

For: PLANNING & REGULATION COMMITTEE – 3 DECEMBER 2012

**By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY
(STRATEGY & INFRASTRUCTURE PLANNING)**

Development Proposed:

Continuation of permission WCH/5048/3-CM (to continue the infilling of a former chalk quarry with inert waste for a further 3 years - the proposals included some excavation of chalk for use only in the final restoration of the site) without complying with the requirements of condition 2 (the development and restoration hereby granted shall be for a limited period expiring on 31 December 2010) to allow for an extension to the end date of the planning permission and restoration until 31 December 2015 and amended restoration proposals.

Division Affected: Greendown

Contact Officer: Nick Fagan **Tel:** 01865 815584

Location: Childrey Quarry, Childrey, Wantage

Applicant: David Lewis

Application No: MW.0014/11

Date application received: 18 January 2011

Consultation Period: 27 January – 17 February 2011

District Council Area: Vale of White Horse

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Recommendation:

The report recommends that Application MW.0014/11 be approved.

Part 1 – Facts and Background

The Site & its Setting (Plan 1)

1. Childrey Quarry is a former chalk quarry 5.8 hectares in area that has been the subject of landfilling with inert waste and which is now in the process of being restored, albeit rather slowly.
2. The site is located about 2km west of Wantage and accessed from a concrete farm track running south from the B4507, which runs along the ridge linking Wantage to Ashbury and forming the northern edge of the North Wessex Downs AONB. It lies within the Vale of the White Horse District roughly equidistant (about 1km away) from three villages – Childrey to the north-west, East Challow to the north-east and Letcombe Regis to the south-east.
3. It sits on a ridge within a rolling landscape which generally rises from north to south towards the Ridgeway long distance footpath some 3km to the south. A byway open to all traffic [BOAT] runs along its southern boundary and the nearest noise sensitive premises is Forge Cottage in Letcombe Regis some 500m away to the south-east.
4. The eastern part of the quarry site has been largely unworked and comprises an area of managed grassland and linear game strip. Chalk extraction has taken place in the western and central parts of the site and waste disposal has followed partially filling the worked out areas. Large stockpiles of screened and unscreened waste are stored in the centre of the site and these are visible from the surrounding landscape. Conifers and broad leafed woodland were planted about 15 years ago on the steep western edge of the quarry but these have struggled to become established. The north-west corner of the site is largely managed grassland used for clay pigeon shooting. Scrap material and old vehicles have been kept on this area and on the north east part of the site and are visible to surrounding areas.

Background & Planning History (Plan 2)

5. In 1980 planning permission was granted for tipping of earth and road repair waste into the former quarry with restoration to agricultural land. The permission was limited to 3 years. In 1983 the continued use of the quarry for tipping was permitted for 10 years [Ref: WCH 5048T]. In 1994 planning permission was granted for further continued tipping until 31 December 2003 [Ref: WCH 5048/1-CM].
6. In 1999 a retrospective planning application was made by the former operator to use the site for the recycling (including crushing and screening) of inert waste along side the continued infilling [Ref: WCH 5048/2-CM]. This application received a lot of local opposition and was withdrawn in 2000. The site was then abandoned. The abandonment led to litigation between operator and owner (Mr Lewis), which was only concluded in March 2003.

7. In May 2004 this Committee resolved to grant planning permission for application Ref: WCH/5048/3-CM to extend the life of the landfill at the site but reduced the extension from the 10 years requested to 5 years. However, the applicant decided that completing the landfilling was unfeasible within 5 years and proposed a lower volume of infill material.
8. The original application for 10 years was brought forward with an accompanying draft Section 106 Agreement for long term management of the site and a permissive footpath to allow public access to the retained chalk face but these were dropped as part of the proposed revision. The revised scheme was eventually permitted, without a Section 106 Agreement, on 1 November 2005 for a temporary period of 5 years ending on 31 December 2010.
9. When the original planning application was made in 2004 it was proposed that 38,000m³ would be required to restore the site. The amendments made to the application meant that this total amount was reduced by 8,000m³ to 30,000m³.
10. In 2004/05 the reasons given by the applicant for not completing the landfilling on time were the contractual dispute referred to above and the impact of landfill tax on the quarry, which did not benefit from an exemption until the new regulations were introduced in 1999. The reason he gives now for not completing the landfilling by the end of 2010 is that he has not been able to secure the necessary volume of material because of the effects of the recession – i.e. less building construction on local sites means less restoration material available for this site.
11. He has however imported a significant amount of restoration material since the last permission and maintains that only about 8,000m³ in total of additional imported inert material in the form of restoration soils are still required to restore the site. In 2005 it was envisaged that all of the Area D and the majority of Area C would have been restored within 18 months of the date of that permission [see Plan 2]. At present a large proportion of Area D has been restored although parts of it may require re-seeding with the agreed grass seed/wildflower mix. Little if any restoration has occurred to Area C, which still retains most of the material brought onto site by the previous operator. The applicant was screening some of this material until February (when he was asked to stop by the Council's Monitoring Officers), apparently in order to recover sufficient topsoil to mix with the chalk from the quarry floor in order to achieve a soil mixture sufficient to produce calcareous grassland by accommodating the agreed grass seed/wildflower mix spread and so create the agreed restoration levels in Area D.

