

For: PLANNING AND REGULATION COMMITTEE – 2 DECEMBER 2013

**By: DEPUTY DIRECTOR (STRATEGY AND INFRASTRUCTURE
PLANNING)**

Development Proposed:

Extension to Caversham sand and gravel quarry with restoration to agriculture and flood plain habitats using suitable inert restoration material and construction of a new access off the A4155

Division Affected: Sonning Common

Contact Officer: Mary Thompson **Tel:** 01865 815901

Location: Land to the east of Spring Lane, Sonning Eye

Application No: MW.0158/11
P11/E2133/CM

District Council Area: South Oxfordshire

Applicant: Lafarge

Application Received: 8 December 2011

Consultation Periods: 22/12/11 – 26/01/12
20/09/12 – 11/10/12
17/01/13 – 07/02/13
04/03/13 – 25/03/13

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Recommendation: The report recommends that the application be **approved** subject to conditions and a legal agreement

• **Part 1- Facts and Background**

Location (see plan 1)

1. Caversham Quarry is located in the south east of the county 4 miles (6.5 km) east of the centre of Reading.

Site and Setting (see Plan 2)

2. There have been extensive workings in the Caversham area in the past with the most recent workings stretching east near the village of Sonning Eye which is a Conservation Area. The proposed new extraction site lies to the east of Spring Lane, south of the A4155 and north of the B478. The village of Sonning Eye lies 300 metres¹ to the south of the site boundary and the village of Playhatch lies 300 metres to the west of the area of the site identified for processing operations. The River Thames and the county boundary with Berkshire lie 200 metres to the east of the edge of the site.
3. The boundary of Sonning Eye conservation area lies 130 metres from the south west corner of the site. The conservation area lies entirely south of the B478.
4. The site is 78.1 hectares in extent. This includes a 33.5 hectare area for extraction and also a corridor for the conveyor, the existing processing plant and ready mixed concrete plant to the south of Playhatch Road and areas for the proposed new northern access road, weighbridge and offices and soils storage.
5. The conveyor would run to the south west of the site across the recently completed extraction site known as Playhatch Triangle, over the existing bridge and to the processing plant located south of the B478.
6. The proposed extraction area is bounded to the north by Berry Brook. The site is relatively flat but slopes up north of this watercourse to the A4155. The site is agricultural and contains blocks of woodland and lengths of mature hedgerow.
7. The closest properties are identified on Plan 2. These include properties on Spring Lane, the closest of which is 100 metres from the edge of the extraction area and 20 metres from the application boundary and an area for soils storage. The Flowing Spring public house on the A4155 is 40 metres from the site boundary and 100 metres from the extraction area. Properties on the B478 lie 40 metres to the east of the application boundary around the plant site area.

¹ All distances are approximate.

8. The site is located 1 mile (1.6km) south of the boundary of the Chilterns Area of Outstanding Natural Beauty (AONB).
9. There is a 0.5 hectare allotment site off Spring Lane to the south of the south west corner of the extraction site.
10. The site contains 54.6 hectares of agricultural land, 71% of which is classified as 'best and most versatile' (grades 1, 2 and 3a.) It contains a number of mature hedgerows.
11. The extraction area is located almost entirely in flood zone 3b, the functional floodplain. The plant site area is located partly in zone 2, which has a medium probability of flooding.
12. There is a public right of way along the western boundary alongside Spring Lane.

Planning Background

13. The proposed site for extraction is agricultural land with no prior history of development for minerals or waste. However, sand and gravel extraction has taken place at the wider Caversham Quarry complex since the 1950s.
 - Phase A (see plan 2) is located to the south of the B478 adjacent to the existing plant site. This has been worked out and restored to various water based uses. The plant site which is currently being used and is proposed to continue to be used is within this area.
 - Phase B is located on the triangle of land north of the B478 bounded by Spring Lane and the A4155. Lafarge obtained permission for this area in 2007 and extraction was completed in 2012.
 - Phase C is the proposed new extraction area in adjacent fields to the east of Phase B. The company is proposing moving into this area as reserves of mineral in Phase B have now been exhausted.

Details of the Development

14. The proposal is to remove approximately 1.86 million tonnes of sand and gravel from the ground and import approximately 860 000 cubic metres of inert waste material to use in restoration.
15. Extraction would take place at a rate of up to 170 000 tonnes per annum over a 15 years period. The completion of restoration would take a further two years.
16. It is proposed to work the site in 12 phases and land would be progressively restored after the mineral has been removed. Soils and overburden removed would either be stored in temporary mounds or

directly placed for restoration. The site would be worked in a generally westwards direction starting in the north east and finishing in the south west.

17. 860 000m³ of imported inert waste would be imported to restore areas of the extraction site to a maximum depth of 5 metres. This would allow 34 hectares of the existing 54 hectares of agricultural land to be returned to agricultural use. This would ensure that all of the 'best and most versatile' agricultural land would be reinstated. The remaining areas of the site would be restored to maximise biodiversity through the creation of floodplain habitats including reedbeds, wet woodland and wet grassland.
18. The proposed operating hours are the standard hours as were in place for the existing quarry. These are 7am - 6pm Monday to Friday and 7am-1pm on Saturdays with no working on Sundays or Bank Holidays.

Traffic and Access

19. A new access would be provided into the north of the site directly from the A4155. This would be used for the importation of restoration material only. Extracted sand and gravel would not be exported from this proposed access as it would be taken by conveyor to the existing plant site which has an access onto the Playhatch Road (B478).
20. There is an existing bridge carrying the conveyor across the B478 from the plant site area. This development would also require a crossing for the conveyor across Spring Lane and the adjacent right of way.
21. The plant site access was used for the export of sand and gravel worked from the Playhatch Triangle (phase B) area of the site, until the working ceased from this area at the end of 2012. The number of vehicle movements from this access would increase as levels of production are anticipated to rise from approximately 130 000 tonnes per year to 155 000 tonnes per year, if this extension is approved. This would increase the number of vehicle movements from this access by an average of 30 per day (from an average of 80 per day during production in 2012 to an average of 110 per day – 55 in, 55 out).
22. The bridges over the Thames in Sonning Eye are subject to a weight restriction. Therefore, all vehicles leaving the plant site must turn left towards the A4153 and away from the village. This arrangement was in place for the existing quarry and would continue if this extension is approved.
23. It is proposed that there would be an average of 50 vehicle movements per day (25 in, 25 out) into the northern access to import inert waste. This would be new traffic generation as the access is not in place at present.

24. Therefore, the development as a whole would generate an average of 160 vehicle movements per day, 80 additional vehicle movements per day compared to 2012.

Environmental Impact Assessment

25. The application is supported by an Environmental Impact Assessment (EIA.) This covers the key environmental impacts of the proposal. Details can be found in Annex 1.

Part 2 – Other Viewpoints

26. There were a total of four consultation periods. The main consultation on the original application was held in early 2012. Following responses from the Environment Agency and local groups concerned about flooding, the applicant submitted further flood modelling information, along with amendments to the scheme resulting from this work and updated noise and visual assessments to assess these amendments. These were received in August 2012 and a further consultation was held on this information in September and October 2012. As a result of queries raised during this consultation, the applicant submitted a Second Supplementary Statement in December 2012 and a consultation was held on this in January 2013. This statement included further technical information on flooding, an updated ecological appraisal and an addendum to the noise appraisal covering the processing area. Details including the plant site layout and potential noise mitigation measures were subsequently received and a final consultation to allow the opportunity for comment on those details was held in March 2013. All documents which have been submitted for approval as part of this application are available to view on the eplanning website using the application reference number.

Third Party Representations

27. A total of 59 third party representations have been received. These are available in the Members' Resource Centre and are detailed and addressed in Annex 3. The main areas of concern are flooding and traffic impact.

Consultation Responses

28. 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 in Annex 4 to this report. There have been objections from local parish councils. There are no objections from statutory consultees. Initial concerns raised by Thames Water, the Environment Agency, Natural England and the Highways Authority have been overcome by the submission of further information and clarifications by the applicant.

29. In response to comments made by the Environment Agency and others during the consultation period, further flooding assessments were undertaken. As a result of comprehensive flood modelling, changes were made to the soil storage mound layout to remove material from the floodplain and shift the area of potential impact from those mounds away from properties. As a result the extraction area was reduced so that the yield from the site would be reduced by 30 000 tonnes and the amount of restoration material required by 20 000 cubic metres.

Part 3 – Relevant Planning Documents

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

30. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
31. The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan (saved policies) (OMWLP)
 - The South Oxfordshire Local Plan (SOLP) (saved policies)
 - South Oxfordshire Core Strategy (SOCS)
32. The South East Plan (SEP) was revoked on 25th March 2013, with the exception of two policies which are not relevant to this application.
33. The Oxfordshire Minerals and Waste Core Strategy (OMWCS) was withdrawn from the examination process following a decision by full Council on 9 July 2013. A new revised Oxfordshire Minerals and Waste Local Plan in accordance with a new Minerals and Waste Development Scheme is to be prepared. However, work on this is at an early stage and there are not yet any draft policies which could be used in the determination of this application.
34. The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions. The NPPF Technical Guidance Note contains specific advice on matters including flood risk and minerals.
35. Draft National Planning Practice Guidance (NPPG) was published in August 2013 to support the policies contained in the NPPF. It is in draft and has not been finalised. The government has advised that whilst in draft this is a material consideration likely to have limited weight. Pending the adoption of the NPPG, the various Practice Guidance Notes

to the previous Planning Policy Statements and Planning Policy Guidance notes are still relevant – including that which refers to flooding.

Relevant Policies

The full wording of all relevant policies is available in the policy annex. They are summarised below.

- The saved policies of the OMWLP:

SD1 – Landbanks for sharp sand and gravel to accord with current government advice.

W7 – Seeks to control the release and location of landfill sites in such a way as to ensure that satisfactory restoration is progressively achieved with the least possible harm to the environment.

PE2 – Permission for mineral extraction outside areas identified will not be permitted unless demand cannot be met from those identified areas.

PE3 – Appropriate buffer zones to be safeguarded to protect against unacceptable losses of residential or natural amenity.

PE4 – Proposals for mineral extraction and waste disposal will not be permitted if they would have a harmful effect on groundwater.

PE5 – Minerals and waste development should not harm the immediate setting of the River Thames.

PE7 – Mineral and waste development should not harm groundwater levels, water quality or increase the risk of flooding.

PE8 - Archaeological evaluation and mitigation.

PE11 – The rights of way network should be maintained and improvements encouraged.

PE13 – Mineral sites should be restored appropriately and within a reasonable timeframe.

PE14 – Sites of nature conservation importance should not be damaged.

PE18 – Use of planning conditions and planning obligations to regulate and control development.

PB1- Design and siting of mineral processing plants to minimise environmental disturbance.

- The saved policies of the SOLP:

C3 – Maintenance of distinctive quality of the River Thames.

EP2 – Proposals will not be permitted which would have an adverse effect in terms of noise and vibration.

EP6 – Surface water management.

EP7 – Development which would have an adverse impact on groundwater resources will not be permitted.

CON7 – Development affecting a conservation area

- The adopted SOCS:

CSEN1 – Protection of landscape character.

- NPPF – Sections including on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment.
- NPPF Technical Guidance.

