows to includes a swale along its eastern boundary, which is likely to mean that it cannot be used for tree planting as required. This is an issue that has been raised previously. NE have also requested a 25m buffer in front of the quarry faces in which tree planting should be limited to avoid obscuring views of the geological outcrops.

Comments from the drainage officers, county ecologist and county archaeologist should be sought to ensure that there is no conflict with other requirements and that the proposed landscape buffer is wide enough for tall tree planting.

Any potential consent should ensure a sufficiently-wide buffer is secured so that both these functions can be accommodated.

The parameter plan does also still not include the Design Code principle that no more than 50% of the development area will be developed as requested in my previous comments. As such the developable area would only be controlled by a combination of the parameter plan and the permitted floorspace. This might potentially be sufficient and might not result in more than 50% being taken up by development but it is difficult to judge without knowing the size of the developable area. This information appears neither to be provided on the Parameter Plan or in the supporting information. Clarification should on this be sought.

Overall Layout and Design

Following my previous comments, the decked car park previously shown along the southern edge of the development have been omitted but are still referred to in the Design Code. This should be clarified.

I also note a number of elements in the design code that will need amending. These echo comments also made by VoWH heritage officer and VoWH landscape officer:

- Design Principles - Lighting: As per my previous comments the intention for a sensitive lighting design is welcomed. Lighting considerations should be integral to the design, e.g. by limiting windows on the outward-facing elevations and by avoiding large glass elevations as they are currently shown in the design code. This should be amended in the design code. A lighting condition will also be required should the development be approved. Design Principles – Building elevations: As mentioned previously, I don't consider the subtle falls in the roof to offer sufficient variation of the roofscape as it is suggested in the Design Code. Additional measures will be required, e.g. variation in the roof scape, different roof treatments – green/brown roofs should be used predominantly to mitigate impacts on elevated views as requested by the heritage officer. Material choices and colours and their use in the development will also need further consideration at reserved matters stage should the development be approved.

As mentioned previously, I recommend that colour and material choices follow a similar approach as it has been developed by the NWD when considering development (Guidance on the selection and use of colour in development: survey). This will assist in choosing materials and colours that allow the development to blend into the surrounding landscape should the development be approved.

I am not sure whether any potential planning consent can require that the Reserved Matters design is guided by the development principles outlined on the Illustrative Masterplan and/or the design code. If this is possible, I recommend that this is adequately secured.

Conclusions:

The development will introduce an urban form into an area that is currently rural. However, this impact on the landscape character and views has to be considered in the context that the site is allocated for B2 and B8 uses in the Faringdon NP and as such the principle for industrial use on this site has already been established.

Latest iteration of the Parameter Plan is an improvement and addresses most of my previous comments. Having said this, the landscape buffer along the eastern boundary next to building 4 has not been increased and uncertainty about the feasibility of this buffer for tree planting along other requirements remains. Any consent should seek to ensure a sufficiently wide buffer in this location that allows for tree planting.

The Parameter Plan does also still not include the design code principle that development footprints should not exceed 50% of the Developable Area.

Development footprints will therefore be controlled by the Parameter Plan in combination with the permitted floorspace only. This might potentially be sufficient but is difficult to judge without knowing the size of the developable area as shown on the Parameter Plan. Clarification should be sought.

There are elements in the design code that need revising, in particular in relation to the roofscape, building elevations and material choices and colours. If the principle of this type of development is accepted in this location, I consider that the development would on balance be acceptable in landscape and visual policy terms subject to above comments being adequately addressed.

The following aspects will need to be secured via conditions or other means should the development be approved:

- Update to the Landscape and Visual Impact Assessment
- Design in line with the overall approach outlined on the Illustrative Masterplan (if possible)
- Detailed design (including material and colour choices),
- Roof design,
- Lighting
- Detailed Landscape scheme
- Long-term landscape management

Response to Further Amended Application – July 25 I have commented on the scheme before, and the following response should be read in conjunction with my previous comments. In my previous comments I asked for the following issues to be addressed: *A more substantial landscape scheme of mitigation tree planting within the site in line with relevant guidance and which includes a landscape buffer between the ecological buffer and the buildings. This should be reflected in the parameter plan. Sensitive roofscape design that reduces impacts from Folly Hill. This should include form, choice of materials and the omission/redesign of the open deck car park.*

- *A detailed lighting design that is sensitive to the location and minimizes adverse effects on views.*
- *A revision of the parameter plan to reflect key design principles of the layout (e.g. building parameters, main green infrastructure elements such as landscape corridors and buffers) and which ensures that no more than 50% of the development area will be subject to development as it is suggested in the Design Code.*

Landscaping scheme

As outlined in the previous comments a substantial landscape scheme of tall trees and hedgerows is required to reduce visual impacts and successfully embed the development into the surrounding landscape as required by planning policy.

The scheme has been revised and now indicates an approximately 10m wide landscape buffer inside the already proposed peripheral 10m wide ecological buffer. The proposed landscape buffer is welcome in landscape and visual terms, however I note that it is labelled as a swale on the Illustrative Masterplan indicating a shared function, which might restrict tree planting.

Neighbourhood Plan policy 4.5B requires amongst other things that the interest of the *geological features* is not harmed, and that '*appropriate measures to provide access to the protected site for the visiting public*' are ensured. Natural England's consultation response to this application is 'no objection' subject to appropriate mitigation being secured. This is to include maintaining access to the nationally important geological features, a buffer in front of the geological faces and the geological conservation masterplan to be implemented as described. As part of their advice, NE have also suggested increasing the geological buffer

zone in front of the quarry faces from 10m to 25m, and that tree planting within in the buffer should be limited to avoid obscuring views of the outcrops.

The landscape buffer will increase the buffer zone in front of the quarry faces, but it is not clear how much of it can in effect be used for tree planting. Comments from the drainage officers, county ecologist and county archaeologist should be sought to ensure that there is no conflict with other requirements and that the proposed landscape buffer is wide enough for tall tree planting.

It is difficult to judge whether the structural landscaping has otherwise been enhanced as stated in the supporting letter. From a landscape and visual point of view the integration of large trees along the periphery and throughout the site to break up the built form are required. The proposed 'Super bloom' treatment as suggested in the Design Code does not meet this requirement and is therefore not supported in landscape and visual terms.

The Illustrative Masterplan suggests that there is space for tall tree planting within the centre of the site and between buildings, however, this is not reflected on the Parameter Plan.

Parameter Plan

My previous comments and requests re the Parameter Plan have only been addressed in parts.

The Parameter Plan has been revised and now includes an approximately 10m peripheral landscape buffer in addition to the ecological buffer. This is welcome and the landscape buffer is also shown to extend along the partial viewing corridor. However, the Parameter Plan does not include other key green infrastructure elements that have been requested such as the linear park and other 'key open spaces' (e.g. the western open space) outlined on the Illustrative Masterplan and in the Design Code.

The Parameter Plan does also not show the building parameters. In this context I also note that the extent of the 'developable zone' shown on the Parameter Plan appears to differ from the 'development area' as indicated in some of the Design Code drawings, e.g. 'Vehicular Movement – Circular Road' or the 'Building Scale' drawings. The reason for these differences is not clear and should be clarified.

The key to the Parameter Plan does also not include the Design Code principle that no more than 50% of the development area will be developed. This requirement should be reflected on the Parameter Plan as it would provide confidence that there will be sufficient space for tall tree planting across the site.

Overall Layout

Following my previous comments, the deck car park previously shown at the southeastern corner of the site has been omitted, however, the 12m high deck car park located near the southwestern end is still proposed. It is indicated outside the proposed circular road, despite the design principles in the Design Code stating: *The total footprint for built form should not be more than 50% of the development area, which is to be contained by the circular road.* Notwithstanding, that the detailed design and layout are only illustrative, this seems a contradiction in the design approach.

The remaining deck car park is located close to the southern boundary and visible from the Vale Way. The design of this deck car park is not clear, but it has the potential to adversely affect views from the Vale Way. Visual impacts could be reduced if the deck car park was relocated closer to the entrance and northern boundary of the site and/or a sensitive design approach was adopted to minimise its impact, e.g. lowering of the building, green roof, no lighting, sensitive material choices, the use of climbers or similar.

Design Code

Further observations relating to the Design Code: Design Principles - Landscape: As outlined above I agree and welcome the provision of a central linear park and other green buffers and links, but these will need to comprise tall tree planting rather than the super bloom treatment. The drawing shown for this design principle does also not show the recent change of the additional peripheral buffer.

- Design Principles – Parking: As per my comments above, this plan shows the deck car park to be located outside the circular road and the development area. I remain concerned about the impact of this building in views from the Vale Way and the Folly Hill, especially if it was built at the maximum height and if it was open deck. The relocation of the deck car park closer to the entrance to the site and/or a sensitive design approach should be considered.
- Design Principles - Lighting: the intention for a sensitive lighting design is welcomed. As per my previous comments, lighting considerations should be integral to the design, e.g. by limiting windows on the outward-facing elevations. A lighting condition will be required should the development be approved.
- Design Principles – Massing / site: the latest iteration of the Design Code includes additional information on roof materials including references to green roofs, the use of which is supported in landscape and visual terms. However, I don't consider the subtle falls in the roof to be effective in breaking up massing or offering sufficient variation of the roofscape as suggested. Additional measures will be required, e.g variation in the roof scape, different roof treatments (including green roofs) in combination with sufficient structural tree planting within the site. The roof design could be dealt with via a condition should the development be approved.
- Design Principles – Building elevations: Despite the development not being located within the NWD National Landscape it is recommended that the NWDNL guidance on colour Guidance on the selection and use of colour in development: survey is used when developing the detailed design at Reserved Matters stage. This will assist in choosing materials and colours that allow the development to blend into the surrounding landscape should the development be approved.

In summary:

My previous comments and requests have been addressed in parts. The latest change to the Parameter Plan shows a peripheral buffer next to the ecological buffer and swale, which is welcomed, however, it does not show any other key green infrastructure elements outlined in the Design Code and Illustrative Masterplan such as the central linear park and western open space.

It is also not yet fully understood how much of the peripheral buffer can effectively be used for tree planting.

The Parameter Plan does also not include the requested detail on building parameters, nor does it reflect the design principle that no more than a maximum of 50% of the development area will be developed.

The latest revision includes the omission of one of the two decked car parks from the southern boundary, but the second one is still proposed and remains visible from the Vale Way. It is suggested that the remaining deck car park is either omitted or relocated closer to the northern site boundary and site entrance. As sensitive design approach will also be required should it be retained.

With all matters except access being reserved, and the acceptability of the scheme in landscape and visual terms being dependent on the development providing sufficient space for landscaping and tree planting, I remain concerned that the Parameter Plan does not include all the requested information.

As per my previous comments, I believe that the development could on balance be acceptable in landscape policy terms if the following key principles of the Design Code can be adequately secured as part of this application:

- maximum 12m building height,
- no more than a maximum 50% of the developable area being developed,
- key green infrastructure areas to provide sufficient space for tall tree planting, i.e. a peripheral landscape buffer, the linear central park, the western open space and any other key GI corridors between the buildings shown in the design code.

As approval of the Parameter Plan is being sought as part of this application, I recommend that these key design principles are reflected on the Parameter Plan.

In addition, a number of conditions relating to detailed design, roof design, lighting and landscape management will also be required should the development be approved.

Sixth Response

165. I have commented on the scheme before, and the following response should be read in conjunction with my previous comments. In my previous comments I asked for the following issues to be addressed:

- A more substantial landscape scheme of mitigation tree planting within the site in line with relevant guidance and which includes a landscape buffer between the ecological buffer and the buildings. This should be reflected in the parameter plan.
- Sensitive roofscape design that reduces impacts from Folly Hill. This should include form, choice of materials and the omission/redesign of the open deck car park.
- A detailed lighting design that is sensitive to the location and minimizes adverse effects on views.

- A revision of the parameter plan to reflect key design principles of the layout (e.g. building parameters, main green infrastructure elements such as landscape corridors and buffers) and which ensures that no more than 50% of the development area will be subject to development as it is suggested in the Design Code.

Landscaping scheme

As outlined in the previous comments a substantial landscape scheme of tall trees and hedgerows is required to reduce visual impacts and successfully embed the development into the surrounding landscape as required by planning policy. The scheme has been revised and now indicates an approximately 10m wide landscape buffer inside the already proposed peripheral 10m wide ecological buffer. The proposed landscape buffer is welcome in landscape and visual terms, however I note that it is labelled as a swale on the Illustrative Masterplan indicating a shared function, which might restrict tree planting. Neighbourhood Plan policy 4.5B requires amongst other things that the interest of the geological features is not harmed, and that 'appropriate measures to provide access to the protected site for the visiting public' are ensured. Natural England's consultation response to this application is 'no objection' subject to appropriate mitigation being secured. This is to include maintaining access to the nationally important geological features, a buffer in front of the geological faces and the geological conservation masterplan to be implemented as described. As part of their advice, NE have also suggested increasing the geological buffer zone in front of the quarry faces from 10m to 25m, and that tree planting within in the buffer should be limited to avoid obscuring views of the outcrops. The landscape buffer will increase the buffer zone in front of the quarry faces, but it is not clear how much of it can in effect be used for tree planting. Comments from the drainage officers, county ecologist and county archaeologist should be sought to ensure that there is no conflict with other requirements and that the proposed landscape buffer is wide enough for tall tree planting. It is difficult to judge whether the structural landscaping has otherwise been enhanced as stated in the supporting letter. From a landscape and visual point of view the integration of large trees along the periphery and throughout the site to break up the built form are required. The proposed 'Super bloom' treatment as suggested in the Design Code does not meet this requirement and is therefore not supported in landscape and visual terms. The Illustrative Masterplan suggests that there is space for tall tree planting within the centre of the site and between buildings, however, this is not reflected on the Parameter Plan.

Parameter Plan

My previous comments and requests re the Parameter Plan have only been addressed in parts. The Parameter Plan has been revised and now includes an approximately 10m peripheral landscape buffer in addition to the ecological

buffer. This is welcome and the landscape buffer is also shown to extend along the partial viewing corridor. However, the Parameter Plan does not include other key green infrastructure elements that have been requested such as the linear park and other 'key open spaces' (e.g. the western open space) outlined on the Illustrative Masterplan and in the Design Code. The Parameter Plan does also not show the building parameters. In this context I also note that the extent of the 'developable zone' shown on the Parameter Plan appears to differ from the 'development area' as indicated in some of the Design Code drawings, e.g. 'Vehicular Movement – Circular Road' or the 'Building Scale' drawings. The reason for these differences is not clear and should be clarified. The key to the Parameter Plan does also not include the Design Code principle that no more than 50% of the development area will be developed. This requirement should be reflected on the Parameter Plan as it would provide confidence that there will be sufficient space for tall tree planting across the site.

Overall Layout

Following my previous comments, the deck car park previously shown at the southeastern corner of the site has been omitted, however, the 12m high deck car park located near the southwestern end is still proposed. It is indicated outside the proposed circular road, despite the design principles in the Design Code stating: The total footprint for built form should not be more than 50% of the development area, which is to be contained by the circular road. Notwithstanding, that the detailed design and layout are only illustrative, this seems a contradiction in the design approach. The remaining deck car park is located close to the southern boundary and visible from the Vale Way. The design of this deck car park is not clear, but it has the potential to adversely affect views from the Vale Way. Visual impacts could be reduced if the deck car park was relocated closer to the entrance and northern boundary of the site and/or a sensitive design approach was adopted to minimise its impact, e.g. lowering of the building, green roof, no lighting, sensitive material choices, the use of climbers or similar.

Design Code

Further observations relating to the Design Code:

- Design Principles - Landscape: As outlined above I agree and welcome the provision of a central linear park and other green buffers and links, but these will need to comprise tall tree planting rather than the super bloom treatment. The drawing shown for this design principle does also not show the recent change of the additional peripheral buffer.
- Design Principles – Parking: As per my comments above, this plan shows the deck car park to be located outside the circular road and the development area. I remain concerned about the impact of this building in views from the Vale Way and the Folly Hill, especially if it was built at the maximum height and if it was

open deck. The relocation of the deck car park closer to the entrance to the site and/or a sensitive design approach should be considered.

- Design Principles - Lighting: the intention for a sensitive lighting design is welcomed. As per my previous comments, lighting considerations should be integral to the design, e.g. by limiting windows on the outward-facing elevations. A lighting condition will be required should the development be approved.
- Design Principles – Massing / site: the latest iteration of the Design Code includes additional information on roof materials including references to green roofs, the use of which is supported in landscape and visual terms. However, I don't consider the subtle falls in the roof to be effective in breaking up massing or offering sufficient variation of the roofscape as suggested. Additional measures will be required, e.g. variation in the roofscape, different roof treatments (including green roofs) in combination with sufficient structural tree planting within the site. The roof design could be dealt with via a condition should the development be approved.
- Design Principles – Building elevations: Despite the development not being located within the NWD National Landscape it is recommended that the NWDNL guidance on colour Guidance on the selection and use of colour in development: survey is used when developing the detailed design at Reserved Matters stage. This will assist in choosing materials and colours that allow the development to blend into the surrounding landscape should the development be approved.

In summary:

My previous comments and requests have been addressed in parts.

The latest change to the Parameter Plan shows a peripheral buffer next to the ecological buffer and swale, which is welcomed, however, it does not show any other key green infrastructure elements outlined in the Design Code and Illustrative Masterplan such as the central linear park and western open space. It is also not yet fully understood how much of the peripheral buffer can effectively be used for tree planting.

The Parameter Plan does also not include the requested detail on building parameters, nor does it reflect the design principle that no more than a maximum of 50% of the development area will be developed.

The latest revision includes the omission of one of the two decked car parks from the southern boundary, but the second one is still proposed and remains visible from the Vale Way. It is suggested that the remaining deck car park is either omitted or relocated closer to the northern site boundary and site entrance. A sensitive design approach will also be required should it be retained.

With all matters except access being reserved, and the acceptability of the scheme in landscape and visual terms being dependent on the development providing sufficient space for landscaping and tree planting, I remain concerned that the Parameter Plan does not include all the requested information.

As per my previous comments, I believe that the development could on balance be acceptable in landscape policy terms if the following key principles of the Design Code can be adequately secured as part of this application:

- maximum 12m building height,
- no more than a maximum 50% of the developable area being developed,
- key green infrastructure areas to provide sufficient space for tall tree planting, i.e. a peripheral landscape buffer, the linear central park, the western open space and any other key GI corridors between the buildings shown in the design code.

As approval of the Parameter Plan is being sought as part of this application, I recommend that these key design principles are reflected on the Parameter Plan.

In addition, a number of conditions relating to detailed design, roof design, lighting and landscape management will also be required should the development be approved.

Fifth Response

166. On balance, the development can be made acceptable in landscape and visual terms subject to some issues being addressed prior to determination. A more substantial scheme of mitigation tree planting is needed and a revision to the parameter plan to reflect the suggestion in the Design Code that no more than 50% of the Development Area would be developed. Conditions are required on roof design and lighting.
167. The flexible outline planning application creates uncertainty and makes making a judgement on landscape and visual impact difficult. The amendment to a 12-metre maximum height is an improvement. However, the development would still exceed the quarry edge. Screening will be less effective in winter. The sensitive view from Folly Hill remains open. Roof must be designed in a way to minimise impacts, for example green roofs and non-reflective solar panels. Additional planting would further break up this view. Suggest the car parks should be re-designed to remove the open top deck, as parked cars are very reflective. A substantial integrated landscape scheme of trees and hedgerows is required. The Illustrative Masterplan currently shows no space for tree planting between the ecological buffer and the development area. Concerned that the parameter plan shows the developable area to comprise the whole quarry floor.

The updated Design Statement states that a maximum of 50% of this area would be built on, but this should be reflected in the Parameter Plan, or this should be conditioned. A detailed lighting scheme is required, this could be conditioned.

Fourth Response

168. Objection. The latest iteration does not appear to change the scale, bulk and appearance of the development in the landscape and views and as such previous comments and recommendations still apply. It is not easy to see what has changed on the revised plans. The response to landscape matters document refers to additional mitigation planting, but this cannot be seen on the submitted plan. There are few differences between the submitted and amended visualisations. The Parameter Plan has not been revised, so previous comments and concerns regarding this continue to apply.

Third Response

169. Objection. The application seeks approval for the principle of the development and its height, scale and massing, which is of key concern in landscape and visual terms. The Parameter Plan shows buildings could be placed across much of the quarry floor. Whilst much of the information is illustrative. Details have been put forward to allow an assessment in landscape and visual terms. The depth of the quarry is not 8m but varies from 3m to 8m. Therefore, the development could exceed the quarry edge by 12m in places, despite the reduced height. Landscaping is proposed within the quarry, rather than on the edge where it would be most effective.
170. Based on the information provided, the proposed development is too large in scale, bulk and height for this location, and would cause unacceptable adverse effects on the local landscape character and selected public views. With the parameters of quantum, scale and height set as part of this application I do not believe that effects on landscape character and views can be successfully overcome at reserved matters stage through detailed design choices.
171. Previous comments still apply. The development is in conflict with local planning policy in particular VLP 2031 policies 37 (Design & Local Distinctiveness) and core policy 44 (Landscape), and Faringdon Neighbourhood Plan policies 4.5 b) and 4.7 e).

Second Response

172. The outline nature of the application is a concern, because the acceptability in landscape terms is dependant on the height, scale, bulk and design of the buildings and associated landscaping. The reduction in maximum building heights would reduce the impact of the scheme, but it would still exceed the quarry edge and be clearly visible from rights of way and Folly Tower. The large

building blocks and roofscapes would be at odds with the surrounding landscape character adjacent to the edge of town. Changes do not go far enough to materially change the impact of the scheme on the landscape character and views. Previous comments still apply. The scheme does not meet local planning policy requirements.

First Response

173. Objection. Consider the proposed development to be too large in scale, bulk and height, and to be of inappropriate design for this location, causing unacceptable adverse effects on the local landscape character and public views. Consider some of the impacts on local landscape character and visual receptors to be understated by the Landscape and Visual Appraisal.
174. The 25 metre buildings will exceed the edge of the quarry (8 metres) and the surrounding vegetation, and will be visible in views. The large scale, massing, bulk, height and appearance of the development is unlike anything in the area and does not reflect local characteristics or responds positively to its surrounds. The proposed mitigation measures are not sufficient in reducing the impact of the development on landscape character and views as many of these measures are 'internal' to the scheme. Whilst rock faces would be retained, their context would fundamentally change in character. The viewing corridor retains a narrow sight line to Folly Hill, but would fundamentally change the experience of this view.
175. The development would fundamentally change and significantly affect the nature and expanse of views from a number of public vantage points. It would 'jump' the A420, which currently forms an effective southern edge to the expansion of Faringdon and introduce large incongruous built-form into the countryside affecting the setting of Faringdon.
176. The proposal would introduce lighting to a dark, rural location, which would further add to landscape and visual impacts. Some proposed measures to control lighting would be difficult to control, for example the use of internal blinds. Noise and motion would be introduced to the site by the development and traffic. Concerned about a safe crossing point for rights of way users to cross the A420.

OCC Tree Officer

Final Response

177. No additional comments, previous comments still apply.

Fifth Response

178. No additional comments, previous comments still apply.

Fourth Response

179. No additional comments, previous comments still apply.

Third Response

180. The number of trees to be removed adjacent to the access is significant and a comprehensive landscaping plant will be required to mitigate the loss of these trees, with tree planting throughout the site. A landscape management plan to ensure planting successfully establishes will also be required. As this application is outline, this will need to be considered in detail at the reserved matters stage and/or suitable conditions attached to ensure mitigation planting is secured.
181. The Arboricultural Impact Assessment and Tree Protection Plan have been revised as requested, although the Tree Schedule should be further revised to remove the statement that it is likely that ash trees would development Chalara dieback.

Second Response

182. Object. In its current form, the proposal is contrary to the Tree Policy for Oxfordshire and VLP policy CP44. The trees to be removed to the west of the access should be surveyed and assessed individually in order to make an accurate assessment of the number of trees to be removed. The justification for downgrading the quality of trees is not satisfactory. Further justification is needed to demonstrate the proposed works to the access is necessary and there is no alternative option that would allow these trees to be retained, given the existing access to the site. If permission is granted, a condition is required to secure an updated Arboricultural Method Statement and Tree Protection Plan. A landscaping condition would also be needed to secure planting to help mitigate for the trees lost.

First Response

183. Holding Objection. Although a tree survey has been submitted, no Arboricultural Impact Assessment has been provided. Therefore, it has not been possible to assess the impact of the development on highway trees. The proposed changes to the access have the potential to have very significant arboricultural impacts and involve the removal of a large number of trees. The applicant should be aware of the Tree Policy for Oxfordshire.

Annex 4 - Representations

1. A total of 243 third-party representations were received during the initial consultation. Nine of these were in support, three were in partial support and the rest were objections. 93 representations were received during the second consultation, of which five were in support and the rest were objections. 36 representations were received during the third consultation, of which five were in support and the rest were objections. The issues raised are summarised below. 8 representations were received following the end of the third consultation. 30 representations were received during the fourth consultation. 16 representations were received during the fifth consultation period, of which one was in support and fifteen in objection. 8 representations were received during the sixth consultation period of which one was in support and 7 in objection. 15 representations were received during the seventh consultation period of which one was in support and 14 in objection. Five representations were received during the eighth consultation period which were all in objection to the application. Four representations were received during the ninth consultation period of which one was in support and three in objection. The consultation letters for the subsequent consultations made it clear that people only needed to make further representations if they had additional comments on the amended proposals or further information. If comments were unchanged there was no need to write in again as they would be taken into account.

2. Traffic and Highways

- A420 and surrounding roads are at capacity and cannot take any more traffic.
- Concerns about safety of the access, vehicles heading to Oxford or Faringdon would need to turn right.
- Concerns about additional traffic on the A420 causing congestion.
- Safety concerns regarding additional traffic on the A420, including roundabout by Wicklesham and Great Coxwell junction.
- Proposals for workers to cross A420 are inadequate.
- A bridge over the A420 is needed.
- A420 carriageway should be widened.
- Toucan crossing connects with a non-existent cycle path into Faringdon.
- Any increase in traffic in this location would be significantly detrimental.
- Concern about traffic safety given proximity of schools.
- Concerned about the safety of the proposed pedestrian crossing close to roundabout.
- Traffic disruption will affect residents and visitors.
- Concerned about access to the site off A420 being so close to the existing roundabout.
- Proposed toucan crossing not adequate for cyclists, given slopes of embankment.
- Safety of access
- Might cause drivers to divert off the A420 through Faringdon, or other rat running of minor local roads

- Impacts on road through Fernham, Longcot, Shellingford villages when A420 closed.

3. *Officer Response: The traffic and highways impact of the proposal have been carefully considered by OCC as Highways Authority who have no objection.*

4. Suitability of Site

- Not suitable for industrial development
- Site is agricultural, not brown field
- Fertile farming land that should not be lost
- Site designated for agricultural use following quarrying
- Loss of fertile farmland
- A brownfield site should be used instead
- Too close to schools and residential areas
- Outside Faringdon's development boundary, Faringdon should not spread over A420
- Conflicts with the Local Plan
- Faringdon is not suitable for this type of development.
- Site is not allocated for employment use in the VOWH Local Plan, it was rejected by VOWH for this purpose
- Development would merge Little Coxwell into Faringdon
- Located within Great Western Community Forest.

5. *Officer Response: The policy position in relation to the site location is addressed in the main report. The site has been restored to agriculture as required by the quarry permission and now has green field status.*

6. Impacts on Quarry SSSI

- Will damage/destroy irreplaceable geology below the ground surface

7. *Officer Response: The application seeks to preserve the geological features. Following the comments received during the initial consultation period, a Geological Site Management Plan was submitted with the amended application, to provide further details of this. There has been no objection from Natural England.*

8. Concerns about data centre

- Requires lots of water
- Releases chemicals into drainage systems
- Concerned data centre use remains concealed amongst the listed use classes
- Potential spillage of toxic chemicals
- Impacts on power supply
- Black particulate air pollution

9. *Officer Response: No data centre is proposed. This is understood to relate to a previous version of the application submitted to the District Council for determination.*

10. Impacts on biodiversity

- Will destroy a CTA
- Will destroy habitat
- Two ponds created as part of the quarry restoration provide habitat for great crested newts
- Note that the PEA states there are no GCNs but there won't ever be if this goes ahead
- Concern about light pollution on ecology

11. *Officer Response: Biodiversity is considered in detail in the main report. The OCC Ecologist has carefully considered all the issues and does not object to the proposals.*

12. Impacts on landscape

- Will dominate views
- Buildings much higher than quarry walls
- Would block existing views of ancient countryside
- Scale is too big
- Would be visible from the Folly, White Horse Hill, Badbury Hill, The Old Barn, Ridgeway,
- Destruction of green space
- Proposed landscaping measures are tokenistic
- Impacts on setting of AONB
- Concern about lighting

13. *Officer Response: The application was amended to reduce maximum building heights in order to address these concerns raised during the first consultation. Landscape impacts are addressed in the main report. The OCC Landscape Officer has still concerns about the scale, bulk and appearance of the development that should be weighed into the planning balance when making a decision.*

14. Proposals not suitable

- Buildings too high and imposing.
- Multi-storey car parks too visible
- Multi-storey parking show that this would not be local employment
- Excessive parking provision will lead to emissions.
- Not enough detail about what is proposed.
- Scale of development too large for the area
- Does not accord with National Design Guide
- B8 uses should be excluded.

15. *Officer Response: The proposals were amended following the first consultation to address concerns that the buildings were too high. As this is an*

outline application, detail has not been provided at this stage about the building design, layout and materials.

16. Impacts on Faringdon and local area

- Utilities and infrastructure will become overloaded due to number of people.
- Employees relocating to Faringdon would put pressure on housing capacity and amenities, make town more expensive.
- Farmland is a useful natural drainage area.
- Would lead to ribbon development with further development in the adjacent quarry once worked.
- Alternative uses are needed more – a lake, nature reserve, education centre
- Would turn a market town into an industrial estate/ car park/ another Milton Keynes
- Concerned of precedent set by developing built extent of Faringdon south of the A420
- Loss of local green spaces and impact on mental health
- Little local benefit
- Amenity impacts on small, rural villages

17. *Officer Response: The principle of employment use on this site has been accepted through the identification of the site in the Faringdon Neighbourhood Plan.*

18. Environmental Impact

- Concerned about air quality
- Noise from additional traffic
- Concerned about dust
- Absence of a lighting strategy
- Climate impacts

19. *Officer Response: There has not been an objection from the Environmental Health Officer, although more detail would be required by condition for noise and dust assessments based on the final details, and also for a lighting plan. Climate impacts are addressed in the main report.*

20. Impact on Nearby Properties

- Don't want rural setting to change
- Noise from cars, labs, air conditioning

21. *Officer Response: There has been no objection from the Environmental Health Officer in terms of direct impacts on specific properties. More detailed assessments will be required once full details of the design and layout are known.*

22. Recreation

- Impacts on bridleway and footpaths which are well used by walkers and runners

23. *Officer Response: Existing rights of way would remain open for the public to use. There are none within the site itself.*

24. Employment use

- Will not benefit the local population, amount of car parking shows employees would travel from elsewhere
- Additional office space is not required, site on Park Road with outline permission remains a vacant eyesore
- Wicklesham Lodge Farm offers offices unobtrusively in rural setting
- Market demand evidence is not accurate, as Faringdon is not within the Oxford-Cambridge- London golden triangle
- Not within the Science Vale area – conflict with VLP2 15B

25. *Officer Response: The development of this site for employment use has been accepted in principle by the FNP.*

26. Planning Process

- Faringdon Neighbourhood Plan requires any proposals at this site ensure a sensitive relationship between the quarry restoration conditions and the development, this has not been achieved.
- EIA should have been required
- Quarry permission required the site to be returned to agriculture
- Residents were not consulted on the proposal
- Site has previously been ruled against by court order
- Conflict with local plan policies
- Concerned that application is being determined by OCC not VOWH
- Quarry was only consented on the basis that it would be returned to agriculture
- Development of an SSSI is unlawful
- Outline planning process does not allow proper consideration
- Neighbourhood Plan is out of date
- Insufficient engagement with local communities
- Concern about the use of outline application to seek a decision before full details are available

27. *Officer Response: The correct planning process has been followed. The proposal is assessed against development plan policy in the main report.*

28. Support

- Local residents voted for development of this land for business use
- New employment is needed in Faringdon due to increase in population

- Climate benefits to reducing commuting time
- Support the principle, but concerned about building height
- Support principle, but concerned about traffic and junction safety
- Would put Faringdon on the map – cutting edge life sciences
- The quarry being at the lower level reduces impact of buildings
- Would bring visitors to Faringdon and help shops
- Support but understand reservations and believe design issues can be ironed out through consultation and conditions
- Better hidden than some other recent development and more beneficial for the town.
- The development would not affect rock faces
- Site would be a stagnant lake without development
- Letter from a commercial property consultant confirming the demand for employment sites such as this

Representations specific to the second (June 2024) Consultation

29. Many of the points raised in the second consultation re-iterated comments that had been received during the first consultation. These are addressed above. Representations received that were specific to the second consultation on the amended documents have been summarised below.

30. Highways

- Concerned that a bridge is still not being proposed – considered essential
- Suggest existing roundabout access is used instead
- Concern about impacts on users of the Wicklesham Farm access (e.g. residents)
- Not clear how pedestrian crossing would link to existing path through Oriel Gardens
- Additional A420 crossing point needed for Sandhill to Wicklesham ROW
- Increase in time to get out of Fernham turning due to congestion
- No bus stops serve the site well
- Problems at the roundabout due to no right turn into the site from the A420 could encourage rat running through the town centre

31. *Officer Response: Oxfordshire Transport Development Management do not object to the application and are satisfied that the proposal would not give rise to unacceptable impacts in terms of highway safety or capacity.*

32. Location

- Building here will prevent the A420 being dualled in future.
- SSSI should be protected – designated affects whole site not just the walls, concerned about below the ground
- Wildlife should be protected – within a conservation target area
- Loss of amenity land, footpaths are in regular use

- Foot of the Ridgeway
- This type of development should be in Swindon, not the open countryside.
- Next to an active quarry – unsuitable for proposed use
- This type of development should be on brownfield land.

33. *Officer Response: Following quarrying and restoration, the site has green field status. However, this does not necessarily mean that development is unacceptable, and it is identified in the FNP for employment use.*

34. Landscape

- Impact on rural landscape character and views

35. *Officer Response: Landscape remained a key area of concern during subsequent consultations, despite the reduction in building height. This is addressed in the main report.*

36. Support

- Economic benefits to Faringdon
- There is strong demand for this type of site
- Site is well located as it has proximity to Oxford without the constraints on electrical power supply in the Oxford area
- Site allocated in the FNP

Representations specific to the third (September 2024) Consultation

37. Many of the points raised in the third consultation re-iterated comments that had been received during the earlier consultations, which have been addressed above. Representations received that were specific to the third consultation are summarised below.

38. Height and Visual Impact

- Despite reduction in height, the buildings will still be visible above the quarry walls

Officer comment – Landscape impacts are addressed in the report.

39. Planning Policy

- Contrary to OMWCS policy M10
- FNP is out of date, there has been no review since 2016
- FNP must be disregarded if the application is a County Matter
- High Court ruled that FNP is in conflict with the Vale Local Plan

Officer comment – Relevant planning policies are fully addressed in the report. The site was adequately restored following the quarrying use and the application would not be a County Matter if submitted now and therefore the OMWCS policies are not considered relevant. Legal advice from OCC solicitors has confirmed that, taking into account the High Court decision, the FNP is lawful and forms part of the development plan. Whilst the judge did criticise some aspects of the process, the decision was that whilst there was some internal conflict and legal errors made, these were not so significant as to undermine the legality of the decision.

40. Geology/SSSI

- Proposed buffer zone for SSSI is inadequate as whole quarry is designated.
- Development would prevent access to quarry floor
- At least some of the site should be preserved for study
- Very important area

Officer comment – This is addressed in the main report. Natural England have statutory responsibility for the SSSI and do not object.

41. Other comments

- The site should be made into a public park
- Reduction in height does not address the keys issues of location and scale
- Should be located in Swindon
- Red line area does not include the land needed for the crossing and pedestrian link
- Inadequate demonstration of the need for the development
- Negative impacts on existing employment sites
- Ponds on site were deliberately destroyed and provided GCN habitat
- Site would not be attractive to large employers as it is too remote
- Given the failure to satisfy the Town Council the application should be refused
- Updated transport documents fail to demonstrate proposal is acceptable in respect to highways

Officer comment – The Town Council did not object to this application during the third consultation. The application that has been submitted must be determined on its merits, it cannot be assessed against hypothetical other proposal types or locations which are not being proposed. OCC Transport Development Management have confirmed that it is not a problem that some of the proposed highways works fall outside of the red line area, as these can be secured by Section 278.

42. Support

- Potential alternative uses would have greater impacts

- Scheme is exactly what the UK needs to address its lack of lab space
- Would help other businesses and retail in Faringdon

Representations received after the end of the third consultation

43. Eight further comments of objection on the application were received after the end of the third formal consultation periods, but before the application was amended and sent out to a fourth formal consultation period. These are summarised below:

- Disagree with OCC Ecologist comments as the ecology of the former quarry is linked to the aquifer and the site provides breeding and terrestrial habitats for newts and the site is in a Conservation Target Area
- Further formal consultation should be held on additional documents submitted since the end of the last consultation

44. *Officer Response: The OCC Ecologist has seen these comments and confirmed that nothing new had been raised that changed his comments on the application. He stated that the proposed scheme would remove all agricultural areas, which is not a habitat in line with CTA objectives and introduce habitats which are in line with CTA objectives. He stated that the area of the site to be developed has negligible suitability to support GCNs. There are some areas which may be suitable in other parts of the site, and the proposed measures for dealing with this (suite clearance under an ecological method statement) are considered acceptable. The pond did fill up during a flooding event, and updated ecological assessment required by condition will ensure that this is dealt with appropriately.*

45. *There is no requirement for further formal consultation on documents submitted to address queries raised by specific technical consultees.*

Representations received during the fourth consultation

46. Thirty representations were received during the fourth consultation all in objection to the application. These comments largely repeated previous objections raised rather than specifically commenting on the reduced maximum building height and floorspace, although some confirmed that their fundamental objections remained regardless of the reduction in the scale of the proposed development. The main concerns raised are listed below:

- Building on green space
- Landscape impact
- Traffic – congestion and safety
- Noise
- Too large a scale for Faringdon
- Impacts on biodiversity
- Impacts on geodiversity and SSSI, including on the quarry floor

- Climate impacts
- Faringdon Neighbourhood Plan does not comply with Vale Local Plan
- There are more suitable sites available for employment use
- After outline permission is secured, the nature of the scheme will change. Section 106 should be used to secure the exact uses proposed
- Discrepancies in application documents; height of parking deck inconsistency and CIL form references data centre that has been removed from application
- Impacts on tourism
- Quarry has an 'aquifer-fed fluctuating water body' which is a priority habitat, supporting rare species
- Photos provided claiming to show Great Crested Newts near the site
- Contrary to policies protecting agricultural land and soils, as 45% of the site is graded 3a

47. *Officer Response – The report considers the proposals against relevant policies and addresses the topics of concern. In relation to the comments raised in relation to ecology, the OCC Biodiversity Officer had considered these and confirmed that they do not change his advice. He stated that no evidence has been provided to suggest that the water bodies on site meet the definition of aquifer fed naturally fluctuating waterbodies. He re-iterated that the site is largely unsuitable for Great Crested Newts and a condition for an updated ecological assessment based on the final design is sufficient. GCN surveys may be required at that point, if conditions have changed. The majority of the newts in the photos are smooth newts and there is no evidence of location.*

Representations received during the fifth consultation

48. Fifteen representations were received during the fifth consultation, one in support and fourteen objecting. These largely repeated concerns raised during earlier consultations, rather than focussing on the revisions to the landscaping which were the subject of the consultation. Points raised included impacts on ecology, the SSSI, traffic congestion, the loss of Faringdon's character through expansion, loss of agricultural land, inaccuracies in the application documents including concerns that there would be a greater number of employees than suggested in the traffic modelling. Representations also questioned the legal position of the Faringdon Neighbourhood Plan policy identifying this site for employment use due to conflicts with the Local Plan, which has been reviewed more recently and that the development is not and cannot be sustainable development in accordance with the NPPF High Court judgement and Local Plan Policy. These points are addressed elsewhere in this report.

49. The one representation in favour stated that Faringdon needs jobs locally and economic growth.

Representations received during the sixth consultation

50. Twelve representations were received during the sixth consultation, two in support and ten objecting. No new issues were raised, objections emphasised the inappropriateness of the development in this location and that there are brownfield sites not far away that should instead be used for this type of development, the adverse impact on Little Coxwell, the impact on the SSSI and the ecology of the application site and the unsuitability of the A420 for the associated traffic in terms of highway safety. Those in support emphasised the economic benefits to Faringdon including the provision of employment.

