

For: PLANNING AND REGULATION COMMITTEE – 16 APRIL 2012

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

Development Proposed:

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

Division Affected: Kennington and Radley

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

Location: Thrupp Lane Quarry, Radley

Application No: MW.0001/12

Applicant: Tuckwells

District Council Area: Vale of White Horse District Council

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Part 1 – Facts and Background

Location (see site plan Annex 1)

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

Site and Setting (see site plan Annex 1)

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

Planning Background

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

and gravel until 2042. However, this consent is currently suspended under the provisions of the Environment Act 1995 as no Environmental Statement (ES) has been submitted to support the application for modern planning conditions to be attached to the old consent. The permission will be permanently revoked if an ES has not been provided by September 2012. It is the intention of the owner of that land to submit an ES before the above deadline, allowing the mineral to be worked once modern conditions are agreed. This development is referred to in this report as the ROMP site (Review of Old Mineral Permission.)

9. There is a concrete batching plant with permanent consent in the north western part of the site.

Details of the Development

10. It is proposed to remove the existing processing plant from the site and use a new mobile processing plant on site to wash and grade the sand and gravel dug under permission P/369/71(the ROMP site). This material could be transported from the working area to the south to the processing site by conveyor rather than by road.
11. Although the applicant considers that they have evidence to prove that they can permanently import material for processing, this application states that if planning permission is granted the importation of 'as dug' sand and gravel by road, via Thrupp Lane, would cease immediately and the plant would be dismantled. If and when the material from the ROMP consent became available it would be processed using modern mobile plant which would be brought on to the site for that purpose. Such plant would have a much reduced visual impact. If this material does not become available no other processing would recommence on site. Once the material from the ROMP consent had been extracted and processed, processing operations would cease, the plant would be removed, and the site restored.
12. The proposed hours of working are 07.00-18.00 Monday to Saturday with operations after 13.00 limited to plant maintenance.
13. The application states that this development would potentially lead to a reduction in the number of 44 tonne lorries using Thrupp Lane because the processing plant and concrete batching plant could be supplied by sand and gravel worked in the area (the ROMP site) and transported by conveyor rather than road.
14. It is proposed to restore the site to a nature conservation afteruse and offer its' management to a conservation body. This would either be in 5 years if no further mineral extraction takes place on adjoining land, or in 15 years following the completion of extraction.
15. The concrete batching plant on the site has a permanent permission and would remain after the end of sand and gravel processing. It would not be restored with the rest of the site. There are other developments on the site including lorry

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

Part 2 – Other Viewpoints

Representations

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

Consultations

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

Part 3 – Relevant Planning Documents

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

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

22. At the time of writing the government's National Planning Policy Framework has just been published (27 March). Any consequences which may flow from this new document will be reported at Committee.

Relevant Policies

23. The relevant policies are:
- South East Plan (SEP) – CO4 Greenbelt, NRM5 Biodiversity.
 - Oxfordshire Minerals and Waste Local Plan (OMWLP) – PB1, PB2, PE11, PE13, PE18.
 - Vale Local Plan (VLP) – GS3 Development in the Oxford Greenbelt.
 - Oxfordshire Draft Minerals Strategy (ODMS) – M6 Restoration of Mineral Workings, C4 Biodiversity and Geodiversity, C5 Landscape, C7 Transport, C8 Rights of Way.
 - PPG2 Green Belts.
 - Relevant paragraphs of the National Planning Policy Framework (NPPF).

Part 4 – Opinion and Conclusions

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

24. The key planning issues are:
- (i) Processing of ROMP material
 - (ii) Green Belt and landscape.
 - (iii) Traffic.
 - (iv) Impacts on neighbouring residents.
- (i) Processing of ROMP material:
25. Development Plan policy supports mineral processing plants being sited and designed to minimise environmental disturbance.
26. The ROMP area has permission for the extraction of sand and gravel. This could be worked and exported 'as dug' or it could be processed nearby.
27. There are advantages to the ROMP site material being processed at this site. It would avoid the need to construct a new plant site at the extraction area, which is closer to houses. It would also have the potential to reduce vehicle movements on Thrupp Lane as Tuckwell's would no longer need to import as much material from elsewhere to feed the concrete batching plant.
28. The District Council and Save Radley Lakes have stated that this application should be dealt with after the ROMP application as the arrangements for processing the ROMP material will be clearer then. I consider that it is appropriate to determine this application now. The council is under a duty to

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

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

(ii) Green Belt and landscape

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

36. A five year aftercare period should be required in order to allow the restoration to establish. A detailed restoration plan informed by up to date ecological survey work will be necessary. This can be secured by condition. Earth Trust manage significant parts of the Radley Lakes complex and should be well placed to manage this additional area.