The Application Details (Plan 2)

12. The application seeks a variation to the existing wording of Condition 2 of the extant implemented permission WCH/5048/3-CM, which states:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2010. The site shall be restored in accordance with

approved plans, P2310 D3 B and P2310 D4 B.”

13. In January 2011 when this application was originally submitted it was requested that this Condition be varied as follows:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2013. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B.”

14. Because of the period of time that has elapsed since the submission of that application the applicant has confirmed that they still require an additional 3 years from now because, owing to the recession, no material has been imported into the site since the application was made. He is now seeking the wording of Condition 2 to read as follows:

“The development and restoration hereby granted shall be for a limited period expiring on 31 December 2015. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B.”

Plan 135CQA/3 shows the very slightly revised restoration contours (showing the land sloping from north-east to south-west as previously agreed) and P2310 D4 B shows the additional landscaping measures and uses of various parts of the site (this plan being retained from the previous permission).

15. A number of issues have been discussed between officers and the applicant at recent site visits in order to clarify the nature of the restoration scheme including details pursuant to other conditions on the extant permission requested by the Monitoring Officers over the last few years. These are detailed below.
16. First, the disputed issue of screening material on site. There is, and has been in recent years, a mobile screener located at the base of the quarry. It is clear that prior to February this year, when the Council’s monitoring officers asked the applicant to stop such screening, he was using it to screen out the bricks, stone, rubble and lumps of concrete from the material deposited in Area C some 10 years or so ago. It was unclear at the time why such screening was taking place – indeed it was suspected that material was being removed from the site. The applicant has now stated that this screening was taking place solely in order to achieve a stock of soil necessary to achieve the restoration of this site to calcareous grassland. It is anticipated that the restored surface soil profile would consist of a layer of 30-40cm of screened soil mixed with the excavated chalk, the soil comprising the top 10-15cm of the depth and the chalk the remainder, which is being taken from the floor of the quarry. This is a slightly higher proportion of soil than has been spread out in Area D to date and this is necessary because the seeding of some of this area has not yet resulted in the establishment of chalk grassland. It is accepted that screening of the existing material on site, and any additional imported material, to separate any such incidental ‘contaminants’ from the soil, will inevitably be necessary because waste material will nearly always contain a small amount of bricks, rubble & concrete.

17. Secondly, the applicant has been asked to clarify the seed mix, required by existing Condition 5, that has and will be used for the continuing restoration of the site to chalk grassland. He has confirmed as part of this application that the wild flower seed mix that the monitoring officers (in conjunction with the County's Ecologist) required has and will be sown on the restored site. This will include some parts of Area D where the original sowing needs re-doing.
18. Thirdly, Condition 6 requires a restoration proposal for the chalk face because it is the scheme's continued intention to retain this as a geological feature in accordance with previous advice from the RIGS officer. It is acknowledged that additional chalk required for the restoration can be extracted from the quarry floor but that no more excavation of the chalk face should occur including its southern extremity.
19. Fourthly, the monitoring officers have consistently raised the fact that no aftercare scheme has ever been provided contrary to Condition 14. A scheme has now been submitted as part of this application, which makes clear the phasing of the restoration scheme from the south-west towards the north-east of the site and the way it will be cared for in order to create the chalk grassland.
20. Fifthly, Conditions 3 & 17 sought the removal of unnecessary plant and machinery from the site. Condition 3 required the removal of *"all building, structures, hard standing, roads, plant, vehicles, and machinery associated with the development"* by the end of the previous temporary permission (31 December 2010). Condition 17 required *"any **scrap** being stored on the site must be removed from the site within one month of the date of this permission"* (i.e. by 1 December 2005).
21. In monitoring visits to the site since the 2005 permission Condition 17 has been the subject of an impasse. The applicant maintains that all of the machinery and pieces of plant and equipment scattered on various parts of the site (particularly Areas A, B & G on Plan 2) is not scrap and comprises components or potential components of the plant required to restore the site in accordance with the approved scheme. In other words, parts of the dumper truck or excavator or screener etc or plant that can be cannibalised to produce spare parts for such if they break down. He maintains it is stored on the site because it is part and parcel of its restoration. Whether or not every single piece of machinery (however rusty or decrepit in appearance) is strictly necessary is a moot point. It is also a matter of some speculation whether the applicant will maintain in the future, post restoration, that some of this equipment may still be required in connection with agriculture on the site; after all, just because it is common for farmyards to be littered with such rusting plant and machinery does not necessarily mean this material is required for the efficient running of the farm enterprise. It is, however, necessary to be clearer in the conditions which equipment and plant can currently remain on the site because it is required for restoration purposes, which cannot and which structures, plant and equipment can remain post-restoration. This is dealt with in the analysis section below.