Representations received during the seventh consultation

51. Fifteen representations were received during the seventh consultation, one in support and fourteen objecting. Objections included the position that the VOWH has never supported the identification of the site for employment development in its Local Plan. The VOWH Local Plan is the more recent development plan which does not designate the site for any development, showing the SSSI and that policy 4.5B of the Faringdon Neighbourhood Plan is therefore superseded. The High Court found the Faringdon Neighbourhood Plan to be unlawful. There is other employment land available in Faringdon. There is no demonstrable need including through increased population over the last 25 years and types of employment in Faringdon for the development and the Town Council should revisit the evidence base for the Neighbourhood Plan. The inappropriateness of the development in this location including the adverse landscape impact. There are brownfield sites not far away that should instead be used for this type of development. The adverse heritage impact including the setting of Lord Berner's Folly. The impact on the SSSI and the ecology of the application site. The impact on the amenity of local residents particularly those at Wicklesham Farm. The unsuitability of the A420 for the associated traffic in terms of highway safety and the increased congestion that would arise from the development. That in support emphasised the economic benefits to Faringdon including the provision of local employment.

Representations received during the eighth consultation

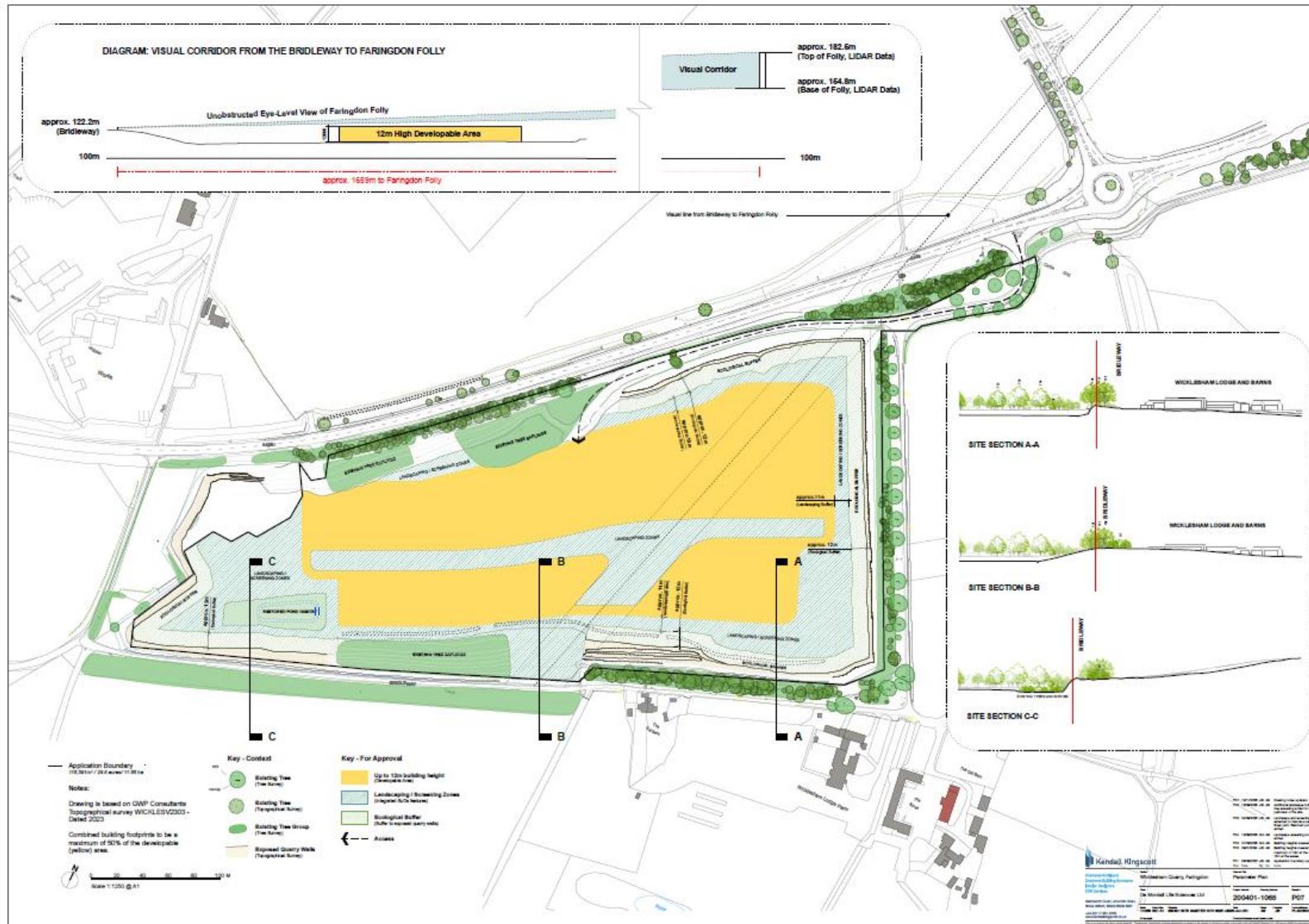
52. Five representations were received during the eighth consultation, all objecting to the application. Objections included strong opposition to any development on the site south of the A420. Calls for the land to be returned to farmland rather than used for industrial purposes. The site is highly significant for biodiversity and geodiversity, forming part of the West Oxfordshire Heights Conservation Target Area and designated as a Site of Special Scientific Interest (SSSI) - Wicklesham Quarry SSSI noted as globally unique for scientific research (Faringdon Sponge Gravels). Conflict with local and national conservation aims and strategic policies. The presence of over 30 Priority Species, including legally protected species and birds on DEFRA's Red and Amber lists. Strategic value for conservation highlighted in local and national policy. Failure to carry out required Protected Species Surveys and submit biodiversity reports. Concerns about qualifications of the applicant's ecologist and adequacy of ecological assessments. Criticism of Oxfordshire County Council for not enforcing validation requirements. Conflict with policies including VLP1 Core Policy 46, National Planning Policy Framework and

Conservation of Species Regulations 2017 and emphasis on refusal of permission where significant harm cannot be avoided or mitigated. Applicant accused of attempting to avoid accountability for biodiversity impacts. Concerns about officers' advice being based on assumptions rather than policy. Development described as an unplanned, major urban extension causing irreparable damage to biodiversity and geodiversity. Frustration over prolonged application process and perceived waste of council resources. All representations objected to the proposed development, citing irreparable harm to biodiversity and geodiversity, non-compliance with planning and conservation policies, inadequate ecological assessment, and the unique scientific and environmental value of the site. Respondents assert that no amendments or revisions could make the development acceptable.

Representations received during the ninth consultation

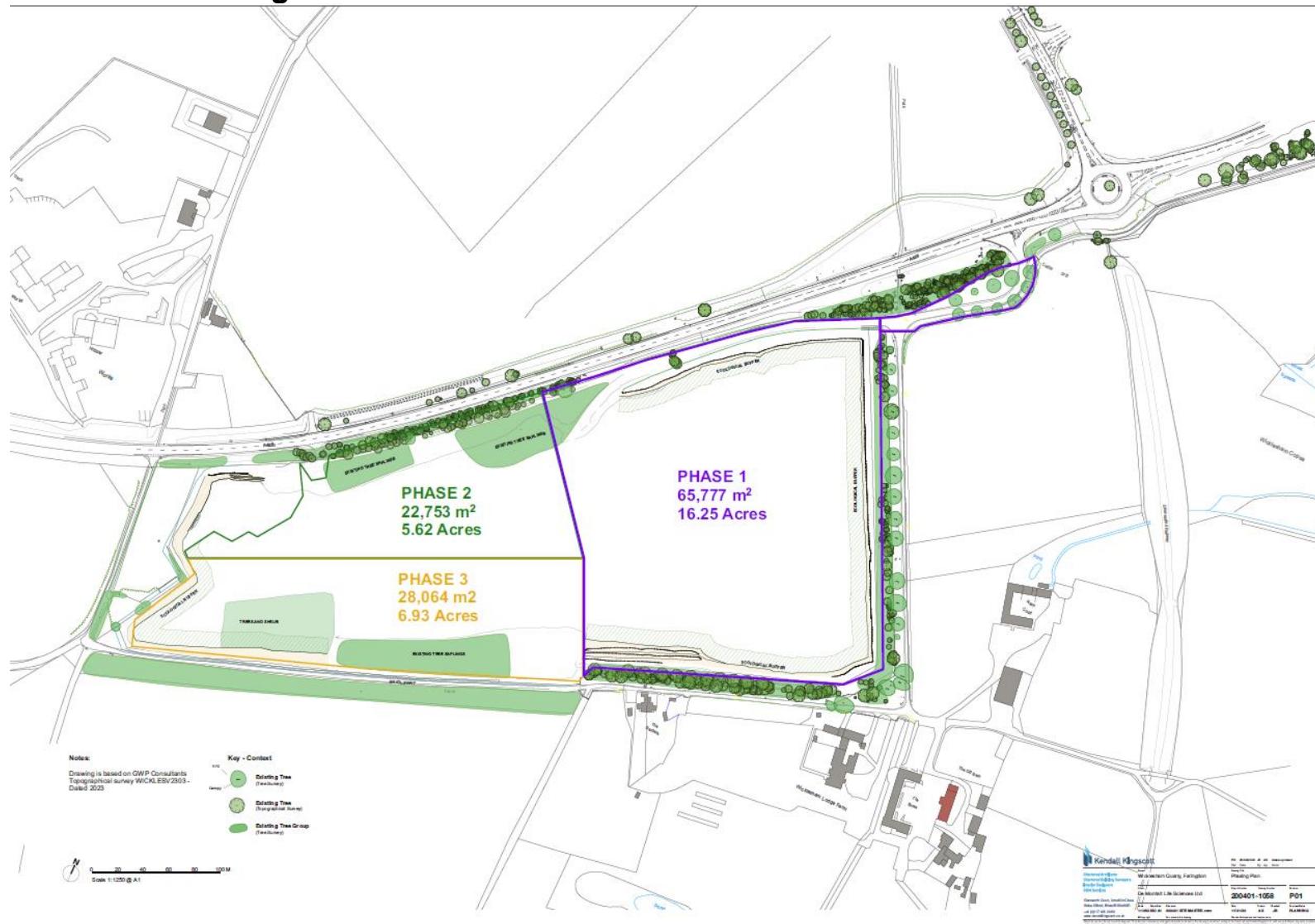
53. Four representations were received during the ninth consultation, three in objection and one in support of the application. That in support was in relation to job creation and local business. Objections included concerns about viability and access by alternative means of transport - the impracticality of walking/cycling and dangerous bus access even with a footbridge. Suspicion that the scheme might enable residential development on Wicklesham Farm land under the guise of housing for campus staff. Biodiversity and SSSI Status - concerns about destruction of habitats, impact on rare species, and loss of scientific value due to proposed changes like building up the quarry base. Over 30 Priority Species and numerous endangered birds present at the site. Contravention of Planning Rules – the site is outside the Faringdon development area, not allocated in the VOWH Local Plan, supposed to be restored to agriculture, not a brownfield site, and lies within a conservation area. Allegations of Illegality – the proposal is illegal and contrary to national planning policy guidance. Frustration over lengthy process and perceived willingness of planning officers to allow repeated revisions, wasting council resources. Call for Decisive Rejection - the council should reject the application entirely and no amendments could make the development suitable due to irreparable harm.

Annex 5 – Site Parameter Plan



Annex 6 – Phasing Plan

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Annex 7 - European Protected Species

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

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

The recommendation:

Your officers consider that sufficient information has been submitted with the application which demonstrates that measures can be introduced which would ensure that an offence is avoided. The application is therefore not considered to have an adverse impact upon protected species provided that the stated mitigation measures are implemented.

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Division Affected – Kennington and Radley

PLANNING AND REGULATION COMMITTEE

19th January 2026

Application for determination of the conditions to which a planning permission is to be subject (Permission numbers DD1 and DD2)

Report by Planning Development Manager

Contact Officer: David Periam

Location: Land at Thrupp Farm, Radley, Abingdon, Oxfordshire Grid
Ref: SU 51539 97065

OCC Application No: MW.0041/23

VOWH Application No: P23/V0630/CM

District Council Area: Vale of White Horse

Applicant: H Tuckwell and Sons Ltd

Application Received: 22nd February 2023

Consultation Periods:
23rd March 2023 – 24th April 2023
15th August 2024 – 15th September 2024
6th March 2025 – 5th April 2025
26th June 2025 – 26th July 2025

Contents

Part 1- Facts and Background

Part 2 – Other Viewpoints

Part 3 – Relevant Planning Documents

Part 4 – Assessment and Conclusions

PART 1- FACTS AND BACKGROUND

Location (see site plan Figure 1)

1. The site is on the eastern outskirts of Abingdon, approximately 1km (0.6miles) south west of Radley village but within Radley Parish. The submission is made on planning permissions DD1 and DD2 which cover the areas shown in Figure 1 below. The site in context is shown in Figure 2 below.

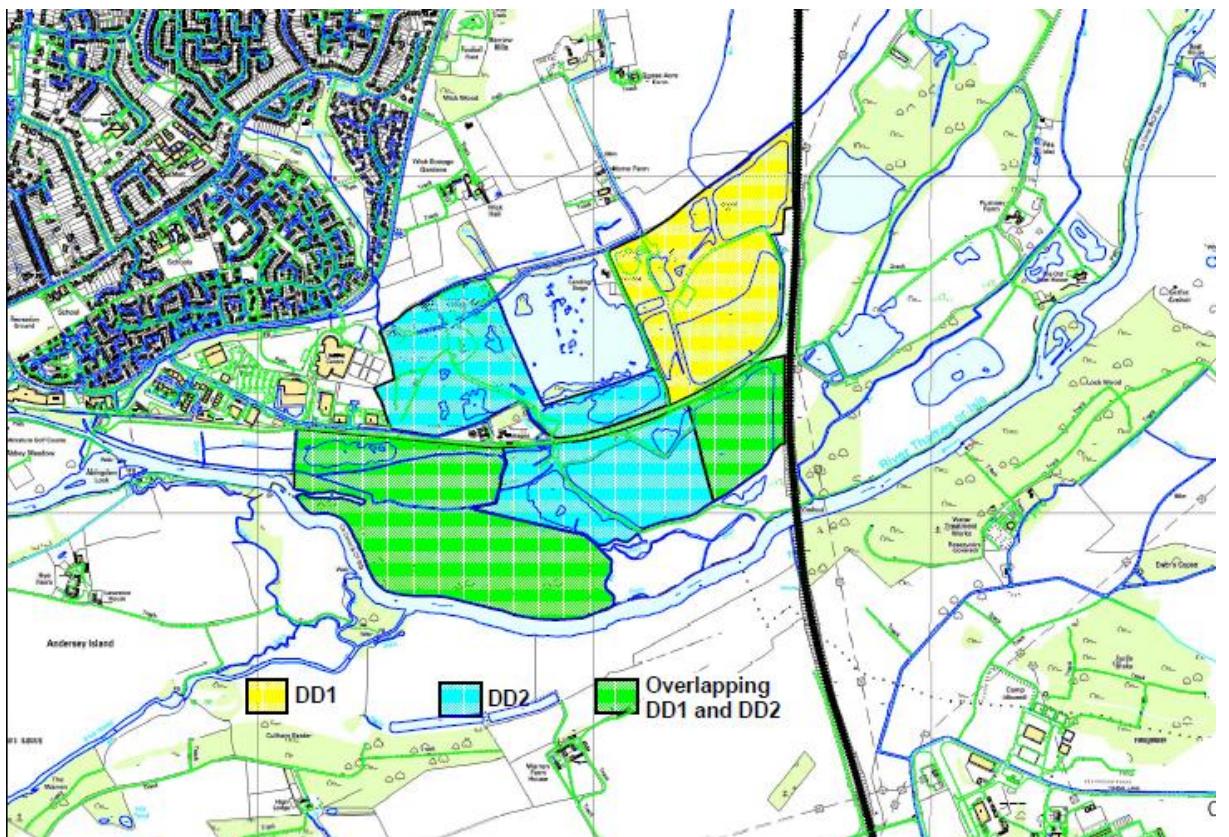


Figure 1: The Radley ROMP permissions site.

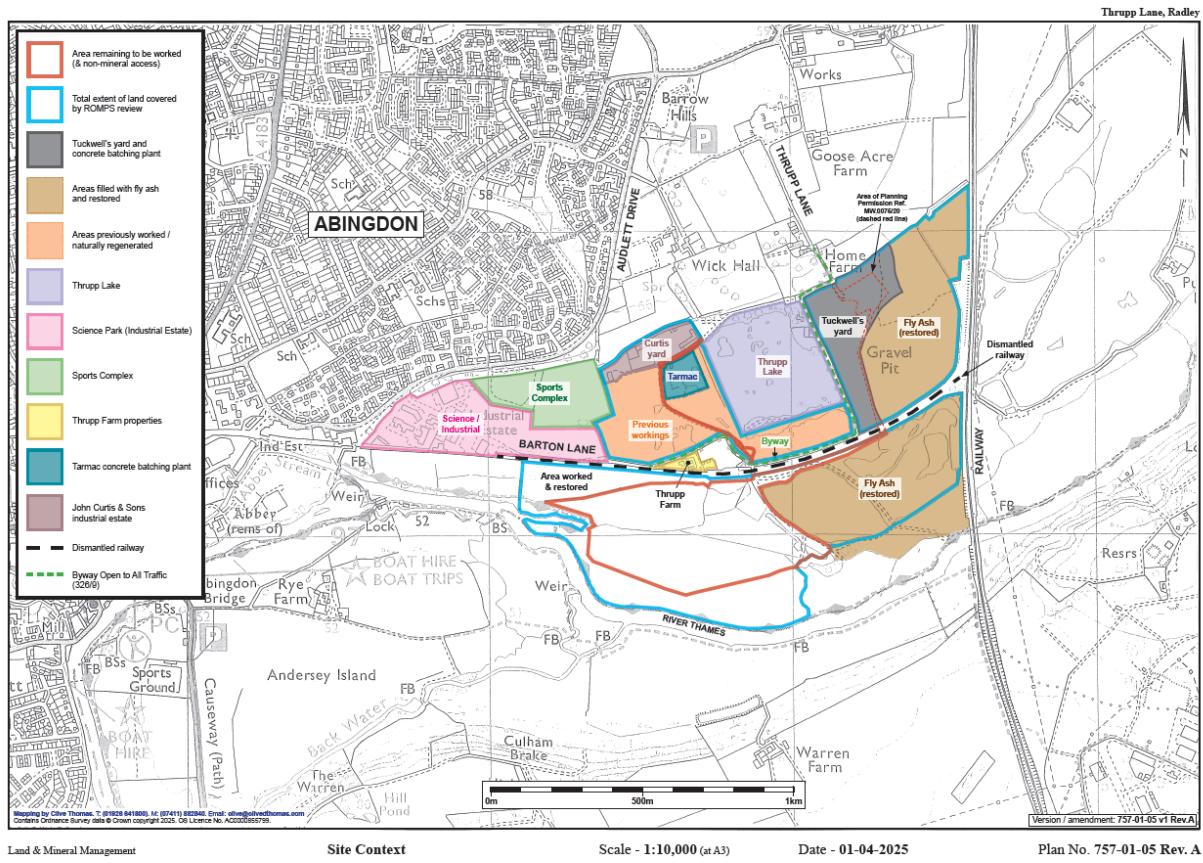


Figure 2: Site context

Site and Setting

2. The area is within the Oxford Green Belt. It is within an area of historic gravel extraction with open countryside beyond. The gravel extraction had been carried out by two companies: JS Curtis and Sons Ltd (Curtis), and H Tuckwell and Sons Ltd (Tuckwell) on two separate sites. The last active extraction was carried out in around 1995. The site has developed as an area containing a number of lakes including the southern part of the Radley Lakes, Orchard Lake (which forms part of the area proposed for further mineral extraction) and Longmead Lake (just to the north-west of the area proposed for further mineral extraction). Calfreys Marsh and Nyatt and Bruney Fields also form part of the area proposed for further mineral extraction. Two streams cross the site, Thrupp Water and Bruney Water. The area is relatively rich in a range of habitats including water bodies, wetland and woodland.
3. On the west it is bounded by the White Horse Leisure Centre and the Abingdon Science Park. On the eastern side, the site is bounded by the Oxford to Didcot Railway Line. The River Thames runs along the southern edge of the site. There is a Wetland Centre on part of the northern edge of the site; the rest is bounded by open countryside.
4. The area is accessed by two roads. Thrupp Lane is the current access to two concrete batching plants and other operations on the two former gravel extraction sites. The other access is via Barton Lane to the west, but this is not currently used. A Byway Open to All Traffic (BOAT) links Barton Lane and Thrupp Lane.

5. The nearest housing is a small group of houses including Thrupp Farm and Thrupp Cottages which are Grade II Listed historic buildings and are accessed via Barton Lane. These sit alongside the BOAT and are surrounded on all sides by the area that is the subject of this report.
6. Culham Brake Site of Special Scientific Interest lies approximately 500 metres to the south-west and the land lies within its Impact Risk Zones. The site also forms a large part of the Radley Gravel Pits Local Wildlife Site (LWS) and the Thames Radley to Oxon Conservation Target Area (CTA). Due to the ecological interest of the site it is also featured in the Oxfordshire Local Nature Strategy with a range of habitat measures.

Background

7. There is provision in law for Mineral Planning Authorities (MPA) to periodically review old mineral permissions (ROMPs) to see whether the conditions attached to the permissions provide adequate environmental control over the development such that they continue to operate to modern working practices and environmental mitigation strategies. The power to review mineral permissions is discretionary but can be carried out at any time the MPA may consider necessary provided the first review is at least 15 years after the date of the permission.
8. A ROMP is not a planning application, the premise of the development is not up for determination and the MPA cannot refuse to determine a ROMP application. The legislation governing the ROMP process is clear that the MPA cannot apply conditions that would unreasonably restrict the economic viability or asset value of the site. The Supreme Court has also recently confirmed in *CG Fry v SSHCLG [2025] UKSC 35* that a developer's legal right to develop a site crystallises when permission is first granted, and planning authorities such as the MPA cannot subsequently cut down that right without paying compensation. The statutory framework for the determination of a ROMP application set out in Schedule 14 of the Environment Act 1995 (the Act) is in line with the Supreme Court's judgment. In addition to the requirement not to unreasonably restrict the development's economic viability, paragraph 13 of Schedule 14 of the Act explains that the MPA cannot impose new or amended conditions that restrict working rights in relation to the following specific aspects of the development: size of the mineral extraction or deposition area within the site; depth of the extraction; height of any mineral deposition; extraction rates; the final cessation date of the permission; and/or total quantity of mineral to be extracted or deposited.
9. The principle of the extraction operation does not form part of the review process as it has already been established. Therefore, policies of the Development Plan which related to the principle of the development at this location are not applicable to the determination of this application.
10. There are currently two ROMP permissions permitting the extraction of sand and gravel at Radley. Both have conditions granted by deemed determination in 2000 and will be referred to as DD1 (Thrupp Lane) and DD2 (Thrupp Farm).

The areas covered by DD1 and DD2 can be seen in Figure 1 and it can be seen that there are areas where the two overlap.

11. The site (DD1 and DD2) entered into automatic suspension on 1st November 2016. A site in suspension cannot resume minerals development until such time as the relevant ROMP application and accompanying Environmental Statement has been submitted and the conditions determined although works of restoration and aftercare can still be carried out. As the site is in suspension and cannot currently be worked, the estimated one million tonnes of sand and gravel reserves is not included in the council's landbank for sand and gravel but it would be at such time as new conditions are determined.
12. The County Council previously served a Prohibition Order in 2012 on DD1 which was appealed and considered by an Inspector appointed on behalf of the Secretary of State at a Public Inquiry in 2014. The inspector did not uphold it after it was determined that there was a deemed permission from 2000 concluding that the County Council therefore had no power to make the Prohibition Order.
13. At the meeting of the Planning and Regulation Committee on 19th September 2019, a report was presented with regard to the ROMPs for DD1 and DD2. The Committee resolved that mineral working had permanently ceased and that therefore there was a duty to serve a Prohibition Order.
14. At its meeting on 7th September 2020, a further report was presented to the Planning and Regulation Committee. The Committee resolved to hold service of the Prohibition Order in abeyance pending (1) the progression and determination of application no. MW.0075/20 for processing plant, a conveyor and a Bailey Bridge for the removal of mineral extracted from part of the ROMP areas DD1 and DD2; and (2) an update from H. Tuckwell and Sons Ltd which was to be accompanied by documentary evidence of progress made with the ROMP conditions application and accompanying Environmental Statement. This update was to be provided to the meeting of the Planning and Regulation Committee on 8th March 2021. This report was duly presented to the meeting on 8th March 2021.
15. The Planning and Regulation Committee resolved on 8th March 2021 that:
 - (a) the Planning & Regulation Committee's previous conclusion from its meeting on 9th September 2019 (Minute 39/19) that mineral working on the Radley ROMP site had permanently ceased and that the duty to serve a Prohibition Order should not be rescinded but that the service of that Prohibition Order be held in abeyance pending: i) the progression and determination of application no. MW.0075/20 for processing plant, a conveyor and a Bailey Bridge for the removal of mineral extracted from part of the ROMP areas DD1 and DD2; and ii) H. Tuckwell and Sons Ltd providing an update, accompanied by documentary evidence, on progress with regard to the work on the application and Environmental Statement for the review of conditions for the ROMP areas DD1 and DD2 to the meeting of the Planning and Regulation Committee on 19th July 2021;

(b) officers be instructed to investigate whether it was possible to serve a partial Prohibition Order should it be concluded that mineral working had permanently ceased over part but not all of the ROMP areas DD1 and DD2.

16. A further report was provided to the meeting of the Planning and Regulation Committee on 6th September 2021. The Committee resolved to defer a decision to the July 2022 meeting of the Committee with the expectation being that the operator would by that time have submitted a ROMP application accompanied by an Environmental Statement for the whole of the Radley ROMP permissions area.

17. At its meeting on 18th July 2022, the Committee resolved that

a) The Planning and Regulation Committee's previous conclusion from its meeting on 9th September 2019 (Minute 39/19) that mineral working on the Radley ROMP site has permanently ceased be rescinded and that the Prohibition Order of that date but not yet served is revoked; and,

b) Officers seek to agree a date with H. Tuckwell and Sons Ltd. by which a ROMP Application will be submitted.

18. It was also resolved at the Planning and Regulation Committee's meeting on 6th September 2022 to grant planning permission to application no. MW.0075/20 for processing plant, a conveyor and a Bailey Bridge for the removal of the mineral extracted from part of the ROMP areas DD1 and DD2 subject to the completion of a section 106 Legal Agreement for the creation of a permissive path to provide a link between Thrupp Lane and the disused railway line as part of the restoration of the site. This planning permission was issued on 19th June 2025.

The Application

19. Application no. MW.0041/23 is not a planning application but rather an application for the determination of the conditions which the mineral permissions DD1 and DD2 would be subject to for the winning and working of mineral and restoration of the land. The development is Schedule 1 development further to the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs) and so the application is accompanied by an Environmental Statement. The application was submitted on 26th January 2023 and validated on 22nd February 2023. There have been four formal periods of consultation including three following the submission of further information as required by Regulation 25 of the EIA Regs.

20. The application proposes a set of conditions which permissions DD1 and DD2 would be subject to. The conditions proposed by the applicant are set out in Annex 1. Whilst the proposed conditions would apply to the whole of the planning permission areas covered by DD1 and DD2, the applicant has focused the submission on the extraction of the remaining sand and gravel reserves (estimated one million tonnes) from the area shown in red on the drawing in Figure 3 below.

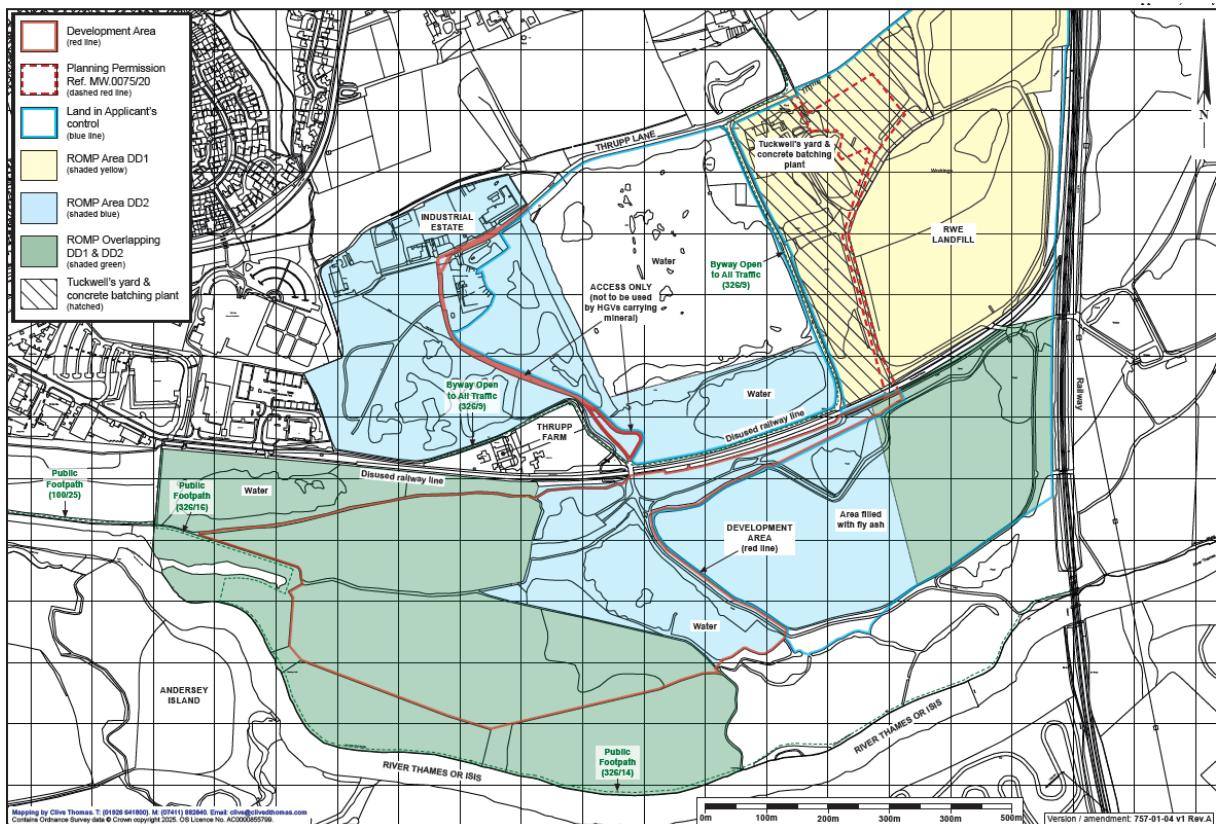


Figure 3: Area proposed for further sand and gravel extraction

21. The mineral would be subject to a phased working and restoration programme with the mineral extracted at a rate of 80,000 to 100,000 tonnes per annum. The applicant estimates that it would take ten to fifteen years to complete the extraction. The applicant expects the extraction to be completed within the 2042 end date legislated for ROMP sites (The phasing plans will be provided as part of the officer presentation to the Committee meeting). The route of the conveyor and adjacent access road from the Tuckwell's Yard would be cleared of vegetation and the soils from this route and Phase A and immediately used to construct screen bunds to the north of Phase A. To the north of the conveyor, where it is close to a public right of way, the existing vegetation would be gapped up with native scrub species to help screen the conveyor from this right of way. 16 metres width buffer zones would be provided between the screen bunds and the watercourse to the north and between the mineral extraction and the Radley Brook to the south. Working would start at the eastern end of Phase A and progress in a westerly direction. If required, to enable interim restoration, an internal 'barrier' would be built using the basal clay to broadly divide the phase into two halves. The purpose of the barrier is to allow the eastern end to be restored and to enable the shallows to be constructed 'dry'. When Phase A is completed the height of the barrier would be reduced to link the water areas. The proposed phasing plan is shown in Figure 4 below.

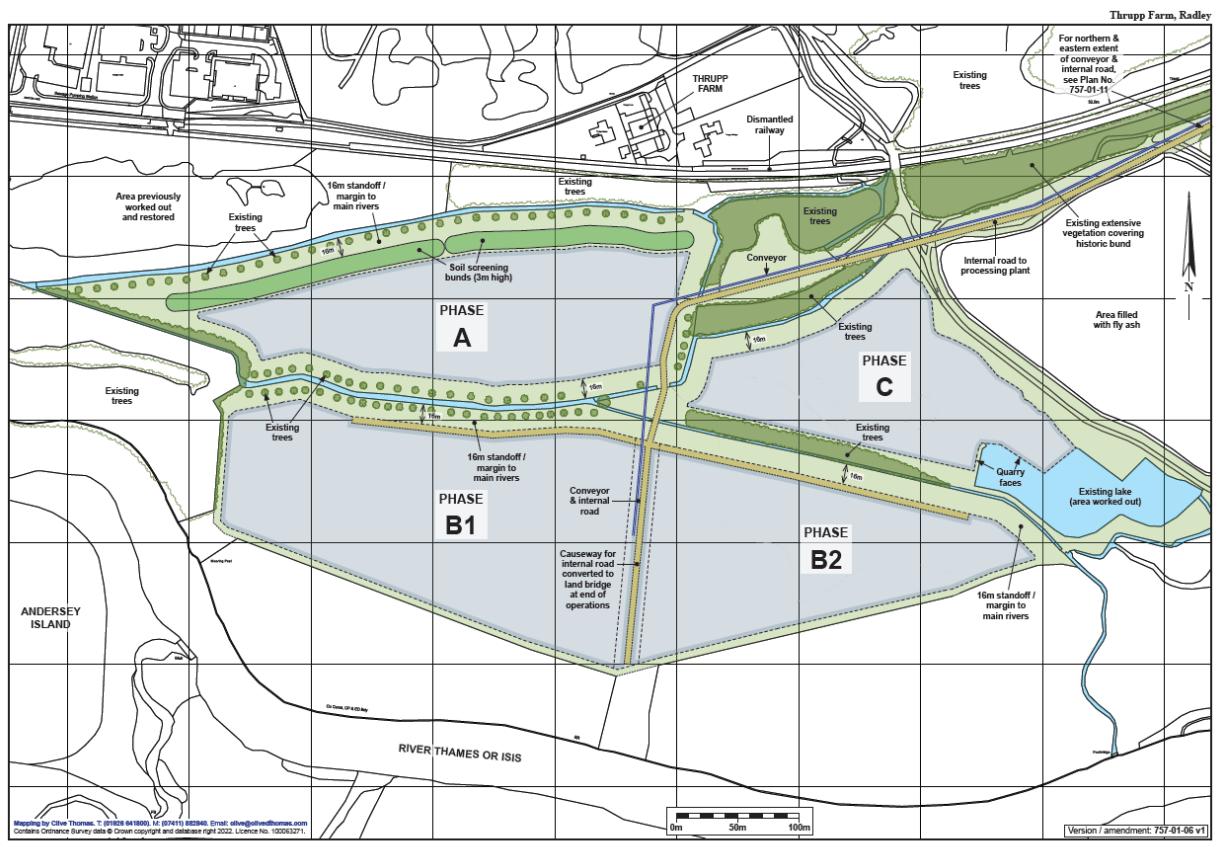


Figure 4: Proposed Phasing

22. Longmead Lake lies immediately to the northwest of Phase A. When working the western part of Phase A, low permeability natural material from the quarry floor (clay) of Phase A would be pushed against the northern side of the excavation to limit the ingress of groundwater into the working area which may be in connectivity with this lake.
23. Phases B1 and B2 would be worked in two halves, leaving a temporary narrow causeway down the middle to assist in dewatering as well as enabling Phase B1 to be restored as Phase B2 is being worked. The soils would be stripped from Area B1 and either used directly to restore Phase A or stored on the quarry floor until they are required for restoration. Working in Phase B1 would start at the eastern end and progress in a westerly direction. Phase A would be restored during the working of Phase B1 including the removal of the screen bunds which would no longer be required for noise attenuation. In Phase B2, soils would be stripped and either used directly to restore Phase B1 or stored on the quarry floor until required for restoration. Working would start at the western end and progress in an easterly direction. Phase B1 would be restored during the working of Phase B2. 16 metre-width buffer zones would be provided between the watercourse to the north and mineral extraction.
24. Phase C has already been mostly stripped of soils with only a small part remaining to be cleared. Any remaining soils would be stripped and stored on the quarry floor. Extraction would start in the south-eastern corner and head in the north-westerly direction and Phase B2 would be restored. 16 metre-buffer zones would be provided between the watercourse to the north, south and west and the mineral extraction area. If required, indigenous clay material extracted

from the quarry floor would be used to create a barrier between the lake to the south-east. This would avoid the ingress of water from the lake into the quarry void. When Phase C is completed the height of the barrier would be reduced to link the water areas.

25. The conveyor would be extended, as required, into the areas to be worked. It would be electrically driven, low in profile (approximately 0.6m above ground level) and run from the site to Tuckwell's Yard. The conveyor would be fed, in the area being extracted, using an excavator. Once the mineral had been transported to Tuckwell's Yard, it would be discharged to a surge pile and fed to a processing plant which would screen and crush the mineral to produce construction aggregates, as consented by Planning Permission ref: MW.0075/20.

26. The current access to the site is via an existing hardcore haul road, from Thrupp Lane to the north. This access would be used for plant and machinery to access the site. This would occur rarely as machinery would generally be stored on the site. This access would also be used for the management of the site but it would not be used for the transportation of minerals. An access road would be constructed adjacent to the conveyor which would be used by staff working at the site and for the maintenance of the conveyor. The accesses into the site would be regularly graded and dressed, when required, to maintain an even running surface free from potholes.

27. It is proposed to adopt the following working hours:

- 0700 - 1800 Monday to Friday;
- 0700 - 1300 Saturday;
- Saturday 1300 – 1700 for maintenance only; and
- There would be no operations on Sundays or Bank/Public Holidays.

28. The site would be progressively restored to lakes, wetland areas and grassland which would consist of:

- Lakes including:
 - Phase A Lake: 2.95ha, of which:
 - Island: 0.01 ha.
 - Shallows / reed bed: 0.71 ha.
 - Shallow edges: 0.16 ha.
 - Open water: 2.07 ha.
 - Phase B1 Lake: 4.65 ha, of which:
 - Shallow edges: 0.1 ha.
 - Open water: 4.55 ha.

- Phase B2 Lake: 3.08 ha, of which:
 - Shallow edges: 0.12 ha.
 - Open water: 2.96 ha.
- Phase C Lake: 3.2 ha, of which:
 - Shallows / reed bed: 0.39 ha.
 - Shallow edges: 0.04 ha.
 - Open water: 2.77 ha;
- Wetland areas: 0.61 ha;
- Retained individual trees: 0.25 ha in total;
- Retained blocks of woodland / scrub vegetation: 2.26 ha;
- Retained ditches / streams: 0.82 ha;
- Retained tracks/haul road: 0.3.5 ha;
- Restored to grassland: 7.33 ha; and
- 600m of a new public right of way.

Figure 5 below shows the proposed restoration concept plan.