Part 4 – Assessment and Conclusions

Comments of the Deputy Director for Strategy and Infrastructure Planning

36. The key planning issues are:
- i) The need for sand and gravel
 - ii) Flood risk
 - iii) Traffic
 - iv) Other potential amenity effects
37. Other important planning issues to consider include:
- i) Soils
 - ii) Restoration
 - iii) Groundwater
 - iv) Archaeology
 - v) Landscape
 - vi) Rights of Way
 - vii) Biodiversity
 - viii) Drainage
- (i) Need for the mineral**
38. Government policy in the NPPF (paragraph 145) states that provision should be made for a landbank of sand and gravel of at least seven years. The annual level of provision to be made for sand and gravel in Oxfordshire will be set in the Oxfordshire Local Aggregate Assessment, but this has not yet been finalised. In the meantime, in line with the NPPF (paragraph 145), the level of provision should be based on the previous 10 year sales average. For sharp sand and gravel this is 0.812 million tonnes per annum (mtpa) worked out on the average sales for the period 2003-2012. The permitted reserves in Oxfordshire at the end of 2012 plus reserves granted permission since then total 6.709 million tonnes (mt). This equates to a landbank of 8.3 years as at the end of 2012. It can be assumed this will have reduced to approximately 7.3 years at the end of 2013. Therefore, the 7 year landbank requirement for sharp sand and gravel is at present met in Oxfordshire, although the 7 year requirement is a minimum figure and new consents will need to be granted to maintain the landbank at this level.

39. OMWLP policy PE2 states that permission for working outside the areas identified in that plan will not be permitted unless the apportioned supply cannot be met from the areas identified. Of the areas identified for sand and gravel extraction in the OMWLP, only limited small areas within existing mineral sites have not yet been granted planning permission. These would not make a significant contribution to the landbank. Therefore, it is the case that although this area is not identified within the OMWLP, a required future landbank for sand and gravel cannot be met solely from the areas identified.
40. The NPPF states that great weight should be given to the benefits of mineral extraction, including to the economy (paragraph 144).
41. The NPPF paragraph 145 states that there should be provision for the maintenance of a landbank of sand and gravel of *at least* seven years and that longer periods may be appropriate to take account of locations of permitted reserves relative to markets. Therefore, the fact that the landbank currently stands at slightly over seven years is not a reason to refuse the development. New permissions are required to maintain the landbank and new permissions are required to serve the market in the south east of the county.
42. The need and potential economic benefits of permitting this application must be balanced against the impacts of the development in this location, as considered in this report.

(ii) Flood Risk

43. The NPPF Technical Guidance Note sets out how planning should direct all development towards areas of lowest flood risk. OMWLP policy PE7 states that mineral extraction or restoration by landfill should not impede flood flows, reduce the capacity of flood storage or adversely affect existing flood defence structures. SOLP policy EP6 requires developments to have surface water management systems which mitigate any adverse effects from surface water run-off and flooding.
44. Flooding is a matter of concern to people living in the local area and there are objections, as detailed in Annex 3, on the basis that this development could increase flood risk. In particular there is concern about whether the development could have been located in an area of lower flood risk, the potential for the bunds and conveyor to obstruct overland flood flows, an increase in surface water run off on the restored site due to the infill material being less porous than gravel, a reduction in floodplain capacity during the workings and the potential for the overflow from dewatering operations to contribute to local flooding.

Sequential Test (see also Annex 2)

45. NPPF paragraph 101 sets out that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. It states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Paragraph 102 states that if, following the application of the Sequential Test, it is not possible for the development to be located in zones with lower probability of flooding, an Exception Test be applied if appropriate. For this test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and a site specific flood risk assessment must demonstrate that the development would not increase flood risk and where possible would reduce it. Table 2 of the Technical Guidance to the NPPF defines sand and gravel working as water compatible development and landfill as more vulnerable development. Table 3 of the technical guidance to the NPPF confirms that the Exception Test does not apply to water compatible development (which is otherwise considered to be appropriate in flood zone 3b). Of equal significance is the fact that the Exception Test is not appropriate for more vulnerable development in flood zone 3b: this indicates that such development should not be permitted in that flood zone.
46. Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
47. The applicant submitted a Sequential Test with the additional information to the application. This is available to view on the e-planning website using the application reference number. It concluded that there were no viable alternative sites to the application site that were located in an area of lesser flood risk. The Minerals Planning Authority is required to undertake a Sequential Test in this case and Atkins consultants were commissioned to do this for the council, this is also available to view on the website. Atkins found five potential alternative sites which could provide the same tonnage of sand and gravel from an area of lesser flood risk. In order to be rigorous, the Atkins report also separately considers alternative sites for the disposal of a comparable volume of

inert waste as landfill as more vulnerable development. It finds two potential alternative sites in areas of lower flood risk for this aspect of the proposed development. However, Atkins overall position is that the proposed restoration of the quarry (using inert backfill) is an implicit part of the sand and gravel working and can therefore be categorised as 'water compatible' development in accordance with Table 2 of the Technical Guidance to the NPPF. By reference to Table 3 of the Technical Guidance to the NPPF, it would therefore be appropriate development in flood zone 3b. The Environment Agency appears to concur with this advice.

48. Annex 2 to this report considers in detail the potential alternative extraction sites identified in the Atkins document. It concludes that given potential planning constraints and timescales related to delivery of those sites they cannot be considered to be 'reasonably available' as required by the Sequential Test.
49. Therefore, it is not possible for the development to be located in a zone with a lower probability of flooding and following NPPF paragraph 102 and Table 3 of the guidance note to the NPPF, the Exception Test is not required where the development is water compatible.
50. The site specific flood risk assessment submitted with the application demonstrates to the satisfaction of the Environment Agency that the development would be safe for its lifetime, would not increase flood risk elsewhere and would reduce flood risk overall. It is considered that the development offers a wider sustainability benefit to the community as it would reduce flood risk through the provision of additional flood plain capacity. It would also provide biodiversity enhancements through the restoration of part of the site to nature conservation.
51. Following the application of the Sequential Test, paragraph 103 of the NPPF must be considered.
52. This requires a sequential approach to site layout . In this case the water compatible operation is located within the area of highest flood risk, flood zone 3b, and the processing operations are located in an area of lesser flood risk, fully according with this approach (please see discussion below). Paragraph 103 also requires development to be flood resistant and resilient including safe access and escape routes and give priority to the use of sustainable drainage systems. Full details of escape routes during times of flood and sustainable drainage systems can be required by condition on any permission granted.
53. It is concluded that the development passes the Sequential Test as required by the NPPF when viewed as a whole as set out above. Even if the development were to be considered in the alternative as including a separate landfill operation, the lack of objection from the Environment Agency and so lack of any identified harm, which is further discussed

below, would be a significant material consideration in the determination of the application.

Flood Risk Policy

54. A site specific flood risk assessment was submitted with the application which concludes that the development is not likely to significantly increase flood risk. Although Oxfordshire County Council is the lead local flood authority on groundwater flooding, in this case the Environment Agency has provided technical advice on all flooding matters, including groundwater and has no objection to the proposals.
55. As set out above, Table 2 in the Technical Guidance to the NPPF classifies sand and gravel working as 'water compatible development' and Table 3 of the Technical Guidance to the NPPF states that it is therefore appropriate development in any flood zone, including flood zone 3b, the functional floodplain (although the sequential test should be first undertaken). Table 1 of the Technical Guidance to the NPPF confirms that water compatible uses must be designed and constructed to remain operational and safe for users in times of flood, result in no net loss in floodplain storage, not impede water flows and not increase flood risk elsewhere.
56. Mineral processing is classified as 'less vulnerable' rather than 'water compatible' in Table 2 of the Technical Guidance to the NPPF. The NPPF guidance is that this type of development should not take place in the functional floodplain (3b). However, the processing plant area is not located in flood zone 3b, apart from a small area of an existing building, which does not form part of the processing operations. Locating a 'less vulnerable' use on the plant site area is appropriate under NPPF Table 3. The effect of the retention of existing buildings and plant on the site has been assessed in a Flood Risk Assessment which concludes that this would have no adverse effects on river flood extent or depths. The applicant has also submitted revised plans showing a proposed reduction in ground levels on part of the processing plant site in response to queries from the Environment Agency. The Environment Agency has confirmed that they are satisfied with the flooding work done in relation to the processing plant site.
57. Therefore, the proposed sand and gravel working and mineral processing in this location is considered to be 'appropriate' in terms of flood risk vulnerability and flood zone compatibility when assessed against the guidance in the Technical Guidance to the NPPF including Tables 1, 2 and 3.

Inert Waste Backfilling and Flood Risk

58. Policy W7 of the OMWLP states that proposed filling should not raise or impede the floodplain of rivers and streams. The policy also seeks to see satisfactory restoration achieved.

59. The development includes a significant amount of backfilling with inert waste in order to restore part of the site to agriculture. The applicant considers that the waste importation proposed as part of this application is necessary to ensure that the parts of the site classified as best and most versatile agricultural land can be restored to agriculture of equivalent quality.
60. As set out above, Table 3 to the NPPF Technical Guidance states that 'more vulnerable' development should not be permitted in flood zone 3b. It does not allow for the application of the Exception Test in flood zone 3b. The proposed backfill of the quarry with inert waste could be regarded as a separate landfill development. If so, it would be contrary to the guidance contained in the Technical Guidance to the NPPF. Neither Atkins nor the Environment Agency take this view, however: both believe the backfill to be part and parcel of the sand and gravel operation and part of its necessary restoration. The implications of both approaches are explained further.
61. The applicant would need to secure an Environmental Permit from the Environment Agency to backfill with waste. This will require either a 'recovery' permit or a 'disposal' permit. The permit type may be relevant in determining whether the backfill operation could be considered to be an integral part of the sand and gravel extraction and its restoration, and therefore part of a water compatible development, or a separate operation and therefore 'more vulnerable.' The Environment Agency will not make a definite decision on the permit type until the permit application has been submitted. Although they have indicated that the development may require a disposal permit, it may be regarded as a recovery operation as the material is required to achieve a return of the site to best and most versatile agricultural land (see also below).
62. There has been local concern that the backfill with inert waste would adversely affect the flooding situation as the inert materials deposited in the void might not allow water to flow through it as well as the sand and gravel currently does. However, detailed flood risk assessment work has been undertaken by the applicant and has concluded that there would be no increase in flood risk as a result of this development. The Environment Agency has considered the proposals and associated assessment work and advised that they have no objection to this development on flood risk grounds.
63. As set out above Atkins take the view that the inert waste backfill for restoration is an implicit part of the extraction of mineral from this location and therefore 'water compatible'. Although the Environment Agency advises that a disposal licence may be required (and that the material being used in the proposed restoration is effectively being disposed in landfill) its assessment of the proposal is that it is acceptable in terms of flood risk. Even if a precautionary approach is taken and the development categorised as 'more vulnerable', it would be difficult to

sustain a refusal of planning permission when the technical advice of the Environment Agency is that the proposal is acceptable in terms of flood risk and no harm can be demonstrated.

64. The NPPF (paragraph 143) requires policies to ensure land worked for minerals to be reclaimed and restored at the earliest opportunity and that the long term potential of best and most versatile agricultural land is safeguarded. In this case the only way to achieve the proposed agricultural restoration is through some backfilling with inert waste. Without the backfill operation the areas of best and most versatile agricultural land would be lost to a water based afteruse. Any conflict with the NPPF paragraphs on filling in flood zone 3b must be weighed against other NPPF paragraphs supporting the proposal for backfill as a necessary part of the restoration to best and most versatile agricultural land. There is strong policy support for the appropriate restoration of mineral workings and specifically for the protection of the agricultural soils through an agricultural restoration. It is also noted that some consultation responses expressed a preference for a restoration using backfill due to the perceived adverse landscape impact of quarries restored to water in the area.
65. Although the proposal to backfill with inert waste can be interpreted to pose some conflict with NPPF policy and guidance, the application that has been submitted must be determined on its merits. The fact that an alternative scheme which avoided waste backfill might be interpreted to have been a better fit with this policy and guidance is not in itself justification for refusing this application on flood risk grounds, particularly in the absence of any demonstrable harm in this respect.