Part 2 – Other Viewpoints

Consultations

22. Annex 1 sets out all the consultation responses. There have been objections from the 3 local Parish Councils, but none from other consultees.

Representations

23. No representations have been received to this application.

Part 3 – Relevant planning documents

Relevant Development Plan and other policies (see Policy Annex attached to this Agenda)

24. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
25. The relevant development plan documents are:
- The South-East Plan [SEP] 2026
 - The Vale of White Horse Local Plan [VLP] 2011
 - The Oxfordshire Minerals & Waste Local Plan [OMWLP] 1996
26. The SEP forms part of the development plan. However, the Government has made it clear that it intends to abolish Regional Strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order has been made at the time of writing, the published intention to revoke is a material consideration to which substantial weight should be given. The Government recently published the strategic environmental assessment report into the SEP for consultation, following recent High Court rulings in the Cala Homes case that SEA was necessary before abolition could take place.
27. The Oxfordshire Minerals & Waste Core Strategy [OMWCS] has not yet been adopted. However, the proposed submission document was agreed by full Council on 3 April 2012 and submitted to the Secretary of State on 1 November and the examination hearings will be early next year. As such it should be given significant weight.
28. The National Planning Policy Framework [NPPF] and its technical guidance are also material considerations.

Relevant Policies

29. The relevant policies in terms of this application are:
- SEP 2026 – M4, W14
 - VLP 2011 – NE6, L11

- OMWLP 1996 – SD3, W7, PE2, PE3, PE11, PE13, PE18, PB2
- OMWCS – M7, W7, C5, C6, C8, C9

Part 4 – Analysis and conclusions

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

30. The key planning issues are whether the extension of the timescale for restoration is reasonable in the circumstances and complies with adopted policy and whether it would cause adverse amenity and environmental effects. Also relevant are the enforcement measures open to the Council if the timescale extension is not deemed to be reasonable.

Policy

31. This site is a 'closed' chalk quarry that is being restored. As such, the most relevant policies are:
- SEP Policy W14 which requires high quality restoration and aftercare.
 - VLP Policy NE6, which seeks to conserve or enhance the natural beauty of the landscape in the North Wessex Downs AONB.
 - OMWLP Policy W7, which seeks satisfactory restoration of landfill sites with the least possible harm to the environment; Policy PE13, which requires mineral workings and landfill sites to be restored within a reasonable timescale to an after-use appropriate to the location and surroundings.
 - OMWCS Policies M7 & W7, which require the high quality restoration of mineral workings in a timely manner to an after-use appropriate to the location and capacity of the transport network sympathetic to the character of the surrounding landscape and the amenity of local communities; Policy C5 requires that landfill sites will enhance local habitats, biodiversity & geodiversity; Policy C6 gives high priority to the conservation and enhancement of the natural beauty of AONBs; Policy C8 expects development to make provision for adequate and convenient access along advisory lorry routes in a way that maintains or improves the safety of road users, the efficiency of the road network, and residential & environmental amenity.
32. The previous 2005 permission, which expired on 31 December 2010, established a high quality restoration scheme that comprised levelling out the heaps of restoration material in the central parts of the site (Area C) and grading out Areas C,D & E to follow the general topography of this part of the AONB, which falls gently and then more steeply to the south-west. The restoration scheme sought the establishment of chalk grassland in order to improve the biodiversity of the site as well as allow the eventual grazing of this site by animals. It also preserved the chalk face and quarry floor so that this geological feature could be retained, enhancing the geodiversity of the site. The new restoration scheme does the same. Apart from some very minor changes in the exact heights of certain parts of the site the main change is the

retention of the access track into the base of the quarry, which allows continued access to the chalk face. This is considered beneficial since it enhances the geodiversity of the site in that it maintains access to the quarry face.