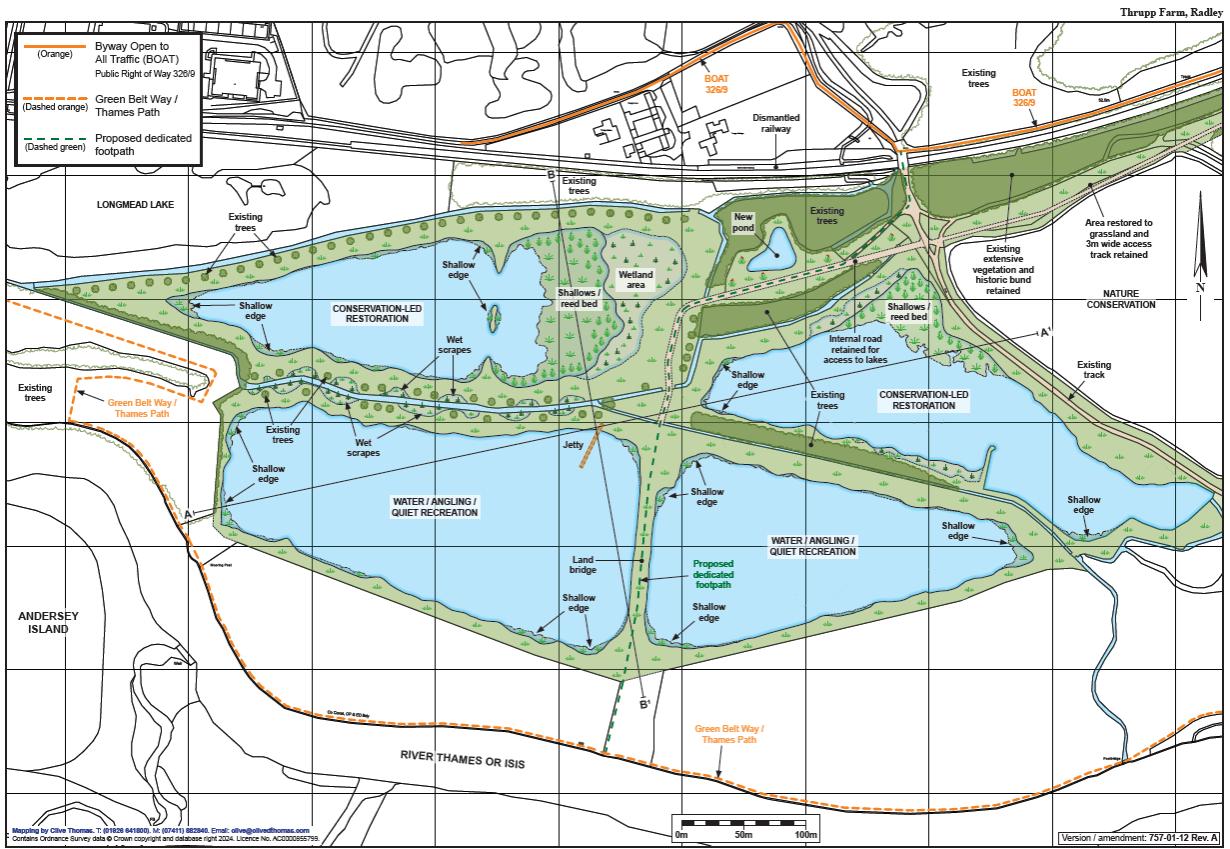


Figure 5: Restoration Concept Plan

29. The proposed landform can be achieved without importing restoration materials. If required, clay would be dug from the quarry floor, to create the wetland areas and shallows. To restore the dry land areas, the stored soils would be spread in their correct sequence and immediately sown with grass seed. The restored land would be entered into a 5-year aftercare period. At the completion of the aftercare period, the restored land would be handed back and managed by the landowner. The restored land would be accessed from the public highway by the existing haul road and proposed access road which will be retained.
30. It is proposed to submit a detailed Restoration and Aftercare Scheme two years before the completion of the restoration works in each phase in order to allow a more accurate assessment of the landform to be created as the extent of the restoration materials will be better known. Within 6 months following the cessation of mineral extraction, the conveyor would be removed. It is proposed that the access road adjacent to the conveyor would be reduced in size to around 3m in width and retained as an access track.
31. Part of the access track would be utilised as a dedicated public right of way which would join the existing right of way to the north (ref 326/9/10) to the existing right of way to the south (Green Belt Way/ Thames Path). This new dedicated footpath would be 600m in length and would link Thrupp Lane to the Green Belt Way/ Thames Path.
32. With the exception of the Curtis Yard Industrial Estate and the Tarmac Plant the applicant states that the areas within DD1 and DD2 outside of the Site have

either been restored to lakes/ponds or have successfully naturally regenerated to a mosaic of grassland, woodland and scrub. It is proposed that the naturally regenerated areas would also be subject to a 5 year Restoration Management Plan, which includes:

- Baseline ecological survey;
- Habitat management;
- Opportunities for tree/shrub planting;
- Control of invasive species; and
- Removal of fly tipped waste.

33. Within two years from the commencement of mineral extraction the 'Draft Restoration Management Plan' submitted with the application would be reviewed and updated if required and submitted to the MPA for approval.

34. Planning Permission ref: APP/V3120/W/20/3253584 consented the change of use of buildings A, C, D, F and G to business purposes at the Curtis Yard until 18th November 2025. The applicant understands that the landowner, J Curtis & Sons Ltd, is considering the permanent retention of this industrial estate for which a planning application would need to be made. Should this not occur, the applicant proposed that a Restoration and Aftercare Scheme would be submitted by 1st June 2028 for this area. This would include proposals for:

- The removal of buildings and hardstanding;
- Restoration treatments;
- Management;
- Timetable for implementation; and
- 5-year aftercare scheme.

35. Taking into account the environmental information set out in the Environmental Statement as supplemented by the additional information submitted by the applicant, the consultation comments and representations received and the officer's own assessment, your officer provided a suggested set of alternative conditions to the applicant which he considered would allow the development to be carried out to modern standards and reflect the requirements of the Development Plan and national policy and guidance. These are set out in Annex 4. The applicant responded that it is generally in acceptance of the proposed amendments but disappointed with two of the additional conditions in relation to biodiversity which are discussed further below in the Discussion section of this report.

PART 2 – OTHER VIEWPOINTS

36. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0041/23. These are also summarised in Annex 2 to this report.

37. 59 third-party representations were received. The points raised are summarised in Annex 3.

PART 3 – RELEVANT PLANNING DOCUMENTS

Relevant planning documents and legislation

Development Plan Documents:

38. The Development Plan for this area comprises:

- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
- Oxfordshire Minerals and Waste Local Plan 1996 (Saved Policies) (OMWLP)
- Vale of White Horse Local Plan 2031 Part 1 (Strategic Sites and Policies)
- Vale of White Horse Local Plan 2031 Part 2 (Detailed Sites and Policies)
- Radley Neighbourhood Plan (RNP) (However, neighbourhood plans cannot include policies specifically for county matters i.e. minerals and waste development).

39. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS) was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies.

40. The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) was adopted in July 1996 and covered the period to 2006. Some policies of the OMWLP were replaced following adoption of the OMWCS in 2017 but 16 site specific policies continue to be saved, pending the allocation of new sites. None of these policies are relevant to this site, therefore, the policies of the OMWLP are not relevant for the consideration of this application.

Emerging Plans

41. The emerging Joint Local Plan 2041 has been prepared between Vale of White Horse and South Oxfordshire District Councils. The Plan was submitted to the Secretary of State for independent examination, held 03 – 05 June 2025. The Planning Inspector's letter dated 26 September 2025, found that the Plan had not met the Duty to Cooperate and gave the two councils two options, to either

¹Click here to view application [MW.0041/23](#)

withdraw their plan from examination, or ask the Planning Inspectorate to prepare a report setting out their conclusions. Subsequently and in light of the Ministerial Letter setting out central government's intention to remove the Duty to Cooperate in the new Local Plan making system and from plans in the current Local Plan making system, the two councils have written to the inspectors advising that they wish to resume the hearings and progress the Joint Local Plan through examination and, all being well, to adoption. A response from the inspectors is awaited, therefore the South and Vale Joint Local Plan 2041 is still considered as a submitted Local Plan. Upon adoption, the Joint Local Plan 2041 would replace the adopted Local Plans for Vale of White Horse District Council and South Oxfordshire District Council.

42. In December 2022, the Oxfordshire Minerals and Waste Local Development Scheme (13th Edition) (OMWDS) was approved at Cabinet. This set out a process for pursuing a new Minerals and Waste Local Plan which upon adoption would have replaced Part 1 and included Part 2: Site allocations. Since the publication of the OMWDS (13th Edition) central government have proposed significant changes to plan to make and also introduced a requirement for all Local Plans to be submitted by December 2026. It is considered the Council would be unable to meet this deadline and therefore in July 2025 Cabinet agreed to stop work on the new Minerals and Waste Local Plan and await the new plan making process. This is set out in the revised Minerals and Waste Development Scheme (14th Edition), which was published in July 2025. A revised Minerals and Waste Development Scheme will be published in due course. The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy remains in place as part of the Development Plan for Oxfordshire.

43. The Oxfordshire Local Nature Recovery Strategy (OLNRS) is a coordinated strategy to develop a shared ambition to recover nature across the county, help wildlife to flourish, improve air and water quality, and mitigate the impacts of climate change. The strategy is part of a series to cover the whole of England and assist the delivery of the Environment Act 2021. The final version of the LNS was approved by the Council at its Cabinet meeting on 21st October 2025. It is a material consideration in the determination of planning applications.

44. Other documents that are relevant to determining this application include:

- National Planning Policy Framework (NPPF) (as revised December 2024)
- Planning Practice Guidance (PPG)

45. On 16th December 2025, central government published a consultation on the NPPF and other changes to the planning system. This consultation runs until 10th March 2026. Whilst it does not therefore at this time replace the current NPPF, it does provide indication of the intentions of central government with regard to the planning system and some weight should be attached to the draft policies and changes set out in it.

46. The relevant Development Plan policies are:

Oxfordshire Minerals and Waste Local Plan Part 1 Core Strategy 2031
(OMWCS)

- M10 (Restoration of Mineral Workings)
- C1 (Sustainable development)
- C2 (Climate Change)
- C3 (Flooding)
- C4 (Water Environment)
- C5 (Local environment, amenity and economy)
- C7 (Biodiversity and geodiversity)
- C8 (Landscape)
- C9 (Historic environment)
- C10 (Transport)
- C11 (Rights of Way)
- C12 (Green Belt)

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

- Core Policy 1 – Presumption in favour of sustainable development
- Core Policy 13 – The Oxford Green Belt
- Core Policy 33 – Promoting Sustainable Transport and Accessibility
- Core Policy 37 – Design and Local Distinctiveness
- Core Policy 39 – Historic environment
- Core Policy 42 – Flood risk
- Core Policy 44 – Landscape
- Core Policy 45 – Green infrastructure
- Core Policy 46 – Conservation and improvement of biodiversity

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

- Development Policy 23 – Impact of development on amenity
- Development Policy 25 – Noise generating development
- Development Policy 26 – Air quality
- Development Policy 30 – Water Courses
- Development Policy 31- Protection of Public Rights of Way, National Trails and Open Access Areas
- Development Policy 36 – Heritage Assets
- Development Policy 38 – Listed Buildings

49. The RNP policies which are most relevant are:

- PP.2 – Green Belt
- PP.8 – Radley Lakes
- PP.9 – Roads
- PP.13 – Site Drainage

Other Policy Documents and Material Considerations

50. The Radley Lakes Masterplan was launched in May 2021 further to the provisions of the Radley Neighbourhood Plan. It does not form part of the development plan, unlike the Neighbourhood Plan, but it is a material consideration to which limited weight should be attached.

51. The emerging Joint Local Plan 2041 has been prepared between Vale of White Horse and South Oxfordshire District Councils. The Plan was submitted to the Secretary of State for independent examination, held 03 – 05 June 2025. The Planning Inspector's letter dated 26 September 2025, found that the Plan had not met the Duty to Cooperate and gave the two councils two options, to either withdraw their plan from examination, or ask the Planning Inspectorate to prepare a report setting out their conclusions. A decision on the recommendations has not been made yet, therefore the South and Vale Joint Local Plan 2041 is still considered as a submitted Local Plan. Upon adoption, the Joint Local Plan 2041 would replace the adopted Local Plans for Vale of White Horse District Council and South Oxfordshire District Council.

52. Draft South Oxfordshire District Council and Vale of White Horse District Council Joint Local Plan (JLP):

- CE6 – Flood Risk
- CE8 – Water Quality
- DE5 – Neighbouring Amenity
- NH1 - Biodiversity
- NH2 – Nature Recovery
- NH3 – Trees and Hedgerows in the Landscape
- NH6 – Landscape
- NH7 – Tranquillity
- NH8 – Historic Environment
- NH9 – Listed Buildings
- NH11 – Archaeology
- IN2 – Sustainable Transport and Accessibility

PART 4 – ASSESSMENT AND CONCLUSIONS

Planning Development Manager

Discussion

53. As set out above, this is not a planning application and the principal of the extraction of sand and gravel from planning permissions DD1 and DD2 is not a matter for consideration. The Development Plan and other policies are relevant insofar as the consideration of the conditions to be approved which should either be as submitted by the applicant or as the MPA may otherwise consider necessary such that the site will be worked subject to modern environmental standards.

54. Where a MPA determines conditions different from those submitted by the applicant and the effect of the new conditions, other than restoration or aftercare conditions, as compared with the effect of the existing conditions is to impose a restriction on working rights, then land and mineral owners whose interests have been adversely affected by the restrictions could be entitled to claim compensation from the MPA if they believe the restriction is such as that either the economic viability of operating the site or asset value of the site would be prejudiced adversely to an unreasonable degree. Should the MPA apply such conditions then it is required to issue a separate notice alongside the determined conditions stating that either:

- i) the effect of the conditions is to restrict working rights but that in the MPA's opinion unreasonable prejudice does not arise; or
- ii) that the effect of the conditions is to restrict working rights and that in the MPA's opinion unreasonable prejudice will arise and that there is a liability on the MPA for compensation.

There is a right of appeal to the Secretary of State against the determination of conditions different to those submitted and, in the first situation, against the MPA's decision that unreasonable prejudice does not arise.

55. The national Planning Practice Guidance defines economic viability in the context of review of mineral permissions as the ability of a site to produce sufficient revenue to cover all of its operating costs (including finance costs and depreciation) and produce an appropriate return on capital. It states that the key test is the extent to which the further restrictions imposed by new conditions would cause extra operating costs or restrict revenue to the extent that economic viability would be prejudiced adversely to an unreasonable degree.

56. In this instance the application is also accompanied by an Environmental Statement which is required by Regulation 18 of the EIA Regs to describe the likely significant effects of the development on the environment (as it would be subject to the submitted conditions) and a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment. Regulation 26 of the EIA Regs requires that the MPA must not positively determine the application unless it has reached an up to date reasoned conclusion on the significant effects on the environment, this being, in the opinion of the MPA, that it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development.

57. The matters covered in the conditions as amended by your officer are discussed below.

Duration of the Permission

58. The Environment Act 1995 requires that applications must include a condition that the winning and working of minerals or depositing of mineral waste must

cease not later than 21 February 2042, except where the original permission is already time-limited. This is the date set out in the proposed conditions.

Access, Traffic and Protection of the Public Highway

59. Policy C5 of the OMWCS expects proposals for minerals and waste development to demonstrate that they will not have an unacceptable adverse impact on the local environment, amenity, and economy including through traffic effects and mud on the road amongst other things. OMWCS policy C10 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.
60. VLP1 policy CP33 states that impacts of development on the strategic road network will be minimised, developments should be designed to promote sustainable transport access and transport improvements will be designed to minimise effects on amenities, character and special qualities of the surrounding area.
61. The conditions require that the mineral would be removed from the extraction area by conveyor and then taken via the conveyor consented under planning permission no. MW.0075/20 to the Tuckwells Yard for processing prior to it being exported from there. These movements would then be subject to the conditions of that planning permission which limit the daily HGV movements onto Thrupp Lane to 64 (32 in, 32 out) per day, require the use of wheel washing facilities, the sheeting of lorries for any stones below a size of 500 mm and the hours of use for vehicles entering and exiting the Tuckwells Yard to 7.00 am to 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays. Staff access would also be via an internal haul road running to the extraction area alongside the conveyor from the Tuckwells Yard. The only direct vehicle movements to the public highway that would otherwise be carried out would be via an existing hardcore haul road, from Thrupp Lane to the north. This access would be used for plant and machinery to access the site and for site management but it would be used rarely as machinery would generally be stored on the site. This access could not lawfully be used for the transportation of minerals as per the proposed conditions. The conditions require that accesses would be regularly graded and dressed to maintain an even running surface free from potholes and wheel cleaning facilities would be provided and no mud or debris carried onto the highway.
62. The access arrangements as would be controlled by the conditions are considered to be in compliance with the above policies.

Working Programme and Restoration

63. Policy M10 of the OMWCS expects mineral sites to be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location. It lists the considerations that must be taken into account, including the character of the surrounding landscape and the enhancement of local landscape character, and the amenities of local communities.

64. The conditions would require that the site be worked in a phased manner in accordance with the submitted phasing drawings which show sequential working and restoration from through Phases A, B1, B2 and C. The conditions would also require the movement and handling of soils when in a dry and friable condition, separate storage of topsoil and subsoil, no removal of soils or mineral waste from the site, the control of weeds on stockpiles and other undisturbed areas, and construction of the conveyor and internal haul roads in accordance with the submitted plans. The conditions would require production to not exceed 150,000 tonnes per annum and for records of the amount of mineral worked and exported to be kept and provided to the MPA.

65. The conditions would require that the site is restored on a phased basis in accordance with the submitted phased drawings. The conditions would also require that a restoration and five-year aftercare scheme be submitted for approval within 24 months prior to the cessation of working in each phase and its implementation within 24 months of the completion of mineral extraction in each phase. With regard to the restoration of the rest of the areas covered by permissions DD1 and DD2, but where no further mineral extraction is proposed, the submission includes a Restoration Management Plan. The conditions would require that this shall be updated including a timetable for implementation, submitted for approval, and then implemented.

66. The conditions would also require that a restoration and aftercare scheme for the Curtis Yard shall be submitted for approval within 2 years of the recommencement of mineral extraction to include the removal of buildings and hardstanding, restoration treatments, management, timetable for implementation and a five-year aftercare scheme. The approved scheme is then required to be implemented.

67. It is considered that the proposed working and restoration of the site as would be controlled by the conditions would be in compliance with OMWCS policy M10.

Historic Environment

68. OMWCS policy C9 states that proposals for minerals and waste development will not be permitted unless it is demonstrated that they would not have an unacceptable adverse impact on the historic environment. Proposals for mineral working shall wherever possible demonstrate how the development will make an appropriate contribution to the conservation and enhancement of the historic environment. VLP1 policy CP39 states that development should conserve, and where possible enhance, designated heritage assets. VLP2 policy DP36 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the more important the asset, the greater the weight that will be given. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harms to its significance. VLP policy DP38 states that proposals for development within the setting of a Listed Building must demonstrate that they will preserve or enhance its special architectural or historic interest and significance. Proposals within the setting of a Listed Building must demonstrate that they will: respect, preserve or enhance

features that contribute to the special interest and significance of the building. These policies are in line with national policy in the NPPF. The relevant national legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990 (s.66) applies to decisions whether to grant permission or permission in principle, but in any event the same aims are achieved by Development Plan policy which does apply.

69. Thrupp Farm and Thrupp Cottages are Grade II Listed historic buildings and are surrounded on all sides by the area that is the subject of this report but separated from the proposed working area by the BOAT and some existing trees which would be maintained. The drawings submitted with the application and which would be approved under the conditions provide a buffer zone with three-metres high soil screening bunds to Phase A which would be the first phase to be worked and restored. An existing tree belt would be maintained and screen views of the conveyor and internal haul road. There would be no direct visual impact but there would be some temporary intrusion into the setting of the Listed Buildings. This would be for a relatively short period of time after which the site would be restored to lakes and associated wetland habitat. Given that the underlying planning permission for mineral extraction exists, the principle of development cannot be questioned. In light of the mitigation proposed it is considered that the conditions would respect and preserve the setting of the Listed Buildings. The conditions would also require that a staged programme of archaeological evaluation and mitigation be carried out prior to extraction with the ultimate provision of an accessible and useable archive and a full report for publication.

70. It is considered that the impact of the development as controlled by the conditions would be in compliance with the above policies.

Amenity

71. OMWCS policy C5 states that proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on the local environment, health and safety, residential amenity or the local economy, including from noise, dust, visual intrusion, light pollution, traffic, air quality, contamination or cumulative effects. VLP2 policy DP23 states that proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, taking into account factors including loss of privacy, visual intrusion, noise, dust, heat, odour, pollution, contamination and external lighting.

72. The conditions would require that the hours of working be restricted to 7.00 am to 6.00 pm Mondays to Fridays and 7.00 am to 1.00 pm on Saturdays with maintenance on Saturday afternoons from 1.00 pm to 5.00 pm. There would be no operations on Sundays or Public Holidays. There would also be requirements for the submission for approval and implementation of a dust management and monitoring plan, that no lighting be used other than in accordance with details to be submitted for approval, that noise levels at the nearest sensitive receptors do not exceed set levels, that a noise management plan be submitted for approval and implemented and that vehicles, plant and machinery be fitted with white noise reversing bleepers or those that adjust

automatically to surrounding noise levels. Soil screening bunds would be provided to limit the impacts of working, including visual impacts to the Thrupp properties off Barton Lane. As set out above, the majority of daily HGV movements would be via the Tuckwells Yard and subject to the conditions attached to planning permission no. MW.0075/20 and the access for plant and machinery would be subject to the conditions set out above.

73. A condition would also require the submission of details for approval and implementation of a Local Liaison meeting. Such meetings are set up and held at other minerals and waste sites and serve to bring together the site operator and representatives of the local community and officers to discuss any issues arising with regard to the operations and their resolution. Such liaison meetings are usually chaired by the local County Councillor.
74. It is considered that the impacts of the development on amenity as controlled by the conditions would be in accordance with the above policies.

The Water Environment

75. The conditions would require controls over both the surface water and groundwater environment. Particular concern has been raised with regard to the potential for backing up of groundwater to the properties off Barton Lane at Thrupp leading to flooding and possible interference with their sewerage arrangements.
76. Following consultation with the Environment Agency and the Lead Local Flood Authority, the conditions have been amended and updated to address the potential impacts arising on the water environment. These include conditions requiring details to be submitted for approval and implemented for groundwater monitoring, details of potential private water supplies that could be impacted, details of the proposed lining of the sides of the excavations and the risks in terms of groundwater mounding (backing up) and flooding, details of any aquifer storage and mitigation, measures to prevent any pollution from storage of liquids e.g. fuel, dewatering in accordance with the approved details, a hydrometric monitoring scheme, maintenance of buffer zones to watercourses, remediation of any contamination encountered, compliance with the submitted Flood Risk Assessment, submission approval and implementation of a surface water management scheme for each phase or sub-phase, and submission for approval and implementation of a Flood Warning and Evacuation Plan.
77. All further submissions for approval would be consulted on with the Environment Agency and the Lead Local Flood Authority. It is considered that the impacts of the development on the water environment as controlled by the conditions would be in accordance with the above policies.

Landscape and Biodiversity

78. Policy C8 of the OMWCS states that proposals for mineral and waste development shall demonstrate they respect and where possible enhance local landscape character. VLP1 policy CP 37 states that all development must be of high-quality design that responds positively to the site and the surroundings,

incorporates or links to high quality green infrastructure and landscaping to enhance biodiversity and meet recreational needs including rights of way and is sustainable and resilient to climate change. VLP1 policy CP 44 states that the key features which contribute to the nature and quality of the landscape will be protected from harmful development.

79. Policies C7 and M10 of the OMWCS taken together expect mineral and waste development, including the restoration of mineral workings, to deliver biodiversity net gain. OMWCS policy C7 also states that long term management arrangements for restored sites shall be clearly set out and included in proposals, which should include a commitment to ecological monitoring and remediation. VLP1 policy CP46 states that development that will conserve, restore and enhance biodiversity will be permitted. Opportunities for biodiversity gain will be sought. The level of protection and mitigation should be proportionate to the status of the habitat or species, however non-designated habitats and non-priority species can still have a significant biodiversity value within their local contexts and will be given due weight. VLP1 policy CP45 states that a net gain in green infrastructure, including biodiversity, will be sought. Proposals for new development must include adequate green infrastructure. The MPA is also under a large number of freestanding landscape and biodiversity obligations, including the obligation to further the general biodiversity objective under s.40 of the Natural Environment and Rural Communities Act 2006 (NERC Act); and where the exercise of its functions is likely to affect the flora, fauna or geological or physiographical features by reason of which a site of special scientific interest is of special interest, to comply with s.28G of the Wildlife and Countryside Act 1981.

80. The conditions would require the submission for approval of an Arboricultural Method Statement and accompanying Tree Protection Plan to ensure the protection of trees to be retained. The conditions would also require the submission for approval of a Construction Environmental Management Plan (CEMP) and its implementation and related to this that works should cease should any nesting birds be found. The conditions would also require the submission of details and certificate of a great crested newt District Level Licence or alternatively a great crested newt survey report and European Protected Species Licence, submission of a water vole survey report and mitigation licence, submission for approval of a Landscape Ecological Management Plan (LEMP) and its implementation and the submission for approval of a Habitat Management and Monitoring Plan (HMMP) and its implementation.

81. The applicant has expressed disappointment with the following two additional conditions set out in Annex 4:

Additional condition:

No development shall take place in areas of irreplaceable or priority habitats as recorded in ES Appendix C Ecological Impact Assessment V2 or Radley Gravel Pits Local Wildlife Site.

Additional condition:

No development shall commence in each phase until up-to-date surveys for great crested newts, bats, birds, reptiles, otters, water voles, fish and habitat and botanical assessments undertaken in line with best practice guidelines have been submitted to and approved in writing by the Mineral Planning Authority. The up-to-date surveys shall:

-Establish if there have been any changes in the presence and/or abundance of protected species; and
-Identify any likely new ecological impacts that may arise from any changes. Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed, a revised ecological mitigation scheme shall be submitted to and approved in writing by the County Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details.

82. With regard to the first of these conditions, the applicant considers that the legal position is that a condition which materially reduces the area to be worked would not be reasonable, as it would derogate from the underlying permission being reviewed. In this case the proposed condition would remove 12.32 ha of the 14.2 ha of extraction areas and effectively sterilise the site, rendering the permission unimplementable and as such it fails the legal and policy tests for conditions as it is both unreasonable and contrary to national guidance.
83. With regard to the second of these conditions, the applicant considers that a condition requiring additional ecological surveys appears in this case to be unnecessary unless the habitats have changed since the last surveys were undertaken and, if they have not, such a condition would fail the test of necessity.
84. It is the case that if the first of these conditions were to be included in those determined by the MPA that it arguably could be considered irrational to grant consent for mineral extraction with one hand while removing it with the other through a condition that prohibits very nearly all extraction.
85. It is likely that the conclusion would be that the effect of the condition would be to restrict working rights and that in the MPA's opinion unreasonable prejudice would arise, as well as a reduction in the permitted area to be extracted, and so there would be a liability on the MPA to pay compensation to the operator/landowner. Whilst an estimate of the potential compensation of this would need to be provided by a relevant expert, given that it is estimated that there is one million tonnes of sand and gravel remaining to be extracted, payment of compensation would create a considerable financial burden on the council available to it to pay such compensation. However, without such a condition there would be a loss of irreplaceable and priority habitats.
86. As noted above, s.40 of the NERC Act mandates that public authorities must have regard to the purpose of conserving biodiversity including the responsibility to consider what actions they can take to further the general biodiversity objective of the conservation and enhancement of biodiversity in England.

87. Paragraph 193 of the NPPF also states that development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

88. OMWCS policy C7 states that development that would result in the loss or deterioration of irreplaceable habitats will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.

89. VLP1 policy CP 46 states that development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity, either directly or indirectly, will not be permitted unless:

- i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;
- ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and
- iii. measures can be provided (and are secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for, the adverse effects likely to result from development.

90. As part of the additional environmental information submitted, the applicant provided a technical statement in response to the Council's Senior Biodiversity Officer's position that the applicant could seek to compensate for habitat losses on land out with the area of proposed extraction, for example, the creation of lowland fen habitat, a habitat that is considered to be irreplaceable. The applicant does not consider this to be viable due to the fact that the applicant does not own or control land suitable for the creation of lowland fen – a habitat that is reliant on suitable hydrological regimes and specific substrates in order to establish. The applicant advised that it has managed the area of land north and south of Radley Brook (areas identified as lowland fen habitat which includes Phases A, B1 and B2) through topping on a regular basis over the years in recognition that sand and gravel extraction would be undertaken. This has maintained the lowland fen habitat and prevented scrub and eventually wet woodland covering these areas through the process of natural succession. Without management intervention the lowland fen habitat would be outcompeted and shaded with scrub and wet woodland becoming the dominant habitats. This would be similar to much of the habitat in the wider area including areas within the ROMP application boundary to the north and east of the proposed phased working areas. With an existing permission in place the applicant had considered this was the appropriate course of management to allow future mineral extraction in these areas to take place without requiring clearance of woodland habitat. If the extraction is not further implemented there will be no requirement or benefit for the ongoing regular management and maintenance of these areas, and it is considered likely that lowland fen habitat coverage will reduce on site over time. In the medium to long term, it would be predicted that in the absence of sensitive and appropriate management, the overall ecological value of the ROMP area will be reduced. Primarily this will be

as a result of wet woodland dominance, resulting in a gradual reduction in habitat structure, diversity and availability of ecological niches.

91. The applicant considers that, whilst the habitat types that will result on site in the medium to long term are different in type and extent to the current baseline, the overall benefit of bringing all restoration and ROMP areas under environmentally sensitive management are considered to adequately compensate the reduction in extent of high quality and irreplaceable and priority habitats. For example, there would be significant retained areas of lowland fen habitat within buffers that will be suitably protected and brought under favourable management ensuring the long-term viability of this habitat on the site. Other priority habitats of high distinctiveness and quality are proposed to be created following extraction, and the applicant considers this to sufficiently compensate for unavoidable habitat losses resulting from the proposals.

92. The applicant considers that the mitigation hierarchy has, therefore, been followed in the design of the proposals as follows:

Avoid – The proposals retain the Radley Brook with a buffer that includes lowland fen habitat. Significant buffers are provided to boundary vegetation and proposals have sought to avoid the loss of trees and woodland wherever possible.

Mitigate – A comprehensive strategy for the long-term restoration and management of all habitats within the ROMP area is proposed to maximise habitat diversity and benefit biodiversity in the long term.

Compensate – Where unavoidable habitat losses occur as a result of the proposals these will be compensated through the creation of new diverse high-quality habitats as part of the restoration and management plans.

Enhance – It is proposed as part of the proposals to enhance habitats within the wider ROMP area through, for example, selective thinning and woodland management to enhance existing habitats. Furthermore, new opportunities for a range of wildlife are proposed through provision of artificial otter holts, barn owl boxes, reptile hibernacula and a variety of artificial bat and bird boxes suitable for a variety of species.

93. The council's Senior Biodiversity Officer's response was that the conclusions made at the mitigation and compensation stages are not considered appropriate to mitigate and compensate for the impacts of the development on biodiversity. Due to the high biodiversity value of habitats present, including priority and irreplaceable habitats, it is considered likely that an overall biodiversity loss will occur based on the current proposal. This is with consideration to instatement of the currently proposed restoration plan and other ecological enhancements proposed outside of the proposed extraction area within land controlled by the applicant. This is because the habitat types included within the restoration plan and proposed ecological enhancements outside of the proposed extraction area are different habitat types and generally considered of lower biodiversity value than those that are certain to be lost. A Local Wildlife Site will be significantly adversely impacted by the proposal including a number of priority habitats and an irreplaceable habitat. No significant harm should be caused to local wildlife sites, priority and irreplaceable habitats, unless the need for and benefits of the

proposal outweigh the harm, and the harm cannot be avoided, for example through location on an alternative site.

94. In consideration of the law and policies set out above it would be necessary to weigh in the planning balance the need for the mineral (the Council's landbank for sand and gravel is below the minimum seven years) along with any other benefits. In this case there would then be benefits in terms of the contribution to the sand and gravel land bank that would be made and some social and economic benefits through employment on site and indirectly to other businesses using the extracted mineral but this in turn could potentially be provided for at sites without loss of irreplaceable and priority habitats through the positive determination of other planning applications currently before the Council or which are yet to be made, albeit less immediate. There would be benefits in terms of securing an improved final restoration of the site with associated biodiversity benefits but this in turn would have to be weighed against the significant loss of the irreplaceable and priority habitats set out above and the overall reduction in biodiversity value on the site.

95. With regard to the second condition set out above, the applicant has queried if it seeks full detailed surveys or verification assessments for the presence and absence of species and habitats. The Senior Biodiversity Officer's response is that this will depend on when the surveys are undertaken and the results of the survey. For example, if a long enough time period is present between the initial surveys and the update ecological assessment or if the update assessment identifies the habitat present on site has changed then further full detailed surveys may be required in line with best practice guidelines. However, if the time period between the initial and update survey is small enough and/or the update survey shows no change in the suitability of the habitats present then further detailed surveys may not be required. He thinks the condition is suitably worded to provide this flexibility.

Financial Implications

96. If the application were to be determined and it be concluded that the conditions restrict working rights then and it be concluded that unreasonable prejudice will arise there would be a liability on the MPA for compensation.

Legal Implications

97. The legal implications of the decisions available to the Committee are considered in the report.

Equality & Inclusion Implications

98. In accordance with Section 149 of the Equality Act 2010, in considering this proposal, due regard has been had to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

99. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

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

Conclusion

101. Planning permission exists for the extraction of the mineral and it would be irrational to effectively sterilise the mineral reserve through including in the determined conditions, a condition which would not only effect the economic viability of working the mineral but would most likely prevent its working altogether. I do not believe it is the intention of the ROMP legislation that this should be the result of the determination of a review of conditions. Equally, the intention of the ROMP legislation is expressly to provide modern conditions such that quarries operate to modern working practices, environmental standards, and mitigation strategies. These include the aim of preventing significant harm to the environment through the loss of irreplaceable habitat.

102. Whilst Regulation 26 of the EIA Regs requires that the MPA must not positively determine the application unless it has reached an up-to-date reasoned conclusion on the significant effects on the environment that are likely to arise, it does not require that as part of this it has to be demonstrated that all the significant effects can be mitigated. A judgment is required, in line with relevant legislation, case law, and policy bearing in mind the applicant has an established right to work the site for mineral development. In the circumstances which pertain here, the applicant's proposed modern conditions would allow significant effects on the environment that would not be mitigated. The view is that this unmitigated harm is unacceptable; conditions are intended to make development that would otherwise be unacceptable, acceptable. There would be conflict with the national and Development Plan policies set out above.

103. It is not however considered that the suggested condition for the provision of updated ecological surveys prior to working in each phase is unreasonable or such that it would restrict working rights.

104. The ROMP legislation does not allow for the MPA to not determine a set of conditions for the working of the mineral at the site; there is no position of refusal as there would be to a planning application. To determine conditions without being satisfied that the loss of the irreplaceable and priority habitats is addressed, for example through compensatory provision elsewhere, does seem to run counter to the whole purpose of the ROMP legislation. To determine the conditions with a condition which effectively sterilises the mineral reserve would also seem to run counter to the purpose of the ROMP legislation.

105. It does seem that a circumstance exists with regard to this site which was not foreseen when the ROMP legislation came into effect in the 1990s and which similarly does not sit easily with the requirements placed on the Council by the ROMP legislation and the EIA Regs. It is the case though that the applicant has provided sufficient information for the MPA to consider the significant effects of the proposed development and their mitigation insofar as that is possible as required by Regulation 26 of the EIA Regs. In the absence of there being a position of refusal to the application, it is then a matter for judgment for the MPA to consider whether imposing the first condition set out above would likely render the development economically unviable and that the Council would then have to conclude that compensation would be required; it is your officer's advice that it would.

106. Given the above, committee could proceed as follows:

- i) That in the absence of there being a position in law to refuse the application to determine conditions despite the unacceptable significant adverse effect identified through the loss of irreplaceable and priority habitats, refer the application to the Secretary of State for their consideration as to whether to call the application in for their own determination;
- ii) Should the Secretary of State decline to call the application in for their own determination, authorise the Director of Economy and Place to determine the conditions to which permissions DD1 and DD2 will be subject including those set out in Annex 4 but without the condition restricting development in the areas of irreplaceable and priority habitats.

107. Should the Secretary of State decide to call the application in for their own determination, this would then place the matter for the determination of the conditions before the Secretary of State and would most likely be heard by an inspector appointed by them at a Public Inquiry. This would allow for full testing of the applicant's stated inability to offer acceptable compensation for the habitat loss through a restoration scheme, and the applicant, the Council and all other interested parties would have the opportunity to make their case and for legal representations to be made to the inspector.

RECOMMENDATION

It is RECOMMENDED:

- a) **That in the absence of there being a position in law to refuse the application to determine the conditions to which planning permission numbers DD1 and DD2 are to be subject despite the significant effect identified through the loss of irreplaceable and priority habitats, refer the application to the Secretary of State for their consideration as to whether to call the application in for their own determination;**
- b) **Should the Secretary of State decline to call the application in for their own determination, authorise the Director of Economy and Place to determine the conditions to which planning permissions DD1 and DD2 are**

to be subject including those set out in Annex 4 but without the condition restricting development in the areas of irreplaceable and priority habitats.

**David Periam
Planning Development Manager**

Annexes:

- Annex 1: Applicant's Proposed Conditions
- Annex 2: Consultation Responses
- Annex 3: Representations
- Annex 4: OCC officer suggested conditions

Annex 1 – Applicant’s proposed conditions (Including updates and additions following comments received on the application from technical consultees)

The updated Schedule of Proposed Conditions are as follows:

Duration of the Permission

1. The winning and working of minerals and the deposit of waste shall cease no later than 21st February 2042.

Access, Traffic and Protection of the Public Highway

2. Unless otherwise agreed in writing by the Mineral Planning Authority, mineral shall not be transported via the access titled ‘Access Only’ on Plan no: 757-01-02 Rev A.

3. Should mud or debris be carried onto the public highway by plant and machinery using the access titled ‘Access Only’ on Plan no: 757-01-02 Rev A, wheel cleaning measures will be agreed with the Mineral Planning Authority and implemented.

4. Unless otherwise agreed with the Mineral Planning Authority, mineral will be transported off site to the Tuckwell Yard shown on plan no: 757-01-11 via a conveyor.

Working Programme

5. No working shall be carried out except in accordance with the Working Plan Nos: 757-01- 06 to 757-01-10 and detailed in the Planning Statement dated January 2023, unless otherwise agreed in writing by the Mineral Planning Authority.

6. Soils shall be managed in accordance with the Planning Statement dated January 2023. Soils shall not be removed or handled unless they are in a dry and friable condition to prevent damage to the soil structure and contain sufficient moisture to prevent degradation of the soil structure, unless otherwise agreed with the Mineral Planning Authority.

7. All topsoil and subsoil shall be stored separately in accordance with the Planning Statement dated January 2023.

8. No minerals except sand and gravel shall be removed from the site.

9. No topsoil, subsoil, overburden or mineral waste shall be removed from the site.

10. No waste shall be imported onto the site.

11. Topsoil and subsoil not required for the screen bunding will be stored on the quarry floor at a height that does not exceed original ground levels.

12. All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth

and prevent the production of seed and the spread of weeds to adjoining agricultural land.

13. Unless otherwise agreed by the Mineral Planning Authority no extraction of minerals or loading and operating of the conveyor shall take place except between the hours of 07.00 a.m. to 18.00 p.m. on Mondays to Fridays and 07.00 a.m. to 13.00 p.m. on Saturdays. No working shall take place on Sundays or Public Holidays. No operations shall take place outside these hours except for essential maintenance and the operation of pumps and other equipment to maintain the safe operation of the quarry. Thrupp Farm ROMP Planning Statement ND/v3. 18 10/06/2025

14. Unless otherwise agreed with the Mineral Planning Authority the field conveyor and adjacent access road shall be constructed in accordance with Plan nos: 757-01-11 and 757-01-15.

15. No lighting to be used other than in accordance with details of which shall first be submitted and approved in writing.

Production

16. No more than 150 000 tonnes of mineral shall be exported from the site in any 12-month period.

17. From the date of implementation of this permission, the operator shall maintain records of the quantities of mineral worked and exported from the site. These records shall be made available to the Mineral Planning Authority within 14 days of a request for them to be provided.

Environmental Protection: Archaeology

18. (Condition proposed by County Archaeologist in response dated 29/03/2023) Prior to any mineral extraction or enabling works a professional archaeological organisation acceptable to the Minerals and Waste Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Minerals and Waste Authority.

19. (Condition proposed by County Archaeologist in response dated 29/03/2023) Following the approval of the Written Scheme of Investigation referred to in condition 18, and prior to any mineral extraction or enabling works (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Minerals and Waste Authority within two years of the completion of the archaeological fieldwork.

Environmental Protection: Dust

20. Prior to the stripping of soils a Dust Management and Monitoring Plan shall be submitted to the Mineral Planning Authority for approval. The approved Dust Management and Monitoring Plan shall be adhered too at all times.

Environmental Protection: Ecology

21. (Update to the condition proposed by Biodiversity Officer in response dated 03/04/2025) No development shall take place (including ground works or vegetation clearance) until a CEMP (construction and environmental management plan) has been submitted to and approved in writing by the Mineral Planning Authority. The CEMP shall include (not exhaustively) the following:

- Risk assessment of all activities that may be damaging to biodiversity both on and offsite;
- Identification of “biodiversity protection zones”;
- Implementation of protected species licences;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on species and habitats and designated wildlife sites;
- Lighting scheme and safeguards for light-sensitive wildlife;
- No soil storage mounds should extend into root protection zones of hedges and/or trees;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- When a specialist ecologist needs to be present on site to oversee works;
- Responsible persons, roles and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the consented development strictly in accordance with the approved details, unless otherwise agreed in writing by the Mineral Planning Authority.

22. (Condition proposed by Biodiversity Officer in response dated 03/04/2025) Prior to commencement of any development, details and certificate of a great crested newt District Level Licence or alternatively a great crested newt survey report and European Protected Species Licence shall be submitted to the Mineral Planning Authority.

23. (Condition proposed by Biodiversity Officer in response dated 03/04/2025) Prior to commencement of any development, details and certificate of a water vole survey report and mitigation licence shall be submitted to the Mineral Planning Authority.

24. (Condition updated from that proposed by Biodiversity Officer in response dated 03/04/2025) Prior to commencement of development, a fully detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide further detail on the approved landscape and restoration schemes and shall include a detailed planting plan showing existing / proposed vegetation taking into account botanical mitigation, plant specifications noting species, plant sizes, proposed numbers/densities as well as seed mixes and their provenance. In addition, information on ground preparation, implementation and ongoing maintenance shall be provided. The development shall be implemented in accordance with the approved details.