Flood Risk Conclusions

66. There has been no objection from the statutory consultee, the Environment Agency, in terms of flood risk. The development would not increase flood risk and there would be a net increase in floodplain storage both during the development and post restoration. Bunds have been designed to align with flood flows and surface water can be attenuated on site. The Environment Agency have also provided groundwater advice and found the development to be acceptable in terms of groundwater flood risk.
67. The application passes the Sequential Test. Sand and gravel extraction is considered to be water compatible development and appropriate in flood zone 3b. Restoration by back filling can be considered an integral part of the water compatible sand and gravel extraction operation - in which case the development viewed as a whole would be considered appropriate as water compatible development.
68. The proposal to backfill with inert waste in flood zone 3b could be interpreted to create a conflict with NPPF Technical Guidance if viewed as principally a landfill proposal. Nonetheless, even if this precautionary

approach is taken and the backfill operation is considered to be a separate landfill operation, any conflict must be weighed against the fact that the NPPF supports appropriate restoration of mineral sites and for retention of agricultural land classified as 'best and most versatile' - as is the situation here. In this case it is considered to be highly relevant that detailed site specific assessment work by the Environment Agency has shown that the development would not increase flood risk. The aim of the policies and guidance relating to flood risk is to ensure that there is no increased risk of flooding at the site or elsewhere. This has been shown to be the case in relation to this application.

69. Therefore, it is concluded that subject to the development being carried out in accordance with the Flood Risk Assessments and additional conditions required by the Environment Agency, the development is acceptable in terms of flood risk.

(iii) Traffic

70. SOLP policy T1 requires that development provides safe and convenient access onto the highway network and is served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment.
71. The traffic impacts of this development have been a source of local concern, however there is no objection from the Highways Authority.
72. There would be an increase in vehicle movements as a result of this development, however HGVs would either access the A4155 directly or via a short stretch of the B478 from the plant site and would not travel on minor roads through local villages. Therefore, I consider that the site is well located to the strategic road network. I also consider that as HGVs associated with this development would not have to travel through local villages, residential amenity is protected.
73. Although there have been objections on the basis that a new junction onto the A4155 would not be safe, the Highways Authority have considered a Safety Audit carried out on the junction design and are satisfied that the junction meets the relevant criteria. The accident data for the local area does not indicate any particular road safety issues. Therefore, I consider that the design of the proposed highways layout is satisfactory.
74. Henley Town Council are concerned about the impact of increased HGV movements through the town. The Transport Statement states that on a worst case scenario only 25% of vehicles associated with the inert waste import would route through Henley. This represents an additional one movement per hour on a road that usually carries 35-40 HGVs per hour, so is not considered significant.

75. I consider that the proposals are in accordance with policies relating to the location of development in relation to the strategic road network, the safety of the road network and amenity in relation to traffic. Maximum daily vehicle movements could be controlled through condition should planning permission be granted.

(iv) Potential Amenity Effects

76. Planning policy requires that proposals for minerals development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors. OMWLP policy PE3 requires appropriate buffer zones around mineral workings.
77. OMWLP policy PB1 requires that processing plants are sited, designed and landscaped in such a way to minimise environmental disturbance. SOLP policy EP2 states that proposals which would have an adverse impact on occupiers through noise or vibration would not be permitted unless there were effective mitigation measures.
78. The NPPF states that unavoidable noise and dust from mineral workings must be controlled, mitigated or removed at source (paragraph 144).
79. People have raised concerns, as set out in Annex 3, about the potential impacts of this development on residents living near the site. However, there has been no objection from the Environmental Health Officer, subject to conditions to control the noise generated by the development.
80. This development would utilise the same location for the plant site as the existing quarry and so the potential for disturbance for this source would not increase over 2012 levels. Complaints regarding the plant site operations during workings in phase B were rare and when they did occur the operator adjusted operations to attempt to reduce the effect of the nuisance. However, there have been objections on the basis that the level of nuisance would be unacceptable for a longer time period. Therefore, the applicant has submitted details of potential noise mitigation measures that could be implemented should operations cause a nuisance. The implementation of these could be secured through condition should planning permission be granted.
81. The extraction area would be nearer to a greater number of residential properties than the current workings, however it would remain a suitable distance from them with 100 metre buffer zones between houses and the extraction area incorporated into the design. This is consistent with the supporting text accompanying OMWLP policy PE3. Extraction close to these properties would be temporary and for the majority of the duration of the development working would be at greater distances from houses.
82. I consider that the buffer zones are appropriate and potential impacts of noise, dust and visual intrusion have been adequately assessed in the

Environmental Statement and could be satisfactorily mitigated through the use of planning conditions should planning permission be granted.

(v) Soils

83. The NPPF (paragraph 143) supports managing the best and most versatile agricultural land to maintain soil quality.
84. Natural England initially expressed some concern about the level of information supplied in the application regarding the conservation of the best quality soils. However, a further report on the available soil resources and how these will be used in the restoration and further details about under drainage was then submitted. Natural England have confirmed that they are now satisfied with the level of detail which has been provided.
85. Although mineral extraction would cause the temporary loss of some best and most versatile agricultural land, the proposals include restoring the majority of the agricultural land to agricultural use. Although there would be a net loss of agricultural land, all the soils from the best agricultural land would be retained in order to ensure the quality of the agricultural restoration. This is in accordance with the NPPF. There has been no objection from Natural England who are satisfied that it will be possible to restore land to best and most versatile agricultural use. Conditions should be used to ensure that the development and restoration took place in such a way that these soils would be protected should planning permission be granted.

(vi) Restoration

86. OMWLP policy PE13 requires that applications for minerals and waste development are accompanied by satisfactory proposals for the eventual restoration of the site.
87. There has been some concern about the restoration plans from local residents and these are detailed in Annex 3.
88. The acceptability of the proposed restoration in terms of flood risk policy is considered separately. Aside from that issue, I consider the restoration proposals to be satisfactory as they meet a number of competing requirements of different planning policies encouraging the enhancement of biodiversity (please see discussion below), the provision of floodplain storage, the protection of areas of the best and most versatile agricultural land and landscape considerations.
89. It is proposed to restore the site within two years of the date of completion of extraction. The rate of restoration might be constrained by the availability of inert fill which is suitable for use in the floodplain. OMWLP policy PE11 requires that mineral sites be restored within a reasonable timescale. However, this development would be bound by

the conditions which would specify a timescale for restoration. If sufficient quantities of inert restoration material were not available at that time, the applicant would have to apply for an amendment to the restoration scheme or its timescales. The submitted Environmental Statement includes a market appraisal of the need for inert waste capacity in Oxfordshire and this concludes that there would be a shortfall in inert landfill capacity from 2018/9 and the county will require additional capacity.

Groundwater

69. OMWLP policy PE4 states that proposals for mineral extraction and restoration will not be permitted where they would have an impact on groundwater levels or put at risk the quality of groundwater. SOLP policy EP7 states that development that may have an adverse effect on groundwater will not be permitted unless effective preventative measures are taken.
70. There have been objections concerned that the dewatering could lead to a lowering of groundwater levels.
71. The technical work submitted with the application indicates that this is not likely and this view has been reviewed and accepted by the Environment Agency. Therefore, it is considered that these proposals comply with relevant policy regarding the protection of groundwater levels and quality.

Archaeology

72. OMWLP policy PE8 states that a preliminary archaeological assessment will normally be required prior to the determination of an application for mineral extraction. Subject to the results of this an archaeological field investigation may be required to determine the appropriate means of mitigating the impact of extraction. OMWLP policy PE9 states that Scheduled Ancient Monuments and their settings should be preserved in situ. Where this is not possible and for all other remains, adequate provision should be made for their excavation and recording.
73. An archaeological assessment was submitted as part of the ES. There has been no objection from the County Archaeologist. An area of the site was excluded from extraction on the basis that it contains a suspected Bronze Age barrow and working of this area would have the potential to harm archaeology. Other features are not considered to be of enough importance to preserve in situ, however conditions could be attached to enable archaeological recording should planning permission be granted. There should also be a condition covering groundwater monitoring for the protection of the barrow cemetery as there is the potential for dewatering operations to impact this feature.

Landscape

74. SOCS policy CSEN1 states that the district's distinct landscape character and key features will be protected against inappropriate development. High priority will be given to the Chilterns AONB and planning decisions will have regard to its setting.
75. OMWLP policy PE5 states that mineral and waste development should not harm the immediate setting of the River Thames. SOLP policy C3 states that the distinctive character of the River Thames and its valley will be maintained and where appropriate enhanced. SOCS policy CSEN1 states that the landscapes of the River Thames corridor will be maintained.
76. Concern has been expressed by South Oxfordshire District Council, although they have not objected, CPRE and a number of individual representations, regarding the impact of this development on landscape character.
77. The development would inevitably cause a change in the local landscape. However, the proposals include mitigation measures to minimise the visual impact. Immediate visual screening would be provided by new planting on the perimeter of the site and grassed screen mounds. Advance planting around the site was started 15 years ago. In the long term there would be a change from open agricultural land to a mixture of pasture and wetland. However, the restoration scheme has taken into account the guidelines in the Oxfordshire Wildlife and Landscape Study (OWLS). The scheme includes the new hedgerows and tree and shrub planting.
78. I consider that the design of the proposals has taken into account the distinctive features of the landscape character and it is acceptable from a landscape perspective.
79. The Chilterns AONB Conservation Board has objected and expressed specific concern regarding the potential impact on the AONB and its setting. A Strategic Landscape Assessment has been undertaken as part of the preparation of the OMWCS and this concludes that minerals extraction at Caversham is unlikely to impact on the special qualities of the AONB itself. Nevertheless, this study covers a wide area and the specifics of the application have to be dealt with through the planning application process. The applicant's Environmental Statement includes a landscape character assessment and supplementary information on the landscape setting of the AONB was also provided. The application area is outside the AONB and the submitted visual assessment concludes that the proposed mineral working would not be visible from it. There will be some landscape impacts from the Playhatch scarp, but this is outside the AONB and the applicant has demonstrated that they have made efforts to screen impacts from the scarp. Therefore, I accept the conclusions of the ES that there would be no significant impact on the AONB as a result of this development.

Historic Environment

80. Some representations have expressed concern regarding the potential impact on Sonning Eye Conservation Area. SOLP policy CON7 states that planning permission will not be granted for development outside the conservation area which would harm the character or appearance of the conservation area. However, it is considered that the conservation area is a sufficient distance from the application site such that there would be no significant impacts. It is over 200 metres between the edge of the conservation area and the closest part of the extraction area and for most of the duration of the workings extraction would be taking place even further away. The conservation area is also on the other side of the B478 and would be screened from the development by trees and soil storage mounds. Therefore, it is considered that there is no conflict with SOLP policy CON7.

Rights of Way

81. OMWLP policy PE11 states that the rights of way network should be maintained and individual rights of way retained in situ. Improvements to the rights of way network will be encouraged.
82. The development does not require the diversion of any existing rights of way. There is a footpath on the western site boundary, however the scheme has been designed to ensure this can be retained and screening is proposed to reduce the visual impact on users. The proposed conveyor route crosses this footpath and therefore it is important that a safe and convenient crossing is provided. This can be covered by planning condition. There is the potential for some impact on the amenity of users of rights of way in the area due to impact on tranquillity from noise from the operations, however it is considered that any such impact would be minor and limited to working hours.
83. It is also proposed to provide a new section of permissive right of way to a new bird hide, as part of the restoration and long term management. The provision of improvements to the network is encouraged by policy PE11.
84. Overall, it is considered that adverse impacts on the rights of way network in the area would be indirect and could be mitigated through screening.

Biodiversity

85. Guidance in the NPPF (paragraph 118) supports the protection and enhancement of biodiversity especially on designated sites.