33. The restoration scheme is therefore considered to be the optimum scheme in terms of enhancing the landscape of this site within this part of the AONB, which is readily observable from the main ridge to the south, as well as improving its biodiversity by restoration to calcareous grassland and its geodiversity by preserving the chalk face and access to it. Policies W14 of the SEP, NE6 of the VLP, W7 of the OMWLP and C5 & C6 of the OMWCS are therefore complied with. However, whether Policy PE13 of the OMWLP or Policies M7 & W7 of the Core Strategy are complied with, in terms of whether the restoration is being carried out in a timely manner, needs further consideration, especially in relation to the valid complaints of the 3 Parish Councils.

Is the restoration being done in a timely manner?

34. It is hard to maintain that this is the case, given the time that this restoration has been underway and the views of the 3 Parishes are understandable. The applicant is a farmer who owns land in Letcombe Bassett where he has recently built a new agricultural dwelling. As such he is a sole operator who devotes his working time to agriculture and other activities as well as restoring this quarry. However, there is no doubt that restoration work has taken place in recent years. When asked whether an additional 3 years would be sufficient for him to realistically restore the quarry to its agreed levels he replied in the affirmative, although pointed out that he could not give a guarantee of this because it was dependent on securing a contract or contracts to import the additional 8,000m³ of restoration materials and this may continue to be difficult if the recession continues during this period. The objections also refer to him taking material from the quarry to his new farmhouse at Letcombe Bassett but there is no evidence of this and the District Council has not found any breach of planning legislation. The applicant has also said that no material has been removed from the site and screened aggregate has only ever been used on the site for repairing the track into the quarry base.
35. If the Committee considers, as the Parish Councils suggest, that the applicant has been excessively dilatory and decides not to extend the period for restoration of this quarry the question would arise as to what the Council could do to ensure it is restored any quicker. One option would be to refuse the permission, on grounds that the restoration has not been done in a timely manner contrary to Policies M7 & W7 of the OMWCS (which is incidentally not yet part of the development plan) and serve an enforcement notice requiring the restoration to be done sooner – say within a year. In effect the Council would be requiring the applicant to secure a contract to import the additional 8,000m³ of restoration soils or secure these materials in some other way (e.g. by buying them).

36. Alternatively, and as the Parish Councils maintain in their objection letters, the Council could simply require the applicant to level out the current heaps of waste on the site and restore it to a lower level than the currently agreed restoration scheme requires. This would not, in your officers' opinion, be the best restoration scheme and additionally it would place the onus on the Council to devise its own restoration scheme by employing consultants to design it and then requiring that it be completed by the applicant by a certain date, secured again by an enforcement notice.
37. However, enforcement action must always be proportionate and before issuing a notice it is necessary to consider what harm may occur if the applicant is granted another 3 years to restore the site to chalk grassland to the agreed levels.

Would the extended period of another 3 years for the restoration give rise to harm to interests of acknowledged importance?

38. The Parish Councils raise a number of issues which they consider pertinent to this question:
- Noise and disturbance to Letcombe Regis.
 - Use of the quarry and the green lane by off-road vehicles, which will only be encouraged by an extended restoration period.
 - Extending the restoration period will extend the period of inappropriate HGV lorry movements on unacceptable rural roads detrimental to the amenity of residents in the surrounding villages.
 - Continued harm to the landscape for a longer period by reason of the unrestored quarry and the scrap machinery littering the site.

Each of these are dealt with below.

39. Noise and disturbance to Letcombe Regis

There has been no response from the District Council's Environmental Protection team, which suggests that no noise complaints have been received as a result of operations at this site. Forge Cottage in Letcombe Regis which is over 500m from the southern edge of the site is the nearest residential property and a buffer zone of 350m between quarries and settlements is advised in the justification for Policy PE3 of the OMWLP. Additionally, any incidental screening of material would take place on the quarry floor and the noise would be screened by the surrounding restored land in Area D. Any noise from the restoration activity is only likely to be sporadic and, at this distance from the quarry, must be balanced against the need for restoration. It is unlikely that any noise from this site would lead to significant loss of amenity to residents in Letcombe Regis and Policy PE3 is met.