25. (Condition updated from that proposed by Biodiversity Officer in response dated 03/04/2025) Prior to commencement of the development, a Habitat Management and

Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Mineral Planning Authority. The HMMP shall include the following and extend until the cessation of the 5 year aftercare:

- Description and evaluation of all features to be managed within the site;
- Ecological trends and constraints that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives; Thrupp Farm ROMP Planning Statement ND/v3. 21 10/06/2025
- Prescriptions for management actions;
- Preparation of a work schedule;
- Details of ecological enhancements;
- A botanical mitigation strategy;
- Details of the body or organisation responsible for implementation of the plan, and
- Ongoing monitoring and remedial measures to ensure the development delivers the objectives set out in the approved scheme.

The development shall thereafter be carried out in accordance with the approved details.

26. If nesting birds are found in areas to be worked or restored, then work in the immediate vicinity should stop and an ecologist consulted. Actions will be embedded within the Construction Environmental Management Plan (CEMP) required by Condition 21.

Environmental Protection: Groundwater and Surface Water Protection

27. (Condition 1 updated from that proposed by the Environment Agency in their response dated 29/06/2023) No development shall commence until a scheme has been submitted to the Mineral Planning Authority for the provision of a continuous and up to date baseline groundwater data set.

28. (Condition 2 updated from that proposed by the Environment Agency in their response dated 29/06/2023) No development shall commence until a comprehensive baseline groundwater quality monitoring scheme has been submitted to the Mineral Planning Authority. The scheme should include potassium, boron, pH, phosphorus, ammoniacal nitrogen, copper and vanadium.

29. (Condition 3 updated from that proposed by the Environment Agency in their response dated 29/06/2023) Prior to the commencement of mineral extraction a scheme shall be submitted to the Mineral Planning Authority for approval for the provision of a groundwater monitoring scheme with a wider baseline data spatial coverage to provide sufficient spatial representation of Working Area Phase C shown on Plan no: 757-01-10 and the south eastern edges of the site boundary.

30. (Condition 4 updated from that proposed by the Environment Agency in their response dated 29/06/2023) Prior to the commencement of mineral extraction, a scheme shall be submitted to the Mineral Planning Authority for approval detailing the locations of all private water supplies which have the potential to be impacted by activities within the site boundary.

31. (Condition 5 updated from that proposed by the Environment Agency in their response dated 29/06/2023) Prior to the commencement of mineral extraction, a

scheme shall be submitted to the Mineral Planning Authority for approval which details the method of lining of the sides of the excavation areas where required with low permeability materials. Details should include the depth/thickness of lining material that would be removed from the base of the phases, whether the lining is intended as a short- or long-term barrier and the risks in terms of groundwater mounding and flooding.

32. (Condition 6 updated from that proposed by the Environment Agency in their response dated 29/06/2023) Prior to the commencement of mineral extraction, a report shall be submitted to the Mineral Planning Authority for approval which calculates the loss of aquifer storage, the impact of this loss and whether any mitigation is proposed.

33. Oil, fuel, lubricants or other bulk stored liquids (other than water) shall be handled on site in a manner that prevents the pollution of any watercourse or aquifer. Oil and fuel shall be stored in appropriate bunded containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total volume of the contents of the container and associated pipework. The floor and walls of the bunded area shall be impervious to both water and oil, and pipes shall vent downwards into the bunded area. The facility shall be maintained to prevent ingress of fluids. Thrupp Farm ROMP Planning Statement ND/v3. 23 10/06/2025

34. The site shall be dewatered in accordance with the Planning Statement dated January 2023, unless otherwise agreed in writing by the Mineral Planning Authority.

35. Prior to the commencement of mineral extraction a Hydrometric Monitoring Scheme which includes monitoring of Longmead Lake shall be submitted to the Mineral Planning Authority for approval. The approved scheme shall be adhered too.

36. The buffer zones to watercourses shown on Working Plan Nos: 757-01-06 to 757-01-10 will be adhered to at all times.

37. No development shall commence until a scheme has be submitted to the Mineral Planning Authority for the provision and installation of robust ground markers around the site boundary delineating the maximum extent of working. The approved scheme shall be implemented and the ground markers shall be retained throughout the period of this permission. No extraction shall take place beyond these markers.

Environmental Protection: Flood Risk

38. (Condition updated from that proposed by the Environment Agency in their response dated 29/06/2023. Condition only required if the EA's objection to flood risk cannot be addressed) Prior to the commencement of mineral extraction, details shall be submitted to the Mineral Planning Authority for approval of any proposed structures (such as the conveyor) and any changes in land levels for all phases of the development and the restoration scheme.

39. (Condition updated from that proposed by the Environment Agency in their response dated 29/06/2023- Condition only required if the EA's objection to flood risk cannot be addressed) Prior to the commencement of mineral extraction, details shall be submitted to the Mineral Planning Authority for approval including:

- Showing the impacts of the proposed 3m screening bund on flood risk;

- Taking the impacts of climate change into account by using detailed flood modelling; and
- Demonstrating how flood risk will change and be managed over the lifetime of the site.

40. Within 3 months of the recommencement of mineral extraction a Flood Warning and Evacuation Plan shall be submitted to the Mineral Planning Authority for approval. The approved scheme shall be adhered to.

Environmental Protection: Surface Water Management Scheme

41. (Updated Condition proposed by the LFFA in the response dated 16/03/2023) Prior to the commencement of the development, a detailed Surface Water Management Scheme for each phase or sub-phase of the proposed operations, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be in accordance with the principles contained within the; Hafren Water Environmental Water Management, FLOOD RISK ASSESSMENT, THRUPP FARM QUARRY, Version 3, February 2025. The scheme shall be implemented in accordance with the approved details and timetable.

Environmental Protection: Sustainable Drainage Scheme

42. (Updated from the condition proposed by the LFFA in the response dated 16/03/2023) Prior to mineral extraction a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site; and
- d) The name and contact details of any appointed management company information.

Environmental Protection: Landscape & Visual Impact

43. The Landscape and Ecological Management Plan required by Condition 24 shall also include the mitigation and enhancement measures proposed in the Landscape and Visual Impact Assessment in Appendix F of the Environmental Statement. The approved scheme shall be adhered too at all times.

44. Prior to the commencement of the development the linear distances and protection methods required to protect retained trees will be defined in accordance with by BS5837: 2012. These methods shall be adhered too at all times.

45. In the first planting season following the recommencement of mineral extraction, the 'native scrub planting for repair and visual mitigation' will be undertaken in accordance with the details shown on Plan no: 757-01-16 Rev A and in Section 7 of the Landscape and Visual Impact Assessment in Appendix F of the Environmental Statement.

Environmental Protection: Noise

46. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with, and use, effective silencers. No reversing bleepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or bleepers whose noise levels adjust automatically to surrounding noise levels.

47. Except for temporary operations, the free field Equivalent Continuous Noise Level, dB LAeq, 1-hour, free field, due to daytime operations for routine operation on the site, shall not exceed the specified noise limits below.

Position	Suggested Site Noise Limit dB LAeq, 1-hour, free field
1 – Home Barn Farm	54
2 – Warren Farm	43
3 - Thrupp House	47
4 – Kingfisher Barn/Rye Farm	48
5 – Quaker Meeting House/Audlett Drive	53

48. During the permitted working hours the free field Equivalent Continuous Noise Level, dB LAeq, 1 hour, free field, due to temporary operations, shall not exceed 70 dB LAeq 1 hour. Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of 8 weeks in any 12-month period.

49. (Condition to address the Environmental Protection Officer's response dated 08/06/2023) Within 3 months of the date of this planning permission, a Noise Management Scheme shall be submitted to the Mineral Planning Authority for approval which shall include:

- Noise monitoring and reporting proposals to check compliance with the noise limits in Conditions 47 and 48; and
- Complaints procedure detailing the investigation, resolution, reporting and recording of complaints.

Environmental Protection- Trees

50. (Condition proposed by OCC Senior Tree Officer consultation response 31/10/2024) Prior to the commencement of any works on site, an Arboricultural Method Statement (AMS) and accompanying Tree Protection Plan (TPP), in accordance with BS 5837:2012, shall be submitted to and approved in writing by the Mineral Planning Authority which shall include:

- a) Location and installation of services/ utilities/ drainage;
- b) Details and Methods of works within the root protection area (RPA as defined in BS5837: 2012) of the retained trees or that may impact on retained trees;
- c) A full specification for the installation of boundary treatment works;
- d) A specification for protective fencing to safeguard trees during site works including all phases and a plan indicating the alignment of the protective fencing;

- e) A specification for ground protection within tree protection zones;
- f) Tree protection during works indicated on a TPP and works and work activities clearly identified as prohibited in this area;
- g) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
- h) Boundary treatments within the RPA;
- i) Arboricultural supervision and inspection by a suitably qualified tree specialist;
- j) Reporting of inspection and supervision;
- k) Methods to improve the rooting environment for retained and proposed trees and landscaping; and
- l) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Restoration and Aftercare

51. The site shall be restored in phases in accordance with Plan Nos: 757-01-07 to 757-01-10, 757-01-12 Rev A and 757-01-16 Rev A.

52. Within 24 months prior to the permanent cessation of mineral extraction in each phase, unless otherwise agreed in writing by the Mineral Planning Authority, a restoration and five-year aftercare scheme demonstrating how the site will be restored in accordance with Plan Nos: 757-01-12 Rev A and 757-01-16 Rev A shall be submitted for approval. The scheme will be implemented as approved and each phase will be restored in accordance with the approved restoration and aftercare scheme within 24 months of the completion of mineral extraction.

53. Within 2 years from the commencement of mineral extraction the 'Draft Restoration Management Plan' in Appendix 5 of the ROMP application shall be reviewed and updated if required and submitted to the Mineral Planning Authority for approval. The scheme will be implemented as approved.

54. A restoration and aftercare scheme for the Curtis Yard shown on Plan no: 757-01-05 Rev A shall be submitted to the Mineral Planning Authority within 3 years of the recommencement of mineral extraction unless planning permission is granted for its continued retention. The submitted scheme will be implemented as approved and include consideration of:

- The removal of buildings and hardstanding;
- Restoration treatments;
- Management;
- Timetable for implementation; and
- 5- Year aftercare.

Annex 2 - Consultation Responses Summary

Vale of White Horse District Council - Planning

Final Response

No comment.

Second Response

No comment from a planning perspective. It is noted that the district council has provided comment through the district Environmental Protection Team, and the matters of ecology, biodiversity and landscape are being considered by the county officers.

First response

Ecology and Biodiversity - The ROMP application site contains the Radley Gravel Pits Local Wildlife Site (LWS) (site code: 59I03). The LWS is designated for the mosaic of valuable aquatic and terrestrial habitats present, which include irreplaceable lowland fen and priority habitat waterbodies and reedbeds. The LWS is species rich in aquatic plants and invertebrates. - The site also falls within the Thames: Radley to Abingdon Conservation Target Area (CTA). CTAs form Oxfordshire's ecological network and are strategically important for nature's recovery within the county. - There are multiple records of protected species within the ROMP application site, including European protected species (GCN and otter). The site likely contains priority habitats of principle importance for the purpose of conserving biodiversity in England. - The ongoing working of the area will likely have notable ecological impacts which will need to be carefully considered in the planning balance against national and local policies.

Landscape conditions - Conditions 20/ 28 require a Landscape and Ecological Management Plan (LEMP). These usually cover a timescale of approximately 20 years. The expectation of the required timescale covered by the document (LEMP) needs to be clear in the condition wording.

- Condition 30 covers the planting to be included in the first planting season following recommencement of mineral extraction. The plan does not show sufficient detail with regards to the implementation, maintenance, and protection of the area, for example, from rabbit or deer grazing. This additional detail will need to be submitted, but could form part of the LEMP.

- Conditions 34 and 35 only refer to a 5 year maintenance period, post implementation. These conditions should be linked to the LEMP and have a longer timescale.

Curtis Yard - An application was submitted to the VoWH in November 2021 for the continued use of premises as a yard for the contractor, Terra firma (use sui generis). This site falls within the ROMP area (DD2) and is referred to in condition 37 as Curtis Yard. The district council concluded that the continued use could affect restoration of the site and was therefore a county matter. The application was returned to the

applicant in December 2023, to be resubmitted for consideration by OCC. It is understood that the use is due to cease 18 November 2025.

Neighbourhood Plan Policies - In drawing up the detail of the restoration plan(s) for the wider site, covered by the ROMP, due consideration should be given to the priorities and aspirations of the Radley Neighbourhood Plan (2018-2031)

Vale of White Horse District Council – Environmental Protection

Final Response

Thank you for consulting the Environmental Protection Team regarding the above application identified as MW.0041/23. As noted previously, additional consideration has also been given to the fact that the site already has planning permission for extraction, and that this application is to consider how permitted activities are to be carried out on site. Please refer to my previous responses for further information regarding the application as a whole.

Third Response

As noted previously, additional consideration has also been given to the fact that the site already has planning permission for extraction, and that this application is to consider how permitted activities are to be carried out on site. Please refer to my previous responses for further information regarding the application as a whole, as in this consultation I am responding to further information provided in regard to dust impacts, with particular reference to ecology. The Environmental Protection Team considers only the potential adverse impacts of a development (such as noise, artificial lighting, and odour) based on the principle of safeguarding public health. Such public health impacts would be primarily on residents in highly sensitive locations (such as residential dwellings). As such if comments are sought regarding ecology specifically, please contact Planning at Vale of White Horse District Council specifically so it can be re-directed as necessary.

Second Response

Having reviewed the submitted planning application and supporting documentation, I have extensively considered Environmental Protection matters related to noise, odour and dust, with particular reference to Appendix H Technical Note (Noise) as prepared by WBM Acoustic Consultants (Walker Beak Mason Limited). This response also gives consideration to previous responses documents and responses made as part of this application in 2023. As noted previously, additional consideration has also been given to the fact that the site already has planning permission for extraction, and that this application is to consider how permitted activities are to be carried out on site. Furthermore, this response relates specifically to the request for further information

required by Oxfordshire County Council under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as dated 5 July 2024. This request for further information falls broadly under the following categories:

- Further information on how calculations have been used in a previous noise impact assessment in support of the application.
- A noise contour map and/or further information on calculations used and estimated noise levels with and without the proposed mitigation identified previously.
- Further information on noise impacts on users of local primary schools, and of users of Public Rights of Way adjoining the site.

Appendix H explains in further detail how BS 5228-1: 2009 + A1: 2014 - Code of practice for noise and vibration control on construction and open sites has been used to provide data as part of the Noise Impact Assessment (and the subsequent clarifying Technical Note), with particular reference to Annex F - Estimating noise from sites. I have no objections to the calculations used or the further information (particularly relating bunding height) provided as an explanation.

A noise contour map has been prepared and provided as part of Appendix H, and it appears to be in support of the additional and previous information provided as part of the application. The impact on local schools is, due to proposed mitigation measures, distances between source/receptor and existing barriers identified as being likely inaudible, of which I have no additional comments.

The impact on users of the nearest public rights of way is identified to be higher at 66 dB LAeq, 1 hour, during Phase A, and 59 dB LAeq, 1 hour, during Phase B at a separate right of way. Appendix H also notes that the impact on actual users of the right of way will be lower than this due to the transient usage of the route. The document also notes that there is no specific legislation regarding the impact of noise from mineral sites on public rights of way, of which I have no additional comments.

Please refer to my response dated 8 June 2023 for further information regarding the application as a whole.

First Response

Having reviewed the submitted planning application and supporting documentation, I have extensively considered Environmental Protection matters related to noise, odour and dust, with particular reference in my initial review to Appendix G Noise Impact Assessment (Thrupp Farm Quarry, Abingdon, Oxfordshire Review of Old Mining Permission (ROMP) Noise Assessment) as prepared by WBM Acoustic Consultants (Walker Beak Mason Limited). Additional consideration has also been given to the fact that the site already has planning permission for extraction, and that this application is to consider how permitted activities are to be carried out on site. Appendix G identifies that noise produced by activities on site will primarily comprise of mineral extraction, and vehicle movements associated with mineral movement and removal (including

associated noise e.g., reversing bleepers). The Noise Assessment identifies within Section 8 that bunding and stand-off distances are one of the main mitigation measures in controlling noise from the site. Section 6.4 refers to calculations that are provided in the Appendix G of the Noise Assessment, but further information on how these calculations have been used to identify specific bunding height would be required to comment further. The provision of a noise contour map and/or an updated or separate report with further information on the calculations used and estimated noise levels with and without the proposed mitigation should address these concerns. Relating to this, the proposed bunding between Phase A and Thrupp House is identified within Section 6.4 as being at a height of 2.5 metres above ground level, but the map within Appendix B (continued) of the Noise Assessment appears to suggest the proposed bunding will be 3 metres high. Confirmation on this should be included in any updated information provided. Based on this I would like to request further information on the above noise mitigation measures, without which I will have to object to the proposed application on the grounds that the proposed mitigation measures may not be sufficient.

Radley Parish Council

While in some measure we welcome the arrival of a ROMP application, as it provides the potential to address many issues that have blighted the Thrupp Lane area since the initial granting of mineral permissions in 1954, we do have a number of objections to the current application.

We feel that much more clarity is needed in dealing with the restoration, particularly for the northern section of the site where mineral working is not proposed.

We also feel that the Ecological Appraisal is seriously deficient, especially in its consideration of Orchard Lake. There are also numerous other smaller problems with the application. As this application offers a once in a century opportunity to resolve the future of the area we want to get everything right.

We will expand on our objections as follows:

1 Restoration Radley Parish Council have been in discussion with County Council Officers for many decades about restoration of the north west portion of the site, since extraction of gravel ceased in the late 1970s. Lack of action by the County has resulted in the area being used for a number of non-mineral related industrial activities who have managed to secure a succession of temporary planning permissions otherwise unthinkable in the Green Belt as a result of the uncertain mineral situation. Most recently we have proposed a partial prohibition order for the area, but County Officers argued that conditions attached to the ROMP application would be sufficient to deal with this matter. We are therefore disappointed by the vague and flimsy proposition of condition 37. To start with it gives the incorrect date for end of the current permission for the JCSL industrial estate. This should be 18th November 2025 and not 2027 as claimed by the applicant, an error that is reproduced throughout all their documentation. We think it is incredibly unlikely that the industrial estate would be

granted permanent planning permission. It has only ever managed to secure temporary permissions based on the premise that the site might be necessary for future gravel processing which is clearly no longer the case. We therefore think that the restoration and aftercare scheme for the JCSL site should be prepared before the current permission expires. If a date of six months after the expiry of permission is used we know from bitter experience that it will be missed. The Landowner has constantly gamed the planning system with the estate operating for several periods without planning permission, including long periods between 1977 and 1984, and subsequently between 2011 and 2018. The situation has been exacerbated by a lack of communication between County and District Council Officers. The most recent permission was refused by the district, only to be overturned on appeal, but the Inspector in para 15 of his report stated that Oxfordshire County would have been able to insist on removal of the buildings under the terms of the 1954 permission. We will later be proposing a community liaison group to try to avoid problems in the future. We also feel there is not enough attention paid to restoration of other parts of the northern ROMP area not including the JCSL site. Indeed the application primarily focused on the extraction site and does not really give us the comprehensive coverage of the entire ROMP site that was promised at the Planning and Regulation meeting in September 2021.

While still on the subject of restoration we were disappointed to see that para 3.2.2 of the Ecological Appraisal referring to Oxfordshire Planning Policies does not seem to include the fact that the Minerals and Waste Core Strategy was adopted in 2017. I can only assume that they have copied and pasted from a much earlier report. This means that they give no consideration to policy M10 which calls for enhancement of conservation and biodiversity in all mineral site restoration. We would expect some use of metrics to assess biodiversity upgrade. Policy M10 also calls for consultation with local communities on options for after-care. We feel that any plans for the site should be based on the Radley Lakes Trust(RLT) masterplan, which received 98% public support when consulted upon in 2020/21, and be overseen by the community liaison group. We also agree with RLT that restoration of phase A and B should include more shallows, margins and islands to maximise biodiversity and landscape value. We would not support the importation of soil to facilitate this but would suggest using the material from the sandy overburden mound (SOM) . Para 2.10 of the planning statement claims that this mound has been naturally regenerated and does not propose to use it. In our experience the most common use of the SOM has been illegal racing by scrambler bikes and we would be happy to see it put to a better use.

2 Orchard Lake - We oppose the inclusion of Orchard Lake in the area proposed for excavation of gravel. Orchard Lake comprises a shallow wetland area and a deeper lake. The lake is the result of previous gravel and sand excavation. The wetland area is the result of the past removal of topsoil. This work was undertaken over 25 years ago and in the intervening period the area has evolved to create valuable areas for wildlife. The area is described in the Radley Lakes Masterplan (May 2021) as one that "... is in particular notable for its scenic beauty and diversity of wildlife". Orchard Lake is different to, and of a higher scenic quality than, the other areas of proposed gravel

extraction in the view of those who know the Radley Lakes area. Its value for wildlife and biodiversity is seriously underestimated in the Ecological Appraisal. One might almost think that AD Ecology had been primed by the applicant to downplay its value in the knowledge that its loss would be locally unpopular. AD make an enormous issue about the presence of New Zealand Pigmyweed in the lake. Their elaborate proposed control methods seem excessive as it is also present elsewhere in the Radley Lakes area. As part of Orchard lake has already been worked out it is not at all clear from the application how marginal an effect removal of Orchard lake would have on the potential yield of gravel.

3 Traffic on Thrupp Lane - It has long been our view that the level of HGV traffic on Thrupp Lane is unacceptable and causes significant conflict with cyclists and pedestrians. The fact that material will no longer be imported from Oday, along with the potential to remove the other industrial sites, should mean a reduction in traffic, which we welcome. However we would probably prefer the suggested extraction rate in para 4.20 of the Environmental statement to be set at 80,000-120,000 p/a to more accurately correspond with the amount currently being processed at the Tuckwell site to avoid the necessity for any material to be exported for processing elsewhere. We agree with para 5.7 of the environmental statement that it is preferable in climate terms to process the gravel from the local site than to import from afar, but that does open the question as to how sustainable the Tuckwell processing site is once the ROMP site is exhausted.

4 Groundwater and Surface water issues - We agree with RLT that not enough measures have been envisaged for assessing and mitigating the effects of dewatering on site on the neighbouring water based habitats, particularly Barton Fields, Longmead Lake and Bruney lagoon. We would like to see evidence that the applicant had discussed this with the Abingdon Naturalists, who manage Barton Fields on behalf of the Vale of White Horse DC, and with the owner of Longmead Lake.

5 Liaison Group - As referred to above we would like to see a liaison group set up to deal with any issues that arise over the period of extraction and restoration. This should include representatives of the County and District Councils, Radley Parish Council, Radley Lakes Trust and Tuckwells. All other local landowners should be invited to attend but their attendance should not be considered necessary for the group to operate as when the previously short lived liaison group fell apart when Redacted refused to attend.

Radley Lakes Trust

Final Response

Thank you for your consultation. RLT has previously commented on this proposal and made comments to the authority in our responses dated 24/04/23, 15/9/24, and 4/4/25. The comments provided in our previous responses applies equally to this amendment and we maintain our Objection.

A key concern for the trust is that the issues we raised in our original submission and subsequent responses have not been addressed by the applicant. The only changes to the application that we can determine are related to statutory consultees, and we

note that the concerns of the County Ecologist in relation to the loss of irreplaceable or Priority habitats have not been addressed.

We are concerned that the ROMP application, EIA and proposed conditions focus heavily on the proposed extraction area, do not adequately cover the whole ROMP site, and it is not clear enough which condition apply to which areas, or how satisfactory restoration of previously worked areas will be achieved.

As we and others have previously commented the Environmental Statement does not fully assess, mitigate or provide compensation for the ecological impacts and there are a number of inaccuracies. For example the non technical summary states that: '1.6 In the EIA process, environmental information has been researched and, where required, analysed by specialist consultants. The information gained in the assessment process has identified the environmental constraints of the Site, together with any mitigation measures to determine the way in which the Development Proposals can be developed in an acceptable manner and in accordance with modern environmental standards.'

As the applicant's representative notes in the letter from Land and Mineral to the LPA dated 29/5/25, Priority habitats predominantly cover the entirety of the mineral extraction area, with only 13% (1.88ha) of the extraction area not a Priority habitat. In our view the loss of 87% of the irreplaceable habitat from the site is not 'acceptable' or 'in accordance with modern environmental standards.' It also states '3.6 The Site is not located in or adjacent to an area designated for its landscape or for the protection of biodiversity.

The nearest protected area is the Culham Brake SSSI which lies over 560m to the southwest' Radley Lakes Trust registered charity number 1192259 2 This is incorrect Orchard Lake and Calfney's Marsh are part of the wider 'Radley Gravel Pits Local Wildlife Site', designated in 2006. Although not a technically a policy designation it should be noted that the Thames Valley Environmental Records Centre and Wild Oxfordshire have designated the whole of the Radley Lakes area including the proposed quarry area as a "Conservation Target Area" from which the proposed quarrying will remove 14.2 ha.

As well as stating under '5.36 The Site includes discrete areas of high botanical interest although most of the site supports only moderate botanical interest, with a number of HPI's being present.'

This is incorrect 87% of the site is classed as irreplaceable habitat. Our own records which have been shared with the applicant indicate an increasing botanical value in the Nyatt Field area with large areas of high botanical interest.

These inaccuracies in the presentation of the findings, along with the gaps in the ecological surveys highlighted in previous responses from RLT and others, raise questions about whether the assessment undertaken can be relied upon, and result in an under playing of the magnitude of the ecological impacts.

We appreciate the applicants argument in relation to viability, however we would argue that there is significant biodiversity value in the site which if it were to be quantified through the DEFRA Biodiversity Net Gain assessment metric would translate to a significant monetary value in habitat units. The applicant has argued that as there is no requirement for Biodiversity Net Gain under the Environment Act 2021 for ROMP applications, there is no requirement to undertake a BNG assessment with the application. However both the NPPF and local mineral policies apply to this application, and both require biodiversity to be enhanced and Priority habitats to be protected, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. This has not been satisfactorily demonstrated or quantified by the applicant.

It is unclear how OCC, in issuing a notice of determination for the ROMP, will be applying their duty to not only conserve but also enhance biodiversity at the site at Radley. This is particularly pertinent given the presence of irreplaceable habitat, Priority habitats, the presence of the Local Wildlife Site designation, and biodiversity more generally. In respect to the aftercare conditions given the loss of an area of Priority habitats and high biodiversity value, the applicant should be going above and beyond the standard 5 year management requirements, and be proposing an extended regime of management and monitoring of the site and any additional habitat compensation areas that might be agreed, to ensure that their scheme will deliver as they are purporting. We would appreciate the opportunity to discuss our comments with you and the County Ecologist further.

Third Response

We have reviewed the additional information submitted. The additional material does not address the issues raised in our previously submitted response dated 15/9/24. The extent of quarrying and restoration proposals are unchanged and our objection remains. We agree with OCC's senior biodiversity officer who states that the 'local wildlife site will be significantly adversely impacted by the proposal including a number of priority habitats and an irreplaceable habitat.' As previously commented the tree and ecological survey data is incomplete and should be completed to enable a full assessment of effects to be completed. The mitigation and compensation referred to in Section 7 of the Ecological Impact Assessment in Appendix C of the Environmental Statement should be updated to reflect the findings of these surveys. It is also a concern that APPENDIX 2617/FRA/A5 Flood Emergency Response Plan is silent on how any non-mobile equipment or oil, fuel, lubricants or other bulk stored liquids etc on the site would be safeguarded in the event of flood and the pollution risk managed. This should be addressed. We expect an opportunity to review and comment on the proposed conditions and the opportunity to raise any significant outstanding concerns directly with the Committee. Restoration of the North-West area remains a significant concern and we will look to see if our suggestions (from our original objection submission) to improve Conditions 36 and 37 are adopted so as to achieve effective and timely restoration of the NW area.

Second Response

Comments

Radley Lakes Trust has reviewed the additional EIA information and amended plans submitted by Tuckwells in July 2024 in response to the OCC Regulation 25 letter dated 5th July 2024. The revised plans fail to address the majority of the issues outlined in our previous comments and the Trust therefore maintains its earlier **OBJECTION**, with the following additional comments in relation to the issues previously raised.

Issue 1 - Orchard Lake. The revised plans still propose for this to be quarried in the final phase. The revised plans do not ensure that no significant harm would be caused to the existing and established priority habitats forming part of the Local Wildlife Site. We maintain that this precious habitat and scenic landscape which falls within the Local Wildlife Site should be **excluded** from extraction proposals. The additional EIA information evidences that this is an important habitat with otters

(European Protected Species) using the lake area. Orchard Lake is also considered to be of County importance for its dragonfly and damselfly assemblage, and toads (a priority species).

Issue 2 – Biodiversity Net Gain. The applicant states that this does not apply to ROMP applications, so this has not been undertaken. We note that, although the Environment Act

2021 excludes ROMPs from providing 10% net gain, the NPPF and local mineral policies still apply to this application. Both require some biodiversity net gain to be provided. The application area also lies within the Thames Radley to Abingdon' Conservation Target Area which seeks to maintain and improve Priority Habitats. There should certainly be no question of a biodiversity net loss here.

To measure this net gain, the Statutory Metric is now the standard. This should inform the appropriate restoration for the site including an understanding of the overall balance of the loss of habitats and those delivered through restoration, taking into account factors such as the time taken for habitats to establish, risks to success and trading between habitat types.

From review of the habitats proposed to be created in the restoration plans we anticipate that a BNG assessment would struggle to satisfy the habitat trading rules within the application boundary. The proposed restoration plans show a permanent loss of terrestrial habitats including locally rare botanically diverse grassland in Nyatts Field, formerly managed under a Countryside Stewardship Scheme arrangement, which is proposed to be replaced with locally common aquatic habitats including open water and wetland habitats.

In addition on a separate point related to protected species we note that there are deficiencies in the surveying methods used particularly with respect to bats and Great Crested Newts. No bat roost assessments have been undertaken. As a minimum, we would consider that Tuckwells should undertake a bat roost assessment of the initial areas where works are to be undertaken including the trees along the conveyor belt and haul road route.

Issue 3: - Groundwater and Surface Water Protection There is a commitment to a quarterly monitoring regime of boreholes with reports sent to OCC. The working plan has also changed so clay lining of the ponds is no longer undertaken other than for the western edge of A1. This ensures that groundwater flows in future are as undisturbed as possible.

Since the gravel extraction will now be done without clay lining of the pits the groundwater flow/quality situation will be changed to what was previously expected. Post excavation the situation is better without lining; but during excavation both Longmead and Orchard Lake will be impacted and measures must be put in place to protect the water levels and quality during quarrying operations.

Issue 4: - Restoration of Lakes/ restoration proposals. The restoration plans submitted have changed and now propose:

- that the two northern lakes will have a conservation-led restoration with areas of shallows, with the two southern lakes being managed for angling and quiet recreation.
- incorporating better protection of the 16m buffer either side of Radley Brook along with measures to create a more naturalised channel with berms, benches and a variation of in-channel features;
- that greater ecological enhancements are incorporated
- a new 200 sq m pond (fenced off from the public).

As noted under issue 2 above the restoration proposals should be informed by a comprehensive biodiversity net gain assessment of the overall balance of the loss of habitats and those delivered through restoration, taking into account factors such as the time taken for habitats to establish. Without this assessment we cannot comment fully on the restoration proposals.

Nevertheless we note that the inclusion of the features outlines above are a betterment on the previously submitted plans, however, all four lakes still lack sufficient islands which are important for nesting birds as they provide undisturbed places for nesting and roosting, where they are safe from terrestrial predators and disturbance by people and dogs. Otter holts would be better on islands for the same reasons. There is only one island shown (as compared to over twenty islands in Thrupp Lake) and the two southern lakes also lack areas of shallows. Additional islands (ideally clustered) should be provided in all four lakes.

With respect to Radley Brook the measures to create a more naturalised channel with berms, benches and a variation of in-channel features are welcomed but we suggest that there may be better less intrusive methods than desilting to increase water depths, using a leaky dam system.

Restoration proposals should be designed to maximise the habitat value of the waterbodies created and should be informed by a BNG assessment and include mitigation/ compensation proposals for the loss of grassland in Nyatts Field.

Issue 5: Traffic on Thrupp Lane: We note no change in proposals in the revised submission and our objection remains. There is no commitment to reduce mineral HGVs on Thrupp Lane which forms part of National Cycle Route 5.

Issue 6 & 7: Curtis Yard & Restoration of North-West area: We note no change in proposals in the revised submission and our objection remains. The restoration of the north-west part of the ROMP site, including the Curtis industrial yard, is long overdue. Plans for this are not sufficiently certain. This is a matter of considerable concern, and affects matters which are the province of the local planning authority (VWHDC) as well as OCC. The proposed ROMP conditions are the only chance to secure the restoration of this area, and failure to secure this will have very serious long-term planning consequences for the whole area. An objection letter from Redacted deals with this in more detail. We are appending a copy of this letter to this objection (see Appendix 2), and the Trust endorses all the points he makes.

Issue 8: Liaison Group: We note no change in proposals in the revised submission and our objection remains.

Issue 9 & 10: Sounding Bridge Path & Orchard Lake access routes: We note no change in proposals in the revised submission and our objection remains.

A proposed bailey bridge is shown for the haul road over the Sounding Bridge path. Further details are needed of this bridge structure and the adjacent conveyor belt showing how they cross the path, and the vegetation removal required to construct them.

The current access to Orchard Lake and the River Thames should be kept open and access provided over or under the conveyor belt.

We support the proposed dedicated footpath between the western and eastern lakes connecting to the Thames Path. As previously commented we believe a further east west path between the northern and southern lakes should also be incorporated.

Issue 11: The application as a whole: We note no change in proposals in the revised submission and our objection remains.

Conclusion

For all of the reasons stated above, Radley Lakes Trust considers that the application is not yet in a fit state to be determined, and the Trust therefore wishes to maintain its previous objection to the application.

If OCC, and /or the applicants, wish to discuss with us in more detail how our objections might be overcome, please let us know. In any event, we request that you keep us informed about the progress of this application, including any possible dates on which it might be taken to Committee.

Thrupp Farm ROMP (MW.0041/23): Comments by Redacted¹

Headline

The ROMP application of 10 March 2023 is confused, failing to deal properly with the ROMP area as a whole and in particular with the restoration of the area in the north-

west. OCC's REG 25 request for further information (5 July 2024) does not address this and the information provided in response perpetuates the confusion.

The application is not in a fit state for determination and needs revision.

The ROMP area and its ownership

The ROMP area is the whole of the land covered by the planning conditions DD1 and DD2 of 2000. These conditions are those proposed by the applicants. They came into force by default as OCC had not taken the necessary action in response.

The majority of the ROMP area is owned by John Curtis and Sons Ltd (JCSL), almost all the remainder by Tuckwells. The ROMP application has been made by Tuckwells. Their focus is primarily and understandably on the area south of the disused railway line where they propose to extract gravel. For this purpose they have a management agreement with JCSL, who own the land, This agreement is not believed to cover other JCSL land: In particular it does not cover the north-west part of the ROMP area to the north of the disused railway line.

The north-west area

The north-west area is owned by JCSL and was worked by them. Extraction of commenced shortly after WW2 and was complete by 1979 (sic). Void space has been filled by unregulated and undocumented waste but the land has never been restored.

The land is subject to DD2. While the DD2 area is wider in its geographical scope, the conditions include ones applying specifically and solely to the north-west area. Condition 13 reads as follows.

'Within 12 months of the anticipated date of completion of mineral working north of the disused railway a restoration scheme shall be-submitted to and agreed with the MPA, such scheme to include,

- removal of all plant and machinery associated with the development.
- areas that are to be left as water and those areas that are to be restored to land.
- the surface treatment of the land to achieve satisfactory gradients prior to replacing soil materials.
- the details of soil handling and respreading to agreed thicknesses of topsoil and subsoil materials.

¹ I have in the past represented Radley Parish Council in evidence to OCC's Planning and Regulation Committee and have also been a trustee of the Radley Lakes Trust. Neither now applies. These comments are personal based on my knowledge of the land, its commercial and environmental potential, and OCC's legal responsibilities.

- the grading of the sides of the excavated areas to form suitable bank profiles,
- measures to ensure support to the adjoining land.
- the details of the landscape planting such details to include treatment of placed soils to achieve a suitable seed bed, location, species and density of trees and shrubs to be planted, specification and density per hectare of grass seed to be sown.'

This condition has not been complied with. Instead, the land today comprises:

- a commercial yard for uses unconnected with minerals extraction (most of which have temporary planning permissions);
- open land, sometimes known as the 'Quarry land', which is not only unrestored but badly fly-tipped.

Confusion in the ROMP application

The application documents are muddled as between the ROMP area as a whole and the area within it now proposed for extraction (including ancillary activity). Under the ROMP legislation the 'site' is the whole ROMP area. The application documents are unclear in their geographical extent, but appear to regard the 'site' as being solely the area now proposed for extraction. This same confusion has been carried through into the reports by specialist consultants

As the confusion arises not just in the underlying reports but in the proposed conditions it is not possible to discern what conditions apply to what land. This might seem pedantic but it matters as the ROMP conditions will effectively have the force of law. The lesson of DD1/2 (where the conditions became law by default) is that proposed conditions will become actual conditions unless something is done about them.

The confusion also betrays a serious imbalance in the ROMP proposals. There is very little about the restoration of the north-west land. The Environmental Statement Non-Technical Summary does not even mention it. But it is the land most crying out for restoration given the very long time period (about 45 years) since extraction was complete, the failure to implement the existing DD2 conditions and the very poor state into which the land has fallen.

The report at Appendix 5 to the application does, it is true, address the restoration of the north-west area, but the proposed Condition 36 then makes a nonsense of this by linking action to the commencement of gravel extraction whereas there is no gravel in the area to extract.

The issues here are not just environmental but commercial. Operators, and anyone considering purchase, need absolute clarity as to the liabilities that go with the land.

The ROMP should be the means to create this clarity. Without it there will be yet more years of blight.

Why OCC need to put this right

In September 2019 OCC's Planning and Regulation Committee decided that a prohibition order should be served on the whole ROMP area for the reason that minerals activity had ceased and was unlikely to resume. Subsequently Tuckwells provided evidence that they would resume extraction on the land to the south of the disused railway line (as is proposed in the current ROMP application).

At its meeting of July 2022 the Committee reviewed the position. In their advice officers accepted that Tuckwells were likely to resume extraction on this land and proposed withdrawal of the prohibition notice. Radley Parish Council (RPC) also accepted that extraction was likely to resume on this land but pointed out that there was nil prospect of resumption in the north-western area, where the gravel deposits had been exhausted. They argued that a prohibition order should still be pursued for this area. This would enable OCC to require appropriate restoration to bring blight to an end without waiting for the statutory default date of 2043 that would otherwise apply.

The Planning and Regulation Committee fully supported this objective but were persuaded by officers that the best way of pursuing it was not through a prohibition order but through the ROMP process. This would result in an Environmental Assessment for the whole ROMP area, as they believed to be required by Planning Guidance. They assured the Committee that the ROMP process would apply to the whole area and would include appropriate restoration conditions for the north-west area.

RPC thought this was mistaken. A prohibition order can (as did DD2) make separate provision for the north-western area, and it can be served on the relevant owner. The ROMP process by contrast is being led by Tuckwells, who have no control over the land in question.

Notwithstanding this difference of view, the decision to pursue the ROMP route was taken. OCC now need to make good on their undertaking - by ensuring that the ROMP does indeed address the whole of the ROMP area and does make appropriate provision for the restoration of the north-west area.

Conclusion

The Reg 25 process indicates that some 18 months after the ROMP application, there is still confusion over the ROMP area. OCC - as far as is visible – have not taken the necessary action to remedy this. They need to ensure that the ROMP process covers the whole area, resulting in conditions that are clear in their extent and apt to all land that warrants it including the north-western area.

The best way of achieving this is through the actions proposed by the Radley Lakes Trust in their submission of 24 April 2023, highlighted in the Annex that follows.