86. There has been no objection from Natural England, BBOWT or the County Biodiversity officer in relation to biodiversity, although some concerns have been raised by local residents.
87. Part of the site would be restored for nature conservation and there would be a long term (25 years) plan for its management. This, including its funding for this would be provided through a Section 106 legal agreement. The restored site is likely to result in a net gain in biodiversity value.
88. The County Council has a legal duty to have regard to the requirements of the Conservation and Habitats Regulations 2010. Full details of this requirement in relation to this site are set out in Annex 5. European Protected Species are present but unlikely to be significantly affected by the proposals. Therefore no further consideration of the Conservation & Habitats Regulations is necessary.
89. Therefore, subject to the applicant funding and implementing the long term management plan (5 years of this should be covered by aftercare conditions with the remaining 20 years by legal agreement) I consider that the proposals are in accordance with policies relating to biodiversity. Without this provision, I consider that the development should be refused contrary to the provisions of policy PE13 of the OMWLP and the guidance set out in paragraph 118 of the NPPF. The applicant has confirmed that they would be willing to enter into such an agreement.

Drainage

90. Comments have been received from the County Council drainage team as Lead Local Flood Authority and SODC regarding the need to ensure that the development does not cause localised surface water drainage problems. They have agreed that this can be satisfactorily dealt with through planning condition should planning permission be granted.

Cumulative Effect

91. The NPPF (paragraph 143) states that in relation to minerals, local plans should set out environmental criteria to assess planning applications against and the cumulative effect of multiple impacts from individual sites in a locality should be taken into account. The environmental impacts of the development have been considered above. With regard to cumulative effect, Phase C would replace the workings in Phase B rather than running concurrently. There would be a cumulative impact in terms of change to the landscape as the restoration of this development would increase wetland areas in this locality. However, the impact of this would be reduced due to the importation of inert waste to restore part of the site to agriculture. Also, although this represents a change to the landscape, this change would not necessarily represent harm.

Conclusions

92. The development is generally in accordance with development plan policy and other material considerations, including the policies set out in the NPPF on a range of issues including transport, protection of amenity, restoration, landscape and archaeology. The development would contribute towards the need to meet and maintain an aggregates mineral landbank of at least 7 years.
93. The development would not increase flood risk and would improve the situation due to increased flood storage capacity. However, there is the potential for different interpretations of the NPPF with regard to the appropriateness of backfill in flood zone 3b. As set out above, the view taken by Atkins and the Environment Agency is that inert waste backfill is an implicit part of sand and gravel working and therefore can be categorised as 'water compatible' development. However, objectors to the application have taken the view that this would constitute a landfill operation and should be classified as 'more vulnerable' and therefore not appropriate in flood zone 3b. This application therefore raises a potentially significant issue with regard to the interpretation of the NPPF.
94. Therefore, it is recommended that prior to issue of any planning permission, the application should first be referred to the Secretary of State. This would give the Secretary of State the opportunity to call the application in for his own determination, should he consider that the policy issue raised warrants this. This is set out in the recommendation below.
95. Therefore, it is recommended that the application is approved for the reasons set out below subject to it first being referred to the Secretary of State and the applicant first entering into a Section 106 legal agreement.

Recommendation

96. **It is RECOMMENDED that:**
 - (a) the Planning and Regulation Committee indicates support for application no. MW.0158/11;**
 - (b) resolves that the application be forwarded to the Secretary of State to provide the opportunity for the application to be called in for his own determination, should he consider that to be necessary in view of the policy issue raised;**
 - (c) that in the event of the Secretary of State not intervening the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) be authorised to approve application no. MW.0158/11 subject to the applicant first entering into a Section 106 legal agreement to cover the funding and implementation of a 20 year long term management of the**

restored site and subject to conditions to be determined by the Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out below:

Heads of Conditions

1. Complete accordance with plans
2. Commencement within 3 years
3. End date for extraction (12 years)
4. End date for restoration completion (2 years from completion of mineral extraction)
5. 5 year aftercare period
6. Submission of an aftercare plan including agricultural drainage
7. Standard working hours
8. Restriction of permitted development rights
9. New access to be provided in accordance with plans to be approved
10. Provision of vision splays on new access
11. No export of mineral from new access
12. Lorry sheeting
13. No deposit of mud or dust on the highway
14. Development in accordance with approved dust suppression measures
15. Development to take place in accordance with approved noise report
16. Noise monitoring
17. Noise limits
18. White noise on reversing beepers
19. No external lighting, other than in accordance with an approved scheme
20. No vegetation clearance during bird nesting season
21. Retention and maintenance of trees and vegetation shown as retained on approved plan
22. Scheme for protection of retained trees and hedgerows
23. Soil protection conditions
24. Signage on site to ensure HGV drivers are aware of permitted route
25. Display of approved plans in site office
26. Restriction on materials that can be used for backfill
27. 16 metre fenced standoff from Berry Brook
28. Submission of surface water drainage scheme for each phase of extraction
29. Submission of a surface water drainage scheme for each phase of restoration
30. Submission of scheme to show that there shall be no surface water drainage to highway
31. Submission of details of flood compensation for bunds
32. Development in accordance with flood risk assessment
33. Submission of landscape and ecological management plan

34. Discharges to Berry Brook to be upstream of the active phase
35. Groundwater monitoring locations around the perimeter prior to commencement of development
36. Groundwater monitoring, including in relation to archaeology
37. Details of conveyor crossing over Spring Lane and public rights of way
38. Archaeological monitoring in accordance with written scheme of investigation
39. Works to take place in accordance with ecological mitigation scheme
40. Weed control scheme
41. Submission of a detailed restoration scheme
42. Development to be carried out in accordance with mitigation and enhancement scheme in ES
43. Local liaison committee
44. Requirement for additional otter surveys prior to each extraction phase
45. Submission of details of screening of rights of way
46. Submission of a flood management plan including details of safe access and escape routes

- (d) the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) being authorised to refuse the application if the legal agreement referred to in (iii) above is not completed within 10 weeks of the date of the Secretary of State confirming that he does not wish to call the application in for his own determination on the grounds that it would not comply with OMWLP policy PE13 and the guidance set out in paragraph 118 of the NPPF (in that there would not be satisfactory provisions for the long term management of the restored site).

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by:

offering a pre-application advice service, as was the case with this application, and

updating applicants and agents of issues that have arisen in the processing of their application and where possible suggesting solutions as has occurred as part of this application process.

MARTIN TUGWELL

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

November 2013

Annex 1 Environment Statement

1. A landscape and visual assessment has been carried out. It concludes that there would be moderate adverse impacts during the operational phase, but these could be reduced to acceptable levels through mitigation and following the restoration there would be beneficial effects on visual amenity. An addendum to the landscape and visual assessment was provided following changes to the soil storage mound configuration to reduce the volume of soils stored in the floodplain, as a result of detailed flood modelling work. This concludes that there would be no significant changes to the predicted visual effects in the main assessment.
2. The traffic assessment considers the traffic impact from both the mineral extraction and the import of inert waste for restoration. It concludes that there would be no material impact on the safety or operation of the adjacent road network.
3. The potential impacts on air quality are considered. The assessment concludes that standard dust control measures set out in Minerals Planning Statement (MPG2) should be implemented using a dust management plan.
4. The noise assessment indicates that noise would be within statutory guidelines. Noise would be minimised by stand-offs between the extraction areas and sensitive properties and by the use of landscaped screening mounds. An addendum to the noise assessment was submitted to assess the revised mound configuration. This concludes that national guideline limits are expected to be met. However, noise should be monitored and alternative working methods explored if noise levels are found to be exceeding limits.
5. The soils and agriculture section demonstrates how the soils classified as best and most versatile would be retained for use in restoration. Some poorer quality soils would be lost, but the restoration would provide for increased biodiversity which would offset that loss.
6. A flood risk assessment and modelling has been carried out. Measures to ensure that the development would not increase the risk of flooding have been incorporated into the development design. This includes raising the conveyor above ground and minimising soil storage in the floodplain. The restoration scheme would provide additional flood storage capacity. The potential impacts on groundwater and surface water are also assessed and it is found that there would be no significant impact as a result of this development. Overall it is concluded that with appropriate mitigation there would be no adverse impacts on water resources in or adjacent to proposed operational areas. Additional assessments were undertaken following requests from the Environment Agency during the consultation process. This resulted in a revised layout for soil storage mounds. The plant site area was assessed in relation to

flood risk and this study assessment concludes that the potential impact on the surface water regime would be mitigated by a drainage system discharging water from the site in the adjacent silt lagoon. There would be no change to fluvial flooding depths or extents as a result of the loss of floodplain storage as a result of the retention of the plant buildings.

7. The archaeology section identifies areas of archaeological significance. The site contains a feature which may be a Bronze Age barrow cemetery. This has been excluded from the extraction area. It is proposed to implement a mitigation strategy in other areas to ensure any archaeological finds are properly recorded.
8. The rights of way section details a potential new permissive right of way which could be provided to the bird hide as part of the restoration. The existing right of way along the western boundary would be screened from the development. It concludes that there would be no adverse impact on the existing rights of way network.

Annex 2 Sequential Test

1. The applicant submitted a Sequential Test with the additional information to the application. This is available to view on the e-planning website using the application reference number. It concluded that there were no viable alternative sites to the application site that were located in an area of lesser flood risk. The Minerals Planning Authority is required to undertake a Sequential Test and in this case Atkins consultants were commissioned to do this for the council. This is also available to view on the website.
2. The Atkins Sequential Test report identified five potential alternative sites which could provide the same tonnage of sand and gravel from an area of lesser flood risk. However, it also identifies potential planning constraints at those alternative sites. It concludes that it will be necessary for Oxfordshire County Council to decide whether the constraints may be mitigated and within a reasonable timeframe that allows any of those potential sites to be considered as a reasonable alternative to the application site.
3. The Environment Agency has published guidance on applying the Sequential Test ('Demonstrating the Flood Risk Sequential Test for Planning Applications' Version 3.1 issued April 2012.) The final stage is to detail any constraints to the delivery of the identified alternative available options, for example availability within a given time period or lack of appropriate infrastructure. Following on from Atkins' identification of potentially available sites, this annex will consider whether any of those sites could provide an appropriate alternative to the application site, given the potential constraints to their delivery.
4. The potentially alternative sites identified in the Atkins Sequential Test document for sand and gravel working are as follows:

	Site	% in FZ3
1	Land at New Barn Farm, south of Wallingford, OX10 9LA	0% 3A, 2.6% 3B
2	Land north of Drayton St Leonard, OX10 7AP	0% 3A, 28.9% 3B
3	Land at Shillingford, OX10 7EF	0% 3A, 11% 3B
4	Land at Culham, OX14 3DD	9.2% 3A, 34.7% 3B
5	Land at Wallingford Benson, OX10 8LH	0% 3A, 0% 3B

5. Mineral extraction is classified as water compatible development in the NPPF. Notwithstanding the fact that a sequential test is still required for

water compatible development, this should be taken into account when considering to what extent the constraints on delivery affect the appropriateness of the alternative sites.