40. Use of site for other purposes

Evidence presented by the Parishes that the quarry has been used for off-roading events in the past is compelling and it is clearly used, as confirmed by

the applicant, for clay shooting. As far as your officers are aware, however, no enforcement action is pending by the District Council. 14 days of off-roading events and 28 days of clay shooting can legitimately take place without planning permission because they benefit from permitted development rights under the GPDO. The right of way to the south is a BOAT, in which case it can be accessed by off-road vehicles although presumably if damage occurred to this path as a result of this activity the Council would have recourse to relevant legislation. There have been no adverse comments from the County Council's Rights of Way officers.

41. Lorry movements

The quarry is accessed from the B4507 Wantage road, which is not one of the marked routes in the Oxfordshire Lorry Routes document (February 2012). However, it is where it is and requires restoration. Condition 11 on the last permission would be re-imposed with the applicant's agreement and this requires the erection of a sign at the exit of the site onto the B4507 advising lorry drivers to avoid Silver Lane through West Challow and the B4001 through Childrey. The need for restoration must perforce be balanced against the harm to the amenity of local residents living on the B4507 and other routes not precluded by this Condition. The faster the restoration period the more lorry movements per day there would be delivering the restoration soils. The applicant advises that in the 3 year additional restoration period, on the basis of requiring an additional 8,000m³ of material, there would be an average of 1 lorry load (2 movements) per day, though in practice material would be brought to the site as and when a local job arises, which would probably amount to no more than 10 loads (20 lorry movements) per day. This is not a significant increase in HGV movements and explains why the Council as Highway Authority is not objecting to the application. Accordingly it is not considered that significant amenity harm would arise from a 3 year additional restoration period, and Policy C8 of the OMWCS would therefore be met.

42. Impact on local landscape

It would clearly be beneficial in landscape terms to restore this quarry as soon as possible because it is visible from the ridgeway to the south. However, it is not particularly visible from close quarters – from the road itself and its west and south-west boundaries are already fairly well screened by trees. Drawing 135CQA/3, setting out the final restoration contours, signals the large workshop building and the smaller shed being retained for agricultural use of the site in the future. This is considered acceptable (the larger workshop building was retained in the last permission). Rather than disputing with the applicant which bits of machinery and plant are scrap and which are necessary in order to restore the quarry it is considered that the material currently located on the site be allowed to remain until the end of the restoration period after which, if it is not moved, enforcement action could then reasonably be taken against the breach of condition accordingly. Another 3 years during which it will be gradually restored will not, in your officers' opinion, even with the plant and machinery currently located on the site, give

rise to significant harm to the wider landscape of this part of the AONB. VLP Policy NE6 and OMWCS Policy C6 would therefore be complied with.

Conclusion

43. The proposed extension of the time required to restore this chalk quarry is reasonable under the circumstances because no significant harm would arise from it. Enforcement action would not be expedient because of this and could, in any event, be considered unreasonable because it may effectively force the applicant to buy in restoration material. The proposal complies with policy in the Development Plan and in the submission version of the Core Strategy. Relevant conditions would be re-imposed to mitigate the effects of the restoration, including a requirement that all structures, plant and machinery be removed from the site by the end of the restoration period apart from the two fixed workshop shed buildings.

Recommendation

It is RECOMMENDED that Application MW.0014/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) including the amended Condition 2 as set out in paragraph 14 above and such other conditions including re-imposed conditions from the previous expired permission WCH/5048/3-CM as set out in summary as follows:

Heads of Conditions

- 1. Commencement within 3 years.**
- 2. The development and restoration hereby granted shall be for a limited period expiring on 31 December 2015. The site shall be restored in accordance with approved plans 135CQA/3 and P2310 D4 B (see paragraph 14 above).**
- 3. All buildings, structures, plant, vehicles, machinery etc shall be removed d by 31 |December 2015 and fully restored in accordance with details in Condition 2.**
- 4. In accordance with application details (list plan nos. etc).**
- 5. Chalk face retained in accordance with scheme to be submitted.**
- 6. Operations hours limit 0700-1800 Mondays to Fridays, 0700-1300 Saturdays.**
- 7. Site access maintained & kept free of mud & other debris.**
- 8. Access only from existing access onto B4507.**
- 9. Erection of signage on exit restricting drivers using Silver Lane through West Challow & the B4001 through Childrey.**
- 10. No waste other than restoration soils.**
- 11. No export of any waste material from the site.**
- 12. Aftercare in accordance with submitted scheme & monitoring of such aftercare including via annual meetings.**
- 13. Replacement of any trees and shrubs in accordance with aftercare scheme.**

PN7

MARTIN TUGWELL

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

November 2012

Annex 1 – Consultation Responses

Vale of White horse District Council: No objections.