Annex. RLT's submission of 24 April 2023. Issue 11

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type – Objection
Issue – 11. The completeness, accuracy and clarity of the application
Reason for objection
<p>The ROMP process needs to provide a comprehensive assessment of the whole ROMP site, resulting in clear and appropriate conditions for each parcel of land. The application does not enable this to be achieved.</p> <p>The 'site' and areas within it</p> <p>The 'site' for the ROMP review is the whole ROMP area (i.e. the area covered by the mineral planning permissions listed in the 2015 Notice of Review). However, the application frequently uses the term 'site' for conditions which seem to be intended only for the proposed extraction area. This could have substantial unintended consequences. We suggest that 'site' be reserved for the whole ROMP area, with the term 'extraction area' (or similar) being used for land on which extraction and associated works are proposed.</p> <p>Conversely, the application does not propose conditions for parts of the site falling outside the extraction area, but nevertheless meriting them. This issue applies in particular to Tuckwell's operational land in the north-east. Part of this has a permanent permission for concrete batching, part has a permission agreed but not finalised for minerals processing. Part is simply unrestored mineral land. The ROMP process needs to ensure appropriate and internally consistent coverage of this land.</p> <p>The application is also silent on other areas within the ROMP site. We would not expect conditions for land within the ROMP site which has not been, and will not in future be, subject to mineral operations; nor for land which has been subject to minerals operations, but which has since been satisfactorily restored. However, to provide a sound basis for decisions, any such land needs to be explicitly identified, with reasons why no new conditions are considered necessary.</p> <p>Our views on the need for comprehensive coverage of the whole ROMP site accord with the approach promised by OCC officers at the meeting of the Planning & Regulation Committee on 6 September 2021 and with the Committee's own resolution made at that meeting.</p> <p>ROMP landowners</p> <p>The ROMP site is in multiple land ownership and the ability to deliver ROMP conditions is therefore complex. The original application did not list all the landowners. Those omitted, as well as holding land within the ROMP site, would be directly affected by the extraction proposals.</p> <p>A revised application has now been submitted correcting the omissions. But there is no accompanying map or commentary, so it is not clear how far delivery of the proposed conditions is dependent on other owners. For example, the proposed (and welcome) dedicated path between the extraction area and the Thames seems to include a stretch not in the applicant's ownership or control; it is relevant to know whether that is the case and if so whether the landowner concerned has agreed to the proposal.</p>

Consultation meeting held on 12 January 2023

The planning statement (para 6.8) says that Radley College was represented at this meeting. This is not right. Redacted, was present in his capacity as chair of the Radley Lakes Trust. They also give the wrong location for the meeting, which was at Tuckwell's Thrupp Lane premises. RLT's own note of the meeting, sent to Tuckwell soon after (18 January), is attached as Appendix 1. We believe that our note, which was not queried by Tuckwell, is a more complete reflection of the discussion.

Our objection can be overcome if:

- the application documents are withdrawn and revised to deal with all the points above and any others of a similar nature;
- the revised documents are accompanied by:
 - a map showing who owns each parcel of land;
 - a map showing which parcels of land are covered by each of the proposed conditions;
 - a reconciliation against the spatial coverage of the existing conditions in DD1 and DD2;
 - a map showing parcels of land that are not covered by any proposed conditions;
 - a brief statement as to why conditions are not in these cases considered to be warranted.

This will enable it to be assessed whether the ROMP process is comprehensive in its coverage.

First Response

Summary

Radley Lakes Trust OBJECTS to this application on 11 grounds, namely:

- **1: Orchard Lake:** Area C falls within a designated Local Wildlife site and includes Orchard Lake. These precious habitats and scenic landscape should be excluded from extraction proposals.
- **2: Biodiversity Net-Gain:** The submission does not make provide evidence to demonstrate that Oxfordshire County Council Minerals Policy M10 has been met.
- **3: Groundwater and Surface Water Protection:** Extraction is likely to have an adverse impact on water related habitats and biodiversity, within and outside the site. Proposals to mitigate these impacts are inadequate.
- **4: Restoration of Lakes:** The restoration proposals for lakes A, B1 and B2 do not include sufficient shallows, margins and islands to maximise biodiversity and landscape value.
- **5: Traffic on Thrupp Lane:** There is no commitment to reduce mineral HGVs on Thrupp Lane. This misses a big opportunity as there should no longer be a need to import mineral from outside the ROMP site.

- **6 & 7: Curtis Yard & Restoration of North-West area:** The restoration of the north-west part of the ROMP site, including the Curtis industrial yard, is long overdue. Plans for this are not sufficiently certain.
- **8: Liaison Group:** formal arrangements are necessary to ensure the applicant and interested parties can resolve concerns as the work progresses.
- **9 & 10: Sounding Bridge Path & Orchard Lake access routes:** existing footpaths need to be kept open
- **11: The application as a whole:** The application contains significant omissions and errors and is unclear on important points. It does not provide a sound basis on which to take decisions.

We have also made 2 COMMENTS on this application, namely:

- **1. Restoration of North-West Area:** advice to clarify scope of the plan
- **2. Consultation with Local Communities on Options for After-Use (Policy M10):** advice on use of Radley Lakes Masterplan to inform submission.

Full details of the Objections and Comments and relevant background information, are set out below.

Radley Lakes Trust – Who we are

The Radley Lakes Trust (RLT) is a registered charity (number 1192259) established in 2021. Its aims include conserving the Radley Lakes area and its wildlife, advancing education and science in relation to the area, and promoting activities at the Lakes which contribute to human health. A full statement of the Trust's charitable aims in its can be found [here](#). The Trust is managed by a board of trustees and you can find information about us [here](#). A number of the trustees have been involved in the Radley Lakes area for several decades and have a wealth of experience and expertise on the history and potential of the area.

The Radley Neighbourhood Plan identifies Radley Lakes as an area for nature conservation and quiet recreation. The work of the Trust and the future management of the Lakes is guided by a Masterplan, published in May 2021, which is available [here](#). The Masterplan sets out a long-term vision for the Lakes. It proposes improved access to the Lakes for walkers and cyclists, and walking trails within the area. It also outlines how the wildlife and habitats of the Lakes should be cared for.

One of the Trust's main activities is to carry out projects. Projects in the Masterplan are funded by the 'Community Infrastructure Levy' (payments made to Radley Parish Council by the developers of new housing estates in Radley), and by other grants and donations. Volunteers help with carrying out projects as do landowners of the Radley Lakes area. The Thrupp Farm ROMP (Review of old minerals permissions) application from Tuckwell is entirely within the area of interest of the Radley Lakes Trust.

Approach to our Response

This application is significant for the Trust as it will affect the Radley Lakes area for many years to come. We have based our response around the proposals and ideas within the Radley Lakes Masterplan. This Plan reflects the interests of the local community and was the subject of major public engagement and consultation exercise in 2020 and 2021, when it received support from 98% of respondents, including strong support from 63%.

The RLT Board of Trustees considered the potential for the application in February 2022 and concluded that it should “pursue outcomes consistent with its charitable objectives: these included the preservation of Orchard Lake, appropriate restoration of land that was worked, and completion of masterplan projects.’

We published a draft of our proposed response on the Radley Lakes Trust website on Friday 14 April. A number of comments were shared with us and we have incorporated these into our response. We also provided David Perriam at Oxfordshire County Council with an initial assessment of points of accuracy with regards to the application.

We have spoken with Tuckwell on two occasions, 12 January and 6 April 2023, to understand their proposals and explain our objections and ideas.

Our response contains 11 **objections** and 2 **comments**. These are detailed in the following sections.

Our objections

In summary, we object to the application for the following 11 reasons:

- **1: Orchard Lake:** Area C falls within a designated Local Wildlife site and includes Orchard Lake. These precious habitats and scenic landscape should be excluded from extraction proposals.
- **2: Biodiversity Net-Gain:** The submission does not make provide evidence to demonstrate that Oxfordshire County Council Minerals Policy M10 has been met.
- **3: Groundwater and Surface Water Protection:** Extraction is likely to have an adverse impact on water related habitats and biodiversity, within and outside the site. Proposals to mitigate these impacts are inadequate.
- **4: Restoration of Lakes:** The restoration proposals for lakes A, B1 and B2 do not include sufficient shallows, margins and islands to maximise biodiversity and landscape value.
- **5: Traffic on Thrupp Lane:** There is no commitment to reduce mineral HGVs on Thrupp Lane. This misses a big opportunity as there should no longer be a need to import mineral from outside the ROMP site.
- **6 & 7: Curtis Yard & Restoration of North-West area:** The restoration of the north-west part of the ROMP site, including the Curtis industrial yard, is long overdue. Plans for this are not sufficiently certain.
- **8: Liaison Group:** formal arrangements are necessary to ensure the applicant and interested parties can resolve concerns as the work progresses.
- **9 & 10: Sounding Bridge Path & Orchard Lake access routes:** existing footpaths need to be kept open
- **11: The application as a whole:** The application contains significant omissions and errors and is unclear on important points. It does not provide a sound basis on which to take decisions.

Our reasons for these objections are provided below.

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type – Objection
Issue – 1. Orchard Lake
Reason for objection
<p>The excavation of gravel and sand within the Radley Gravel Pits Local Wildlife Site, which was designated by Oxfordshire County Council in 2006 and which is also in the Conservation Target Area in the Vale of White Horse Local Plan, will lead to the loss of Orchard Lake which is a highly valued landscape with particular scenic quality formed from a diverse range of habitats supporting many aquatic species.</p> <p>Orchard Lake comprises a shallow wetland area and a deeper lake. The lake is the result of previous gravel and sand excavation. The wetland area is the result of the past removal of topsoil. This work was undertaken over 25 years ago and in the intervening period the area has evolved to create valuable areas for wildlife. The area is described in the Radley Lakes Masterplan (May 2021)</p>

as one that "... is in particular notable for its scenic beauty and diversity of wildlife". Orchard Lake is different to, and of a higher scenic quality than, the other areas of proposed gravel extraction in the view of those who know the Radley Lakes area.

Because most of Orchard Lake is shallow (mainly less than 0.5 m depth) it hosts far more species of amphibian, invertebrate and plants than would a flooded gravel pit, which are typically 4m deep or more. Deep water lakes predominate in the Radley Lakes area so retention of a shallow lake helps secure biodiversity in the area.

Common Toads breed in Orchard Lake and naturalists have recorded adults coming to this lake in March and April since 2012. In some years over 2000 adult Toads have been counted visiting the lake.

Dragonflies are attracted to Orchard Lake because they breed mainly in shallow water. Many dragonfly recorders visit Orchard Lake from throughout Oxfordshire to observe these insects. These observations are recorded on the British Dragonfly Society's Oxfordshire website where there are 156 records to date of 21 species including a new species (the Willow Emerald Damselfly) found there in August 2020.

Orchard Lake hosts good numbers of aquatic invertebrates, which have been recorded during informal pond dipping sessions organised by Abingdon Naturalists Society with species identified by Jeremy Biggs (Director of the Freshwater Habitats Trust). Fish in the lake attract birds such as Osprey which visit occasionally on passage. Bittern are often recorded there or nearby in winter and a Common Crane was spotted nearby on 19 April 2023 and this iconic species has the potential to become a more frequent visitor if the habitat of Orchard Lakes is preserved.

Calfneys' Marsh is also located in the 'Radley Gravel Pits' Local Wildlife Site and is an undisturbed wetland area west of Orchard Lake comprising a mixture of habitats including: sedge fen, wet woodland and reedbed. The fen is rich in sedge species and Adder Tongue fern was recorded in the past on the edge of the fen. Reed Warbler and Reed Bunting breed there and Woodcock, Snipe and Teal have been recorded there in winter.

Orchard Lake is also considered to be of a "high scenic quality" because of the surrounding trees, reedbed and the large stands of Yellow Flag Iris which bloom there. The sense of beauty and tranquillity is enhanced by the song of Reed Warbler and other birds in spring.

The Landscape and Visual Impact Assessment (LVIA) fails to sufficiently assess the baseline situation and recognise the landscape, recreational and wildlife value of the eastern part of the site (Phase C and eastern part of B2) and the contribution it makes to the Green Infrastructure within the River Thames floodplain. A more detailed site analysis would have differentiated this part of the site which is more sensitive to the effects of quarrying because:

- "The loss of tree cover during Phase B2 and C represents the loss of a feature which contributes positively to the local landscape character ... its loss will still represent a notable change to the predevelopment condition of the landscape resource" (LVIA Section 5.1.5)
- "Phases B2 and C will see more significant vegetation loss ... The vegetation loss during the later phases of the operations will have a greater effect on the landscape resource, opening up what is currently a largely enclosed part of the site, as well as seeing the removal of more diverse habitats" (LVIA Section 5.1.9).

Our objection can be overcome if:

- the application is revised to limit gravel and sand extraction to Phase A and B only.

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – 2. Biodiversity Net Gain

Reason for objection

The Environmental Statement and supporting documents do not use an appropriate methodology to evaluate whether the application meets the requirements of Oxfordshire County Council's Policy M10 on biodiversity net gain.

Adopted in 2017, the Oxfordshire Minerals and Waste Core Strategy sets out the vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals over the period to 2031. Policy M10: RESTORATION OF MINERAL WORKINGS states that "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." Such an approach, would fit very well with the Local Nature Recovery Strategy for Oxfordshire which the Council has been appointed to prepare. The proposed extraction, including the creation of the conveyor route, should not result in a net loss of biodiversity.

Biodiversity can be measured in accordance with DEFRA Biodiversity Metric 3 or 4. This methodology is required by the Vale of White Horse District Council (<https://www.whitehorsedc.gov.uk/vale-of-white-horse-district-council/planning-and-development/wildlife-trees-and-landscape/wildlife/biodiversity-and-accounting/>). This approach will bring all the biodiversity issues into a single sum and take account of the time lapse before restoration takes place and settles in.

Our objection can be overcome if:

- the applicant submits a suitable assessment of revised proposals (see Objection 4) to demonstrate a net gain in bio-diversity.

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – 3. Groundwater and Surface Water Protection

Reason for objection

The proposed conditions for protection of the aquatic environment do not sufficiently protect streams, ditches, lakes, ponds and other water features from the consequences of dewatering activity during the extraction of sand and gravel and the initial restoration period as the lakes establish themselves.

The Hydrogeological and Hydrological Assessment does not consider:

- 1) the impact on either Barton Fields or Bruney Lagoon. These valuable water-dependent habitats are situated just outside the proposed development area but have not been considered within the assessment. Both sites are dependent on the ditches flowing westwards from the development area and local groundwater flows. Abingdon Naturalists', who manage Barton Fields on behalf of the Vale of White Horse DC, were not approached for advice by the applicant. Flows and silt levels in the Radley Brook and the other ditch flowing westwards through the excavation site do not appear to have been measured. Without this data conclusions that the use of dewatering inputs alone will compensate for any losses are difficult to justify. The nature of downstream habitats might require reassessment of the "sensitivity" assessments in Table 2617/HIA/T13. Overall, the consequences of extraction, and the development of suitable mitigation, needs to be addressed in a revised submission
- 2) Longmead Lake is considered to be in hydraulic connection with the gravel aquifer" (p.19 of the Hydrogeological and Hydrology Report) whereas in the Planning Statement it is described as "which maybe in connectivity" (s 3.38 of the Planning Statement). This ambiguity needs to be addressed and the proposed mitigation for Longmead Lake revised to provide effective mitigation under a range of possible impacts
- 3) dewatering may lead to changes in groundwater flow causing water to be drawn in more rapidly from the Thames. River water contains high levels of nitrates, phosphates and other pollutants which will adversely affect aquatic species such as Variable Damselfly which breed in Bruney Lagoon. Mitigation plans need to be developed to manage this risk
- 4) the possibility that with only a limited range of surface water and groundwater data to analyse, the assessment of impacts is likely to be inaccurate. A more precautionary water quantity and quality mitigation plan needs to be developed to manage the uncertainty in natural systems that cannot be fully assessed
- 5) as the wetland and lake restoration programme is initiated then monitoring of water quality and quantity in the lakes will be appropriate to ensure understanding of how they are developing. This is particularly important as clay lining of open lakes has not been used in the Radley Lakes area before
- 6) hydrometric and groundwater monitoring to assess the actual, rather than assumed, impacts and the effectiveness of any mitigation measures is inadequate. The sharing of data with third parties so a shared assessment of impacts and mitigations can be made also needs to be covered.

Our objection can be overcome if:

- the Hydrogeological and Hydrological Assessment is resubmitted with appropriate and more considered analysis of the impacts on Longmead Lake, Barton Fields and Bruney Lagoon, improved mitigation plans and enhanced monitoring proposals
- conditions 22 & 23 are revised so the quantity and quality impacts of dewatering can be measured and evaluated by relevant parties and mitigations adjusted as work progresses to maintain agreed flows, levels and specific quality criteria
- draft permits and licences are developed with the local community before approval by the Environment Agency.

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – **4. Restoration of Lakes**

Reason for objection

The current proposals for restoration of the excavated lakes fail to provide sufficient areas of shallow wetlands, marginal shelves and islands in order to maximise biodiversity and landscape value.

The Radley Lakes area already has a number of deep-water lakes but a much smaller range of shallow wetlands. The range and diversity of species found in Orchard Lake, a shallow wetland area, far outnumber that found in the deeper lakes and illustrate what can be achieved through more inspiring and thoughtful restoration proposals.

The current proposals lack diversity in the landscapes that will be created and limit the opportunities for local communities to visit and enjoy a vastly more interesting nature site for quiet recreation. They fail to deliver the biodiversity gains that could be achieved and that are needed to off-set the biodiversity loss caused by the proposed extraction.

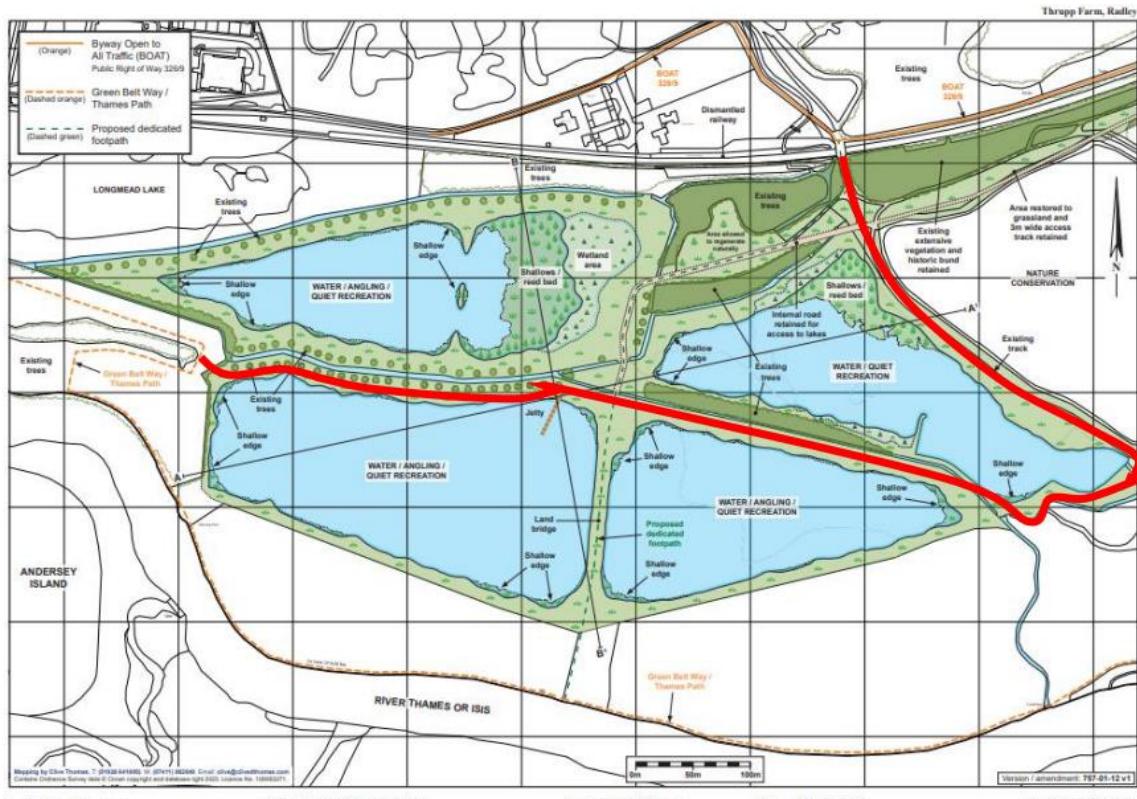
The gravel extraction will lead to large voids that will need filling if they are to be made into shallow wetlands. We appreciate that the overburden and soils removed from the gravel workings will only make a limited contribution to filling the lakes, hence the lack of shallow wetlands.

We do not propose that fill is imported into the area to achieve a greater level of filling and therefore shallow wetlands, islands and margins. There is however an area of previously stored sand and soil known as the SOM (Sandy Overburden Mound) which could be used to restore the lakes. The SOM is located within the proposed development area and within 600m of all the areas to be filled. This material was intended for restoration of other lakes but never used.

The Environmental Statement does not attribute a particular ecological or landscape value to the SOM area although further assessment will be necessary. Radley Lakes Trust consider that the diversity of habitats created by reuse of the SOM as fill material for the excavations will be of much greater value to the community and local wildlife in the medium to long term. However, the Environmental Statement will need to cover this issue in full. Lake A should be restored predominantly for ecological use with no angling/quiet recreation opportunities.

Lakes B1 and B2 are proposed to have less than 3% of their surface area as islands/marginal shallows/wetlands. We recognise that angling will be a large part of the benefit provided by these restored lakes but a greater effort to add ecological potential to these areas is necessary. A mixed community of fish species is our preferred stocking for the lakes. The applicant should define the range of quiet recreation opportunities.

The proposed footpath running from the BOAT to the river Thames is supported. We believe that a further permissive path, shown in red on the plan below, should be incorporated into the restoration plan. This will help ensure the development meets Oxfordshire County Council's Minerals Policy C11 which states that "Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration and aftercare scheme."



Section 3.64 in the Planning Statement indicates the timetable for the submission of a detailed Restoration and Aftercare Scheme for each phase is “2 years before the completion of the restoration works in each phase”. It is difficult to see how this can be reasonably judged with any certainty.

Our objection can be overcome if the applicant:

- reconsiders the restoration options through reuse of the SOM material to create a more diverse set of habitats and landscapes
- extends the range of permissive footpaths proposed and restricts angling and quiet recreation to lakes B1 and B2
- provides a more definitive way of defining the timing and scope of restoration and aftercare proposals
- describes the scope of the restoration and aftercare plan for the gravel extraction areas, ensuring they contain habitat creation, landscaping, environmental monitoring and public access elements.

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – 5. Traffic on Thrupe Lane

Reason for objection

The application lacks an assessment of the extent to which extraction of Thrupe Farm gravel and sand will reduce imports of mineral from other sources and hence reduce the number of lorry movements to and from Tuckwell’s Yard along Thrupe Lane.

It is widely agreed that Thrupp Lane is currently unsafe for pedestrians and cyclists accessing Radley Lakes and that this is a major local concern. The Radley Neighbourhood Plan and Lakes Masterplan have both made proposals to segregate pedestrians and cyclists from other road traffic, but the problem remains. It also seems to be agreed that mineral lorry movements on Thrupp Lane should be capable of reduction once gravel starts to be extracted at Thrupp Farm. This is a clear benefit from the proposal. However, the applicant has not taken the opportunity to assess and offer a proposal on this matter.

Our objection can be overcome if:

- an assessment is made by the applicant of expected reductions in traffic levels and a condition, or form of agreement between the applicant and interested parties, is created so that traffic levels are seen to reduce.

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – **6. Curtis Yard**

Reason for objection

Condition 37, which relates to Curtis' Yard at the end of Thrupp Lane, inaccurately states when current temporary planning permissions expire and is too uncertain about subsequent restoration.

The Planning Inspector's decision of 18 November 2020 consents the retention of temporary uses on Curtis Yard until 18th November 2025, and not 18th November 2027 as stated in the Planning Statement. Likewise, therefore, the Restoration and Aftercare Scheme needs to be submitted by 1st June 2026 and not 1st June 2028.

The Planning Statement indicates the expectation that this area "will include proposals for ..." restoration but in Condition 37 this has been changed to "will ... include consideration of proposals for ...". Restoration, as required by the existing permission for this land, is already long overdue and the looseness of this wording creates a risk that key issues in any Restoration and Aftercare Scheme will not be addressed.

Our objection can be overcome if:

- 1) Condition 37 is revised to read as follows:

"A restoration and aftercare scheme for the Curtis Yard shown on Plan no: 757-01-05 shall be submitted to the Mineral Planning Authority by 1st June 2026 unless permanent planning permission has by then been granted for its continued retention. The submitted scheme will be implemented as approved and include proposals for:

- The removal of all buildings and hardstandings;
- Restoration treatments;
- Management;
- Timetable for implementation; and
- 5-Year aftercare"

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type - Objection
Issue – 7. Restoration of North-West Area
Reason for objection
<p>There is insufficient urgency in the start to restoration of the north-west area (the area west of Thrupp Lake and north of Thrupp Farm shown as Previous Workings on Plan No. 757-01-05).</p> <p>The applicant has submitted a Restoration Plan prepared by AD Ecology for the relevant area. We have included separate comments on this plan. Our objection is over the start of its implementation. This area has been awaiting clean-up, restoration and management, as required by the existing consents, for many years and there appears to be no operational reason why implementation should not proceed at the earliest opportunity. The removal of fly-tipped material is particularly urgent.</p> <p>Our objection can be overcome if Condition 36 is revised to read as follows:</p> <p>“Within 12 months from the approval of the new ROMP conditions the ‘Draft Restoration Management Plan of area to the north of the disused railway line’ in Appendix 5 of the ROMP application shall be reviewed and updated if required and submitted to the Mineral Planning Authority for approval. The scheme will be implemented as approved within six months of approval.”</p>

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type - Objection
Issue – 8. Liaison Group
Reason for objection
<p>The application lacks formal arrangements for on-going liaison between the applicant and interested parties on the operation and restoration of the Thrupp Farm ROMP site in accordance with the requirements of the approved permission.</p> <p>A group that meets under the leadership of Oxfordshire County Council on at least a quarterly basis to discuss and resolve any practical issues associated with the operation and restoration of Thrupp Farm would be appropriate. This group could work alongside routine informal discussions between key parties on an ad-hoc basis.</p> <p>Our objection can be overcome if a new Condition is included as follows: “The applicant and OCC agree terms for a suitable liaison group to ensure any issues with the operation and restoration of Thrupp Farm are resolved regularly.”</p>

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type - Objection
Issue – 9. Sounding Bridge Path
Reason for objection

Plan no. 757-01-11 shows a Bailey Bridge blocking access along the Sounding Bridge Path (which runs along the line of the disused railway line) at the southern end of Tuckwell's Yard.

The proposed bridge carries a haul road and conveyor across the footpath and would block the existing access route from Radley & Lower Radley to the south-eastern corner of Thrupp Lake.

The applicant indicated to us on 6 April 2023 that the Bailey Bridge would be replaced by a concrete culvert which would take the conveyor under the level of the footpath. A bridge across the top of the culvert would maintain the existing level footpath access along the Sounding Bridge Path.

On a related point the ROMP conditions needs to ensure consistency between Tuckwell's current intentions (i.e. no bailey bridge) and the earlier permission for the processing plant (MW.0075/20), which did include a bailey bridge.

Our objection can be overcome if:

- the applicant submits a suitably revised version of plan no. 757-01-11 and a General Arrangement drawing of the proposed culvert and bridge, and
- a new Condition is included as follows "The applicant ensures open and level access along the Sounding Bridge Path."

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type - Objection

Issue – **10. Orchard Lake Access Route**

Reason for objection

The proposed conveyor shown on plan no. 757-01-07 would block the existing access route from the south-west corner of Thrupp Lake through to Orchard Lake.

The applicant indicated to us on 6 April 2023 that there was a possibility of building a footbridge over the conveyor at this point.

Our objection can be overcome if:

- the applicant submits a suitably revised version of plan no. 757-01-07 and a General Arrangement drawing of the proposed footbridge, and
- a new Condition is included as follows "The applicant ensures that the Orchard Lake access route remains open at all times."

Application Number – MW.0041/23

Name – Radley Lakes Trust

Response Type – Objection

Issue – **11. The completeness, accuracy and clarity of the application**

Reason for objection

The ROMP process needs to provide a comprehensive assessment of the whole ROMP site, resulting in clear and appropriate conditions for each parcel of land. The application does not enable this to be achieved.

The 'site' and areas within it

The 'site' for the ROMP review is the whole ROMP area (i.e. the area covered by the mineral planning permissions listed in the 2015 Notice of Review). However, the application frequently uses the term 'site' for conditions which seem to be intended only for the proposed extraction area. This could have substantial unintended consequences. We suggest that 'site' be reserved for the whole ROMP area, with the term 'extraction area' (or similar) being used for land on which extraction and associated works are proposed.

Conversely, the application does not propose conditions for parts of the site falling outside the extraction area, but nevertheless meriting them. This issue applies in particular to Tuckwell's operational land in the north-east. Part of this has a permanent permission for concrete batching, part has a permission agreed but not finalised for minerals processing. Part is simply unrestored mineral land. The ROMP process needs to ensure appropriate and internally consistent coverage of this land.

The application is also silent on other areas within the ROMP site. We would not expect conditions for land within the ROMP site which has not been, and will not in future be, subject to mineral operations; nor for land which has been subject to minerals operations, but which has since been satisfactorily restored. However, to provide a sound basis for decisions, any such land needs to be explicitly identified, with reasons why no new conditions are considered necessary.

Our views on the need for comprehensive coverage of the whole ROMP site accord with the approach promised by OCC officers at the meeting of the Planning & Regulation Committee on 6 September 2021 and with the Committee's own resolution made at that meeting.

ROMP landowners

The ROMP site is in multiple land ownership and the ability to deliver ROMP conditions is therefore complex. The original application did not list all the landowners. Those omitted, as well as holding land within the ROMP site, would be directly affected by the extraction proposals.

A revised application has now been submitted correcting the omissions. But there is no accompanying map or commentary, so it is not clear how far delivery of the proposed conditions is dependent on other owners. For example, the proposed (and welcome) dedicated path between the extraction area and the Thames seems to include a stretch not in the applicant's ownership or control; it is relevant to know whether that is the case and if so whether the landowner concerned has agreed to the proposal.

Consultation meeting held on 12 January 2023

The planning statement (para 6.8) says that Radley College was represented at this meeting. This is not right. Redacted, was present in his capacity as chair of the Radley Lakes Trust. They also give the wrong location for the meeting, which was at Tuckwell's Thrupp Lane premises. RLT's own note of the meeting, sent to Tuckwell soon after (18 January), is attached as Appendix 1. We believe that our note, which was not queried by Tuckwell, is a more complete reflection of the discussion.

Our objection can be overcome if:

- the application documents are withdrawn and revised to deal with all the points above and any others of a similar nature;

- the revised documents are accompanied by :
 - a map showing who owns each parcel of land;
 - a map showing which parcels of land are covered by each of the proposed conditions;
 - a reconciliation against the spatial coverage of the existing conditions in DD1 and DD2;
 - a map showing parcels of land that are not covered by any proposed conditions;
 - a brief statement as to why conditions are not in these cases considered to be warranted.

This will enable it to be assessed whether the ROMP process is comprehensive in its coverage.

Our Comments

We have made comments on 2 items:

- **1. Restoration of North-West Area:** advice to clarify scope of the plan
- **2. Consultation with Local Communities on Options for After-Use (Policy M10):** advice on use of Radley Lakes Masterplan to inform submission.

Details are provided below.

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type - Comments
Issue – Restoration of North-West Area: Scope of Plan
<p>The applicant has submitted a Restoration Plan prepared by AD Ecology for the relevant area. The following comments should be addressed before a revised and updated version is submitted to the planning authority:</p> <ul style="list-style-type: none">• the overall aims of the plan include to “provide a pleasurable and safe environment for people using the site” (p.5). Details on how this aim will be delivered in practice need to be included in the plan• specific advice on how to achieve landscape objectives for this site should be prepared and included within the plan. <p>The Radley Lakes Masterplan (May 2021) includes objectives that will be useful in improving the Restoration Plan before it is submitted.</p>

Application Number – MW.0041/23
Name – Radley Lakes Trust
Response Type - Comments
Issue – Consultation with Local Communities on Options for After-Use (Policy M10)
<p>The applicant does not appear to have made use of the 2021 Masterplan for the future of the Radley Lakes area, which was built around public engagement and consultation.</p> <p>Radley Lakes Trust were shown A4 plans of restoration proposals on 12 January 2023. We could not take copies of these plans away and did not see or receive any written material. Our comments to the applicant of 18 January 2023 did not result in any of the changes we proposed being incorporated. No further engagement with the Trust on this issue was undertaken before the application was made.</p> <p>We do not consider that this constitutes reasonable “consultation with local communities on options for after-use” as expected in Minerals Policy M10.</p>

Appendix 1

Email of 18 January 2023 from Redacted, Chairman of Radley Lakes Trust to Redacted, Managing Director of Tuckwells following meeting on 12 January.

Dear James,

Many thanks for giving us sight of your plans for the proposed gravel workings at Nyatt Field and Orchard Lake. It was very helpful to discuss some of the details and share with you our initial thoughts. I hope we will continue to work productively together although there will of course be times when we have different opinions on issues.

At this stage we would like to respond positively to:

- the phased approach to extraction and restoration, pit by pit, which allows the return of land to recreational and wildlife purposes as soon as possible
- your desire to commence work by 2024 and see extraction and restoration progress rapidly
- your plan to keep the Sounding Bridge permissive footpath route open on its existing line
- your plan for a permissive footpath from the NCN route to the Thames Path between Lakes A and B1, and Lakes B2 and C
- your positive response to our idea to include additional islands and spurs in the restored lakes to enhance their wildlife value
- your positive response to our idea for a footbridge over the enclosed gravel conveyor system to allow access alongside Orchard Lake towards the river Thames.

Your approach to Orchard Lake is our main concern. We value its ecological interest and contribution to the quality of the landscape. We will also look closely at the detail of your proposed mitigations to ensure the water systems in the locality continue to perform appropriately during and after excavation. We will be very interested to see your proposals for the north-western area.

We noted also your preference for future management of the lakes as a single entity.

The Radley Lakes Masterplan (May 2021 – see extract below) will be our main reference point for shaping our comments on your proposals. We hope we can continue to discuss relevant matters with you in the spirit of co-operation demonstrated at the meeting on 12 January. We would be especially pleased to comment on your proposed Conditions prior to their development/submission so that we might most constructively input to the process. Our understanding of the procedural steps is that when you submit your Environmental Statement next month it needs to be accompanied by your proposed Conditions. If this is the case, then we are willing to work with you as quickly as needed.

Best wishes

Redacted

Chairman, Radley Lakes Trust

Extract from the Radley Lakes Masterplan

"There are several external factors that could influence the management of the Lakes habitats, chief among them being the ongoing planning issues relating to various parts of the site. In particular, habitat zones 16-19 could be subject to mineral extraction at some point in the future. Any permission needs to be accompanied by conditions and/or legal agreements to minimise loss of existing habitats. The future of Orchard Lake is a matter of particular concern. Unlike the other lakes or those that might be created by fresh extraction it is a shallow waterbody underlaid with gravel giving it an ecology that is unique to the Lakes area. It is also of great scenic beauty. Unless it is excluded from future workings there would be an irreplaceable loss to the ecology and amenity of the Lakes area. For areas where extraction is permitted there need to be restoration conditions which create a diversity of new habitats. These should include areas which are marshy/seasonally flooded and waterbodies which are shallow or at the least have shallow margins. The aim should not be to replicate what was there before extraction but to create a net ecological gain, contributing to the wider ecology of the Lakes area."

Abingdon Town Council

Final Response

Abingdon-on-Thames Town Council would like to thank Oxfordshire County Council for informing us of this application and will defer to the officers' decisions.

Second Response

Abingdon Town Council notes the comments from the county officers and welcomes their expertise.

First Response

Abingdon-on-Thames Town Council is concerned that compliance with the traffic management plan is monitored and are informed of any infringement on these conditions.

Environment Agency

Final Response

The letter dated 22 May 2025 (with cross reference to the updated Flood Risk Assessment version 3, by Hafren Water, dated February 2025) has addressed our previous flood risk concerns. Subject to the conditions below, we therefore withdraw our previous objection, dated 03 April 2025.

Environmental Protection: Ecology - We welcome condition 24 in the Planning Statement (version 3, dated 10 June 2025) which was previously condition 20 in the version 2 Planning Statement (dated 02/02/2023, prepared by Land & Mineral Management). However, we request that more details are provided with regards to elements which the landscape and ecological management plan (LEMP) should include, please see below. Additionally, we note condition 21 in the latest Planning Statement (version 3, dated 10 June 2025) refers to a CEMP, please see our recommendation below.

Condition 21 should also be revised to also include our requirements.

Condition – LEMP - Prior to the recommencement of mineral extraction a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of maintenance regimes
- details of any new habitat created on-site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities
- details of the phasing of the pond enhancements
- the amount of time the habitat is secured for

Reason(s) To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with paragraphs 187 and 193 of the National Planning Policy Framework and adopted

policies 44: Landscape and 45: Biodiversity of the Vale of White Horse Council Local Plan.

Condition – CEMP - Prior to the recommencement of mineral extraction a method statement/construction environmental management plan shall be submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

- The timing of the works.
- The measures to be used during construction in order to minimise the environmental impact of the works including potential disturbance to protected species.
- A map or plan showing habitat areas to be specifically protected during construction.
- Construction methods.
- Any necessary pollution prevention methods.
- Information on the Project Ecologist and/or Ecological Clerk of Works responsible for particular activities associated with the CEMP.
- Details of how the river bank and riparian zone will be restored and enhanced following construction. The works shall thereafter be carried out in accordance with the approved CEMP.

Reason(s) To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policies: 44 Landscape and 45: Biodiversity of the Vale of White Horse Council local plan.

Environmental Protection: Groundwater Protection The proposed mineral extraction presents a potential risk to groundwater which is particularly sensitive in this location because the proposed development site is located upon secondary aquifer A with shallow groundwater.

The Hydrogeological and Hydrological Assessment in Support of a Romp at Thrupp Farm Quarry, Abingdon (ref: 2617/HIA, Final Version 2, July 2024, prepared by Hafren Water Ltd) submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. We have reviewed the applicant's proposed conditions 27-33 in the Planning Statement (Version 3, dated 10 June 2025, prepared by Land and Water). We are generally satisfied that these relevant suggested conditions in the statement are in keeping with the intention of the points we raised in June 2023. However, we recommend the following amendments to conditions 28 and 33. Furthermore, we recommend an additional condition is included should previously unidentified contamination be found.

Condition 28 should be amended to state: No development shall commence until a comprehensive baseline groundwater quality monitoring scheme has been submitted to the Mineral Planning Authority. The scheme should include, but not limited to potassium, boron, pH, phosphorus, ammoniacal nitrogen, copper and vanadium.

Condition 33 should be revised as follows: Prior to the recommencement of mineral extraction a scheme for the following shall be submitted to, and approved in writing by, the local planning authority.

- the proposed method of working;
- the proposed phasing of development;
- the provision of road and wheel cleaning facilities;
- the storage of materials;
- the storage of hazardous materials;
- the storage of oil, fuel, lubricants or other bulk stored liquids (other than water) shall be handled on site in a manner that prevents the pollution of any watercourse or aquifer:
 - o secondary containment that is impermeable to both the oil, fuel or chemical and water, with no opening used to drain the system
 - o a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest
 - o all fill points, vents, gauges and sight gauge located within the secondary containment
- the proposed maintenance and after-care of the site; The scheme shall, where necessary, be supported by detailed calculations and include a programme for future maintenance. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the local planning authority.

Reason(s) To ensure that the proposed development, including mineral extraction, does not harm the water environment in line with paragraph 187 of the National Planning Policy Framework and Position Statement A of the 'The Environment Agency's approach to groundwater protection'.

We understand that the maintenance, after-care and restoration of the site may form other conditions.

Condition - Unexpected contamination If, during development, contamination (or land or controlled waters) not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

Environmental Protection: Flood Risk - We have also provided comments below regarding proposed conditions 11, 38, 39 and 40 in the Planning Statement (Version 3, dated 10 June 2025, prepared by Land and Water). Please note, condition 15 on planning permission ref: P/369/71 refers to stockpiles in the flood plain, our condition below supersedes this condition and therefore condition 15 is no longer necessary.

Condition – Flood Risk Assessment (FRA) - The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) and appendices by

Hafren Water, dated February 2025, and letter from Hafren Water, dated 22 May 2025, and the following mitigation measures it details:

- Section 5.3.1 of the FRA: the bund in place during phases A and B1 will be removed prior to the working of phase B2 and additional flood storage volume created during phase A.
- Letter from Hafren Water which states: no further land raising is to take place beyond pre-existing levels, other than those areas required to store material during the operational phases when mineral is being extracted.

Reasons This condition is in accordance with paragraph 181 of the NPPF and seeks to ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and a reduction of flood storage capacity during and after site development.

Condition 11 - Condition 11 states: 11. Topsoil and subsoil not required for the screen bunding will be stored on the quarry floor at a height that does not exceed original ground levels. This is covered by the phasing of the bund and no land raising beyond pre-existing ground levels in the FRA condition above. Condition 11 is therefore not necessary and can be removed. Condition 38 The letter dated 22 May 2025 states that no further land raising is to take place beyond pre-existing ground levels, other than those areas required to store material during the operational phases when mineral is being extracted. This is addressed in our FRA condition above and condition 38 is therefore not necessary.

Condition 39 - The latest version of the FRA was prepared in February 2025 (Ref: 2617/FRA, Version 3) and was supported by hydraulic modelling. The hydraulic modelling concluded that the proposed bund has the potential to increase flood levels at Thrupp Farm for the 1% annual exceedance probability plus 43% climate change and 0.1% annual exceedance probability flood events, with potential impact on flood levels downstream of the site was also indicated.

The letter dated 22 May 2025 explained the potential increases from the bund shown in the hydraulic modelling during the 1% annual exceedance probability plus 43% climate change and 0.1% annual exceedance probability flood events, at Thrupp Farm was up to 10cm with an increase across site of between 0.01 and 0.05 m (1-5 cm), with potential impact on flood levels downstream of the site. This was explained as negligible relative to the resolution of the model and considering the vertical accuracy of LIDAR data of +/- 15cm. The clarification on the phases of working and construction of betterment in relation to construction of the bund, the hydraulic modelling and calculation of compensation from the FRA, overcomes our last objection. Condition 29 is therefore no longer relevant and can be removed because the updated FRA (version 3, by Hafren Water, dated February 2025) and letter dated 22 May 2025 covers the risk, impact and mitigation of the bund.