6. The application site is an extension to an existing quarry and the processing plant and some of the necessary conveyor infrastructure, including one of two bridges needed to carry the conveyor over roads, is already in place. In order to begin operations from the extension area the conveyor would have to be extended and a new conveyor bridge over Spring Lane would need to be constructed. The planning application was submitted in December 2011 and the application form states that site preparation works would take place in 2012/3 and extraction would commence in 2013. The time that it has taken to determine the planning application has delayed these estimated dates, however the anticipated timescale of approximately 1 year to prepare the site for extraction following the commencement of preparatory works is relevant.
7. It is considered that none of the potential alternative sites identified in the Atkins document are capable of being delivered within a comparable timeframe. None of these sites have been the subject of a planning application and so would first have to go through the planning process. It typically takes months to years for an applicant to compile a new planning application and the Environmental Impact Assessment for a large minerals development. Ecological survey work can often only take place at certain times of year and data from a number of years of groundwater monitoring work can be required. In the case of the application site groundwater levels in six monitoring wells around the site have been measured approximately every month since 2004. It would then typically take a number of months to determine an application of this type after it has been submitted by the applicant.
8. In addition to the timescales associated with compiling the application and EIA and the determination of the application, there are also timescales associated with preparing the site for extraction. Because the application site is an extension with some of the necessary processing and transportation infrastructure already in place, it is considered that the potential alternative sites would not be able to provide mineral in a comparable timeframe and so contribute to meeting and maintaining the county's landbank, even if they were at a similar stage in the planning process.
9. Further factors constraining the delivery of the individual identified sites are set out below.

10. Alternative 1 Land at New Barn Farm – This site is located adjacent to the North Wessex Downs AONB and is overlooked by it. This has the potential to pose a constraint on its development. Some landscape impact work was undertaken in the preparation of the Minerals Waste Core Strategy (withdrawn prior to examination) but the North Wessex Downs AONB had maintained an objection to the development of the site. Although the application site is also located close to an AONB boundary, in that case extensive work has been done to assess and mitigate the potential impacts and the EIA has concluded that there would be no significant adverse impacts. Mitigation works include areas of advance planting which have established over a period of years to provide a visual screen. Landscape and Visual Assessment work provided in support of the application has shown that the site would not be visible from the AONB. This level of detailed assessment has not been undertaken for this alternative site and so it is not possible to conclude that the development of this site for sand and gravel would be acceptable in terms of impact on the AONB. Although further work might show in the future that the impact could be mitigated, this is not available at this point in time and the availability of alternative sites within a given timeframe must be assessed.
11. Alternative 2 - Land North of Drayton St Leonard, OX10 7AP – 28.9% of this site lies within flood zone 3b. Whilst this is a smaller percentage than the application site, detailed flood risk assessment work would be required in order to ascertain whether developing this area for sand and gravel extraction would cause an unacceptable impact in terms of flood risk. Although further work might show in the future that the development could be carried out at this site without an increased flood risk, this is not available at this point in time and the availability of alternative sites within a given timeframe must be assessed. In addition, the southern part of this site is in close proximity to Drayton St Leonard village and Berinsfield and potential impacts arising from this would also need to be assessed.
12. Alternative 3 - Land at Shillingford, OX10 7EF – When this site was considered as a nomination in the preparation of the withdrawn Minerals and Waste Development Framework, it was subject to a recommendation that the nomination should not proceed on archaeological grounds. The presence of valuable archaeological deposits is considered to pose a significant constraint on this site and on the basis of the assessment work which has already been undertaken it seems likely that this site would not be available for mineral working given that constraint. Parts of the site are also in close proximity to

Shillingford village and potential impacts arising from this would also need to be assessed.

13. Alternative 4 - Land at Culham, OX14 3DD – 34.7% of this site is flood zone 3b and 9.2% is in flood zone 3a. The comments under alternative site 2, regarding the need for detailed flood risk assessment work to be undertaken, also apply here. The northern extent of the site is also in close proximity to properties at Fullamoor and potential impacts arising from this would also need to be assessed.
14. Alternative 5 – Land at Wallingford Benson, OX10 8LH – The site is in close proximity to the AONB boundary. Comments relating to this as set out under alternative site 1 therefore also apply to this site.
15. The Atkins Sequential Test report also separately considers alternative sites for the disposal of a comparable volume of inert waste as landfill. It finds two potential alternative sites in areas of lower flood risk for this aspect of the proposed development. These are Upwood Quarry and Homefield Sandpit.
16. It is not considered appropriate to separately sequentially test sites for inert waste infill in relation to this development. The backfill operation is being undertaken to achieve a satisfactory restoration of the application site including ensuring that best and most versatile agricultural land is retained as such in the long term. The Atkins report does acknowledge this stating in the conclusions that ‘the preferred approach is that as the sand and gravel quarry is classified as water compatible development and some form of restoration is implicit with development of a quarry, it is not necessary to apply the Sequential Test to the proposed restoration as a separate operation.’ Equally, the Environment Agency regards the proposal as being in accordance with the principles of the NPPF.

Conclusions

17. Having considered the constraints on the potentially available alternative sites identified in the Atkins document, it is concluded that none of the five alternative extraction sites identified is capable of delivery within a comparable timeframe to the application site. Further assessment work is needed in each case and should this work be undertaken in the future it is possible it could find the alternative sites to be unsuitable, or significantly reduce the area of the site which could be worked. In addition, as these are new sites rather than extensions they would take longer to prepare for extraction than the application site even should they reach the stage of having a planning consent.

18. Therefore the application site passes the Sequential Test; there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

Annex 3 – Representations

1. 40 Letters of representation were received from individuals during the first period of consultation.
2. During subsequent periods of consultation, objectors were written to so that they were aware of the further information, but advised that they only needed to write again if they had specific comments on the new information. A further 19 letters were received over the subsequent consultation periods.
3. Some of the points raised by objectors during the first consultation were addressed through the submission of further information. However, the main issues raised during the subsequent consultation periods were concern about the backfilling with inert waste in the floodplain, concern about the safety of the A4155 and noise from the development particularly the conveyor.
4. All objections summarised below along with the officer response to the comments. All the letters can be viewed in the Members' Resource Centre.
5. Detailed comments regarding concerns about the potential impact on flood risk have been submitted by Sonning Eye Action Group (SEAG) and Abington Consultants acting for SEAG.
6. The officer response to the points made is set out in italics under each section

Access/traffic

- Concerned about the safety of a new access – it is very dangerous between Playhatch and the Flowing Spring.
- New access dangerous – A4155 outside 'Botany Bay' is so narrow that two lorries cannot pass without pulling onto the drive. Has narrowed over time as the bank encroaches but no improvements have been made.
- Increase in traffic will affect safety on the A4155 (already dangerous) and cause congestion.
- A4155 very dangerous for pedestrians already
- A4155 very dangerous – have been told by OCC transport that only the death stats matter but the accidents that have occurred have been traumatic
- B478 is in a poor state and this would make it worse

- Already lots of traffic through Sonning, including vehicles which are not suitable for the bridges or roads, this will get worse.
- Road between Sonning Eye and Playhatch roundabout in poor condition due to Lafarge HGVs – are council tax payers responsible for the cost of fixing it?
- Landfill should not be allowed due to the extra traffic that it would create.
- Rail link should be provided.
- Roads are dirty and large rocks have been found on them – this would make it worse.
- Why has a lower speed limit not been applied to this section of the A4155?

There has been no objection from the Highways Authority, which has considered the safety of the proposed new access. The applicant has proposed a new access onto the A4155 after they received a negative response from local residents to a pre-application consultation on a proposed new access off the B478. It was felt that an access off the B478 would bring traffic too close to properties in Sonning Eye. The Highways Authority have indicated that the personal accident rate for roads in the area does not indicate any road safety issues and pedestrian demand associated with the quarry will be light. The percentage increase over existing (2012) HGV levels would not be significant. Conditions can be attached to ensure that HGVs do not leave the site with dirty wheels, to prevent mud being deposited on the highway. HGVs are not permitted to travel through Sonning due to weight restrictions on the bridges. The applicant suggested a lower speed limit for the section of the A4155 near the proposed new access. However, this was not supported by Thames Valley Police or the Highways Authority.

Nuisance

- Property already affected by noise from the plant site, will get worse
- Noise from conveyor
- Evidence that noise is already above the existing permitted
- Existing noise barrier is inadequate
- Site has opened early on a number of occasions
- Reversing beepers cause a nuisance

There has been no objection from the Environmental Health Officer, who has recommended conditions to ensure that noise is kept within acceptable limits.

The Environmental Statement includes detailed noise and dust assessments including mitigation measures and conditions can be attached to require the implementation of these. Further assessment work was supplied to cover the continuation of the processing plant site operations. If noise from the plant or extraction does cause a nuisance to local residents Oxfordshire County Council are able to monitor the conditions to require compliance with the specified noise limits. Outline additional noise mitigation measures have been submitted, which could be used should the agreed limits not be complied with.

Landscape

- Landscape impact
- Not appropriate near AONB
- Destruction of riverside fields
- Restoration could never replace the countryside that would be lost
- Hotel owner concerned that they owe their success to the stunning landscape and would suffer economic damage if it is destroyed
- Permission for extraction on this area of land has been turned down before and the inspector's report makes reference to the attractive and special landscape
- More standing water is not appropriate in area – loss of traditional valley landscape
- The visual assessment has not fully taken into account all significant views

The landscape would change as a result of this development and there would be an increase in wetland. However, the scale of the change would be reduced by the proposal to use backfilled material to reinstate part of the site to agricultural use. Some respondents consider that this wetland would not be in keeping with the character of the area and there should be more inert fill so that the entire site can be returned to agriculture. However, this would mean a much longer time until the development was complete and the end result would not have the same benefits in terms of floodplain storage and biodiversity. Other respondents consider that there should be no inert fill at all. The proposed restoration is considered to be a satisfactory compromise which provides for floodplain storage and biodiversity while ensuring that the highest quality agricultural land is not lost in the long term. The developer has established areas of advance planting prior to submission of the application and so the site is better screened than it was at the time of the inspector's report, which related to allocation of sites for the 1996 Oxfordshire Minerals and Waste Local Plan. Although the landscape would change there is no evidence that there would be significant harm or that this change would affect businesses in the area relying on tourism.

The site is not located in the AONB and the workings are a sufficient distance from this to ensure that there is not an adverse impact. This has been demonstrated by visual assessments submitted with the application.

Ecology

- Concern about impact on wildlife/environment

There has been no objection from Natural England, BBOWT or the County Ecologist Planner in terms of impact on biodiversity. In the long term there would be a benefit for nature conservation through the restoration scheme which would provide improved habitats for wildlife compared to the current agricultural use.

Rights of Way

- Impact on walkers on the Thames Path national trail
- Impact on walkers along the Spring Lane footpath.

The County Council Rights of Way team have considered the proposal and do not object. The main impact on users of the rights of way network would be the conveyor crossing the footpath on the western boundary. However, a condition can be used to ensure that this is done in an appropriate way to minimise disturbance to users. Users of that footpath would be screened from the works by vegetation. It is proposed to create a short new permissive footpath to a bird hide as part of the restoration.

Planning Policy

- Concerned that planning rules will change in the future and proposed restoration will be turned into a landfill site

Proposals do already include backfill with inert waste. Any substantive changes proposed in the future would need to be the subject of a new planning application which would be assessed on its merits.

- Failed to demonstrate that there is no other site that could produce the mineral
- OMWLP still in force and this area is excluded. No new plan yet so application is too soon.

OMWLP allows for mineral to be worked from areas not covered in the plan where sufficient reserves are not available from areas within it. This is the case.

- OMWLP PE4 and PE7 are about development not impacting groundwater. Application admits that this would happen.

Policies refer to an impact on groundwater which would cause harm. The Environment Agency has not objected to this proposal as they are satisfied that the applicant has demonstrated that this development would not harm groundwater levels or water quality.

- Development not part of 'Oxon core plan'
- Wasn't considered during consultation on new minerals sites – planning application shouldn't be allowed to rewrite policy.

This site was considered as part of the consultation on new minerals sites and was taken forward as a principal location for sand and gravel working in the Oxfordshire Minerals and Waste Core Strategy. This strategy was in draft at the time these comments were received, however it was subsequently withdrawn from the examination process. There is no up to date plan identifying areas or sites for future sand and gravel workings. However, there remains a need for new permissions and applications must be determined on their merits.