Letcombe Regis Parish Council: Strongly object for the following reasons:-

- Noise and disturbance can be clearly heard and seen from the village.
- The quarry and green lane to the south of the site are being damaged by off-road vehicles and such use is detrimental to walkers and horse riders in terms of amenity and safety.
- There is no reason why the quarry cannot be restored using the existing materials on site – there is no need to import any further restoration material.
- There has been adequate time to restore the quarry and the excuse being given that a longer time period is required due to the recession does not stand up to scrutiny because the recession has not been going on since 1994.
- Accepting a longer restoration period will merely encourage the use of the site for activities inconsistent with its restoration such as continued material recycling and off-road vehicle use.
- Importing further material will require further lorry movements detrimental to amenity none of which are necessary.
- There is no guarantee that restoration will be required by the end of the proposed requested period.
- Restoration should have been achieved by 1 December 2010 and failure of the applicant to do so should be met with enforcement action.
- The applicant has dumped soil at his new home site – Holborn Farm in Letcombe Bassett.

Letcombe Bassett Parish Meeting: Object on the following grounds:-

- The failure to restore this site continues to have an adverse impact on its wider rural surroundings.
- The applicant has been transferring material imported to the quarry to his other land ownership in the village and had he not done so there would be no need for an extension to the existing permission.
- Continuing the operation of the site will prolong the use of relatively minor roads by heavily laden lorries bringing material to the site.
- Additional material is not required to complete restoration of the quarry – the material on-site should be graded out.
- Simply granting an extension for restoration of this quarry only encourages a dilatory approach by the applicant.

Childrey Parish Council: Object for the following reasons:-

- There has been no shortage of material in the past sufficient to warrant extending the restoration permission and, in any case, no such material is required because there is enough material on the site already to restore it.
- The site is very visible from surrounding land and its restoration has been dilatory.

- There are large amounts of scrap metal, broken vehicles, and spare parts/machinery on site which apart from being a total eyesore surely cannot be necessary for its restoration.
- There has been insufficient enforcement of the existing conditions by the Council given that the applicant has consistently failed over a number of years to honour a succession of restoration deadlines as well as specific requests from the Council's Monitoring & Enforcement officers & enforcement action should therefore commence.

Environment Agency: No objection.

Advice: "The quarry has an Environmental Permit for landfill. However, the landfill has been closed and no further disposal of waste is allowed.

Importation of restoration soils is allowed under the existing permit. However, restoration soils are only allowed provided that they are used in the top 2m of the land surface, and are brought in, in order to improve the quality of the soil.

If material were imported and used to fill the remaining void space it would be termed 'disposal of waste', this is not permitted under current waste regulations and would be an offence.

We have previously discussed an acceptable working method on site to complete the restoration. This would be to use the existing stockpiles of material onsite to fill the void space and make up the desired landform. Restoration material could then be brought in to finish the final layer of the surface of the landfill and provide a good quality soil. A maximum of 2m height of restoration materials would be allowed.

We understand that this final layer would need to be mixed with chalk from the site to meet the planning restoration requirements."

Natural England

The site lies close to habitats forming part of the Hackpen, Warren & Gramp's Hill Downs SSSI, which is itself part of Hackpen Hill SAC.

In terms of the latter, no objection to the proposal in terms of advice under Regulation 61 of the Conservation of Habitats & Species Regs 2010.

In terms of the former, NE consider it unlikely this would have any implications for the SSSI and therefore has no comments to make in terms of its response under Article 10 of the GDPO 1995 & S.28 of the Wildlife & Countryside Act 1981.

It recommends the AONB partnership be consulted.

Thames Water: No comments in respect of sewerage or water infrastructure.

County Transport/Highways DC: No objections.

County Archaeologist: The scheme will not affect any known archaeological sites or features.