Condition 40 - The applicant has proposed the following Condition 40 in the Planning Statement (Version 3, dated 10 June 2025, prepared by Land & Mineral Management): Within 3 months of the recommencement of mineral extraction a Flood Warning and Evacuation Plan shall be submitted to the Mineral Planning Authority for approval. The approved scheme shall be adhered too. We agree that this condition should be included and note that the Flood Emergency Response Plan included in Appendix 2617/FRA/A5 Flood Emergency Response Plan of the FRA includes the removal of all mobile plant to an area of Flood Zone 1. This is important

because plant/machinery remaining in areas of flood risk could impact flood flows and storage.

Whilst we do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood, the Planning Practice Guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'ADEPT/EA Flood Risk Emergency Plans for New Development | ADEPT' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG.

Dewatering – derogation on local water supplies Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.

Third Response

The additional information does not address our earlier concerns. We therefore maintain our objection set out in our responses dated 16 September 2024 and 29 June 2023. We recommend that planning permission should be refused on this basis. Reasons -The FRA by Hafren Water dated February 2025 submitted with this application does not comply with the requirements set out in paragraph 30 part 7 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF). The FRA does not therefore adequately assess the flood risks posed by the development because it fails to ensure flood risk is not caused elsewhere. The application is therefore contrary to paragraph 181 of the NPPF.

The majority of the site is located within Flood Zone 3, and risk of fluvial flooding occurring at the site is high. The applicant has undertaken hydraulic modelling and assessed the impact of the proposals, specifically the screening bund, on flood depths, extents, and storage.

The FRA states there is an increase in flood depths in flood events greater than 1% annual exceedance probability (AEP) (1% AEP plus all climate change events and

0.1% AEP event) at Thrupp Farm, and downstream of the site. Additionally, the FRA states there is an increase in flood depths of over 0.1 metres at the site.

The FRA states the volume of flood storage provided by Phase 2 is sufficient to offset the volume of the bund within the floodplain and therefore not cause an unacceptable increase in flood risk, both at the site and elsewhere. The calculation using modelling shows the offset the bund volume by creation of the subtraction of the gross gain in floodplain storage from the estimated volume extracted in Phase A. However, there is no specific comparative illustration table.

The applicant states the offset will be a betterment of 880m³. However, to ensure this betterment:

- the void to provide compensation must be implemented before any bund materials are placed in the floodplain.
- this compensation should remain during the lifetime of the bund, with no infill placed in this or subsequent excavation until the removal of the bund or further compensation.
- no land raising should take place. There is mention of further excavation in subsequent phases to offset the bund, but no details are provided. The FRA states because of modelling with the bund in place:
- that flood depths will increase of between 1cm and 5cm at Thrupp Farm, (during events greater than 1% AEP).
- flood levels will increase on site by 10cm. Therefore, we maintain our objection due to an increase in flood risk elsewhere.

Overcoming our objection - To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. Specifically, the FRA will need to detail how flood compensation or other mitigation will prevent localised increase in flood depths at Thrupp Farm, throughout the site and elsewhere. If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted.

Second Response

The additional information does not address all of our earlier concerns. We therefore maintain our flood risk objection set out in our response dated 29 June 2023. We recommend that planning permission should be refused on this basis. Please note, subject to our flood risk objection being overcome, we have planning conditions we would recommend in regards to biodiversity and groundwater protection. Objection – Inadequate FRA The FRA by Hafren Water dated July 2024 submitted with this application does not comply with the requirements set out in paragraph 30 part 7 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF). We therefore object to this application as it does not provide a suitable basis for an assessment of the flood risk arising from the proposals for minerals abstraction and related works at Thrupps Farm, as it fails to adequately assess these risks posed by the impacts of this development.

In particular, the FRA fails to:

- ensure flood risk is not caused elsewhere, resulting from this development.
- demonstrate that there is a betterment of flood storage throughout the lifetime of working phases and completion of the development. (site restoration)
- demonstrate how people working on the site are kept safe from flood hazards during a flood emergency including evacuation of people, with safe access and escape routes.

- demonstrate the measures in flood emergency response contingencies to machine/plant/equipment/materials management during flooding to allay risk of flooding and pollution elsewhere. Overcoming our objection To overcome our objection, the applicant should consider the below points and submit a revised FRA and relevant information, which addresses the objection highlighted above. In particular the FRA will need to:
 - detail what flood compensation (and betterment) from mineral abstraction is achieved by illustration of level for level increased flood storage, to offset the deposition of the bund on the floodplain, throughout the lifetime of the works and on restoration of this development.
 - detail how flood compensation will prevent localised increase in flood levels at Thrupp Farm, throughout the site and elsewhere.
 - detail how flood flows from the bund's positions are mitigated, so it will not increase flooding elsewhere.
 - provide a Flood Hazard Plan, required for access, or escape for all persons working on site during the proposed phases.
 - provide a Flood Emergency Response Plan, explaining contingencies during flooding of the site, as to materials management and plant/machine movement to allay effect on flood flows and pollution risk. If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted.

First Response

The application site is located within Flood Zone 3. This is defined as areas having a high probability of flooding in accordance with Table 1 'Flood Risk' of the Planning Practice Guidance. The Application site is also adjacent to a statutory main river, the River Thames. This is a review of old mineral permission (ROMP) proposes to extract approximately 1,000,000 tonnes (1MT) of sand and gravel from the areas outlined in red on plan no: 757-01-02. There are significant risks in relation to groundwater quality, flood risk, and biodiversity and nature conservation that could occur as a result of this permission being approved without alterations. Therefore, we request that additional information be submitted under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 Regulation 25. Environment Agency Position We have three objections to the proposed development as submitted. They are:

1. Inadequate Flood Risk Assessment
2. Unacceptable risk to groundwater quality
3. Unacceptable assessment of the risks to nature conservation

Flood Risk - In addition to being located in Flood Zone 2 and 3, most of the application site lies within the 5% and 3.3% annual exceedance probability (AEP) flood outlines which are identified by the Oxfordshire County Council Minerals and Waste Level 1 Strategic Flood Risk Assessment (SFRA) dated August 2015 and the Planning Practice Guidance, respectively, as within Flood Zone 3b (the functional floodplain).

Fluvial (river) flood risk is not discussed within the Hydrology and Flood Risk section of the Environment Statement. Due to the location of the site within an area of high fluvial flood risk and the scale of the proposed development, the works could have a significant impact on fluvial flood risk. A Flood Risk Assessment (FRA) is included

within Appendix E of the Environment Statement, however this does not assess the impacts of the proposed development on fluvial flood risk.

Objection 1 – Inadequate FRA - In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused. Reasons The submitted FRA (reference 2617/FRA, version F1, dated January 2023 and prepared by Hafren Water) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account
- use information from the best available detailed flood model
- consider how a range of flooding events (including extreme events) will affect people and property
- demonstrate the development will not increase flood risk elsewhere

Whilst an appropriate climate change allowance is discussed in the FRA, this has not been applied to an assessment of fluvial flood risk. The 1% Annual Exceedance Probability (AEP) plus an appropriate allowance for climate change flood extent and levels should be included in the FRA. Detailed flood modelling is available in this location and should be used to inform the FRA. This information may help to inform the applicant's assessment of the impacts of climate change.

Works such as land level raising and building within the 1% AEP plus an appropriate allowance for climate change flood extent can impede flood flows and reduce available floodplain storage, leading to increases in flood risk elsewhere. Details of any proposed structures (such as the conveyor) and any changes in land levels should be provided, for all phases of the development and the restoration scheme. The impacts of these proposed works should be assessed within the FRA, and mitigation should be proposed where required to prevent increases in flood risk offsite. Please note that, where possible, ground levels within the 1% AEP plus an appropriate allowance for climate change flood extent should not be raised to prevent increases in flood risk elsewhere. Locations of where spoil and topsoil will be stored and moved to should be provided, and the applicant should demonstrate how flood risk will change and be managed over the lifetime of the site.

The FRA sets out that a 'temporary 3 m high screening bund will be placed along the northern boundary of Phase A'. From the submitted Illustrative Composite Working Scheme – Phasing Plan (number 757-01-06, dated 4 July 2022), this bund is within the 1% AEP plus an allowance for climate change flood extent in accordance with the Thames (Sandford to Pangbourne) 2018 model. The impacts of the proposed bund on flood risk have not been assessed within the submitted FRA and no mitigation is proposed. The bund will therefore obstruct flood flows and lead to a loss of floodplain storage, which is likely to increase flood risk elsewhere contrary to paragraph 167 of the NPPF.

A network of main rivers lies within the development site. We welcome that the works will be set 16m back from the main river. The applicant should confirm whether any new or replacement bridges are required as part of the works, such as for the conveyor and internal road.

Overcoming our objection - To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection. Specifically the FRA will need to:

- assess a range of flood events, including the 1% AEP plus an appropriate allowance for climate change
- demonstrate that any impedance of flood flows and loss of floodplain storage within the 1% AEP plus an appropriate allowance for climate change can be directly compensated for to prevent an increase in flood risk elsewhere Flood risk information

The impacts to and from the development over a range of flood events should be assessed, including the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood event.

Floodplain storage -Any increase raising of existing ground levels should be compensated up to the 1% AEP plus an appropriate allowance for climate change flood level. Level for level floodplain compensation is the preferred method of mitigation and should be considered within the FRA.

Level for level floodplain compensation is the matching of floodplain storage volumes lost with new floodplain storage volume gained through the reduction of ground levels. We recommend that level for level floodplain storage calculations are provided in a table that sets out the change in volumes across the site using 100mm or 200mm slices (dependent on site specific considerations), stating the losses and gains for each slice. The location of the changes in floodplain storage should also be clearly identified in a plan or drawing that demonstrates the scheme would be hydraulically connected for each slice. Excavation of the proposed flood plain compensation scheme should be completed prior to the construction of development to ensure flood plain capacity is maintained.

Objection 2 – unacceptable risk to groundwater quality - We object to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 174 of the National Planning Policy Framework.

Reasons - This application and Hydrogeological and hydrological assessment has given details of the site and the context and background. There have been six boreholes installed across this site and groundwater elevation and quality data has been produced. Having reviewed the report and the site setting, we wish to raise some points/data gaps that need to be addressed before we can find the application acceptable.

1. Baseline data range.

The site specific data that is reported does not extend beyond 2021. We would expect monitoring data to be presented at least quarterly and continuously to present to give the most reliable and representative baseline possible.

2. Baseline analysis.

It is noted that the groundwater quality baseline data is not consistent or comprehensive. PFA deposits in the region are known to give rise to impacts to groundwater: potassium, boron and high pH, phosphorus, and ammoniacal N can be elevated. Metals are highly variable, dependent on the source of the coal, but copper and vanadium have been highlighted to be elevated in the area. We would expect the

water analysis suite in the baseline analysis to cover the above in addition to any other pertinent determinants.

3. Baseline data spatial coverage.

The 6 boreholes that were installed across the site in 2020 do not give sufficient spatial representation of the proposed phase C in the eastern and south eastern edges of the site boundary. There is a lack of data to present a wide baseline. We would therefore endorse additional monitoring boreholes to cover these areas, particularly given that there is a PFA landfill to the east. Additional locations should be fully incorporated into the baseline monitoring scheme and can also be used to cover the site in the operational stages.

4. Private water supplies.

The report has not covered the potential for private (unlicensed) water supplies in the area and the risks and impacts from the application to such. These need to be considered and investigated.

5. Lining the sides of the excavation areas with low permeability materials.

It is not clear what the specification will be for the lining that is to be placed in the phases to reduce groundwater ingress during dewatering. More details are needed and these should also include the depth/thickness of material that would be removed from the base of the phases. Will the lining materials provide a long term or short term barrier to groundwater flow in the area? What are the risks in terms of groundwater mounding and flooding in this area as a result?

6. Loss of aquifer storage.

The area that the site covers is currently comprised of sands and gravels that hold groundwater and form a Secondary A aquifer. The permanent loss of aquifer storage from this development is not covered by this report, and should be addressed. This relates to the point above. What will the impacts of the loss of storage be in the area? Are any mitigations proposed?

Our approach to groundwater protection is set out in 'The Environment Agency's approach to groundwater protection'. In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value. In this case position statement A5 applies. Groundwater is particularly sensitive in this location because the proposed development site is located upon secondary aquifer A.

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality.

Overcoming our objection - In accordance with our approach to groundwater protection we will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Objection 3 – unacceptable assessment of the risks to nature conservation - We object to the proposed development as submitted because the assessment and mitigation of the risks to nature conservation are inadequate. We therefore recommend that the planning application is refused. We will maintain our objection

until the applicant has supplied information to demonstrate that the risks posed by the development can be satisfactorily addressed. We wish to be consulted on the results of any survey submitted in connection with this application, on any design changes, additional mitigation, compensation or enhancement measures that might subsequently be proposed.

Reasons - Government policy on minimising impacts on biodiversity set out in the National Planning Policy Framework (NPPF) paragraph 174, requires local planning authorities to aim to conserve and enhance biodiversity when determining planning applications. This has not been demonstrated in the present application. The assessment/mitigation measures submitted with the application are inadequate and do not properly address the risks. In particular, the proposals do not:

- Give adequate details of the restoration proposed. The drawings nos. 757-01-07 to 757-01-10, 757-01-12 and 757-01-16 which detail the restoration of the site. o Just having drawings is not sufficient information to show the plans for the restoration of the site.
- Assess the rivers which are onsite, such as the Radley Brook. In section 7.2 of the planning statement, it states: "Radley Brook and other streams. Excluded from the application area and protected with 16m wide exclusion buffers along both banks, maintenance of an appropriate hydrogeological/hydrological regime and good site working practices." The Radley Brook cannot be excluded from the application area as it is within the red line boundary, so it cannot be excluded from assessment and restoration, as it is within the applicant's control, meaning the applicant has an obligation to assess and enhance it.

While we appreciate the implementation of a buffer zone, however, this needs to be an ecological buffer zone which benefits wildlife, not just an unmaintained buffer zone.

Overcoming our objection - An ecological survey of the Radley Brook is required prior to the development of detailed plans, to enable an assessment of the level of risk posed by the development. The detailed design, construction, mitigation and compensation measures should be based on the results of a survey carried out by a suitably experienced surveyor using recognised survey methodology. The survey and risk assessment should:

- identify any rare, declining, protected or otherwise important flora, fauna or habitats within the site;
- assess the importance of the above features at a local, regional and national level;
- identify the impacts of the scheme on those features;
- demonstrate how the development will avoid adverse impacts
- propose mitigation for any adverse ecological impacts or compensation for loss;
- propose wildlife/ habitat enhancement measures;
- propose post-project appraisal, management plans and management responsibilities with details of how biodiversity enhancement will be incorporated into the development and maintained over the long term.
- Identify the impacts to the biological elements at risk of deterioration

There also needs to be provided a detailed text about the restoration of the ponds, including species of fauna which will be planted, when they will be planted, how they will be maintained and by whom. This needs to be provided in text to show how these activities align with the drawings 757-01-07 to 757-01-10, 757-01-12 and 757-01-16.

Suggested Conditions - Notwithstanding our objections to the application, we appreciate that this is a ROMP and therefore the principle of the development is set.

Therefore, we have provided a list of suggested planning conditions to be added to those provided in the submitted Planning Statement:

1. No development shall commence until a scheme has been submitted to the Mineral Planning Authority for the provision of a continuous and up to date baseline groundwater data set. The site-specific data that is reported does not extend beyond 2021. We would expect monitoring data to be presented at least quarterly and continuously to present to give the most reliable and representative baseline possible.
2. No development shall commence until a scheme has been submitted to the Mineral Planning Authority that covers baseline groundwater quality analysis. It is noted that the groundwater quality baseline data is not consistent or comprehensive. PFA deposits in the region are known to give rise to impacts to groundwater: potassium, boron and high pH, phosphorus, and ammoniacal N can be elevated. Metal concentrations are highly variable, dependent on the source of the coal, but copper and vanadium have been highlighted to be elevated in the area. We would expect the water analysis suite in the baseline analysis to cover the above in addition to any other pertinent determinants.
3. No development shall commence until a scheme has been submitted to the Mineral Planning Authority that details a wider baseline data spatial coverage. The 6no. boreholes that were installed across the site in 2020 do not give sufficient spatial representation of the proposed phase C in the eastern and south eastern edges of the site boundary. There is a lack of data to present a spatially representative baseline. We would require additional monitoring boreholes to cover these areas, particularly given that there is a PFA landfill to the east. Additional locations should be fully incorporated into the baseline monitoring scheme and can also be used to cover the site in the operational stages.
4. No development shall commence until a scheme has been submitted to the Mineral Planning Authority that details the locations of all private water supplies that could be impacted by this application activities. The HHIA report has not covered the potential for private (unlicensed) water supplies in the area and the risks and impacts from the application to such. These need to be considered and investigated.
5. No development shall commence until a scheme has been submitted to the Mineral Planning Authority that details the method of lining of the sides of the excavation areas with low permeability materials. It is not clear what the specification will be for the lining that is to be placed in the phases to reduce groundwater ingress during dewatering. More details are needed and these should also include the depth/thickness of material that would be removed from the base of the phases. Will the lining materials provide a long term or short term barrier to groundwater flow in the area? What are the risks in terms of groundwater mounding and flooding in this area as a result?
6. No development shall commence until a scheme has been submitted to the Mineral Planning Authority that assesses the loss of aquifer storage. The area that the site covers is currently comprised of sands and gravels that hold groundwater and form a Secondary A aquifer. The permanent loss of aquifer storage from this development is not covered by this report and should be addressed. This relates to the condition above. What will the impacts of the loss of storage be in the area? Are any mitigations proposed?
7. No development shall commence until details of any proposed structures (such as the conveyor) and any changes in land levels has been provided, for all phases of the development and the restoration scheme. The impacts of these proposed works

should be assessed within the FRA, and mitigation should be proposed where required to prevent increases in flood risk offsite.

8. The development hereby permitted must not be commenced until such time as a scheme to:

- Ensure no raising of ground levels. Works such as land level raising and building within the 1% AEP plus an appropriate allowance for climate change flood extent and the impacts of these works;
- Show the impacts of the proposed 3m screening bund on flood risk;
- take the impacts of climate change into account by using detailed flood modelling;
- demonstrate how flood risk will change and be managed over the lifetime of the site. has been submitted to, and approved in writing by, the local planning authority.

Comments on existing conditions Condition 20 and Appendix C – Ecological impact assessment.

7.4 Mammals ♦ Topsoil stripping and vegetation removal will proceed with care to allow animals to naturally disperse; - Rather than start strimming, then stop if there is any animals, it would be better to do surveys immediately before the stripping is carried out to ensure there is no mammals in the area. This would ensure there is no mammals damaged or disturbed.

♦ If hedgehog or other small animals are found - This should be carried out by an ecologist.

7.6 Nesting birds Irrespective of time of year or findings of previous surveys, if nesting birds are found in areas to be worked or restored, then work in the immediate vicinity should stop and an ecologist consulted. Actions will be embedded within an overall Construction Environmental Management Plan (CEMP).

7.12.2 Biodiversity Monitoring - there should be some fish and river condition surveys and enhancements as well, as the rivers are an important habitat which run through the site, which at the moment seem to be ignored, although given a buffer zone, but not sure what this buffer zone is for or the management of it. Monitoring frequency would be established within the LEMP, but is likely to be more intensive in the first 5 years and then reducing in frequency thereafter as habitats establish. Monitoring must be linked to clear targets which will trigger adaptive management actions as required. Intervention will generally only be undertaken if remedial work is needed due to unexpected changes that have occurred to create a significant and unwanted risk. For example: failure of habitat establishment; or presence of invasive, exotic or undesirable plant species. Monitoring targets would lead to carefully-planned management procedures which will not adversely impact upon successfully restored habitats or protected/notable wildlife. An annual report presenting a record of aftercare management operations undertaken, a review of the monitoring results, and a schedule of planned work should be produced, including recommendations for any remedial action.

Condition 28 - There is no mitigation for the ponds or rivers proposed. They are an important habitat and need assessment and enhancement as well. Need to include Radley Brook especially.

Wetland Areas 7.6.4 Wetland meadows should be established around the lakes in the areas identified as 'Wetland Areas' on WHL-1525-08. A suitable seed mix should be used (e.g. Emorsgate EM8 or similar), that provides a mix of appropriate native wild flowers and slow growing grasses. Seed should be sown and managed to the supplier's specifications. The rest of the planting species is shown for the rest of the site.

7.4 New planting will be used to create new riparian habitat areas, specifically 'Reedbeds', 'Shallows' and 'Wetland Areas' around the lakes. Additionally large areas of grassland restoration will take place to repair land where it has been overrun by vehicles associated with quarrying operations. In addition to the planting around the lakes. - How will this planting take place and what will be planted and how will it be maintained?

Condition 34 The site shall be restored in phases in accordance with Plan Nos: 757-01-07 to 757-01-10, 757-01-12 and 757-01-16. These are all just drawings, there is no detail provided about how this will actually be achieved, the time frames, management etc. This is really important to get right for such a destructive activity.

There needs to be a plan with text which will set out the details of this.

Condition 35 Again, these are only plans and there is no text provided about how this will work, who will manage and how often etc. Condition 37 • 5- Year aftercare - needs long term after care, up to 30 years rather than just 5.

CPRE

Fully supports the objections raised by Radley Lakes Trust.

OCC Transport Development Control

There are no Transport related implications and therefore no objection is made.

OCC Rights of Way

Final Response

No additional comments.

First Response

Thank you for this opportunity to provide comment on the application for determination of conditions to which planning permission is to be subject regarding the land at Thrupp Farm near Abingdon. I have reviewed the Restoration Concept Plan, the Environmental Statement, the Landscape Mitigation & Enhancement Strategy (LMES). The following comments relate to the application's potential impact on human health, landscape and amenity in terms of users of the public rights of way network.

The applicant has indicated within the site plan and Environmental Statement that there are a selection of public rights of way and public routes in and around the site. These must remain open and easy to use for lawful users during operational and restoration phases – which for the byway may also include mechanically powered vehicles, walkers, cyclists, equestrians and horse-drawn carriages.

I am concerned about the LMES indicating the track as potential secondary access route. This is a key junction and route for walkers, cyclists and equestrians and any vehicle access, especially HGV needs to be reduced or ideally prevented into order to maintain public amenity and safety. More detail on levels of vehicles and mitigation

measures may need to be provided if it intended to use this work works vehicle access.

The proposal to create a footpath route through the middle of the site at restoration is welcomed. Clarification needs to be given about if this will be dedicated as a public right of way along with proposed width, gradient , surfacing , infrastructure (seats, signs, information, viewpoints etc)

Standard measures/conditions for applications affecting public rights of way

- 1. Correct route of public rights of way:** Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.
- 2. Protection from breaks in public rights of way and vehicle crossings/use of public rights of way:** Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principle, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists and equestrians according to the legal status of the PRoW. Vehicle access should not be taken along PRoW without appropriate assessment and speed, noise, dust and proximity controls agreed in advance with OCC Countryside Access
- 3. Protection, Mitigation and Improvements of routes.** Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRoW mitigation and improvement measures onsite need to be undertaken prior to commencement to ensure public amenity is maintained.
- 4. Protection of public rights of way and users.** Routes must remain usable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horseriders as vulnerable road users need to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.

5. **Temporary obstructions and damage.** No materials, plant, vehicles, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Avoidable damage to PRoW must be prevented. Where this takes place repairs to original or better standard should be completed within 24hrs unless a longer repair period is authorised by OCC Countryside.
6. **Route alterations.** The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way's legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Note that there are legal mechanisms to change PRoW when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible – usually through the local planning authority. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.
7. **Gates / right of way:** Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

The applicant responded as follows:

Footpath Crossing

As per Paragraph 4.11 of the ES, only plant and machinery will access the site via the access road from Thrupp Lane. This will be sporadic and occasional, as the plant will be kept on site in the void for the majority of the time. Please note that this access road is regularly used as an agricultural access for plant and machinery.

I note the further ES Paragraphs:

4.52 The current access to the Site is via an existing hardcore haul road, from Thrupp Lane to the North, shown on Plan no: 757-01-02.

4.53 This access will be used for plant and machinery to access the Site. This will occur rarely as machinery will generally be stored on the ROMP site. This access will also be used for the management of the ROMP Areas. It will not be used for the transportation of minerals.

4.54 An access road will be constructed adjacent to the conveyor as shown on Plan no: 757-01-15. This will be used by staff working at the Site and for the maintenance of the conveyor.

4.55 The accesses into the Site will be regularly graded and dressed, when required, to maintain an even running surface free from potholes.

As a result, the access which crosses the right of way will not be used by HGVs.

Dedication of Footpath

I note the following Paragraphs from the ES:

5.29 *The Development Proposals do not require the diversion or closure of a public right of way.*

5.30 *As shown on Restoration Plan no: 757-01-12, a new dedicated public right of way is proposed which will join the existing right of way to the north (ref 326/9/10) to the existing right of way to the south (Green Belt Way/ Thames Path).*

OCC Rights of Way response: Provided that 'plant and machinery' is occasional, is self-propelled and not carried on HGV/LGV transport then this is acceptable. Noted re the dedication of a permanent public right of way. This is also acceptable subject to agreeing route, width, surface, gradient and furniture – which can be a condition.

OCC LLFA

Final Response

If the EA have removed their objection then the LLFA has no comment, subject to the previously recommended LLFA conditions

Second Response

Our response remains the same as for our previous response dated 16/3/23, with no objection subject to conditions

First Response

No Objection Subject to Conditions

Key issues:

- A surface water drainage strategy demonstrating compliance with OCC LLFA Local Standards to be submitted for technical assessment and approval.
- Insufficient information has been provided in accordance with Local Standards to enable a technical assessment of the proposal to be undertaken. The currently submitted information is descriptive only and does not provide a robust surface water drainage strategy or evidence that flood risk will not be increased either on or off site. It is therefore not possible to establish whether a sustainable surface water drainage strategy can be delivered on the site.

Conditions:

Surface Water Management Scheme (Phases):

Prior to the commencement of operations and approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of the proposed operations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the principles

contained within the; Hafren Water Environmental Water Management, FLOOD RISK ASSESSMENT, THRUSS FARM QUARRY, Report Reference: 2617/FRA, Final version F1, January 2023. The scheme shall be implemented in accordance with the approved details and timetable.

Reason:

To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

SuDS As Built and Maintenance Details

Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;*
- (b) Photographs to document each key stage of the drainage system when installed on site;*
- (c) Photographs to document the completed installation of the drainage structures on site;*
- (d) The name and contact details of any appointed management company information.*

Reason:

In accordance with section 21 of the Flood and Water Management Act 2010.

OCC Ecology

Final Response

Recommendation: Objection

The applicant has submitted a statement detailing their response to the following proposed conditions. Further justification has been provided for their inclusion: Condition: No development shall take place in areas of irreplaceable or priority habitats as recorded in ES Appendix C Ecological Impact Assessment V2 or Radley Gravel Pits Local Wildlife Site. Reason: To protect priority habitats in line with the Natural Environment and Rural Communities (NERC) Act (2006), Section 40(1), irreplaceable habitats and a designated Local Wildlife Site.

The applicant has previously submitted a statement detailing how the mitigation hierarchy has been applied to the development. The conclusions made at the mitigation and compensation stages are not considered appropriate to mitigate and compensate for the impacts of the development on biodiversity. Due to the high

biodiversity value of habitats present, including priority and irreplaceable habitats, it is considered likely that a biodiversity loss will occur based on the current proposal. This is with consideration to instatement of the currently proposed restoration plan and other ecological enhancements proposed outside of the proposed extraction area within land controlled by the applicant. This is because the habitat types included within the restoration plan and proposed ecological enhancements outside of the proposed extraction area are different habitat types and generally considered of lower biodiversity value than those proposed to be lost.

A local wildlife site will be significantly adversely impacted by the proposal including a number of priority habitats and an irreplaceable habitat. No significant harm should be caused to local wildlife sites, priority and irreplaceable habitats, unless the need for and benefits of the proposal outweigh the harm, and the harm cannot be avoided, for example through location on an alternative site. The need and benefits aspects are not ecological matters and therefore I cannot provide a view on whether the application is appropriate in these terms.

Condition: No development shall commence until up-to-date surveys for great crested newts, bats, birds, reptiles, otters, water voles, fish and habitat and botanical assessments undertaken in line with best practice guidelines have been submitted to and approved in writing by the County Planning Authority. The up-to-date surveys shall:

- Establish if there have been any changes in the presence and/or abundance of protected species; and
- Identify any likely new ecological impacts that may arise from any changes. Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed, a revised ecological mitigation scheme shall be submitted to and approved in writing by the County Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details.

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

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely a) to impair their ability – i) to survive, to breed or reproduce, or to rear or nurture their young, or ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place. The Local Planning Authority are also required to ensure that the proposed development actions are licensable regarding The Wildlife and Countryside Act 1981 (as amended) and The Protection of Badgers Act 1992. This requires compliance with best practice guidance when undertaking surveys. This proposed condition wording is designed to ensure surveys are undertaken in line with best practice guidelines

and are licensable. In addition, this proposed condition wording is designed to ensure survey data is up to date in line with best practice guidelines (Advice note on the Lifespan of Ecological Reports and Surveys | CIEEM) and are therefore representative of current site conditions.

Condition: Prior to commencement of any development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the County Planning Authority. The HMMP shall include the following and cover a minimum of 30 years:

- Description and evaluation of all features to be managed within the site
- Ecological trends and constraints that might influence management
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives
- Prescriptions for management actions
- Preparation of a work schedule
- Details of ecological enhancements
- A botanical mitigation strategy
- Details of the body or organisation responsible for implementation of the plan, and · Ongoing monitoring and remedial measures to ensure the development delivers the objectives set out in the approved scheme.

The development shall thereafter be carried out in accordance with the approved details. Reason: In the interest of the visual amenity and restoration of the natural environment.

The following habitats have been proposed with an estimated time longer than 5 years required to reach the target habitat (Statutory biodiversity metric tools and guides - GOV.UK):

-Fen (in poor ecological condition) – 10 years

-Tree (in poor ecological condition) – 10 years

A minimum of 10 years is therefore required to ensure that all of the proposed restoration scheme habitats are delivered as proposed. In order to ensure the biodiversity benefits of the proposed habitats are secured and delivered once they have been created long term it is requested that a minimum of 30 years management and monitoring is undertaken. This time period will also allow the applicant to achieve habitats in better ecological condition than would otherwise be achievable again helping to deliver the long term biodiversity benefits as outlined in the submitted documentation.

Fourth Response

Recommendation: Objection

The applicant has submitted a statement detailing how the mitigation hierarchy has been applied to the development. The conclusions made at the mitigation and compensation stages are not considered appropriate to mitigate and compensate for the impacts of the development on biodiversity. Due to the high biodiversity value of

habitats present, including priority and irreplaceable habitats, it is considered likely that a biodiversity loss will occur based on the current proposal. This is with consideration to instatement of the currently proposed restoration plan and other ecological enhancements proposed outside of the proposed extraction area within land controlled by the applicant. This is because the habitat types included within the restoration plan and proposed ecological enhancements outside of the proposed extraction area are different habitat types and generally considered of lower biodiversity value than those proposed to be lost.

A local wildlife site will be significantly adversely impacted by the proposal including a number of priority habitats and an irreplaceable habitat. No significant harm should be caused to local wildlife sites, priority and irreplaceable habitats, unless the need for and benefits of the proposal outweigh the harm, and the harm cannot be avoided, for example through location on an alternative site. The need and benefits aspects are not ecological matters and therefore I cannot provide a view on whether the application is appropriate in these terms.

Conditions

Should you be minded to approve, the following conditions are suggested:

Condition: No development shall take place in areas of irreplaceable or priority habitats as recorded in ES Appendix C Ecological Impact Assessment V2 or Radley Gravel Pits Local Wildlife Site. Reason: To protect priority habitats in line with the Natural Environment and Rural Communities (NERC) Act (2006), Section 40(1), irreplaceable habitats and a designated Local Wildlife Site.

Condition: No development shall commence until up-to-date surveys for great crested newts, bats, birds, reptiles, otters, water voles, fish and habitat and botanical assessments undertaken in line with best practice guidelines have been submitted to and approved in writing by the County Planning Authority. The up-to-date surveys shall: -Establish if there have been any changes in the presence and/or abundance of protected species; and -Identify any likely new ecological impacts that may arise from any changes. Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed, a revised ecological mitigation scheme shall be submitted to and approved in writing by the County Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To protect notable and protected species and habitats in accordance with The Conservation of Species & Habitats Regulations 2017, The Wildlife and Countryside Act 1981 (as amended) and The Protection of Badgers Act 1992.

Condition: No development shall take place (including ground works or vegetation clearance) until: A CEMP (construction and environmental management plan) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (not exhaustively) the following: a. Risk assessment of all activities that may be damaging to biodiversity both on and offsite; b. Identification of "biodiversity protection zones"; c. Implementation of protected species licences; d. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on species and habitats and designated wildlife sites; e. Timing and scope of additional protected species surveys; f. Lighting scheme and safeguards for light-sensitive wildlife; g. No soil storage mounds should extend into root protection zones of hedges and/or trees; h. The location and timing of sensitive works to avoid harm to biodiversity features; i. When a specialist ecologist needs to

be present on site to oversee works; j. Responsible persons, roles and lines of communication; k. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and l. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout construction strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with the Wildlife & Countryside Act 1981, Conservation of Species & Habitats Regulations 2017.

Condition: Prior to commencement of any development, details and certificate of a great crested newt District Level Licence or alternatively a great crested newt survey report and European Protected Species Licence shall be submitted to the County Planning Authority. Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with the Wildlife & Countryside Act 1981, Conservation of Species & Habitats Regulations 2017.

Condition: Prior to commencement of any development, details and certificate of a water vole survey report and mitigation licence shall be submitted to the County Planning Authority. Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with the Wildlife & Countryside Act 1981.

Condition: Prior to commencement of development, a fully detailed landscaping scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall provide further detail on the approved restoration scheme and shall include a detailed planting plan showing existing / proposed vegetation taking into account botanical mitigation, plant specifications noting species, plant sizes, proposed numbers/densities as well as seed mixes and their provenance. In addition, information on ground preparation, implementation and ongoing maintenance shall be provided. The development shall be implemented in accordance with the approved details. Reason: In the interest of the visual amenity and restoration of the natural environment.

Condition: Prior to commencement of any development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the County

Planning Authority. The HMMP shall include the following and cover a minimum of 30 years:

- Description and evaluation of all features to be managed within the site · Ecological trends and constraints that might influence management
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives
- Prescriptions for management actions
- Preparation of a work schedule
- Details of ecological enhancements
- A botanical mitigation strategy
- Details of the body or organisation responsible for implementation of the plan, and · Ongoing monitoring and remedial measures to ensure the development delivers the objectives set out in the approved scheme. The development shall thereafter be carried out in accordance with the approved details. Reason: In the interest of the visual amenity and restoration of the natural environment

Third Response

Recommendation: Objection

Due to the high biodiversity value of habitats present, including priority and irreplaceable habitats, it is considered likely that a biodiversity loss will occur based on the current proposal. This is with consideration to instatement of the currently proposed restoration plan and other ecological enhancements proposed outside of the proposed extraction area within land controlled by the applicant. This is because the habitat types included within the restoration plan and proposed ecological enhancements outside of the proposed extraction area are different habitat types and generally considered of lower biodiversity value than those proposed to be lost. The applicant may wish to consider the mitigation hierarchy when considering how to minimise the impacts of the proposals on biodiversity including the consideration of both onsite and offsite creation, enhancement and translocation of habitats that are the same or similar habitats to those to be lost.

A local wildlife site will be significantly adversely impacted by the proposal including a number of priority habitats and an irreplaceable habitat. No significant harm should be caused to local wildlife sites, priority and irreplaceable habitats, unless the need for and benefits of the proposal outweigh the harm, and the harm cannot be avoided, for example through location on an alternative site. These aspects are not ecological matters and therefore I cannot provide a view on whether the application is appropriate in these terms.

Second Response

Recommendation: Additional information required

Protected and notable species –

It is noted that static bat detectors were only deployed once per season for 5 nights. Current bat survey guidelines indicate that as habitat with moderate suitability to support foraging and commuting bats has been recorded on site, static bat detectors should be deployed for at least 5 nights each month (April to October). It is therefore recommended that further reasoning is required to explain the approach undertaken. In the absence of sufficient evidencing and reasoning, updated surveys should be carried out to inform how bats use the site to determine if the proposed mitigation is appropriate in line with best practice guidance to avoid contravention of the Conservation of Species & Habitats Regulations 2017 (as amended) and inform subsequent mitigation measures as necessary.

The survey area used when bat potential roost assessment were undertaken should be defined and justified, with particular consideration of the sensitivity of barbastelle bat roosting immediately adjacent to the site.

Clarification is sought on whether artificial lighting will be used.

Clarification is requested regarding the survey area undertaken regarding badgers, due to the nature of the development it is recommended that this area is at least 30m from the application site boundary in line with best practice guidelines.

Clarification is requested regarding the survey area undertaken regarding otters and water voles, with consideration to the nature of the development it is recommended that this area is at least 250m from the application site boundary in line with best practice guidelines.

It is noted that a number of water bodies have been scoped out over 250m from the application site but under 500m from the site. Further clarification is requested which water bodies have been scoped out of further survey requirements due to barriers. It is understood that other waterbodies 250m from the application site but under 500m from the site have been scoped out of further survey requirements due to other reasons and further information is requested to clarify this.

Details of the number of bottle traps deployed at each water body should be provided when undertaking GCN surveys.

Tables 9.4 and 9.5 should be reviewed to ensure consistency of population size classes. For example P6 returned a peak count of 11 individuals suggesting a medium rather than small population size.

Details of the proposed GCN translocation site should be provided by the applicant, including it's location, current and future uses.

Further details are requested regarding consideration of mitigation for the loss of habitat suitable to support toads.

The start and end temperatures of each of the reptile surveys undertaken and a map of refugia deployment locations should be provided. Justification should also be

provided regarding the timing of surveys and why this deviates from best practice guidelines.

Further justification is requested to explain why the first breeding bird survey was undertaken on 28th May and why this is not considered a limitation to the conclusions made. In the absence of further justification it is recommended that breeding bird surveys repeated to account for the beginning of the breeding season.

Further details are requested regarding consideration of mitigation for the loss of breeding bird territories including skylark. Two wintering bird survey visits of the site undertaken over the winter of 2020/21, however, these results are now considered out of date (Advice note on the Lifespan of Ecological Reports and Surveys | CIEEM). It is requested that, in the absence of further justification as to why this is not considered a limitation on the conclusions made, that update wintering bird surveys are undertaken in line with best practice guidelines.

The results of the invertebrate surveys presented are over 3 years old and are now considered out of date (Advice note on the Lifespan of Ecological Reports and Surveys | CIEEM). It is requested that, in the absence of further justification as to why this is not considered a limitation on the conclusions made, that update invertebrate surveys are undertaken in line with best practice guidelines.

Further information is requested regarding how impacts to fish will be mitigated, including details of the proposed translocation mentioned.

Impacts on habitats and wildlife sites - Further information is requested, in line with the response received from Natural England, regarding the potential hydrological impacts on Culham Brake SSSI that considers the potential changes groundwater and surface water flows and water quality by the proposed development.

An air quality assessment is requested, in line with comments received from Natural England, that considers impacts to sites including Cothill Fen Special Area of Conservation, Little Wittenham SAC and Oxford Meadows SAC.

A local wildlife site will be impacted by the proposal including a number of priority habitats and an irreplaceable habitat. No significant harm should be caused to local wildlife sites, priority and irreplaceable habitats, unless the need for and benefits of the proposal outweigh the harm, and the harm cannot be avoided, for example through location on an alternative site. These aspects are not ecological matters and therefore I cannot provide a view on whether the application is appropriate in these terms.

Phased restoration is proposed as a way to mitigate the loss of biodiversity at the site through maintained ecological connectivity using this approach. Further information is therefore requested regarding the anticipated time between restoration of phases.

Further information is requested to justify why not all watercourses present within the impact zone of the proposed development have not been assessed for their ecological condition, such as those within the northeastern end of the site. In the absence of suitable justification it is requested that a habitat condition survey is undertaken in these areas.

Due to the high biodiversity value of habitats present on site to be lost due to the proposals, it is considered likely that a biodiversity loss will occur with instatement of the currently proposed restoration plan and the habitat types included which are generally considered of lower biodiversity value than those lost. Whilst the recent

guidance regarding BNG indicates that ROMPs will remain out of scope of mandatory BNG, and instead an approach based on appropriate ecological outcomes is proposed, it is considered that a calculation of biodiversity losses and gains using the Defra biodiversity metric could help inform appropriate restoration for the site. In order to demonstrate that the proposals do not result in a loss of biodiversity and appropriate mitigation regarding the impacts to the local wildlife site, priority and irreplaceable habitats is provisioned, a biodiversity net gain assessment is therefore recommended and requested including submission of a metric spreadsheet. It is considered that a calculation of biodiversity losses and gains using the Defra biodiversity metric could help inform appropriate restoration for the site. Such a calculation could help with an understanding of the overall balance of the loss of habitats and those delivered through restoration, taking into account factors such as the time taken for habitats to establish, risks to success and trading between habitat types. As the site is located within Thames Radley to Abingdon Conservation Target Area (CTA) alignment with the management objectives of this CTA should be considered when designing the restoration scheme.