Restoration

- In other areas of the Caversham works Lafarge have failed to create recreational beauty as set out in original plans.
- Restoration of phase A has not been properly maintained, lake by garden centre does not have an obvious access and the walkway is not maintained. Concerned this would happen on Phase C. How can satisfactory long term management be ensured?
- The new footpath installed as part of previous works is not useful as it doesn't connect anything.

Restoration of the previously worked areas is in accordance with the plans and areas are not signed off from aftercare until the monitoring officer is satisfied that plans have been complied with. A 20 year management plan is proposed to be secured through a legal agreement.

- If this must go ahead there should be recreational advantages to the villages which suffer. Plant mature trees, create walkways, repair roads and screen the works.

The proposals do include planting to screen the works and the provision of a new permissive footpath to a bird hide on the restored site.

- There should not be land filling so close to the river
- Concerned about pollution risk from infill – should be left as lakes
- Waste infill proposal would lead to a problem with rodents

- Difficult to monitor that only inert waste would be used

The backfilling with waste would be regulated by the Environment Agency through their permitting process. The permit would include conditions to prevent pollution. It would be inert waste only and so less likely to attract rodents.

- Concerned that the restored land could be classified as brownfield and housing proposed.

Restored quarries are not classified as brownfield land.

Continuation of quarrying in this area

- Playhatch area has suffered enough – noise and occasional dust on cars, local ecology already under pressure.
- Sonning Eye area has suffered enough, noise, dust, lorries, damage to house
- If this goes ahead then in the future it is likely to spread to the fields adjacent to Shiplake.
- Concern about the length of time for extraction

Sand and gravel can only be worked from locations where the geology is suitable. The emerging new Minerals and Waste Local Plan will identify strategic areas for future workings, however in the meantime applications must be determined on their merits. Noise and dust controls could be imposed by condition.

Concern about historic environment

- Destruction of archaeology
- Impact on listed and historical buildings – flood risk and danger of cracking from dewatering.
- Sonning Eye is a conservation area. Understand that this has been a reason for refusal elsewhere.

An area has been excluded from extraction on the basis that it might harm archaeology. Other features are not considered to be of enough importance to preserve in situ, however there would be conditions for archaeological recording. The proposed extraction is considered to be a sufficient distance from the Sonning Eye conservation area, to ensure that there is not an adverse impact. The impact of dewatering on groundwater has been considered by the Environment Agency and they are satisfied that there would

not be an adverse impact subject to conditions including the requirement for groundwater monitoring.

Other Concerns

- Concerned that local views are being ignored
- Public viewing was poorly advertised and results of that consultation are not representative of the local view

This proposal has been the subject of substantial pre application consultation carried out by the applicant. Local views were sought then, and since through the Council's consultations on the planning application, and are considered in this report

- Devaluation of property prices

Property prices are not a material planning consideration.

- Increase in insurance premiums due to increase in flood risk

The Environment Agency has advised that the proposal would not significantly increase flood risk and have confirmed that there would be an improvement in flood storage capacity.

- Hotel – potential loss of livelihood

The amenity and landscape impacts of the development are considered in the report and it is concluded that they can be adequately mitigated by condition. There is no evidence that the change in the landscape would have an impact on businesses in the area relying on tourism.

- It is misleading to call it an extension due to its scale and location

The proposal is referred to as an extension in the application due to the fact that it uses the same processing plant as the Phase B extraction area and is adjacent to it (although on the other side of Spring Lane). The merits of the proposal itself have been assessed.

- Misleading to call it Caversham Quarry as it affects Sonning Eye

This is an extension to the workings known as Caversham Quarry, however, the workings are indeed much closer to Sonning Eye as described in the report and shown on accompanying plans.

- Brook running through the site already looks toxic, concern there would be further risk to watercourses

Conditions would be added to ensure that the development was carried out in such a way that it did not risk pollution of watercourses, including a 16 metre

stand-off between the workings and Berry Brook. Pollution to main watercourses is the concern of the Environment Agency and any suspected incidents should be reported to them.

- Plant is inconveniently located and should be relocated to the extraction area.

The application put forward has to be considered as it is. The plant has been operating in its existing location for some time and this has not caused significant problems. The use of a conveyor to transport material from an extraction area to a processing area is common practice and reduces noise and dust when compared with internal haulage by lorry. Policy does not support processing plant in the extraction area as it is within the functional floodplain.

Detailed Representations on Flood Risk

Abington Consulting – on behalf of SEAG

- Sequential Test – not been done

The County Council has commissioned Atkins consultants to produce a Sequential Test and this is summarised in the report and available to read in full on the e-planning website.

- Further work is needed on the overland flow of fluvial floodwater

The development includes bunds, a conveyor and access road and these could affect the overland flow of floodwater. However, the EA is satisfied with the information provided and the design of these features. The conveyor would be raised and the bunds would be orientated parallel to flood flow and on areas of higher ground. During the application process the location of some soil storage bunds was amended to remove them from the floodplain.

The EA have commented that the bunds would have only localised impacts on flood levels around the bunds and following a request for further information and resulting amendment to the soil storage mound layout, they are satisfied that the impact on flood levels from bunds would not impact properties.

- Surface Water Run Off – the restored site could increase the risk of flooding unless surface water run-off is adequately managed.

The applicant considers that the proposed restoration would cause a net reduction in run off overall. Run off would be reduced in the parts of the site restored to the lower level. The EA has not objected and has commented that there should be infiltration tests to determine the permeability of restored areas. This will inform the design of the proposed soakaway. They have recommended that this be required by planning condition as it cannot be done until the site is restored.

- Dewatering – Application does not adequately consider the potential for the groundwater recharge lagoon overflow to contribute to flooding in local watercourses.

If necessary the EA would add a condition to the discharge consent requiring that dewatering cease when receiving waters are approaching capacity. This would be a matter for the discharge licence rather than the planning conditions.

- Flood Plain Storage – The application has not considered the impact on floodplain storage during every stage of the development.

The EA is satisfied with the assessment of flood plain storage at various stages in the development and conclude that there would be an increase. Ensuring that there is no reduction in floodplain capacity during each phase is dependent on the operating regime of the extraction, backfilling and operation. The EA has asked for details of this through planning condition. They have confirmed that they do not need these prior to determination as it does not affect the overall acceptability of the scheme.

Sonning Eye Action Group Objection (SEAG)

- Believe that Flood Risk Assessment is inadequate and the development would increase the risk of flooding to properties in Sonning Eye. Specific points included in representation include:

- The siting of the processing plant in the flood plain has been ignored
- More work should be done on groundwater
- Waste should not be landfilled in the floodplain, contrary to NPPF
- Stockpiles and bunds in the floodplain would obstruct flow
- Incorrect to state that floodplain storage capacity would increase. Due to the difference in porosity between gravel and inert waste, there would actually be a reduction.
- Dewatering would cause groundwater level falls and put houses at risk of settlement.

The applicant has provided correspondence to respond to SEAG's concerns and SEAG has in turn produced further letters confirming that they remained concerned. This correspondence is available on the eplanning website.

Compliance with the NPPF is addressed in the main report. The applicant has provided details of the restoration and the EA has no objection.

The effect of the bunds and stockpiles has been modelled and as a result changes have been made to the locations of these during the application

process. The EA is satisfied that in the currently proposed locations these would not result in higher flood risk.

Mineral Products Association (MPA)

Any actions which would effectively ban using inert waste to restore sand and gravel workings in the functional floodplain would sterilise the majority of resources of that material in the UK and hamper the industry's ability to deliver high quality restoration. Do not believe that this was the intention of the NPPF guidance. Backfilling is typically an integral part of a restoration scheme. The wording of the current planning practice guidance should be clarified. Table 3 in the guidance does not appear to contain flexibility to allow the Exception Test to be applied to proposals for sand and gravel working with backfill. The NPPG should not ban outright any form of development in flood zone 3b where it has been demonstrated that the development would not increase flood risk. It should be recognised that the Technical Guidance is guidance and not policy and policy should take precedence. It is significant that the Environment Agency have not objected to this development. Restoration of mineral workings should be considered to be waste recovery and not disposal or landfill. The MPA does not normally comment on individual planning applications but has done in this case because it raises issues of principle which are of fundamental importance to the aggregates industry.

Individual Representations on Flood Risk

Concern about the quality of the submitted assessment work

- Dispute the assumptions in the data and consider that the risk has not been adequately mitigated. Excavation should be constrained to a smaller area.
- The flooding work is inadequate as it does not take into account the loss of absorption caused in removing gravel and replacing with inert waste.
- FRA ignores that fact that groundwater flows from garden of property through the processing plant area, through the triangle and then into the area proposed for working.
- Application and EIA are not sufficiently detailed in terms of assessing flooding and the potential impact on Sonning Eye residents.
- Flood risk assessment does not adequately consider rainfall or surface water flooding, concentrating on flooding from the river.

The Environment Agency is the statutory consultee on flood risk and they are satisfied with the quality of the submitted assessments. Many of these matters have been covered in responses above.

General concern about flooding in the area and the potential risk for the development to make this worse

- Flooding already a problem on the B429 between Sonning Eye and Playhatch.
- Properties in Sonning Eye flooded in 2000 and 2003 and this development might increase the risk of it happening again.
- Who would be responsible if this resulted in flooding which damaged property?
- Property already experiences flooding and this may increase the risk has been there.
- Flooding risk in the area has already increased due to loss of three resident lock keepers, this would make things even worse.
- The river level rises much quicker after heavy rain than it used to – believe this is due to gravel extraction.
- Flooding wasn't a problem in Sonning Eye historically, only since Lafarge

The development is located in the floodplain and it is accepted that the site and surrounding area has been subject to flooding. However, the assessments submitted with the application demonstrate that the proposals would not significantly increase this risk. In the long term the development would lead to an increase in floodplain storage capacity.

Specific reasons for concern about flood risk

- Bunds above ground and infill below ground would impede flood flow. Bunds should not be located in the floodplain.
- Cannot believe the claim that this would absorb flood waters. Existing lakes are full, don't help in floods.
- Global warming is increasing the likelihood and severity of flood events.
- More distance is required between Sonning Eye and the workings to provide more room for water to flow in times of flood
- Clay lining would increase flood risk
- Bunds and concrete foundations for the conveyor bridge on the triangle are already obstructing the normal flow of water during heavy rain.

The location of bunds would be agreed with the Environment Agency to ensure that they were in the most suitable position with the most suitable alignment relative to flood flows. The Environment Agency is satisfied with the currently proposed locations. Climate change has been taken into account in the submitted assessments.

Other

- Double standards – if individuals want permission in the flood plain it is impossible, but it is fine for big business.

Sand and gravel extraction is classified as water compatible development in the NPPF. A full assessment of the proposals against policy is in the main report.

- Council has a responsibility to produce flood risk maps but this doesn't seem to have been done.

The County Council has met its obligations in terms of flooding. The Strategic Flood Risk Assessment has been published.

- Siting of processing plant in the floodplain has not been assessed and is not compatible with planning guidance.

Most of the processing plant site is not located in the floodplain, but in flood zone 2. Following this objection, Lafarge assessed the impact of the retention of the processing plant site in a separate flood risk assessment.

- Infilling with inert waste in the floodplain is contrary to PPS25/the NPPF. Risk of contamination and would increase flooding as would not have the same porous properties as gravel.

The Environment Agency has not objected to backfilling in this location. Compliance with the NPPF is considered in the main report.

- Concern about modeling methodology – which has not been transparent

The flood modeling work has been examined by the Environment Agency and they have requested further information where needed.

Sequential Test Representations

The Sequential Test document produced by Atkins was not sent out for formal consultation as it does not comprise part of the application, but is a document to support the process of determining the application. However, it was made publically available as there had been local interest in the contents of the report. A couple of representations were received on this document which are outlined below together with an officer response.