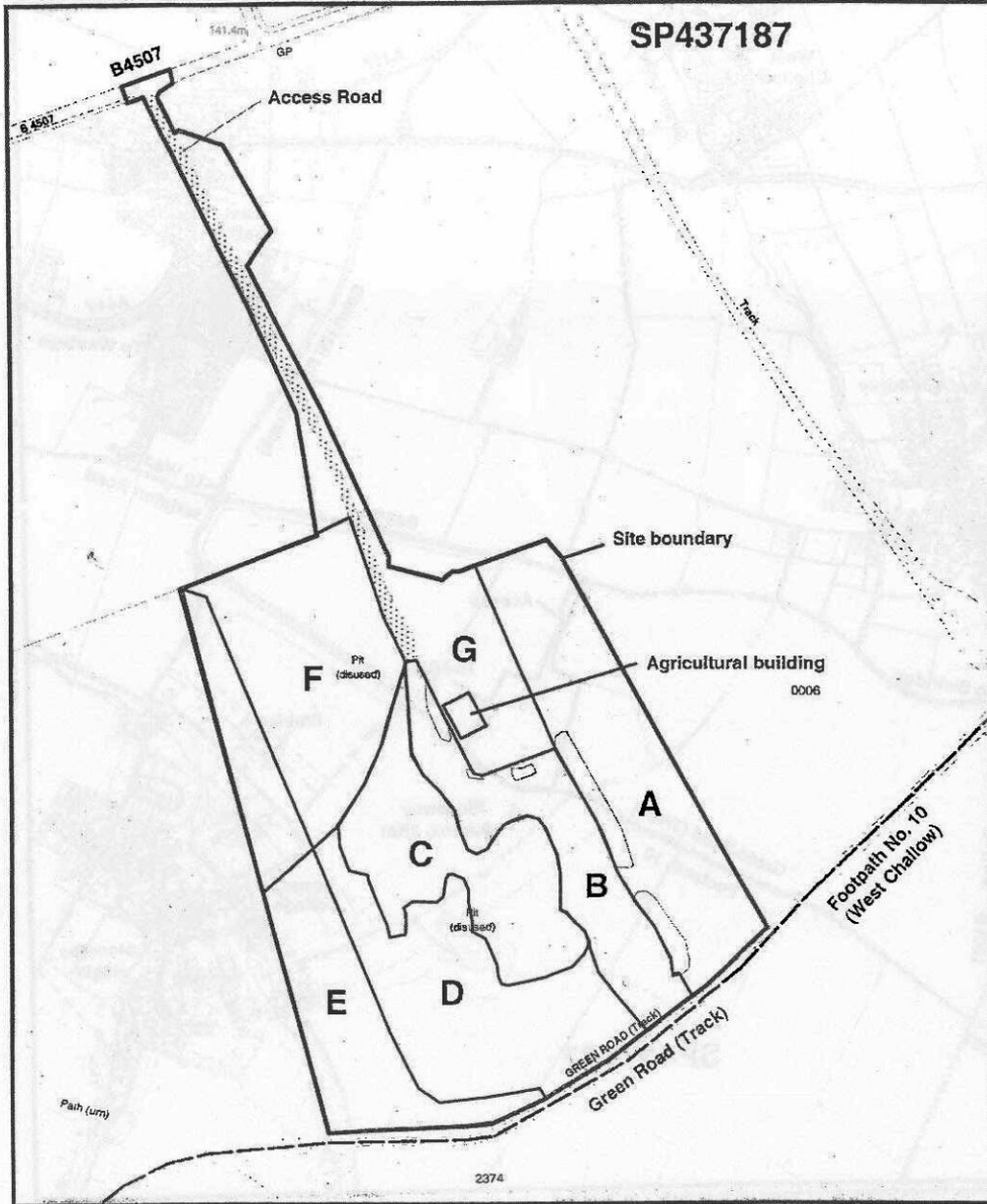
County Ecologist: Due to the likelihood of only low numbers of reptiles being present within the quarry area, no further ecological surveys are required. The restoration works will most likely proceed at such a pace that any reptiles will easily be able to move out of the way, as has been the situation for many years. An expensive survey

and mitigation programme for reptiles is unlikely to bring any real benefit to them given the nature of operations on the site.