It is noted that the waterbodies in the restoration scheme are identified for water/angling/quiet recreation on the restoration plan; given the impacts of the scheme on the LWS and the strategic importance of this area in providing ecological connectivity, I request that the restoration is biodiversity-led and that the design and use of the waterbodies and surrounding habitats is primarily for biodiversity, and not stocked with fish for angling.

The submitted botanical report identifies areas of high botanical interest where no further mitigation has been proposed including the northern haul route, margins of orchard lake and areas of fen meadow in phases A, B1 and B2. It is recommended that appropriate mitigation measures are proposed for these areas such as the consideration of translocation.

First Response

Recommendation: Further information required

Comments

Further survey work is required to support this application to inform the conditions required to protect and enhance biodiversity. Phase C, part of Phase B2 and the conveyor belt route all impact part of the Radley Gravel Pits Local Wildlife Site. Further survey work - The EclA should be supported by an up-to-date data search from the Thames Valley Environmental Records Centre. The majority of areas A, B1 and B2 are reported in the Ecological Impact Assessment as semi-improved grassland. It is noted that TVERC have mapped this area as Coastal Floodplain Grazing Marsh priority habitat. Records from other consultees (e.g. Abingdon Naturalists Society) add to the botanical species list for these fields, suggesting greater species richness. Further information is therefore sought to understand the botanical value and classification of these grasslands through a NVC survey.

Working of Phase C and part of Phase B2 will involve excavation within part of the Radley Gravel Pits LWS, including loss of Orchard Lake, clarification of the status of habitats within this area is sought, particularly the BAP priority status (habitats of principal importance under the NERC Act) of habitats including the lake, and any fen,

swamp, wet woodland or reedbed habitats. This should be supported by botanical data such as NVC survey.

The conveyor route also passes through the Local Wildlife Site; further information is requested with regard the woodland and grassland habitats through which the conveyor will pass. Recent LWS survey data indicates there are areas of wet woodland and neutral/calcareous grassland priority habitats in this area.

Bat transect and static monitoring were undertaken through the period June – August. This is a fairly restricted period to gain an understanding of the use of the site by bats, industry standards (Bat Surveys for Professional Ecologists Good Practise Guidelines) advise a spread across the seasons from April to October. The surveys reported in the Ecological Impact Assessment were undertaken in 2021; CIEEM guidance (Advice note on the Lifespan of Ecological Reports and Surveys) indicates that surveys older than 18 months are likely to need updating particularly where mobile species are under consideration. I therefore request that further bat survey work is undertaken to cover the spring, summer and autumn period in line with the Good Practice Guidelines and to update the bat data. This is particularly relevant given that the rare barbastelle bat was recorded in late summer. Information regarding which trees will be removed and an assessment of their potential to support roosting bats is requested.

It is stated that both otter and water vole are assumed present in surrounding ditches, otter and water vole surveys of the site are therefore requested.

The site has been identified in the EclA as having potential to support reptiles, in particular grass snake; reptile surveys are therefore requested to support the application.

Some ponds within the site have been subject to eDNA sampling for GCN, with presence only reported from pond 6 in 2022. A Habitat Suitability Index for all ponds within 250m of the application site is requested, with further eDNA sampling of all suitable ponds. Clearer justification is required as to where use of Reasonable Avoidance Measures is proposed instead of a derogation licence; this could be achieved through use of the Rapid Risk Assessment tool included within the Natural England GCN method statement template.

Alternatively, should the District Licence approach be used, I request that the whole application site (not just Phase C) is assessed by NatureSpace, an initial report will be required to inform the application, and either a certificate or a condition requiring provision of a NatureSpace certificate so that OCC can authorise use of the District Licence. The use of the District Licence requires the use of specific conditions to enable authorisation for use of the licence, therefore the applicant will need to provide direction as to whether this is the licencing route they wish to implement so that the correct conditions can be attached.

Whilst it is reported that Orchard Lake will be drained, and fish translocated elsewhere, no assessment has been made of the fish species supported. Further information is requested.

The EclA reports that Cetti's warbler is likely to breed on site, although it was not reported from the breeding bird survey. As a species listed under Schedule 1 of the Wildlife and Countryside Act, which has been recorded within the LWS, it is important to determine whether Cetti's warbler is breeding on site so that appropriate avoidance and mitigation measures can be put in place. Further breeding bird data

from this season would be useful in improving understanding of the value of the site for breeding birds since the summer bird assemblage is a feature of the Local Wildlife Site.

The above requested surveys should inform proposed mitigation or compensation measures, which would need to be secured by condition. As well as considering direct impacts, the indirect effects of the operational phase of the quarrying on adjacent habitats and species, such as noise and lighting needs to be addressed.

Radley Gravel Pits Local Wildlife Site (LWS) - Whilst the restoration of the site looks to deliver a mosaic of open water, wetland, grassland and woodland/scrub habitats, the scheme results in the loss of existing, established priority habitats forming part of the LWS, as well as potential lowering of water levels in Longmead Lake (also within the LWS). According to the mitigation hierarchy (NPPF para 180 (a), MWCS C7), biodiversity losses should be avoided or mitigated, with compensation only considered as a last resort. Therefore, options to avoid impacts on the LWS and priority habitats should be fully explored to identify measures to avoid or reduce impacts.

Culham Brake SSSI - The application site falls within the Impact Risk Zone for Culham Brake SSSI; information should be presented to demonstrate that there will be no adverse effect on the SSSI through indirect impacts such as alteration of the hydrological regime. Natural England should be consulted on the application.

Restoration Whilst the recent government response to a consultation on BNG indicates that ROMPs will remain out of scope of mandatory BNG, and instead an approach based on appropriate ecological outcomes is proposed, it is considered that a calculation of biodiversity losses and gains using the Defra biodiversity metric could help inform appropriate restoration for the site. Such a calculation could help an understanding of the overall balance of the loss of habitats and those delivered through restoration, taking into account factors such as the time taken for habitats to establish, risks to success and trading between habitat types.

It is noted that the waterbodies in the restoration scheme are identified for water/angling/quiet recreation on the restoration plan; given the impacts of the scheme on the LWS and the strategic importance of this area in providing ecological connectivity, I request that the restoration is biodiversity-led and that the design and use of the waterbodies and surrounding habitats is primarily for biodiversity, and not stocked with fish for angling. I advise that a condition should be included requiring the submission of a detailed restoration plan, including design of waterbodies to provide variety in depth and variation in the margins and islands, including areas of shallow water to reflect those that would be lost at Orchard Lake with reference to guidance from the Freshwater Habitats Trust Ponds Creation Toolkit Aggregates Factsheets, and Nature After Minerals advice. The restoration should also seek to reflect other habitats lost, based on the further information requested regarding classification of existing habitats. The EcIA indicates use of locally-derived seeds to establish habitats, however this is not reflected in the Landscape Mitigation and Enhancement Strategy which refers to the use of seed mixes

OCC Landscape

Recommendation: Further information required

Landscape & Visual Impact Assessment (LVIA) - A landscape and visual impact assessment has been submitted as part of the application. Overall, I agree with the findings of the assessment that the quarrying will not cause significant adverse effects subject to appropriate mitigation.

Arboricultural Survey - An Arboricultural Report for Feasibility has been submitted as part of the application. This offers initial observations on the feasibility of quarrying in the area but is not an Arboricultural Impact Assessment to BS 5837:2012 standards. Whilst the report concludes that quarrying should be feasible without being arboriculturally detrimental to the majority of the site it also highlights the need for adequate protection of existing trees. An Arboricultural Survey to BS 5837:2012 and an Arboricultural Method Statement (AMS) are required to ensure that trees and their roots protection areas (RPA) are defined and adequately protected. This should not only consider trees and hedgerows within the application boundary but also adjacent to the site where the proposal has the potential to adversely affect existing vegetation. The information is necessary to inform distances between existing vegetation and excavation areas and the haul road respectively and provide details on protection fencing and working methods. This information should be provided prior to determination of the application.

2 Landscape Mitigation and Enhancement Strategy / Restoration - The proposed mitigation and restoration are outlined on the Landscape Mitigation and Enhancement Strategy drawing and the Restoration Concept Plan drawing respectively. The retention of the existing boundary vegetation and new planting are key, but the mitigation proposals should also provide detail on the timing and management of new planting to ensure that it is carried out early enough to offer mitigation during construction.

I also have observations on the proposed restoration plan:

- I am surprised to see that the restoration plan does not reference or take account of the Radley Lakes Masterplan by Cranley Environmental, which was endorsed by the Radley Parish Council, the Abingdon-on-Thames Town council and the Radley Lakes Trust. Being mindful to the extensive local knowledge and work that has gone into the preparation of the plan and the existing ecological interest, I would expect the restoration reflect and align with the masterplan proposals.
- Without the tree survey information it is difficult to judge whether or to what degree the restoration scheme will address the need for tree planting to compensate for vegetation lost. Whilst not in conflict with the landscape character I am not convinced that the proposed restoration to open waterbodies is the most appropriate restoration for this site but am guided by the ecologist's comments since the ecological interest is a key consideration for this site.
- The LVIA states in para. 8.6 that mitigation Further mitigation is primarily provided by off-site planting, not part of the application but on land in the control of the

applicant, but no information has been provided on location, amount and type of planting. Further information is requested.

- The use of native species for planting is welcomed but care will have to be taken sufficient species diversity is provided to ensure resilience against climate change and pests and diseases. A condition for Detailed Landscaping scheme are required.
- Further detail is requested on the level of public access – what exactly is proposed, how will it be managed and how will such as right be secured in the long-term. Managing sites for public recreation and nature conservation can also cause conflicts and will need to be carefully managed.
- I note that the proposals only offer a five-year maintenance scheme. I consider this not sufficient time to ensure the successful establishment of proposed habitats. Conditions: Having looked at the proposed conditions in chapter 5 of the Planning Statement I consider that some of the proposed will require rewording to provide more detail. For example this applies to conditions lighting (15), aftercare scheme and LEMP (condition 28, can be combined with ecological requirements). In addition, condition for a Detailed Landscaping Scheme including phasing is required.

OCC Archaeologist

Final Response

We previously commented on this application (comments dated 29/3/2023) wherein we recommended archaeological conditions that would appropriately secure matters of archaeological importance on the site should planning permission be granted.

The applicant has now submitted an amended Thrupp Lane Farm ROMP Planning Statement Version 3, dated 10/6/2025, that has now adopted these previously proposed archaeological conditions (proposed Conditions 18 and 19), and we would therefore confirm that these conditions as now proposed (18 and 19) be attached should planning permission be granted.

First Response

The applicant has submitted an Environmental Statement, this informed by a Cultural Heritage Environmental Impact Assessment (CHEIA) produced by Oxford Archaeology, dated December 2022. The CHEIA identifies the application site to contain a high potential for below ground archaeological remains and palaeo-environmental deposits dating from the early prehistoric to medieval period to be present, these variously sealed by deposits of alluvium and therefore likely to be well preserved and to potentially contain waterlogged remains. The CHEIA further identifies that any such remains/deposits will be subject to a high degree of impact resulting from the mineral extraction works proposed.

In view of the high potential for archaeological remains to be present that would be significantly disturbed/removed by development, we would not accord with the mitigation approach and condition (18) proposed by the applicant in their submitted Planning Statement as this does not provide for an appropriate mitigation response

to the noted potential archaeological and palaeo-environmental resource present on the site. We would however accord with the mitigation approach provided in Section 15 Mitigation Measures of the submitted CHEIA of the ES that sets out a staged process of investigation to more fully determine and understand the significance and potential of the archaeological resource present and therefore enable an appropriately informed mitigation response to be agreed.

As such, we would therefore recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be undertaken in advance of and during the period of construction/extraction. This can be ensured through the attachment of a suitable negative condition along the lines of:

1. Prior to any mineral extraction or enabling works a professional archaeological organisation acceptable to the Minerals and Waste Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Minerals and Waste Authority. Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).
2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any mineral extraction or enabling works (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Minerals and Waste Authority within two years of the completion of the archaeological fieldwork. Reason - To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

OCC Public Health

Final Response

No further comments.

Second Response

The Public Health team welcomes the opportunity to provide further comment on the application for determination of conditions to which planning permission is to be subject regarding the land at Thrupp Farm near Abingdon. The following comments relate to the application's potential impact on human health.

We acknowledge that the applicant intends to extract sand and gravel from this site and has now submitted additional documents for our review.

Air Quality - We note the provision of a Technical Note with revised wording to reflect previous comments. The rationale for not specifically including Thomas Reade Primary School, St Edmund's Catholic Primary School, and the ward of Abingdon Caldecott within the list of receptors is accepted. Due to the prevailing south-westerly winds, this would further reduce any risk of dust pollution from impacting these receptors.

Noise - We note the provision of a Technical Note for noise which provides response to our previous concerns about the impacts of noise on the two primary school and users of PRoW. We accept the consultant's reasoning and are satisfied that the primary schools will not be exposed to harmful noise.

Public Rights of Way - Routes must be kept open or adequately diverted during construction, and be safe and enjoyable for non-motorised users on completion of the works. We have some concern about the applicant's proposal to potentially use part of PRoW 326/9/10 as a secondary access route. However, it has been clarified that this route will not be used by HGVs to transport minerals, and other uses will be occasional.

The Public Health team are satisfied with the updated planning documents and associated rationale in response to earlier comments

The Public Health team welcomes the opportunity to provide comment on the application for determination of conditions to which planning permission is to be subject regarding the land at Thrupp Farm near Abingdon. The following comments relate to the application's potential impact on human health.

We acknowledge that the applicant intends to extract sand and gravel from this site and has submitted their application with accompanying documents including an Environmental Statement, Air Quality Assessment and Noise Assessment.

Public Rights of Way - The applicant has indicated within the site plan that there are a selection of public rights of way in and around the site. These include footpaths 326/14/10, 326/16/10 and 326/9/10. These must remain open to those engaging in active travel, both during construction and following the completion of any works. Where necessary, alternative routes should be made available in situations where PRoW need to be temporarily diverted.

Environmental Impact - We acknowledge the applicant's inclusion of sensitive receptors such as schools within the Air Quality Assessment. However there appears to be no mention of the nearby schools which include Thomas Reade Primary School and St Edmund's Catholic Primary School, which are within 1km of the application site.

The Noise Assessment makes reference to noise-sensitive properties in the vicinity of the site area but fails to mention how noise might impact those using the PRoW which surround the site.

The Public Health team require further information in order to be supportive of this application:

- The applicant must make it clear that all relevant PRoW will remain open to those engaging in active travel, both during construction and the subsequent operational phase of the quarry.
- Noise and Air Quality Assessments should include reference to specific vulnerable receptors including local primary schools and notable areas of higher deprivation, such as the Caldecott ward which falls within the top 20% most deprived in England, and provide information on appropriate mitigation measures to reduce harmful impacts during construction or operation

OCC Tree Officer

It is noted that within the Arboricultural Report For Feasibility it states 'Therefore, it is our advice that a more detailed survey/assessment of the trees on site, in particular where development proposals are close to trees is undertaken for the conveyor/haul road, so that a fully informed assessment can be made to identify which trees would need to be removed and which could be retained'.

The project arboriculturist also appears to be recommending a more detailed tree survey and assessment.

If given the type of application this request for a tree survey and arboricultural impact assessment is not possible, please attach the following condition, to secure tree protection information to minimise impact to retained trees:

Prior to the commencement of any works on site, an Arboricultural Method Statement (AMS) and accompanying Tree Protection Plan (TPP), in accordance with BS 5837:2012, shall be submitted to and approved in writing by the Mineral Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Details and Methods of works within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees or that may impact on retained trees.
- c) a full specification for the installation of boundary treatment works.
- d) A specification for protective fencing to safeguard trees during site works including all phases and a plan indicating the alignment of the protective fencing.
- e) a specification for ground protection within tree protection zones.
- f) Tree protection during works indicated on a TPP and works and work activities clearly identified as prohibited in this area.
- g) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- h) Boundary treatments within the RPA
- i) Arboricultural supervision and inspection by a suitably qualified tree specialist
- j) Reporting of inspection and supervision

- k) Methods to improve the rooting environment for retained and proposed trees and landscaping
- l) Veteran and ancient tree protection and management

The development thereafter shall be implemented in strict accordance with the approved details.

Abingdon Naturalists Society

Final Response

Objection Mitigation Measures If this Application were to be approved, the measures suggested below would compensate for the loss of biodiversity. 1. Provide islands in all three lakes (3 or 4 per lake) for breeding birds such as Common Tern, Oystercatcher and Little Ringed Plover, all of which have bred at Radley Lakes in the past. Material for this would be available from the overburden removed from the proposed quarrying operation. In addition the existing 'Sandy Overburden Material'* could be used (shown on the accompanying, map north of Thrupp Green). 2. Provide extensive shallow areas in all the lakes. Material for this would be available from the overburden from the proposed quarries and from the existing 'Sandy Overburden Material'*¹, north of Thrupp Green (the restored pit now filled with PFA) 3. Provide more extensive reedbed, riparian herbaceous planting and wetland meadow. 4. Create herb-rich grassland locally or more widely where land is available. 5. Translocate herb-rich turf to other appropriate local sites. *The 'Sandy Overburden Material' (SOM) was proposed to be left untouched in the Halfen report. This bund composed of overburden, removed from Thrupp Green before quarrying in the 1990s, is 200 m long and maybe 7 to 10 m in height. It occupies roughly 6000 m² of floodplain and is estimated to contain tens of thousands of cubic metres of material. It is presumed that some of this would need to be removed to accommodate the conveyor track which will take material from the proposed quarry to Tuckwells works. As the SOM occupies roughly 6000 m² of former floodplain it should be removed in accordance with Environment Agency regulations.

Second Response

Abingdon Naturalists Society is objecting to Application MW.0041/23 because the effects that quarrying will have on the wildlife of the Radley Lakes area. Also quarrying will blight the wider Lakes area for a period of 10 to 20 years and reduce public amenity. We oppose the proposed quarrying at Radley Lakes because it will result in:

- Serious loss of biodiversity, including loss of scarce and declining habitats and species
- Loss of a public amenity
- Degradation of the scenic beauty of the area

- Draining and pollution of waterbodies in the vicinity of the quarry during excavation

The proposed quarrying of Orchard Lake, Calfreys Marsh, Nyatt Field and Bruney Fields and the streams crossing the site, will result in destruction of important habitats replacing a large area of semi-improved grassland, a shallow lake and a fen area, which are all rich in wildlife, and replacing them with 5 m deep lakes, which are a common habitat in South Oxfordshire, and like other such lakes will lack diversity of flora and fauna. We are particularly concerned about the proposed excavation of Orchard Lake and Calfney's Marsh (Fig 1) which are part of the wider 'Radley Gravel Pits Local Wildlife Site', designated in 2006. The Thames Valley Environmental Records Centre and Wild Oxfordshire have designated the whole of the Radley Lakes area including the proposed quarry area as a "Conservation Target Area" from which the proposed quarrying will remove 14.2 ha. During the 10 to 15 years (or more) of quarrying, adjacent areas will be degraded due to noise, haulage traffic movements, dewatering of nearby waterbodies and human disturbance. In the recent Application, there has been no evaluation of the biodiversity loss due to destruction of existing habitats, nor possible gains from the proposed mitigation measures. No BNG evaluation has been reported. Global Views on Biodiversity Loss Habitat destruction and fragmentation are the most important cause of biodiversity loss globally. Some views of International Organisations are listed here: World Wildlife Fund: "Habitat loss poses the greatest threat to species. The world's forests, swamps, plains, lakes, and other habitats continue to disappear as they are harvested for human consumption and cleared to make way for agriculture, housing, roads, pipelines and the other hallmarks of industrial development. Without a strong plan to create terrestrial and marine protected areas important ecological habitats will continue to be lost." COP15: "Goal A - Substantially increase the area of natural ecosystems by maintaining, enhancing or restoring the integrity, connectivity and resilience of all ecosystems. Reduce by tenfold the extinction rate and risk of all species and increase the abundance of native wild species. Maintain the genetic diversity of wild and domesticated species and safeguard their adaptive potential." UNESCO "Biodiversity is the living fabric of our planet. It underpins human wellbeing in the present and in the future, and its rapid decline threatens nature and people alike. It is vital to transform people's roles, actions and relationships with biodiversity, to halt and reverse its decline." UK Government: The Environment Act 2021 Part 6 and Part 7 – Nature and Biodiversity "This Act includes provisions to strengthen and improve the duty on public bodies to conserve and enhance biodiversity, including mandating a net gain biodiversity through the planning system." Under UK leadership the global target to protect 30% of land and sea by 2030, known as 30 by30, agreement for nature has been adopted by the UK and nearly 200 countries at the 2022 UN Biodiversity summit. In 2024 the previous Government announced that the Nature recovery was to be accelerated as the government on measures to protect land and sea. Local and County Views The Radley Neighbourhood Plan, for Radley Lakes states that the area be used for "Quiet Recreation and Nature Conservation." The proposed quarrying would restrict access to most of the area. The Wildlife Trusts report on HS2: "It finds that HS2 Ltd has hugely undervalued natural habitats and the

wildlife that is being destroyed by the construction along the route – while simultaneously overvaluing the impact of its nature compensation measures.” Similarly on a smaller scale the wildlife value of the Application area has been undervalued and mitigation and enhancement measures in no way compensate for the habitats and species that will be lost. Oxfordshire County Council: “The Council has been appointed provisional Responsible Authority for production of a Local Nature Recovery Strategy (LNRS) for the County. The LNRS will establish priorities and map proposals for nature’s recovery and wider environmental benefits across Oxfordshire, as set out in the Environment Act (2021).” Loss of biodiversity The Radley Lakes area has a very wide range of habitats which have developed by a process of rewilding over many decades, resulting in a high biodiversity level.

Orchard Lake and Calfreys Marsh (Area C in the Application) These areas are part of the ‘Radley Gravel Pits’ Local Wildlife Site designated by Oxfordshire County Council in 2006. Because most of this Orchard Lake is shallow (mainly less than 0.5 m depth) it hosts far more amphibian, invertebrate and plant species of than a much deeper (likely to be 4 m plus in this case) flooded gravel pit would. Deeper water hosts fewer species, and if the proposed gravel extraction were to go ahead the resulting deep-water lake would have much decreased biodiversity. Common Toad breed in this lake and there are many records of adults migrating to this lake in March and April since 2012. In some years over 2000 adult Toads were counted visiting the lake with maxima of nearly 600 per visit. Dragonflies are attracted to Orchard Lake because their need shallow water with numerous invertebrates prey species. Many dragonfly recorders visit Orchard Lake from throughout Oxfordshire to observe these insects. These observations are recorded on the British Dragonfly Society’s Oxfordshire website (Stephen Burch is the Recorder for Oxfordshire). On this website there are 218 records of 22 species, for Orchard Lake. The second record for Oxfordshire of a new Odonata species (the Willow Emerald Damselfly) was recorded there in August 2020. A summary of these records, accompanies this submission. The lake hosts good numbers of aquatic invertebrates, which have been recorded during informal pond dipping sessions organised by Abingdon Naturalists Society between 2016 and 2023. The species were identified by Jeremy Biggs (Director of the Freshwater Habitats Trust) – the list accompanies this submission. The Lake contains fish which attracts birds such as Osprey which visit occasionally on passage. Bittern are sometimes recorded there or nearby in winter. Calfreys Marsh is an undisturbed wetland area, west of Orchard Lake comprises a mixture of habitats including: sedge fen, wet woodland and reedbed. The fen is rich in sedge species and Adder Tongue fern was recorded in the past on the edge of the fen. Reed Warbler and Reed Bunting breed there in summer and Woodcock, Snipe and Teal have been recorded there in winter. Halfen’s Report (page 32) states: “Dewatering in Phases A and B2 will reduce water levels in Orchard Lake, the impact of which will be more significant in the shallow water areas where only soils have been stripped. The existing configuration of the lake will be lost when the remaining mineral is removed, so an assessment of the temporary dewatering impact is not considered relevant.” If quarrying of areas A, B1 and B2 were permitted but it was concede that Orchard

Lake and Calfrey's Marsh (Areas C and part of B2) should not to quarry because of their high ecological value, this area would need protection during the prior phases, as proposed for Longmead Lake. The shallow Orchard Lake is a breeding site for hundreds of Common Toad (*Bufo bufo*) and is among the best sites in Oxfordshire for Odonata with 22 species recorded there. Protection of the habitats and species in this area is vital. Nyatt & Bruney Fields (Areas A B1 & B2 in the Application) This is the largest part of the proposed quarry area. These extensive floodplain meadows host a number of plant species, typical of floodplains, including: Early Marsh Orchid, Southern Marsh Orchid, Pyramidal Orchid, Meadow Rue, Yellow Loosestrife, Hemp Agrimony, Tufted Vetch and Grass Vetchling. All these species (excluding Grass Vetchling) were recorded by GE Consulting. The orchids are found in hundreds in certain areas. Two hundred Pyramidal Orchids were recorded in a central area in 2024. Yellow Loosestrife is dominant in two large areas. Meadow Rue, a typical floodplain meadow plant is locally abundant. GE Consulting admit this is an area of high biodiversity, yet no BNG metric for loss has been calculated. Abingdon Naturalists Society, has surveyed butterflies in this meadow over a period of nine years up till 2021. The site was divided into a number of transect sections, surveyed weekly from April to September. A total of 26 mainly grassland species, have been recorded there. Butterflies are particularly abundant bordering Calfreys' Marsh, where surrounding trees shelter this sunny, flower-rich part of the meadow. In 2019 a pair of Stonechats nested in Nyatt Field in a woodstack and raising four young. This was witnessed by several recorders (N Gregory, G Bateman, B Carpenter and D Guyoncourt). This was one of very few occasions when this species has been recorded as breeding in Oxfordshire. In 2021 a Wasp Spider was recorded and photographed in Nyatt Field by Wayne Bull (Fig 8). It had been recorded there in 2019 by Adrian Allsop which was the first record for Oxfordshire north of the Thames. John Campbell recorded insects in Nyatt Field in 2023 and 2024. (John, now retired, worked for the Oxfordshire County Museum Services as curator of natural sciences and started the Oxfordshire Biological Recording Scheme which has become TVERC, with money from Natural England, and Berkshire District Council.) John writes: "Only a few visits have been made to Nyatt Field in 2023 and 2024 which have been limited to the existing tracks and to collecting by sweep netting and beating. Recording has been limited mostly to Heteroptera (Bugs) and some families of Coleoptera (Beetles), especially the Chrysomelidae (Leaf Beetles). To date 141 species of invertebrates have been recorded of which the tumbling flower beetle *Mordellistena neuwaldeggiana* is classified nationally as PRDB1, the leaf beetle *Psylliodes luteola* as PRDBK. A further three species *Sympetrum sanguineum*, the Ruddy Darter, *Conocephalus discolour*, the Long-winged Conehead and *Longitarsus dorsalis* a flea beetle are all classified as Notable B. The leaf beetle *Agelastica alni* is present and is classified as RDBK, illustrating that rarity classifications are not up to date. Such limited recording illustrates the potential richness of Nyatt Field and studies of the Diptera (Flies) and Hymenoptera (Bees and Wasps) would undoubtedly prove to be of interest. Nyatts Field carries a rich flora, including stands of *Lysimachia vulgaris* (Yellow Loosestrife), and *Thalictrum flavum* (Common

Meadow –Rue), and a full botanical survey would prove to be of value. Nyatts Field is rare in the local Thames and Ock flood plains in that it is not under an agricultural regime. All of the important local flood plain sites from Yarnton Meads southwards to Little Wittenhamj are either cut for hay or silage, or are grazed mostly by sheep but in a very few cases cattle. From the limited information available Nyatts Field must be considered an important nature conservation site, and well deserving much further study.” John Campbell plans to do more recording this autumn. A list of JC’s records accompanies this submission Streams Two streams cross the site: Thrupp Water and Bruney Water (Fig 1). These flow respectively north and south of Bruney Field. These streams are reed filled and attract good numbers of Reed Warbler and Reed Bunting which nest there in summer. It is encouraging that GE Consulting found Water Vole in Radley Brook (the southern stream). They used to be abundant in these streams, particularly in Thrupp Water (the northern stream) and Longmead Lake. Water Vole are better able to survive predation if there are areas of tall herbage in the vicinity in which to escape predators. Such herbage refuges would be removed by the quarrying and Water Vole would then be more vulnerable to predation by American Mink. Water Vole are legally protected in Britain and recent evidence indicates that they have undergone long term decline in Britain, disappearing from 94% of their former sites. Water Shrew are found in the Barton Fields section of Radley Brook and have been seen widely in the Radley Lakes area. It is very likely that they inhabit the two streams. These streams are presently unpolluted, as the catchment covers uncultivated land, not subject to pollution by agricultural run-off. These streams should not be allowed to dewater during gravel extraction and when water from the workings is pumped out, it should be divided between the two streams. Silt generated in the quarrying must be allowed sufficient time to settle out in a pool within the quarried area before being introduced to the streams. However from Halfen’s calculations it is questionable whether it is possible at all for these two streams to be saved from drying out completely. Water Violet This rare aquatic plant was present in Radley Brook in the Barton Fields reach and upstream in the wood south of Orchard Lake until 2022 and is probably still present in these reaches. Dewatering of Radley Brook would certainly result in its extermination. This plant is classified as “Vulnerable” on the England and GB Red Lists. Water Violet photographed in Radley Brook Bruney Lagoon (adjacent to areas A & B1) This inlet of the Thames is formerly a Thames channel which ran along the present course of Bruney Water (otherwise known as Radley Brook) is close to the proposed workings. Water will be drawn from it when the nearby gravel pits are dewatered. This will cause polluted water from the Thames to be drawn in, increasing nitrate, phosphate and other pollutants likely to kill scarce aquatic life, leaving just a few pollution tolerant species. This was the first site in Oxfordshire where Cetti’s Warbler bred and was designated a County Wildlife Site (now Local Wildlife Site) by the OCC, on that account. At least 18 species of dragonfly including the scarce Variable Damselfly are regularly recorded from this site. (A list of the Odonata for this site, reproduced from the Oxfordshire branch of the British Dragonfly Society’s can be provided). This beautiful, undisturbed site has in the past been leased to an

angling club whose members valued its beauty and wildlife. If quarrying were to be allowed, the site would endure pollution from the river, noise from nearby excavating plant and vehicle movements, together with human disturbance from the workers and consequently its biodiversity and scenic quality would be degraded. General Considerations Loss of Public Amenity To quote the Wildlife Trusts – “Evidence shows that a thriving, wildlife-rich environment benefits both physical and mental health. People with nature on their doorstep are more active, mentally resilient and have better all-round health.” The need for green places has been demonstrated on grounds of mental health. People have always used Radley Lakes as a place to relax, exercise and appreciate nature and numbers using the site are growing as the population of the catchment area increases. The whole area of the proposed gravel abstraction and haulage track is presently frequented by numerous members of the public on a daily basis. The track on the east side of Orchard Lake is particularly popular because the lake is so beautiful. A significant proportion of users are dog walkers and dogs often bathe in the lake. There are also well used paths in Nyatt Field which the public appreciate because it is such a large open grassland area surrounded by woodland. The openness of the site engenders a sense of space and tranquillity. The demand for wild places in which to walk, exercise and relax has been demonstrated during the Covid-19 lockdown period when the number of people visiting the Lakes area increased several-fold. This is a foretaste of future demand for green spaces, when the planned local housing estates are built in the coming decade. There will be several thousand new dwellings within the Lakes catchment area including in Abingdon, Radley and Kennington. Degradation of Scenic Beauty The scenic quality of the Radley Lakes area is endorsed by its ability to attract people in large numbers and by the numerous photographs taken and subsequently post on websites such as the Radley Lakes Trust website, Facebook and Instagram pages, showing how much the area is appreciated. Orchard Lake in particular is considered beautiful by most visitors because of surrounding trees, reedbed and the large stands of Yellow Flag Iris which bloom there Figs 2, 3 and 4. The sense of beauty and tranquillity is enhanced by the song of Reed Warbler and other birds in spring. Nyatt and Bruney Fields are open flower-rich grassland areas appreciated by walkers because of the sense of openness and freedom they engender. Their scenic quality is enhanced by trees surrounding these fields. Access to this open area will be denied for at least 16 years during quarrying. Health & Wellbeing The Wildlife Trusts recognise the importance of wild green places for people. Their website states: “Daily contact with nature is linked to better health, reduced levels of chronic stress, reductions in obesity and improved concentration”. For sixty years or more, people have used Radley Lakes as a place to relax, exercise and appreciate nature. The number of people using the area is growing as the population of the catchment area increases due to new dwellings being built. If this proposed excavation work proceeds, people will inevitably be excluded by fencing from the quarrying and haulage areas for 10 to 15 years and will be deterred from visiting the remainder of this beautiful site because of their dismay at the destruction that will have been wrought there. There is no other wild green space of similar size in the area where

they can go. Working Period & Restoration Hafren Report Appendix D Hydrology Page 31 "The quarry may draw in low quality water from the surrounding area. In particular this may include poor quality water associated with the landfills to the north and former PFA lagoons to the east." Existing groundwater flow is from the Thames into the Application area, this flow will be enhanced once a pit has been quarried. River water has high levels of phosphate and nitrate pollutants which will flow into the quarried pit. In particular, Phases A and B1 pits are very close to Bruney Lagoon, (about 40 m) which connects directly to the Thames. Polluted river water will flow through Bruney Lagoon into the quarried pit and subsequently will be pumped into Radley Brook and Thrupp Water. This stream hosts Water Vole (*Arvicola amphibious*) and Water Violet (*Hottonia palustris*) The Freshwater Habitats Trust state: "The submerged nature of Water-violet make it very susceptible to water quality". Both mammal and plant are classed as "Vulnerable" on England's Red List. Nitrate and phosphate levels were measured in Radley Brook by Abingdon Naturalists five times between March 2015 and April 2016. Readings were all below detection level (10 ha in total) locally or more widely where land is available for this. • Translocate herb-rich turf to other appropriate local sites

First Response

Objections to Application MW.041/23 - Abingdon Naturalists Society

Abingdon Naturalists Society is objecting to Application MW.041/23 because the effects that quarrying will have on the wildlife of the Radley Lakes area.

Also quarrying will blight the wider Lakes area for a period of 10 to 20 years and reduce public amenity.

We oppose the proposed quarrying at Radley Lakes because it will result in:

- Serious loss of biodiversity, including loss of scarce and declining species
- Loss of a public amenity
- Degradation of the scenic beauty of the area
- Draining and pollution of waterbodies in the vicinity during gravel extraction

The proposed quarrying of Orchard Lake, Calfreys Marsh, Nyatt Field and Bruney Fields and the streams crossing the site, will result in destruction of important habitats replacing a large area of semi-improved grassland, a shallow lake and a fen area, which are all rich in wildlife, replacing with 5 m deep lakes, which are a common habitat in South Oxfordshire, and like other such lakes will lack diversity of flora and fauna.

We are particularly concerned about the proposed excavation of Orchard Lake and Calfney's Marsh (Fig 1) which are part of the wider 'Radley Gravel Pits Local Wildlife Site', designated in 2006. The Thames Valley Environmental Records Centre and Wild Oxfordshire have designated the whole of the Radley Lakes area including the

proposed quarry area as a “Conservation Target Area” from which the proposed quarrying will remove 14.2 ha. During the 10 to 15 years (or more) of quarrying, adjacent areas will be degraded due to noise, haulage traffic movements, dewatering of nearby waterbodies and human disturbance.

In the Application, there has been no evaluation of the biodiversity loss due to destruction of existing habitats, nor possible gains from the proposed mitigation measures.

Global Views on Biodiversity Loss

Habitat destruction and fragmentation are the most important cause of biodiversity loss globally.

Some views of International Organisations are listed here:

World Wildlife Fund: “Habitat loss poses the greatest threat to species. The world's forests, swamps, plains, lakes, and other habitats continue to disappear as they are harvested for human consumption and cleared to make way for agriculture, housing, roads, pipelines and the other hallmarks of industrial development. Without a strong plan to create terrestrial and marine protected areas important ecological habitats will continue to be lost.”

COP15: “Goal A - Substantially increase the area of natural ecosystems by maintaining, enhancing or restoring the integrity, connectivity and resilience of all ecosystems. Reduce by tenfold the extinction rate and risk of all species and increase the abundance of native wild species. Maintain the genetic diversity of wild and domesticated species and safeguard their adaptive potential.”

UNESCO “Biodiversity is the living fabric of our planet. It underpins human wellbeing in the present and in the future, and its rapid decline threatens nature and people alike. It is vital to transform people’s roles, actions and relationships with biodiversity, to halt and reverse its decline.”

UK Government: The Environment Act 2021 Part 6 and Part 7 – Nature and Biodiversity “This Act includes provisions to strengthen and improve the duty on public bodies to conserve and enhance biodiversity, including mandating a net gain biodiversity through the planning system.”

Local and County Views

The Radley Neighbourhood Plan, for Radley Lakes states that the area be used for “Quiet Recreation and Nature Conservation.” The proposed quarrying would extinguish these aspirations.

The Wildlife Trusts new report on HS2: “It finds that HS2 Ltd has hugely undervalued natural habitats and the wildlife that is being destroyed by the construction along the route – while simultaneously overvaluing the impact of its nature compensation measures.” Similarly on a smaller scale the wildlife value of the Application area has been undervalued and mitigation and enhancement measures do not compensate for what will be lost.

Oxfordshire County Council: "The Council has been appointed provisional Responsible Authority for production of a Local Nature Recovery Strategy (LNRS) for the County. The LNRS will establish priorities and map proposals for nature's recovery and wider environmental benefits across Oxfordshire, as set out in the Environment Act (2021)."

Health & Wellbeing

The Wildlife Trusts recognise the importance of wild green places for people. Their website states: "Daily contact with nature is linked to better health, reduced levels of chronic stress, reductions in obesity and improved concentration". For sixty years or more, people have used Radley Lakes as a place to relax, exercise and appreciate nature. The number of people using the area is growing as the population of the catchment area increases due to new dwellings being built. If this proposed excavation work proceeds, people will inevitably be excluded by fencing from the quarrying and haulage areas for 10 to 15 years and will be deterred from visiting the remainder of this beautiful site because of their dismay at the destruction that will have been wrought there. There is no other wild green space of similar size in the area where they can go.

Loss of biodiversity

The Radley Lakes area has a very wide range of habitats which have developed by a process of rewilding over many decades, resulting in a high biodiversity level.

Orchard Lake (Area C in Application) - This area is part of the 'Radley Gravel Pits' Local Wildlife Site designated by Oxfordshire County Council in 2006.

Because most of this lake is shallow (mainly less than 0.5 m depth) it hosts far more amphibian, invertebrate and plant species than would a flooded gravel pit, which is likely to be four metres deep or more. Deeper water hosts fewer species, and if the proposed gravel extraction were to go ahead the resulting deep-water lake would have much decreased biodiversity.

Common Toads breed in this lake and there are many records of adults migrating to this lake in March and April since 2012 (B Carpenter's records are included in this submission). In some years over 2000 adult Toads were counted visiting the lake in a season with maxima of nearly 600 per visit.

Dragonflies are attracted to this lake because their need shallow water with numerous invertebrate prey species. Many dragonfly recorders visit Orchard Lake from throughout Oxfordshire to observe these insects. These observations are recorded on the British Dragonfly Society's Oxfordshire website (managed by Stephen Burch the Recorder for Oxfordshire). On this website there are 218 records of 22 species, for Orchard Lake. The second record for Oxfordshire of a new Odonata species (the Willow Emerald Damselfly) was recorded there in August 2020. A summary of these records, accompanies this submission.

The lake hosts good numbers of aquatic invertebrates, which have been recorded during informal pond dipping sessions organised by Abingdon Naturalists Society between 2016 and 2023. The species were identified by Jeremy Biggs (Director of the Freshwater Habitats Trust) – the list accompanies this submission.

The Lake contains fish which attracts birds such as Osprey which visit occasionally on passage. Bittern are sometimes recorded there or nearby in winter.

The plants of the marginal strip of land on the east side of the lake and Calfrey's Marsh were surveyed by Camilla Lambrick and Margaret Abel in 2014 and this list accompanies this submission.

Calfreys Marsh (Area C in Application) This area is part of the 'Radley Gravel Pits' Local Wildlife Site designated in 2006.

This undisturbed wetland area, west of Orchard Lake comprises a mixture of habitats including: sedge fen, wet woodland and reedbed. The fen is rich in sedge species and Adder Tongue fern was recorded in the past on the edge of the fen. Reed Warbler and Reed Bunting breed there and Woodcock, Snipe and Teal have been recorded there in winter.