Representation – applicant

The 30 mile search radius was inappropriate as Caversham Quarry would serve only a local market. Questions the inclusion of sites outside Oxfordshire. Questions the methodology in identifying sites given that the Core Strategy has been withdrawn. Does not consider the five sites identified in the document to be reasonably available as they are not the subject of

planning applications and have not been fully evaluated. Constraints have only been identified at a strategic level. The application site is available, has been through the EIA process including a site specific FRA and contains economic reserves of high quality flint gravel.

Officer comment – The Atkins report was sent to the Environment Agency prior to being made public and they confirmed that they considered the methodology to be sound. The Atkins document was clear that the five identified sites had not been fully evaluated in terms of constraints and this further evaluation should be done by Oxfordshire County Council. This evaluation is contained within the main report.

Representation – Abington Engineering Consultants on behalf of SEAG
Welcome the finding that there are other more suitable sites for sand and gravel extraction. However, the report is fundamentally flawed in stating that restoration of sand and gravel working using inert fill is part of a 'water compatible' development. Restoration could be carried out without the use of inert fill. Landfill can take place in flood zone 3a or 2 if the Exception Test is passed, but not in 3b as proposed. The amount of waste required is likely to require a landfill permit and the fill material should be regarded as landfill. Oxfordshire County Council's Strategic Flood Risk Assessment states that if a quarry is restored to pre-existing ground levels it will need to be classified as 'more vulnerable.' Therefore OCC flood policy contradicts the conclusions of the Atkins report. As Atkins have failed to correctly interpret both the NPPF and OCC flood policy, these sections of the report should be reviewed and rewritten before the conclusions can be relied upon.

Officer comment – The main report covers the issue of how the NPPF should be interpreted with regard to inert waste infill in flood zone 3b. The SFRA document referred to is not OCC flood policy but a supporting document drawn up to aid the preparation of the Core Strategy. In paragraph 9.5.2 it goes on to advise that where the intention is to restore to agriculture at the low level, using a limited amount of fill and top soil material, it may be inappropriate to regard the proposal as involving the creation of a landfill site and that advice should be sought from the Environment Agency and that the flood risk implications of the whole development are properly taken into account. Each proposal must be considered on its merits and this detailed consideration is contained within the main report.

Annex 4 – Consultation Responses Summary

Sonning Parish Council

1. Object. The Thames Valley is a precious and protected natural landscape important for both recreation and natural habitat. Established protected species would have their established environment destroyed. The natural flood plain would be compromised in its ability to cope with excessive flow, increasing the risk of extensive flooding. Communities near the processing plant and HGV routes would suffer noise and air quality problems. Although both Sonning bridges are protected by a weight restriction, this has not always been adhered to. Frequency of breaches would rise with the increase in traffic. Proposal would have an excessively detrimental impact on the Green Belt and countryside.

Eye and Dunsden Parish Council

2. Object. Insufficient consideration has been given to the impact on the villages of Sonning Eye and Playhatch, especially in relation to flooding. The sequential test requirement set out in PPS25 (NPPF) has not been fulfilled. The concerns of the Environment Agency should be fully addressed. The county strategic flood risk assessment states that there should be no infilling with waste in the floodplain. Concerned that inert infill material may include clay, which would cause further flooding. The applicant has previously failed to restore workings in a timely manner. Noise levels at the Sonning Works have recently been exceeded and mitigation has been ineffective. Sonning Eye is a designated conservation area. Agree with the comments made by the Chilterns Conservation Board and SODC. Concerned about a reduction to the amenity value of the allotments if there are changes to water level or air quality.

Shiplake Parish Council

3. Object:
 - Development not part of Oxon Core Plan.
 - Increased HGV traffic will impact A4155 safety.
 - Will adversely affect environment.
 - Concern at impact of creeping development on local flooding risks.

Henley on Thames Town Council

4. Increase in traffic would lead to extra HGV movements through Henley on Thames, this would have adverse effects:
 - NO² air quality
 - Congestion
 - Potential damage to historic buildings due to vibration
 - Narrow streets would force vehicles onto the pavements

- Damage to road surfaces
- Traffic noise

South Oxfordshire District Council

5. The site is classified as 'flat floodplain pasture' in the South Oxfordshire Landscape Assessment. This advises that large scale development of any kind is not considered appropriate in open countryside areas and along river corridors. Concerned about the impact of the development on the landscape character of the area. Given the significant impact on landscape it is vital that the proposals fully accord with existing and emerging minerals policy. If permission is granted the restoration works should reflect the existing landscape character. Concerned about additional traffic through Henley on Thames.
6. The site is classified as 'flat floodplain pasture' in the South Oxfordshire Landscape Assessment. This advises that large scale development of any kind is not considered appropriate in open countryside areas and along river corridors. Concerned about the impact of the development on the landscape character of the area. Given the significant impact on landscape it is vital that the proposals fully accord with existing and emerging minerals policy. If permission is granted the restoration works should reflect the existing landscape character. Concerned about additional traffic through Henley on Thames.
7. Environmental Health – No objection. Requires a condition to ensure that activities are carried out in line with the submitted noise report and noise levels are mitigated to the levels provided in table 6.14 of that report.
9. Drainage – Details should be submitted on local watercourses and highway drainage systems within and around the site area, to ensure that any potential source of localised flooding due to the works is identified at an early stage and proposals put forward for dealing with it.

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)

10. No objection. Subject to the restoration being restored as proposed it is unlikely that the development would lead to long term adverse ecological impacts and a net gain in biodiversity is likely to be achieved. Supports the proposed section 106 agreement heads of terms and the proposal for a 20 year long term management plan.

Natural England

11. Soils - The majority of the site lying to the south of Berry Brook is classified as best and most versatile agricultural land. Initial response concerned that although the applicant intends to reinstate this agricultural land no target restored soil profiles have been provided and that the submitted restoration and aftercare proposals for the site may

not represent best practice. However, final response confirms that additional information helps to address their concerns and that future agricultural land drainage will need to be an item specifically addressed in the outline aftercare scheme to be submitted.

12. Ecology – An eventual net gain in biodiversity is likely to be achieved. Welcomes the inclusion of nature conservation in the afteruse.

Thames Water

13. No objection and no conditions required. The further information provided by the applicant has satisfied previous concerns that the information submitted does not provide a satisfactorily robust assessment of the impact on groundwater resources in the Playhatch area.

Environment Agency

14. No objection:
15. 23rd January 2012 – Satisfied with the Flood Risk Assessment (FRA) and understand that there will be an increase in flood plain storage. Understand that there is adequate space on site to attenuate surface water. Groundwater model suggests that there could be an increase in levels beneath Berry Brook, however this has not been quantified and other impacts of increasing the groundwater level have not been investigated. If an increase in groundwater caused a spring to become active more often, the risk of flooding to Spring Lane and the B478 should be assessed. Model has not been constructed in a suitable way to represent the hydrological conceptual understanding.
16. 1st March 2012 – Now satisfied with the groundwater model, having considered the Technical Memorandum submitted by the applicant.
17. 14th May 2012– Request that further work is submitted by the applicant prior to the determination of this application. If there is a location outside the flood plain where bunds could be located, this should be investigated further. There should also be further assessment of the sensitivity thresholds of properties in Sonning Eye, to identify if any further mitigation measures are required.
18. 22nd October 2012 – Pleased to see that it is now proposed to locate more of the soil storage bunds outside of the flood plain. The FRA suggests that the majority of the remaining bunds will not increase flood risk off site. The two most westerly bunds may have an impact off-site and it is suggested that this they be moved 30 metres north. The tolerances in the modelling need to be clarified. Welcome the assessment of the processing plant. This concludes that the loss of floodplain storage and increase in surface water run-off will be mitigated by the additional storage capacity created by the silt lagoon. However,

no figure has been provided for the amount of spare surface water capacity in the lagoon. Require further details of the proposal to pump excess water from the groundwater recharge lagoon to Berry Brook and confirmation that this pumping will cease at times of high flow. The conclusion of the FRA that the processing plant does not increase flood risk has apparently been supported by flood modelling, however, the outputs of this modelling work have not been submitted, request that they are.

19. 15th January 2013 – Have reviewed the second supplementary statement and welcome the conclusion of the technical memorandum that properties on Spring Lane would see a small drop in water levels as a result of the proposed development. However, require further explanation of how this drop in levels would be achieved and evidence of model outputs to support the conclusion. Require loss of floodplain storage due to the retention of the existing processing plant to be compensated for on a level for level basis. Not clear that in a 1 in 100 year flood event the silt lagoon would have capacity for surface water or whether it would be entirely utilised as fluvial flood water storage, request clarification on this.
20. 17th September 2013 – No objection to the proposed development subject to proposed conditions. This letter replaces the letter sent on 23rd January 2012 and provides an updated list of conditions. These conditions include development to be carried out in accordance with FRA, submission and implementation of a surface water drainage scheme for processing area and for restoration, submission and implementation of a scheme for managing the pumped discharge of surface and ground water from the working area, scheme for location and size of bunds, detailed topographic survey prior to commencement and following restoration to ensure the restored site is at or below pre-development levels, discharge of water from settling lagoon into Berry Brook or other suitable water drain upstream of the phase being dewatered, continuation of groundwater level monitoring in existing boreholes and commencement of groundwater level monitoring in boreholes to the north of the site, submission of a scheme showing management of buffer zones from Berry Brook, submission of a landscape and ecological management plan.
21. 8th October 2013 – Confirmation that OCC is responsible for the decision about whether the sequential test is passed, however they would be pleased to assist if their professional opinion is helpful. Confirm that they are viewing the development in its entirety and deem it to be in accordance with the principles of the NPPF. There would be a reduced flood risk through re-contouring of the land to a lower level following restoration. Confirmation that a permit application has not yet been received, however, according to Environment Agency Guidance Note RGN13, backfilling a quarry is likely to be a disposal operation.

The Henley Society

22. Strongly object. Additional HGVs on the Henley- Reading road would inevitably increase congestion, traffic hazard and pollution. If more gravel extraction is considered acceptable at Sonning Eye, it should be subject to the provision of a rail link and a condition that rail transport be used.

The Chilterns Conservation Board

23. Object. Although the site is not within the Chilterns Area of Outstanding Natural Beauty and not particularly visible from it, the impact of the associated traffic movements would be felt within it. It would also affect the setting of the AONB as the site is highly visible from the sloping valley sides between Playhatch and Shiplake which form an integral part of the wider Chilterns landscape. The landscape and visual assessment does not adequately address this.

CPRE

24. Favour an amendment for the whole of the worked area to be infilled with inert waste and returned to agriculture. The creation of further open water in the context of the extensive lakes created by quarrying to the west would reduce the attractiveness of the Thames Valley.

Sonning and Sonning Eye Society

25. Object. Risk of flooding, disruption to traffic and impact on landscape and views, which would seriously impact on the conservation of protected areas including Sonning Eye Conservation Area and the Thames Path.
26. Response to further consultation confirms object as amendment does not go far enough to address flooding and does nothing to answer local concerns on noise and traffic. Object on the basis that there would be an increased risk of flooding, the use of clay lined pits would reduce permeability and impede water flow, road congestion and the impact of noise and disturbance.

Highways Authority

27. No objection.
28. New access – the design of the new access onto the A4155 is adequate. An earth bank may need to be removed to improve sightlines. There should be a condition to ensure that the proposed new access onto the A4155 is used for import of material only. This is because the main concern with any quarry access is the relatively slow speed of laden vehicles turning out of a site, particularly when the site is on an incline. Incoming loaded lorries will have the benefit of a central holding lane

when turning right into the site. There should also be a condition that following restoration this access should be used for agricultural purposes only.