(iii) Traffic

37. Development Plan transport policy directs development onto suitable roads that are well connected to the strategic network.
38. If the applicant processes material from the ROMP site at his processing plant, there could be a significant reduction in the number of HGVs accessing the site from Thrupp Lane, as it would no longer be necessary to import as much material by road to the concrete batching plant.
39. If the ROMP material did not become available the processing plant would be removed without replacement and the site restored. This would remove imports of material to the processing plant site and would improve the local landscape. However, it should be remembered that there would still be vehicle movements down Thrupp Lane as vehicles would still serve the permitted concrete batching plant and other existing uses along Thrupp Lane. In a scenario where the ROMP material was not available, the application states that following the removal of the processing plant there would be an estimated 15% reduction in vehicle movements, corresponding to a 15% reduction in the volume of imported material. This is because material brought in to supply the concrete batching plant would have already been processed and would already have had the clays and silts washed out. This assumes that the rate of production at the concrete batching plant remains constant.
40. There have been a number of representations objecting to this application because of the impact of HGV traffic on Thrupp Lane. However, there has been no objection from the Highways Authority.
41. It is acknowledged that Thrupp Lane is narrow and the surface is poor. It was not designed for use by HGVs and this has damaged the carriageway. However, no objection has been received from the Highway Authority to the application. Indeed, refusing this application would not lead to a reduction in HGV movements. The potential reduction in the number of HGVs using the lane as a result of this development would therefore be an improvement on the existing situation and would be supported by policy.

(iv) Impacts on neighbouring residents

42. Planning policy requires that proposals for minerals and waste development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors.

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

(v) Other Issues

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

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

Conclusions

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

Recommendation

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

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

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

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

Informatives

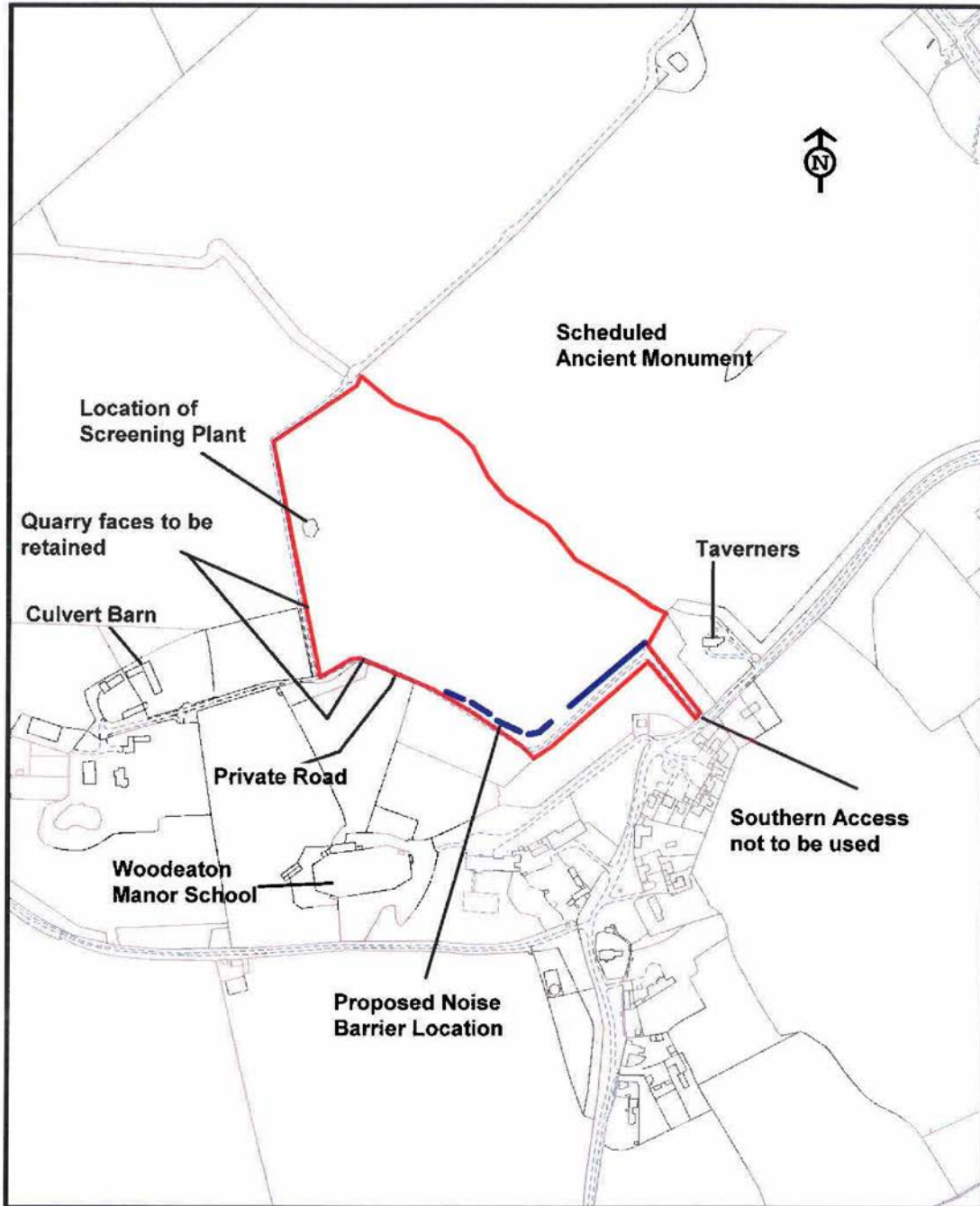
1. **Participation in liaison committee.**
2. **Clarification of development not covered by the consent (workshop, lorry yard, stone sales).**
3. **Oil storage tanks should be located on an impervious base.**
4. **Silt ponds require a permit issued by the Environment Agency.**
5. **Discharge of water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