Nyatt & Bruney Fields (Area B & A in Application) This is the largest area of the proposed gravel extraction area. These extensive floodplain meadows host a number of plant species, typical of floodplains, including: Early Marsh Orchid, Southern Marsh Orchid, Pyramidal Orchid, Meadow Rue, Yellow Loosestrife, Hemp Agrimony, Tufted Vetch and Grass Vetchling. The orchids are found in hundreds in certain areas. Yellow Loosestrife is dominant in two ~0.5 ha areas. Meadow Rue is abundant in other areas.

Abingdon Naturalists Society, has surveyed butterflies in this meadow over a period of nine years up till 2021. The site was divided into a number of transect sections, surveyed weekly from April to September. A total of 26 mainly grassland species, have been recorded there. Butterflies are particularly abundant bordering Calfreys' Marsh, where surrounding trees shelter this sunny, flower-rich part of the meadow.

In 2019 a pair of Stonechats nested in Nyatt Field in a woodstack and raising four young. This was witnessed by several recorders (N Gregory, G Bateman, B Carpenter and D Guyoncourt). This was one of very few occasions when this species has been recorded as breeding in Oxfordshire.

In 2021 a Wasp Spider was recorded and photographed in Nyatt Field by Wayne Bull (Fig 8). It had been recorded there in 2019 by Adrian Allsop which was the first record for Oxfordshire north of the Thames.

Streams Two streams cross the site: Thrupp Water and Bruney Water (Fig 1). These flow respectively north and south of Bruney Field. These streams are reed filled and attract good numbers of Reed Warbler and Reed Bunting which nest there in summer.

A decade ago Water Vole were abundant in these streams, particularly in Thrupp Water and Longmead Lake. However it is not certain whether they are still present, as American Mink can quickly deplete a site. Water Vole are better able to survive predation if there are areas of tall herbage in the vicinity of the stream in which to escape predators. Such herbage refuges would be removed partly if quarrying took place and Water Vole would then be more vulnerable to predation. Surveys need to be undertaken to determine if this threatened species is still present. The Mammal Society state that: "Water Vole are legally protected in Britain and recent evidence indicates that they have undergone a long term decline in Britain, disappearing from 94% of their former sites." BBOWT, the local Wildlife Trust survey these two streams from time to time.

Because the catchment of these two streams is uncultivated land, they are unpolluted by agricultural run-off and should not be allowed to dewater during gravel extraction. If water from the workings is pumped into these streams, its silt content should be allowed sufficient time to settle out before being introduced to the streams.

Bruney Lagoon (adjacent to areas A & B1) This inlet of the Thames (formerly a Thames channel which ran along the present course of Bruney Water) is close to the proposed workings. Water will be drawn from it when the nearby gravel pits are dewatered. This will cause polluted water from the Thames to be drawn in, increasing nitrate, phosphate and other pollutants which will kill scarce aquatic life, leaving just a few pollution tolerant species.

This was the first site in Oxfordshire where Cetti's Warbler bred and was designated a County Wildlife Site (now Local Wildlife Site) by the OCC, on that account. At least 18 species of dragonfly including the scarce Variable Damselfly are regularly recorded from this site. A list of the Odonata for this site, reproduced from the Oxfordshire branch of the British Dragonfly Society's website, accompanies this submission.

This beautiful, undisturbed site has in the past been leased to an angling club whose members valued its beauty and wildlife. If quarrying were to be allowed, the site would endure pollution from the river, noise from excavating plant and vehicle movements, together with human disturbance from the workers nearby and consequently its biodiversity and scenic quality would be degraded.

Loss of Public Amenity

To quote the Wildlife Trusts – "Evidence shows that a thriving, wildlife-rich environment benefits both physical and mental health. People with nature on their doorstep are more active, mentally resilient and have better all-round health." The need for green places has been demonstrated on grounds of mental health.

People have always used Radley Lakes as a place to relax, exercise and appreciate nature and numbers using the site are growing as the population of the catchment area increases. The whole area of the proposed gravel abstraction and haulage track is presently frequented by numerous members of the public on a daily basis.

The track on the east side of Orchard Lake is particularly popular because the lake is so beautiful. A significant proportion of users are dog walkers and dogs often bathe in the lake.

There are also well used paths in Nyatt Field which the public appreciate because it is such a large open grassland area surrounded by woodland. The openness of the site engenders a sense of space and tranquillity.

The demand for wild places in which to walk, exercise and relax has been demonstrated during the

Covid-19 lockdown period when the number of people visiting the Lakes area increased several-fold. This is a foretaste of future demand for green spaces, when the planned local housing estates are built in the coming decade. There will be several thousand new dwellings within the Lakes catchment area including in Abingdon, Radley and Kennington.

Degradation of Scenic Beauty

The scenic quality of the Radley Lakes area is endorsed by its ability to attract people in large numbers and by the numerous photographs taken and subsequently post on websites such as the Radley Lakes Trust website, Facebook and Instagram pages, showing how much the area is appreciated.

Orchard Lake in particular is considered beautiful by most visitors because of surrounding trees, reedbed and the large stands of Yellow Flag Iris which bloom there Figs 2, 3 and 4. The sense of beauty and tranquillity is enhanced by the song of Reed Warbler and other birds in spring.

Nyatt and Bruney Fields are open flower-rich grassland areas appreciated by walkers because of the sense of openness and freedom they engender. Their scenic quality is enhanced by trees surrounding these fields. Access to this open area will be denied for at least 16 years during quarrying.

Drawdown of Water Table

Because the gravel working will be dewatered in order to extract gravel, the surrounding water table will draw down also, (because water flows freely through the gravel layer) causing water levels in neighbouring waterbodies to fall significantly. Orchard Lake and Longmead Lake are shallow and being groundwater fed, will be seriously affected. The two streams, Bruney Water and Thrupp Water are slow flowing and will also be affected particularly in summer. All of these waterbodies have been shown to be pollution free (Tests conducted by Abingdon Naturalists 2015 & 2016). Tests were carried out for nitrate and phosphate pollutants on behalf of the Freshwater Habitats Trust and showed most waterbodies in the area to be below detection levels (nitrate <0.2 ppm & phosphate <0.02 ppm).

Final Response – No comments.

Third Response – No comments.

Second Response – No comments.

First Response – Offers no advice.

National Grid – No assets in area.

BBOWT

Final Response

Objection:

1. Significant harm to Local Wildlife Site (LWS)
2. Loss or deterioration of irreplaceable habitat (fen)
3. Significant harm to priority habitat (wet woodland)
4. Significant harm to notable and priority species
5. No evidence of a net gain in biodiversity

1. Significant harm to Local Wildlife Site (LWS) Oxfordshire County Council's Minerals and Waste Core Strategy adopted September 2017 Policy C7 states: “.... (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” As stated at paragraph 6.2 of the applicant's EIA: “Radley Lakes Local Wildlife Site covers part of the ROMP excavation site and all of the remaining wider ROMP area. Excavation Phase C (Orchard Lake and scrub) and part of excavation Phase B2 (scrub) is covered by the local designation. Therefore, part of the habitat covered by this will be removed temporarily during the mineral extraction phase, which includes much of Orchard Lake and its associated marginal habitats and much of the fringing scrub to the south, east and west of the lake.” Radley Gravel Pits LWS is designated for a series of former gravel workings and adjacent areas on the floodplain of the River Thames. Some pits have now been filled with landfill or pulverized fuel ash (PVA), while others remain as open water (including Orchard Lake mentioned above). Hedges, ditches and a disused railway divide the site. Terrestrial habitats include open ground, grassland (neutral to calcareous), scrub, sedge and reed bed, fen and wet woodland. The applicant's hydrology report states at paragraph 8 (p36): “lowered groundwater levels around the

extraction area will impact on the nearby waterbodies which lie within the Radley Gravel Pits LWS." Given the removal of habitat and lowered groundwater levels it is our view that the proposed development will result in significant harm to the Radley Gravel Pits LWS and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above.

2. Loss or deterioration of irreplaceable habitat (fen) Fen forms part of the habitat in both Radley Gravel Pits LWS (see above) and Abbey Fishponds LWS and Local Nature Reserve (LNR) which is located less than 600m north of the proposed development site. The NPPF states at paragraph 180: "When determining planning applications, local planning authorities should apply the following principles... c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists," The glossary at Annex 2 of the NPPF lists lowland fen as an example of irreplaceable habitat: "Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen." This suggests that the lowland fen habitat of the Radley Gravel Pits LWS and Abbey Fishponds LWS meets the definition of irreplaceable habitat. The fen habitat is fragile and extremely vulnerable to changes in water quality and water quantity. We do not consider that the applicant has demonstrated that there are wholly exceptional reasons for this development and that a suitable compensation strategy exists and we therefore consider the application to be contrary to the NPPF as well as Oxfordshire County Council's Minerals and Waste Core Strategy adopted September 2017 Policy C7 quoted above which states that, "Development that would result in the loss or deterioration of irreplaceable habitats....will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss."

3. Significant harm to priority habitat (wet woodland) Wet woodland is a habitat of Principal Importance, as listed on the NERC Act (2006) and is present on the proposed development site. Given the removal of habitat and lowered groundwater levels referred to above it is our view that the proposed development is likely to result in significant harm to priority habitat wet woodland and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above.

4. Significant harm to notable and priority species As stated at paragraph 4.1.3 of the applicant's EIA: "Notable species recorded [within Radley Gravel Pits LWS] include water vole, otter, bats, harvest mouse, great crested newt, red list and nationally protected birds, slow worm, adder, grass snake, and RDB/nationally notable/scarce invertebrates (bees, wasps, mayflies, trueflies, crickets/grasshoppers, beetles and moths) and five Red List moss/plants" Given the removal of habitat and lowered groundwater levels referred to above it is our view that the proposed development is

likely to result in significant harm to priority species on the proposed site and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above. Restoration to nature conservation Oxfordshire County Council's Minerals and Waste Core Strategy adopted September 2017 places a very high priority on nature conservation outcomes from minerals restoration including making it a key objective e.g. "Minerals Planning Objectives: 3.4 The Oxfordshire Minerals Planning Vision is supported by the following objectives which underpin the minerals strategy and policies in this plan..... x. Implement a biodiversity-led restoration strategy that delivers a net gain in biodiversity, and contributes to establishing a coherent and resilient ecological network, through the landscape scale creation of priority habitat." Paragraph 4.77 then explains what a biodiversity-led restoration strategy is: "4.77 A biodiversity-led restoration strategy should include: a) treating biodiversity as the primary consideration in the restoration of mineral sites; b) giving preference to allocating and/or permitting mineral development in areas where it will have the greatest potential to maximise biodiversity benefits (i.e. within Conservation Target Areas) (policy M4c)); c) creation of priority habitat at a landscape scale, either on individual sites or on clusters of sites in close proximity; d) integration of habitat creation on restored mineral sites into the existing ecological network in the surrounding area; and e) targets for the area of priority habitat that will be created on sites identified for mineral working in the Site Allocations Document." Given the clear Minerals Planning Objective to implement a biodiversity-led restoration strategy in the Minerals Local Plan Core Strategy it is our view that restoration of the site should aim to maximise the benefit to wildlife and be restored to a high-quality nature reserve. The restored habitats should be subject to 20-year long-term management (in addition to 5 years of aftercare). The applicant should provide details of the proposed restoration and management which should include ecological monitoring proposals and details of any remedial action that will be taken to ensure a successful biodiversity restoration.

5. No evidence of a net gain in biodiversity Oxfordshire County Council's Minerals and Waste Core Strategy adopted September 2017 states at paragraph 6.43: "Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.....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)." The applicant has not demonstrated how a net gain in biodiversity will be achieved as required by local planning policy

Second Response

Objection:

1. Significant harm to Radley Gravel Pits Local Wildlife Site
2. Loss or deterioration of irreplaceable habitat (lowland fen)

3. Significant harm to priority habitat

4. Significant harm to notable and priority species

1. Significant harm to Radley Gravel Pits Local Wildlife Site The applicant's EIA version 2 July 2024 5.1.2 confirms that the proposed "mineral excavation activities will result in the loss/removal of habitats present within these areas for the duration of each phase. This includes much of Orchard Lake and its associated marginal habitats and much of the wet woodland and mosaic of scrub/reedbed which bounds the lake and watercourses which separate the two phases." The applicant's hydrology report states at paragraph 8 (p41): "Lowered groundwater levels around the extraction area will impact on the nearby waterbodies which lie within the Radley Gravel Pits LWS.... Longmead Lake is at Moderate risk of impact from lowered water levels." We therefore maintain objection 1 set out in our previous response.

2. Loss or deterioration of irreplaceable habitat (lowland fen) The applicant's EIA version 2 July 2024 confirms at paragraph 5.2 that much of the areas Phase A, Phase B1, B2 and around the lakeshore are lowland fen (irreplaceable habitat). We therefore maintain our objection 2 set out in our previous response.

3. Significant harm to priority habitat The applicant's EIA version 2 July 2024 confirms at paragraph 5.2 that the following Habitats of Principal Importance as identified by the detailed Botanical Survey "will be impacted either permanently (in the case of the terrestrial habitats) or temporarily (for aquatic habitats)... • Wet woodland • Lowland fens • Lowland reedbeds • Open mosaic habitats on previously developed land • Lowland meadows • Mesotrophic lakes We therefore maintain our objection 3 as set out in our previous response.

4. Significant harm to notable and priority species The applicant's EIA version 2 July 2024 confirms that the site provides habitats for GCN in their terrestrial phase and surveys confirm an exceptional population of common toad, at least seven species of bat (including Annex II barbastelle which is both rare in the county and nationwide), 42 species of breeding birds (17 were notable species) including Cetti's warbler and evidence of water vole and otter. We therefore maintain our objection 4 as set out in our previous response Restoration to nature conservation Given the clear Minerals Planning Objective to implement a biodiversity-led restoration strategy in the Minerals Local Plan Core Strategy it is our view that, in the event the authority is minded to approve the application despite our concerns, restoration of the site should aim to maximise the benefit to wildlife and be restored to a high-quality nature reserve. Please see the relevant section in our previous response, which we continue to stand by, for more detail on this matter.

First Response

Objection:

1. Significant harm to Local Wildlife Site (LWS)

2. Loss or deterioration of irreplaceable habitat (fen)
3. Significant harm to priority habitat (wet woodland)
4. Significant harm to notable and priority species
5. No evidence of a net gain in biodiversity

1. Significant harm to Local Wildlife Site (LWS) Oxfordshire County Council's Minerals and Waste Core Strategy adopted September 2017 Policy C7 states: ".... (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" As stated at paragraph 6.2 of the applicant's EIA: "Radley Lakes Local Wildlife Site covers part of the ROMP excavation site and all of the remaining wider ROMP area. Excavation Phase C (Orchard Lake and scrub) and part of excavation Phase B2 (scrub) is covered by the local designation. Therefore, part of the habitat covered by this will be removed temporarily during the mineral extraction phase, which includes much of Orchard Lake and its associated marginal habitats and much of the fringing scrub to the south, east and west of the lake." Radley Gravel Pits LWS is designated for a series of former gravel workings and adjacent areas on the floodplain of the River Thames. Some pits have now been filled with landfill or pulverized fuel ash (PVA), while others remain as open water (including Orchard Lake mentioned above). Hedges, ditches and a disused railway divide the site. Terrestrial habitats include open ground, grassland (neutral to calcareous), scrub, sedge and reed bed, fen and wet woodland. The applicant's hydrology report states at paragraph 8 (p36): "lowered groundwater levels around the extraction area will impact on the nearby waterbodies which lie within the Radley Gravel Pits LWS." Given the removal of habitat and lowered groundwater levels it is our view that the proposed development will result in significant harm to the Radley Gravel Pits LWS and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above.

2. Loss or deterioration of irreplaceable habitat (fen) Fen forms part of the habitat in both Radley Gravel Pits LWS (see above) and Abbey Fishponds LWS and Local Nature Reserve (LNR) which is located less than 600m north of the proposed development site. The NPPF states at paragraph 180: "When determining planning applications, local planning authorities should apply the following principles... c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;" The glossary at Annex 2 of the NPPF lists lowland fen as an example of irreplaceable habitat: "Irreplaceable habitat: Habitats which would be technically very difficult (or

take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.” This suggests that the lowland fen habitat of the Radley Gravel Pits LWS and Abbey Fishponds LWS meets the definition of irreplaceable habitat. The fen habitat is fragile and extremely vulnerable to changes in water quality and water quantity. We do not consider that the applicant has demonstrated that there are wholly exceptional reasons for this development and that a suitable compensation strategy exists and we therefore consider the application to be contrary to the NPPF as well as Oxfordshire County Council’s Minerals and Waste Core Strategy adopted September 2017 Policy C7 quoted above which states that, “Development that would result in the loss or deterioration of irreplaceable habitats....will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.”

3. Significant harm to priority habitat (wet woodland) Wet woodland is a habitat of Principal Importance, as listed on the NERC Act (2006) and is present on the proposed development site. Given the removal of habitat and lowered groundwater levels referred to above it is our view that the proposed development is likely to result in significant harm to priority habitat wet woodland and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above.

4. Significant harm to notable and priority species As stated at paragraph 4.1.3 of the applicant’s EIA: “Notable species recorded [within Radley Gravel Pits LWS] include water vole, otter, bats, harvest mouse, great crested newt, red list and nationally protected birds, slow worm, adder, grass snake, and RDB/nationally notable/scarce invertebrates (bees, wasps, mayflies, trueflies, crickets/grasshoppers, beetles and moths) and five Red List moss/plants” Given the removal of habitat and lowered groundwater levels referred to above it is our view that the proposed development is likely to result in significant harm to priority species on the proposed site and the applicant has not demonstrated the need for and benefits of the development outweigh the harm, in accordance with Policy C7 quoted above. Restoration to nature conservation Oxfordshire County Council’s Minerals and Waste Core Strategy adopted September 2017 places a very high priority on nature conservation outcomes from minerals restoration including making it a key objective e.g. “Minerals Planning Objectives: 3.4 The Oxfordshire Minerals Planning Vision is supported by the following objectives which underpin the minerals strategy and policies in this plan..... x. Implement a biodiversity-led restoration strategy that delivers a net gain in biodiversity, and contributes to establishing a coherent and resilient ecological network, through the landscape scale creation of priority habitat.” Paragraph 4.77 then explains what a biodiversity-led restoration strategy is: “4.77 A biodiversity-led restoration strategy should include: a) treating biodiversity as the primary consideration in the restoration of mineral sites; b) giving preference to allocating and/or permitting mineral development in areas where it will have the greatest

potential to maximise biodiversity benefits (i.e. within Conservation Target Areas) (policy M4c)); c) creation of priority habitat at a landscape scale, either on individual sites or on clusters of sites in close proximity; d) integration of habitat creation on restored mineral sites into the existing ecological network in the surrounding area; and e) targets for the area of priority habitat that will be created on sites identified for mineral working in the Site Allocations Document.” Given the clear Minerals Planning Objective to implement a biodiversity-led restoration strategy in the Minerals Local Plan Core Strategy it is our view that restoration of the site should aim to maximise the benefit to wildlife and be restored to a high-quality nature reserve. The restored habitats should be subject to 20-year long-term management (in addition to 5 years of aftercare). The applicant should provide details of the proposed restoration and management which should include ecological monitoring proposals and details of any remedial action that will be taken to ensure a successful biodiversity restoration.

5. No evidence of a net gain in biodiversity Oxfordshire County Council’s Minerals and Waste Core Strategy adopted September 2017 states at paragraph 6.43: “Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.....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).” The applicant has not demonstrated how a net gain in biodiversity will be achieved as required by local planning policy.

Thames Water – No comments.

Network Rail – No comments or objections.

Natural England

Final Response

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Third Response

Natural England has previously commented on this proposal and made comments to the authority in our response dated 13/08/2024 reference number 484371. The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Second Response

Natural England has previously commented on this proposal and made comments to the authority in our response dated 03 May 2023 reference number 426467. We have no further comments to make on this application.

First Response

As submitted, the application could have potential significant effects on Culham Brake Site of Special Scientific Interest as well as designated European sites. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- Further assessment of the potential hydrological impacts on the SSSI from changes to groundwater and surface water flows and water quality.
- An in-combination air quality assessment of the potential impacts of the development, particularly on designated Special Area of Conservations (SAC).

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained

Additional Information required - Hydrological Impacts Culham Brake Site of Special Scientific Interest (SSSI) is located downstream, 600m to the south west of the proposed development site. Comprising of willow car and containing a large population of the rare summer snowflake plant, the SSSI is located along a stretch of backwater of the river Thames and is enriched by flooding every year. Therefore it is potentially vulnerable to changes in water quantity and quality. Natural England will require further information from the applicant in regards to the potential impact pathways from groundwater and surface water pollutants and changes to groundwater and surface water hydrology which may impact Culham Brake SSSI as a result of the proposed development, during both the extraction and restoration phases. The assessment of any potential impacts should be based on the nature of the pollution pressure, status of the water environment and specific ecological and other goals relevant to the SSSI. We would also advise a surface water management plan for the site be provided for review, detailing the locations of proposed sumps, silt busters and outfalls, including the water monitoring and management arrangements to be in place during both phases of the development.

Air Quality - Natural England notes that the applicant has provided an air quality assessment which concludes there is likely to be no additional traffic generated as a result of the development when considering the cessation of current vehicle movements to Oday Quarry and that this will result in a neutral impact. This application will need to be considered individually for its own impacts against the background existing levels, moving to an in-combination assessment where

appropriate. On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects from the development in combination with other development plans and projects which may be coming forward within the local area. Therefore Natural England advises that the following information should be provided to enable us to provide advice on the likelihood of significant effects from the proposal upon the designated sites.

- the predicted pollution in combination with other relevant plans and projects

The in-combination assessment should consider other mineral extraction operations, AD plants (if relevant), Local Plans and development coming forward in this area. The Natural England road traffic emissions guidance can be useful to consider the types of plans and project to include. The assessment should consider sites including Cothill Fen Special Area of Conservation, Little Wittenham SAC and Oxford Meadows SAC.

Protected Landscapes - The proposed development is for a site close to a nationally designated landscape namely North Wessex Downs Area of Outstanding Natural Beauty. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Page 3 of 7 Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Biodiversity Net Gain - BNG We encourage all developments to achieve a net gain in biodiversity. We note that the proposals do not appear to provide quantitative evidence of delivery of a BNG at the site and we strongly encourage the use of Natural England's Biodiversity Metric 4.0 to calculate biodiversity losses and gains at this site. One method to ensure net gain is achieved is to compile a Biodiversity Mitigation and Enhancement Plan (BMEP) or similar document that aims to protect and improve the local ecology. This can help to strengthen ecological networks and wildlife corridors. Such a plan can bring together specific avoidance, mitigation and any compensatory measures to address impacts on species and habitats, detail how biodiversity net gain will be achieved, plus detail additional enhancement measures for wildlife (such as bat and bird boxes, habitat refuges etc.) Such a plan should be agreed with district ecologist / biodiversity officer and appropriately secured via condition.

Restoration Plan - We strongly advise that restoration plans for sites such as these incorporate the findings of Biodiversity Net Gain assessment which will enable the correct baseline for habitat value on site to be established and then subsequent mitigation and enhancement required in order to provide a net gain for the project.

The current restoration plans do not appear to reflect any quantitative assessment as this has not been provided with the application.

The restoration plan should also consider the local area and any conservation objectives such as those within the Thames Radley to Abingdon CTA (Conservation Target Area). There are several Biodiversity Action Plan targets associated with this CTA including eutrophic standing waters, wet woodland and floodplain grazing marsh management and opportunities to maintain and improve the quality of these habitats should be explored and considered within the restoration plan submitted with the proposals.

Priority Habitat - This application will potentially result in the loss of floodplain grazing marsh and deciduous woodland priority habitat, as listed under Section 41 of the NERC Act 2006. Please refer to Natural England's standing advice on Priority habitats. Page 4 of 7 You should be aware that Section 40 of the Natural Environment and Rural Communities Act (2006) provides a duty to conserve and enhance biodiversity stating that, 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Ministry of Defence – No objections.

Annex 3 – Public Representations

- Significant harm to and opposition to the destruction of Orchard Lake, a designated Local Wildlife Site (LWS) contrary to development plan policies including OMWCS C7 which should be excluded from the area of proposed extraction.
- Ecological value: the site supports rare and protected species.
- Loss of irreplaceable and priority habitats: restoration cannot replicate the unique shallow-water habitat.
- Significant biodiversity loss and inadequate mitigation measures.
- Failure to demonstrate biodiversity net gain.
- Loss of public amenity and recreational space.
- Concerns about generation and control of noise and dust, and increased HGV traffic on Thrupp Lane.
- Potential disruption to footpaths and cycle routes.
- Risk of flooding including to the properties at Thrupp including to their sewerage and groundwater disruption due to clay-lined lakes.
- Insufficient hydrological modelling and lack of clear mitigation measures.
- Application boundary may not comply with statutory requirements.
- Proposed conditions criticised as unclear and unenforceable; strengthen and clarify planning conditions for enforceability.
- Deficiencies in surveys for protected species and habitats.
- Restoration plans lack ambition and detail.
- Failure to secure restoration of Curtis Yard and north-west area and the need to do so.
- Need for improved access arrangements.
- Require updated ecological and hydrological assessments.
- Need to maintain and enhance public access and amenity.

Annex 4 – OCC Officer suggested conditions (Same numbering used for comparison with those proposed by the applicant in Annex 1 with additional proposed conditions).

Duration of the Permission

1. The winning and working of minerals and the deposit of waste shall cease no later than 21st February 2042.

Access, Traffic and Protection of the Public Highway

2. Mineral shall not be transported via the access titled 'Access Only' on approved Plan no: 757-01-02 Rev A. In addition, this access shall not be used other than for the delivery and removal of plant and machinery and management of the land the subject of this permission.

3. No mud or debris shall be carried onto the public highway by plant and machinery using the access titled 'Access Only' on Plan no: 757-01-02 Rev A. Prior to the further use of this access, details of wheel cleaning measures and measures to maintain the surface of the access and the repair of any potholes shall be submitted to and approved in writing by the Mineral Planning Authority and implemented thereafter.

4. No mineral shall be transported off site other than to the Tuckwell Yard shown on approved Plan no: 757-01-11 via the conveyor as permitted by planning permission no. MW.0075/20.

Working Programme

5. No working shall be carried out except in accordance with the approved Working Plan Nos: 757-01-06, 757-01-07, 757-01-08, 757-01-09 and 757-01-10 and detailed in the approved Planning Statement Version 3 dated 10/06/2025, unless otherwise approved in writing by the Mineral Planning Authority.

6. Soils shall be managed in accordance with the approved Planning Statement Version 3 dated 10/06/2025. Soils shall not be removed or handled unless they are in a dry and friable condition to prevent damage to the soil structure and contain sufficient moisture to prevent degradation of the soil structure, unless otherwise approved in writing by the Mineral Planning Authority.

7. All topsoil and subsoil shall be stored separately in accordance with the Planning Statement Version 3 dated 10/06/2025.

8. No minerals except sand and gravel shall be removed from the site.

9. No topsoil, subsoil, overburden or mineral waste shall be removed from the site.

10. No waste shall be imported onto the site.

11. (Condition not required following final Environment Agency consultation response)

12. All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

13. Unless otherwise approved in writing by the Mineral Planning Authority no operations including the extraction of minerals and loading and operating of the conveyor shall take place except between the hours of:
07.00 a.m. to 06.00 p.m. on Mondays to Fridays;
07.00 a.m. to 01.00 p.m. on Saturdays; and
01.00 pm to 05.00 pm on Saturdays for maintenance of plant and machinery only.
No operations shall take place on Sundays or Public Holidays.
No operations shall take place outside these hours except for the operation of pumps and other equipment to maintain the safe operation of the quarry.

14. Unless otherwise approved in writing by the Mineral Planning Authority the field conveyor and adjacent access road shall be constructed in accordance with approved Plan nos: 757-01-11 and 757-01-15.

15. No lighting shall be used other than in accordance with details which shall first be submitted to and approved in writing by the Mineral Planning Authority.

Production

16. No more than 150 000 tonnes of mineral shall be exported from the site in any 12-month period.

17. From the date of recommencement of mineral extraction, the operator shall maintain records of the quantities of mineral worked and exported from the site. These records shall be made available to the Mineral Planning Authority within 14 days of a request for them to be provided.

Environmental Protection: Archaeology

18. Prior to any further mineral extraction or enabling works a professional archaeological organisation acceptable to the Mineral Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Mineral Planning Authority.

19. Following the approval of the Written Scheme of Investigation referred to in condition 18, and prior to any further mineral extraction or enabling works (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing,

research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Mineral Planning Authority within two years of the completion of the archaeological fieldwork.

Environmental Protection: Dust

20. Prior to the stripping of soils a Dust Management and Monitoring Plan shall be submitted to and approved in writing by the Mineral Planning Authority. The approved Dust Management and Monitoring Plan shall be adhered too at all times.

Environmental Protection: Ecology

21. Prior to the recommencement of the development (including any groundworks or vegetation clearance) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Mineral Planning Authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. The scheme shall include details of the following:

- The timing of the works;
- Identification of biodiversity protection zones;
- Implementation of protected species licences;
- The measures to be used during construction in order to minimise the environmental impact of the works including potential disturbance to protected species, habitats and designated wildlife sites;
- The measures to be taken if nesting birds are found in areas to be worked or restored;
- A map or plan showing habitat areas to be specifically protected during construction;
- Construction methods;
- Any proposed lighting scheme and safeguards for light-sensitive wildlife;
- Soil storage mounds located so as to not extend into root protection zones of hedges and/or trees;
- Location of protective fences, exclusion barriers and warning signs;
- Any necessary pollution prevention methods;
- When a specialist ecologist needs to be present on site to oversee works;
- Responsible persons, roles and lines of communication;

- Information on the Project Ecologist and/or Ecological Clerk of Works responsible for particular activities associated with the CEMP;
- Details of how the river bank and riparian zone will be restored and enhanced following construction.

The approved CEMP shall be adhered to and implemented throughout the consented development strictly in accordance with the approved details, unless otherwise approved in writing by the Mineral Planning Authority.

22. Prior to recommencement of the development, details and certificate of a great crested newt District Level Licence or alternatively a great crested newt survey report and European Protected Species Licence shall be submitted to the Mineral Planning Authority.

23. Prior to recommencement of the development, details and certificate of a water vole survey report and mitigation licence shall be submitted to the Mineral Planning Authority.

24. Prior to recommencement of the development, a fully detailed Landscape and Ecological Management Plan (LEMP) including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the mitigation and enhancement measures proposed in the Landscape and Visual Impact Assessment in Appendix F of the approved Environmental Statement and details of the following:

- new habitat created on-site including ground preparation, existing and proposed vegetation taking into account botanical mitigation and plant specifications including species, sizes, numbers and densities and seed mixes and their provenance;
- treatment of site boundaries and/or buffers around water bodies;
- management responsibilities;
- the phasing of the pond enhancements;
- the amount of time the habitat is secured for and maintenance regimes.

The approved LEMP shall be adhered to and implemented throughout the consented development strictly in accordance with the approved details, unless otherwise approved in writing by the Mineral Planning Authority.

25. Prior to recommencement of the development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Mineral Planning Authority. The HMMP shall include the following and extend until the cessation of the 5 years aftercare:

- Description and evaluation of all features to be managed within the site;
- Ecological trends and constraints that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule;
- Details of ecological enhancements;
- A botanical mitigation strategy;

- Details of the body or organisation responsible for implementation of the plan, and
- Ongoing monitoring and remedial measures to ensure the development delivers the objectives set out in the approved scheme.

The development shall thereafter be carried out in accordance with the approved details.

26. If nesting birds are found in areas to be worked or restored, then work in the immediate vicinity shall stop and an ecologist consulted and the measures embedded within the Construction Environmental Management Plan (CEMP) approved pursuant to Condition 21 shall be implemented prior to any further work.

Additional condition:

No development shall take place in areas of irreplaceable or priority habitats as recorded in ES Appendix C Ecological Impact Assessment V2 or Radley Gravel Pits Local Wildlife Site.

Additional condition:

No development shall commence in each phase until up-to-date surveys for great crested newts, bats, birds, reptiles, otters, water voles, fish and habitat and botanical assessments undertaken in line with best practice guidelines have been submitted to and approved in writing by the Mineral Planning Authority. The up-to-date surveys shall:

-Establish if there have been any changes in the presence and/or abundance of protected species; and

-Identify any likely new ecological impacts that may arise from any changes.

Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed, a revised ecological mitigation scheme shall be submitted to and approved in writing by the County Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details.

Environmental Protection: Groundwater and Surface Water Protection

27. No further development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority for the provision of a continuous and up to date baseline groundwater data set.

28. No further development shall commence until a comprehensive baseline groundwater quality monitoring scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include potassium, boron, pH, phosphorus, ammoniacal nitrogen, copper and vanadium.

29. Prior to further mineral extraction a scheme shall be submitted to and approved in writing by the Mineral Planning Authority for the provision of a groundwater monitoring scheme with a wider baseline data spatial coverage to provide sufficient spatial representation of Working Area Phase C shown on Plan no: 757-01-10 and the south eastern edges of the site boundary.

30. Prior to further mineral extraction, a scheme shall be submitted to and approved in writing by the Mineral Planning Authority detailing the locations of all private water

supplies which have the potential to be impacted by activities within the site boundary.

31. Prior to further mineral extraction, a scheme shall be submitted to and approved in writing by the Mineral Planning Authority for approval which details the method of lining of the sides of the excavation areas where required with low permeability materials. Details shall include the depth/thickness of lining material that would be removed from the base of the phases, whether the lining is intended as a short- or long-term barrier and the risks in terms of groundwater mounding and flooding.

32. Prior to further mineral extraction, a report shall be submitted to and approved in writing by the Mineral Planning Authority which calculates the loss of aquifer storage, the impact of this loss and whether any mitigation is proposed.

33. Prior to further mineral extraction a scheme for the storage of oil, fuel, lubricants or other bulk stored liquids (other than water) and setting out how they shall be handled on site in a manner that prevents the pollution of any watercourse or aquifer shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the following details:

- secondary containment that is impermeable to both the oil, fuel or chemical and water, with no opening used to drain the system;
- a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest
- all fill points, vents, gauges and sight gauge located within the secondary containment.

The scheme shall, where necessary, be supported by detailed calculations and include a programme for future maintenance. The scheme shall be fully implemented and subsequently maintained for the duration of the development subject to any amended details as may subsequently be submitted to and approved in writing by the Mineral Planning Authority.

34. The site shall be dewatered in accordance with the approved Planning Statement Version 3 dated 10/06/2025 unless otherwise approved in writing by the Mineral Planning Authority.

35. Prior to further mineral extraction a Hydrometric Monitoring Scheme which includes monitoring of Longmead Lake shall be submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall be adhered to thereafter.

36. The buffer zones to watercourses shown on approved Working Plan Nos: 757-01-06, 757-01-07, 757-01-08, 757-01-09 and 757-01-10 shall be adhered to at all times.

37. No further development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority for the provision and installation of robust ground markers around the site boundary delineating the maximum extent of working. The approved scheme shall be implemented and the

ground markers shall be retained throughout the period of this permission. No extraction shall take place beyond these markers.

Additional Environment Agency condition:

If, during development, contamination (or land or controlled waters) not previously identified is found to be present at the site then no further development (unless otherwise approved in writing by the Mineral Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Mineral Planning Authority. The remediation strategy shall be implemented as approved.

Environmental Protection: Flood Risk

38. (Condition not required following final Environment Agency consultation response)

39. (Condition not required following final Environment Agency consultation response)

40. Within 3 months of the recommencement of mineral extraction a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall be adhered to thereafter for the duration of the development.

Environment Agency additional condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) and appendices by Hafren Water, dated February 2025, and letter from Hafren Water, dated 22 May 2025, and the following mitigation measures it details:

- Section 5.3.1 of the FRA: the bund in place during phases A and B1 will be removed prior to the working of phase B2 and additional flood storage volume created during phase A.
- Letter from Hafren Water which states: no further land raising is to take place beyond pre-existing levels, other than those areas required to store material during the operational phases when mineral is being extracted.

Environmental Protection: Surface Water Management Scheme

41. Prior to the recommencement of the development, a detailed Surface Water Management Scheme for each phase or sub-phase of the proposed operations, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be in accordance with the principles contained within the approved Hafren Water Environmental Water Management, FLOOD RISK ASSESSMENT, THRUPP FARM QUARRY, Version 3, February 2025. The scheme shall be implemented in accordance with the approved details and timetable.

Environmental Protection: Sustainable Drainage Scheme

42. Prior to further mineral extraction a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Mineral

Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site; and
- d) The name and contact details of any appointed management company information.

Environmental Protection: Landscape & Visual Impact

43. (Condition not required following final Environment Agency consultation response)

44. Prior to the recommencement of the development the linear distances and protection methods required to protect retained trees shall be defined in accordance with by BS5837: 2012 and submitted to and approved in writing by the Mineral Planning Authority. The approved protection methods shall be adhered to at all times thereafter for the duration of the development.

45. In the first planting season following the recommencement of mineral extraction, the 'native scrub planting for repair and visual mitigation' shall be undertaken in accordance with the details shown on approved Plan no: 757-01-16 Rev A and in Section 7 of the Landscape and Visual Impact Assessment in Appendix F of the approved Environmental Statement.

Environmental Protection: Noise

46. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with, and use, effective silencers. No reversing bleepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or bleepers whose noise levels adjust automatically to surrounding noise levels.

47. Except for temporary operations, the free field Equivalent Continuous Noise Level, dB LAeq, 1-hour, free field, due to daytime operations for routine operation on the site, shall not exceed the specified noise limits below at the sensitive receptors listed.

Position	Site Noise Limit
	dB L_{Aeq}, 1-hour, free field
1 – Home Barn Farm	54
2 – Warren Farm	43
3 - Thrupp House	47
4 – Kingfisher Barn/Rye Farm	48

48. During the permitted working hours the free field Equivalent Continuous Noise Level, dB LAeq, 1 hour, free field, due to temporary operations, shall not exceed 70 dB LAeq 1 hour, freefield at the sensitive receptors listed in condition 47 . Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of 8 weeks in any 12-month period.

49. Within 3 months of the date of this planning permission, a Noise Management Scheme shall be submitted to and approved in writing by the Mineral Planning Authority which shall include:

- Noise monitoring and reporting proposals to check compliance with the noise limits in Conditions 47 and 48; and
- Complaints procedure detailing the investigation, resolution, reporting and recording of complaints.

The approved scheme shall be implemented thereafter for the duration of the development.

Environmental Protection- Trees

50. Prior to the recommencement of any works on site, an Arboricultural Method Statement (AMS) and accompanying Tree Protection Plan (TPP), in accordance with BS 5837:2012, shall be submitted to and approved in writing by the Mineral Planning Authority which shall include:

- a) Location and installation of services/ utilities/ drainage;
- b) Details and Methods of works within the root protection area (RPA as defined in BS5837: 2012) of the retained trees or that may impact on retained trees;
- c) A full specification for the installation of boundary treatment works;
- d) A specification for protective fencing to safeguard trees during site works including all phases and a plan indicating the alignment of the protective fencing;
- e) A specification for ground protection within tree protection zones;
- f) Tree protection during works indicated on a TPP and works and work activities clearly identified as prohibited in this area;
- g) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
- h) Boundary treatments within the RPA;
- i) Arboricultural supervision and inspection by a suitably qualified tree specialist;
- j) Reporting of inspection and supervision;
- k) Methods to improve the rooting environment for retained and proposed trees and landscaping; and
- l) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Restoration and Aftercare

51. The area of the site the subject of further winning and working of mineral shall be restored in phases in accordance with Plan Nos: 757-01-07, 757-01-08, 757-01-09, 757-01-10, 757-01-12 Rev A and 757-01-16 Rev A.

52. Within 24 months prior to the permanent cessation of mineral extraction in each phase, unless otherwise approved in writing by the Mineral Planning Authority, a restoration and five-year aftercare scheme demonstrating how the site the subject of further winning and working of mineral will be restored in accordance with Plan Nos: 757-01-12 Rev A and 757-01-16 Rev A shall be submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall be implemented as approved and each phase shall be restored in accordance with the approved restoration and aftercare scheme within 24 months of the completion of mineral extraction in each phase.

53. Within 2 years from the recommencement of mineral extraction the 'Draft Restoration Management Plan' in Appendix 5 of the approved Planning Statement Version 3 dated 10/06/2025 shall be reviewed and updated including a timetable for implementation, and submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be implemented as approved.

54. A restoration and aftercare scheme for the Curtis Yard shown on approved Plan no: 757-01-05 Rev A shall be submitted to and approved in writing by the Mineral Planning Authority within 2 years of the recommencement of mineral extraction. The submitted scheme shall be implemented as approved and include :

- The removal of buildings and hardstanding;
- Restoration treatments;
- Management;
- Timetable for implementation; and
- 5- Year aftercare scheme.

The approved scheme shall be implemented in accordance with the timetable for implementation.

Additional condition

No development shall recommence until details of a Local Liaison Committee have been submitted to and approved in writing by the Mineral Planning Authority. The Local Liaison Committee shall then take place in accordance with the approved details.

Additional condition

XX Condition listing the approved documents and drawings.