29. Routeing – a routeing agreement is not considered necessary due to the weight limit on the bridge in Sonning.
30. Traffic generation – the proposal is not considered to be of such significance to compromise the operation of the local highway network.
31. Speed limit – the applicant suggests that the speed limit on the A4155 is reduced to 40 mph, however this is not favourably viewed.

County Archaeological Services

32. No objection. The site contains a Bronze Age barrow cemetery that is visible as a series of crop marks. The applicant has taken this into account and excluded this area from the extraction area. However, it could still be damaged if the development caused an adverse impact on the hydrology of this feature. Would like to see plans that take into account the need to ensure that water levels within the adjacent area are maintained during and after extraction. This could be dealt with through a condition for groundwater monitoring around this feature with mitigation to be implemented should specified trigger levels be met.
33. None of the archaeological features revealed during the field evaluation were of such importance as to require preservation in situ, however they do justify a programme of excavation and recording prior to extraction. Conditions to ensure that this takes place appropriately are provided.

Rights of Way and Countryside access

34. The proposed conveyer will cross the route of Eye and Dunsden footpath 12 and should be installed in such a way to minimise interference to pedestrians on the route.
35. It would be preferable if the footpath link between bridleway 205/9 and footpath 205/11 could be made a definitive route rather than permissive. The access to the bird hide could remain permissive.

County Drainage Engineer

36. Concerns about drainage of the road network. The A4155 and the B478 are drained by grips to ditches. Increased traffic will cause the grips to become overrun and may become blocked causing localised flooding. Suggest a condition requiring the grips to be maintained by the applicant. The ditches are maintained by the riparian owners.

County Biodiversity and Landscape

37. No objection, subject to conditions. The site and surroundings include protected habitat for protected and notable species and therefore the proposed mitigation measures should be followed to minimise the impact of the development. Landscape impacts not adequately addressed in the ES and a detailed planting scheme should be provided prior to determination. The use of natural screening and bunding will help mitigate the effects of the development on users of the Thames Path, but there will be residual impacts and audible impacts on tranquillity.

County Ecologist Planner (in response to additional information October 2012)

38. Satisfied with the proposed buffer zone with regard to otters. Recommend conditions for buffer zones, for the monitoring of otters and further mitigation if necessary, gradient of slopes, for a scheme for the protection of existing trees and hedgerows, for a root protection zone for woodland and hedgerow along drainage ditch.

Annex 5 – 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 & Habitats Regulations 2010 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 habitat on and around the proposed development site and ecological survey results indicate that a European Protected Species is likely to be present.

The survey submitted with the application details the following mitigation measures:

“The potential for impacts to bats from the use of floodlighting associated with the office/weighbridge would be mitigated by the sensitive design of lighting. Measures to reduce impacts will include:

- *The use of directional floodlighting to avoid spill;*
- *The use of the lowest intensity possible;*
- *The use of low pressure sodium (as opposed to high pressure) where possible; and*
- *The avoidance of lighting that emits high levels of blue/ultra-violet or red/infra-red light.*
- *Use of sensors during non-working hours to prevent continuous lighting”*

The mitigation measures detailed within the survey are considered to be convincing and in our opinion will secure “offence avoidance” measures.

We therefore recommend the following conditions to secure the implementation of the offence avoidance measures to ensure that no offence is committed:

Protected Species

- *All works must be carried out in accordance with the approved mitigation and enhancement scheme detailed in Section 3 of the Environmental Statement*

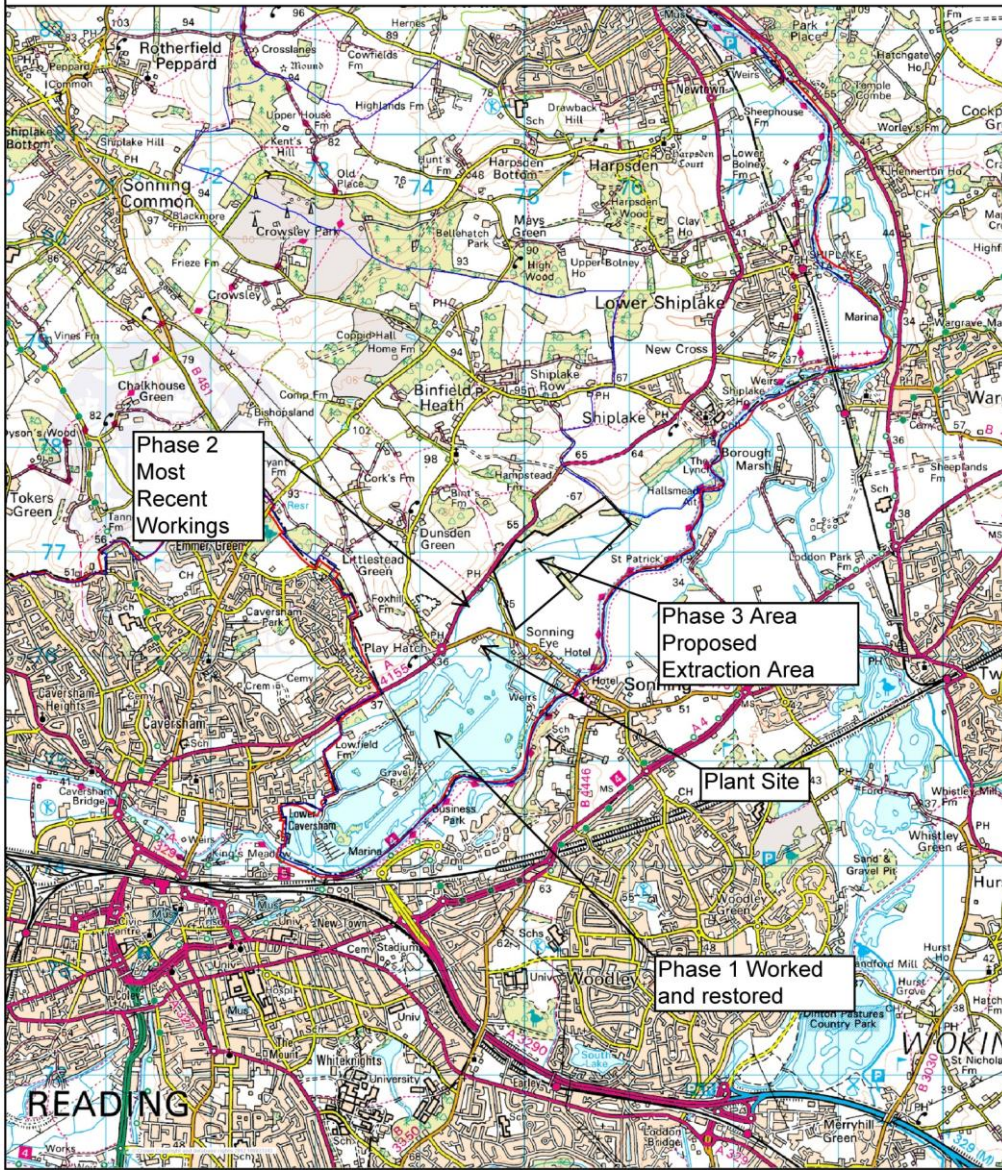
and Restoration Plan C1/PL10/04 submitted by the applicant for the whole site.

Reason: to ensure the protection of flora and fauna and to ensure the development results in biodiversity enhancement in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981 (as amended), the Badger Act (1992), NPPF (2012), SE plan policy NRM5 and the NERC Act (2006).

Conclusion:

European Protected Species are present but unlikely to be significantly affected by the proposals. Therefore no further consideration of the Conservation & Habitats Regulations is necessary.

Caversham Plan 1



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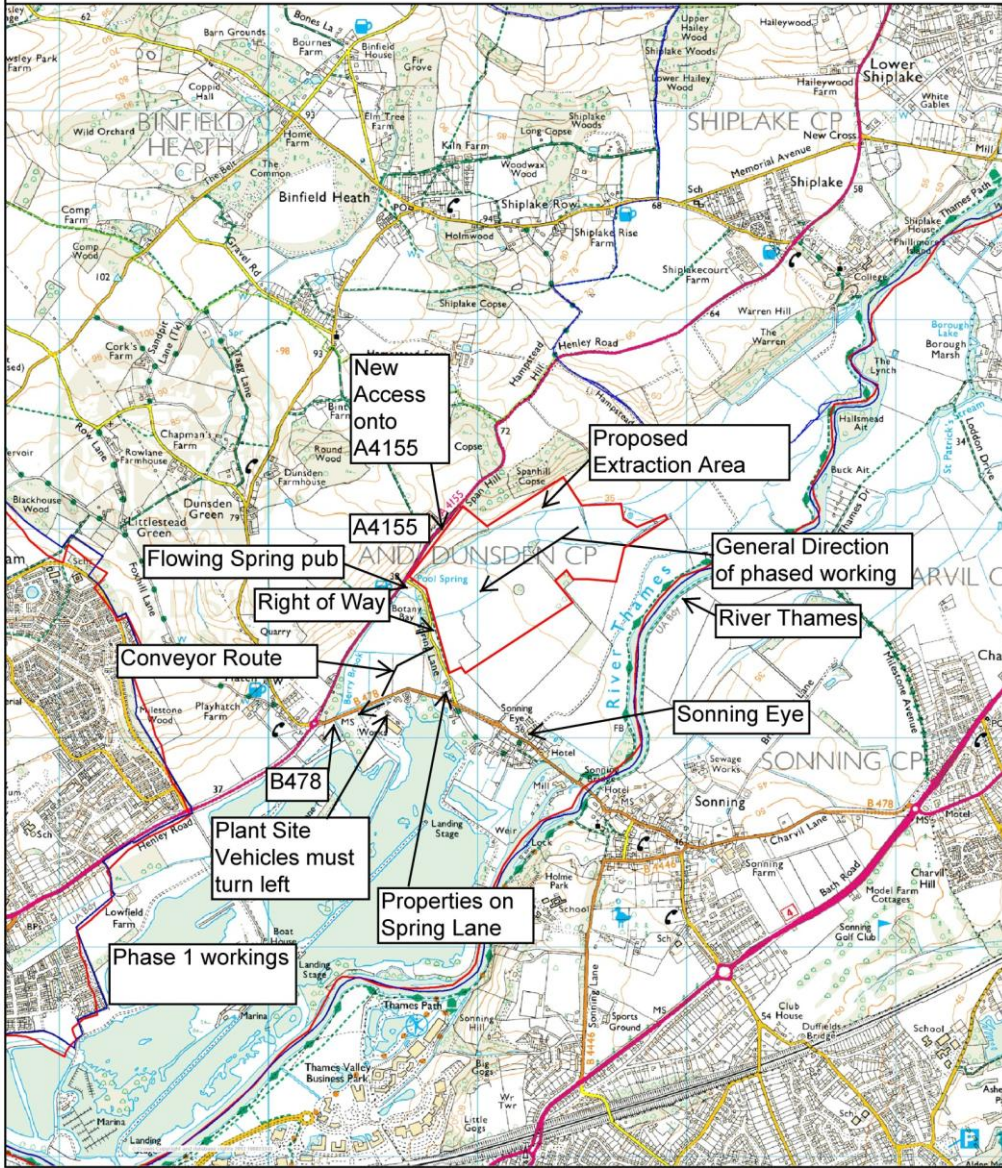
Scale 1/50526 Date 3/5/2012

Centre = 474848 E 176670 N



Warning: To print this map to the scale shown, the paper size should be set to A4 Portrait and Page Scaling in the printer dialogue box should be set to None.

Caversham Plan 2



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Scale 1/25263 Date 3/5/2012

Centre = 475145 E 176734 N



Warning: To print this map to the scale shown, the paper size should be set to A4 Portrait and Page Scaling in the printer dialogue box should be set to None.