MARTIN TUGWELL
Deputy Director (Growth & Infrastructure)

April 2012

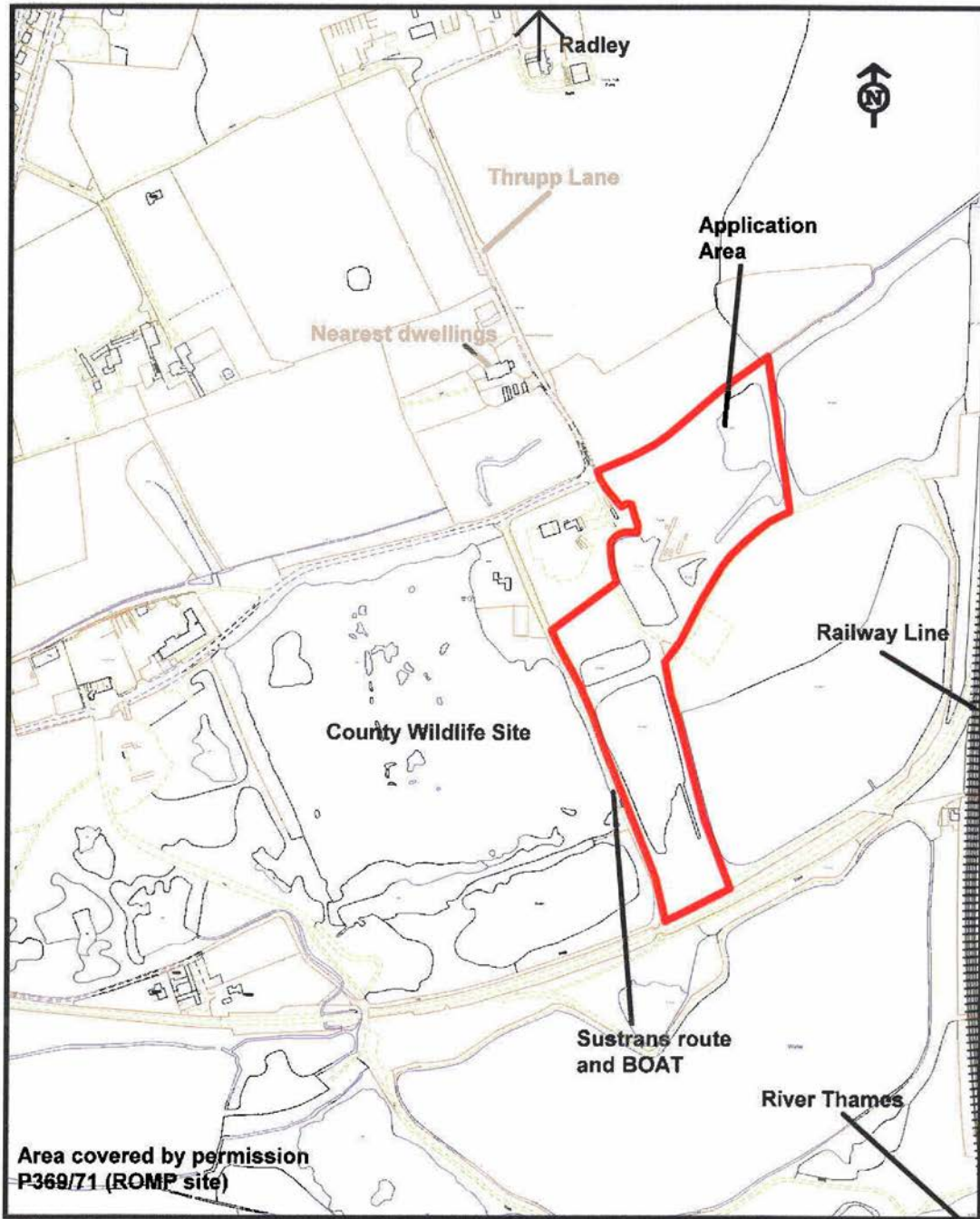
Annex 1 – Site Plan

Plan 2 - Site Plan



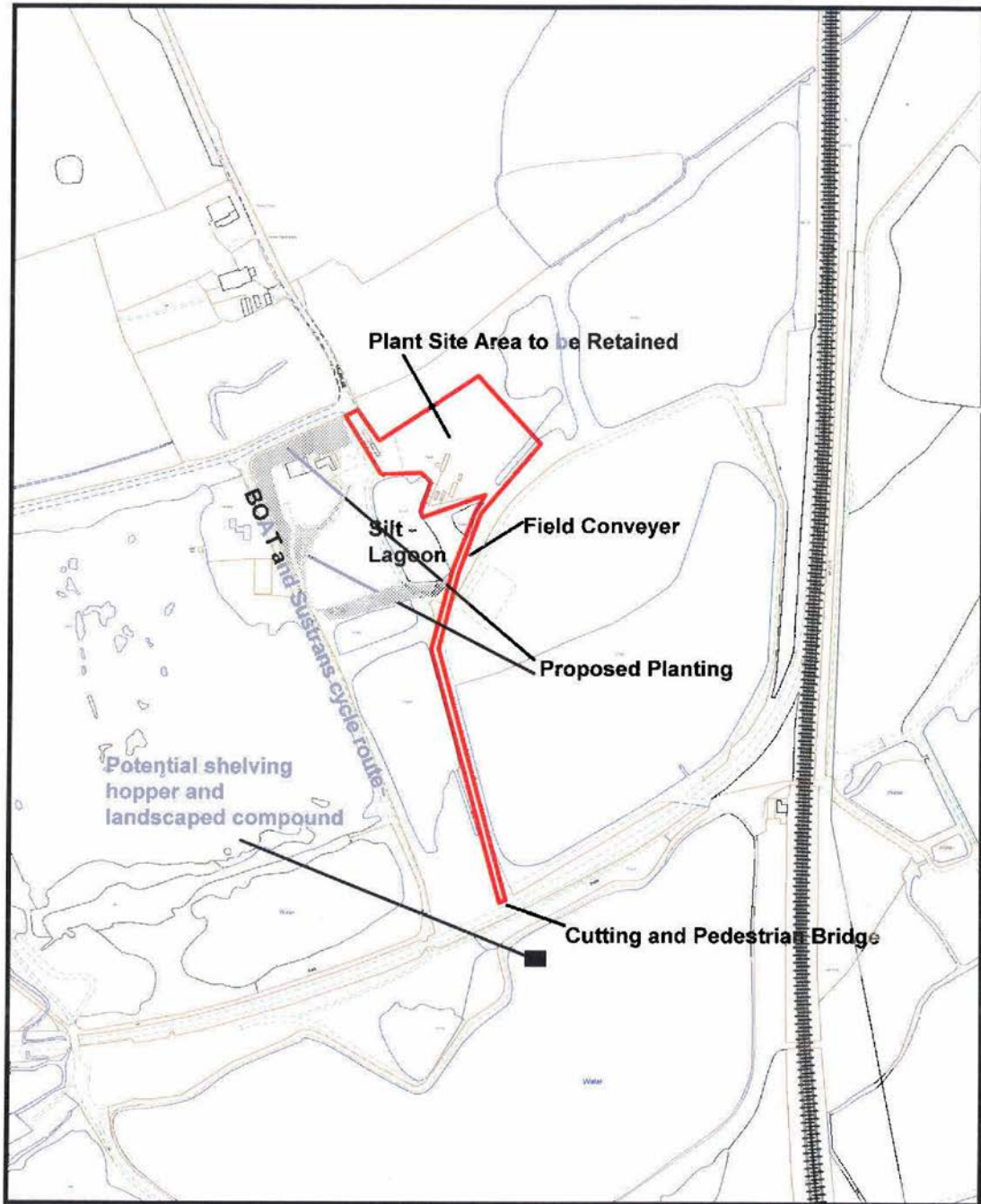
This plan shows only an indication of the proposed development and should not be scaled from

Site Plan



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

Site Plan



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

Annex 2 – Representations

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

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

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

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

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

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

Alternative Access Arrangements

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

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

Concern about dust:

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

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

Requirements if permission is granted:

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

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

Other Matters

- New independent traffic survey should be conducted.

This has not been required by the Highways Authority.

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

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

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

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

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

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

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

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

- Site is in the Green Belt.

Green Belt policy is considered in the main report.

Annex 3 – Consultations

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

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

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

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

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

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

CPRE – Object unless:

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

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

Thames Water – No comment.

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

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

County Archaeological Services – No archaeological constraints to this scheme.

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

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

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

Annex 4 – Radley Parish Council Response

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

The conditions proposed by Radley Parish Council are discussed below.

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

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