In addition the following organisations were consulted but have not replied: North Wessex Downs AONB Partnership, Vale of White Horse DC Environmental Protection team, Oxford Geology Trust, BBOWT, RSPB Central England Regional Office, County Rights of Way Officer, CPRE, Rambler's Association, Open Spaces Society, County Forester.

PLAN 2 - Childrey Quarry

WCH/504813-CM



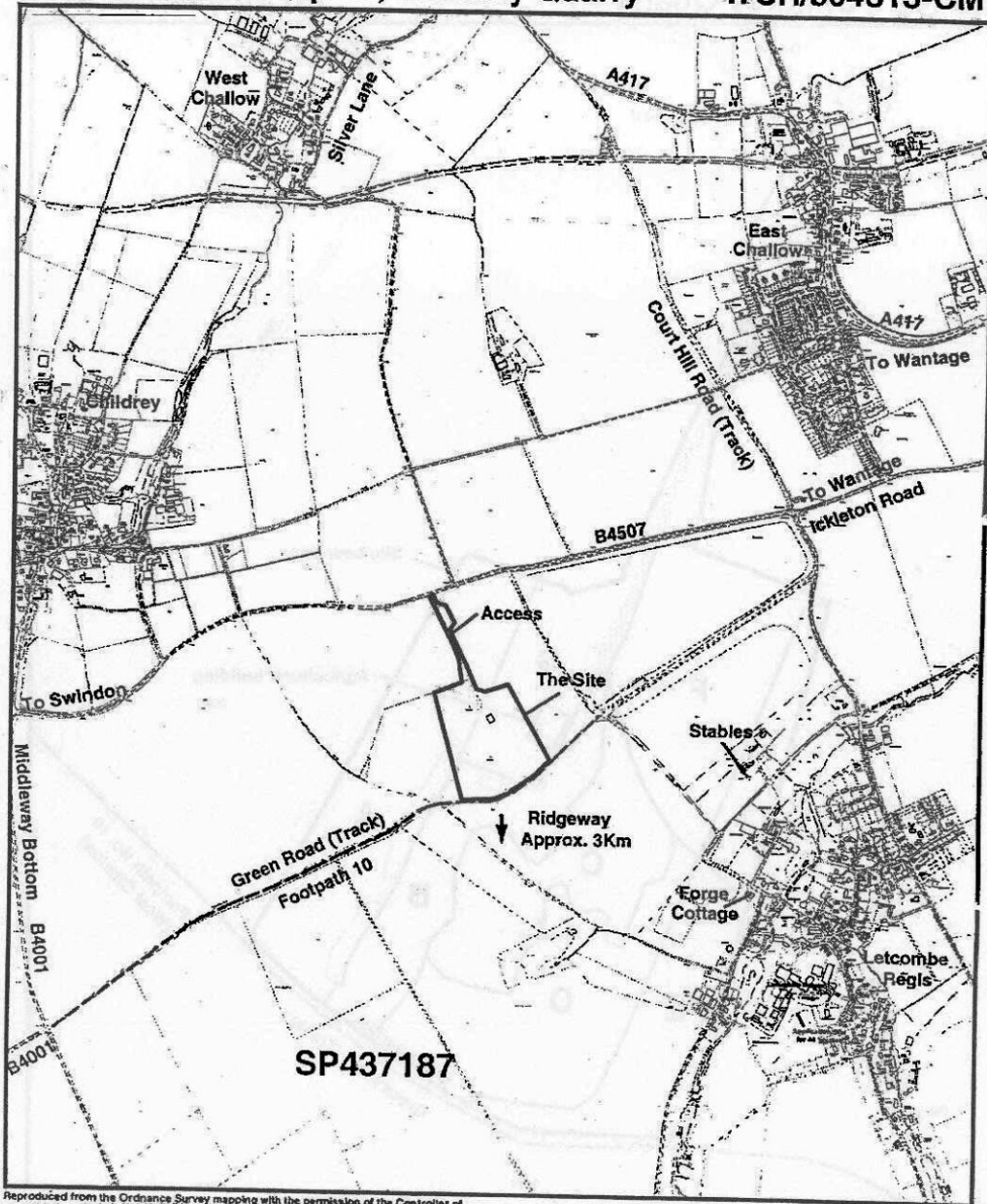
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This plan shows only an indication of the proposed development and should not be scaled from.

LOCATION PLAN
SCALE 1: 2500



PLAN 1 - Location plan, Childrey Quarry **WCH/504813-CM**



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LOCATION PLAN
SCALE 1: 12500

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

