

PLANNING AND REGULATION COMMITTEE – 30 NOVEMBER 2015

DEPUTY DIRECTOR FOR ENVIRONMENT AND ECONOMY (STRATEGY & INFRASTRUCTURE PLANNING)

Development Proposed:

- i) Section 73 application to vary conditions 3, 6 and 14 of planning permission no. MW.0097/14 to extend the time period for the removal of all buildings, plant, machinery or structures and their foundations and bases, together with any hard standings, bunds of overburden, quarry waste or soil and complete restoration by 30th September 2016; and**

- ii) Section 73 application to vary condition 3 of planning permission no. MW.0134/14 to require cessation of the development for the importation of materials together with operations for the blending of imported and indigenous quarried materials, removal of all buildings, plant, machinery or structures and their foundations and bases together with any hardstandings and complete restoration of the site by 30th September 2016.**

Division Affected: Faringdon

Contact Officer: Kevin Broughton **Tel:** 01865 815272

Location: Wicklesham Quarry, Sandshill, Faringdon, Oxon, SN7 7PQ.

Applicant: Grundon Sand & Gravel Ltd.

Application Nos:

- i) MW.0134/15 District ref No: P15/V2384/CM
- ii) MW.0133/15 District ref No: P15/V2380/CM

District Council Area: Vale of White Horse District Council

Date Received: 18 September 2015

Consultation Period: 8 October – 29 October 2015

Recommendation:

The report recommends that the applications be approved.

Contents:

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

• Part 1 – Facts and Background

Location (see site plan Annex 1)

1. Wicklesham Quarry is immediately south of the A420, approximately 1km (0.6 miles) south of Faringdon.
2. The site is in both the North Vale Corallian Ridge and the Great Western Community Forest.

Site and Setting (see site plan Annex 1)

3. The site is within and surrounded by open countryside to the south of the A420.
4. The site is located within the landscape character area of 'North Vale Corallian Ridge'. The specific landscape character type of the site and its immediate surrounding area is defined as Rolling Farmland.
5. The nearest properties to the site (the Gardens and Wicklesham Lodge Farm) are immediately adjacent to the quarry at its furthestmost south east corner.
6. The entire site lies within the Wicklesham and Coxwell Pits Site of Special Scientific Interest (SSSI). This SSSI has been designated for its geological interest. A public footpath crosses the access road to the quarry. Public bridleways run along its southern boundary and link to further bridleways to the south and east. The quarry is a SSSI due to geological exposures on its perimeter.
7. Two ponds created by the quarry support a small Great Crested Newt population.
8. The main vehicle access into the site is from a slip road immediately to the west of the junction of the A417 (Park Road) and the A420.
9. The quarrying activities have lowered the landform by some 8 metres over an area of approximately 8 hectares.

Planning History

10. Planning permission was granted in 1986 for the extraction of sand and gravel from the quarry.
11. Since then the County Council has granted several permissions for the site mainly to extend the time period to complete extraction of minerals and then restore the site but also for the importation of materials to be used in connection with construction of golf courses together with operations for the blending of imported and indigenous quarried materials. The current permissions for the quarry require the cessation of the permitted operations by 30th September 2015 with restoration by 30th April 2016.
12. In 2013 the County Council granted permission (reference MW.0126/10) for the western extension of the existing quarry to extract 816,000 tonnes of mineral over a period of 15 years. This permission required that sole access to the western quarry be taken from a new access to be constructed onto Fernham Road. A section 73 permission was granted in 2014 to allow the use of the eastern quarry access to serve the western extension area until 30th September 2015.
13. In February 2015 planning permission was granted for the importation of material for use in the construction of golf courses together with blending with mineral extracted at the quarry. The permission was granted for a temporary period of time until 30th September 2015.
14. Mineral extraction at the site has finished and all activities are being moved over to the new western extension site to accord with the permitted operational end date of 30th September 2015.
15. Soils have been stored on the quarry perimeter and within the site, but there is insufficient soil on the site to achieve the approved restoration.
16. A scheme has been agreed with Natural England to retain the geological exposures that have been created as a result of the quarry. This involves leaving a narrow buffer strip adjacent to the exposure and a small rock pile that can be examined leaving the remainder of the quarry floor to be farmed.

Details of the Developments

17. The first planning application (MW.0134/15) seeks an extension of time for the restoration of the quarry of five months, from 30 April 2016 to 30 September 2016. The second application (MW.0133/15) seeks an extension to the time limit for the importation, blending and restoration operation also until 30 September 2016.
18. The soil material would be stockpiled to the maximum height of 4 metres, and 2 metres away from the quarry face, as required by the

current permission. When the weather is suitable, and the soil is dry and friable, the soil would be spread across the site.

19. The applicant intends to import and blend suitable soil material with remaining stockpiles of on site materials. They say that these materials are most likely to be generated by construction work which usually commences in the spring. These materials would be blended with stocks at the quarry to produce a soil that would be used for restoration purposes.
20. The applicant envisages that soils would be imported at current levels, 10,000 tpa, and the blended materials would be used solely for quarry restoration.
21. The two ponds have been isolated from the working area and will remain as part of the restoration plan. However a licence is required from Natural England to complete quarry restoration works to ensure that habitat is retained and improved.

• **Part 2 – Other Viewpoints**

Representations

22. There are 12 third party objections, 9 of which are from local residents and one which gave no address. The following comments were made:
 - The NPPF requires restoration to be carried out at the earliest opportunity. OCCs Background Paper on Quarry Restoration reflects these aims.
 - The current planning permissions state the quarry must be restored to agriculture in accordance with the rural character of its setting on the Corallian Ridge.
 - Its SSSI status is of outstanding importance for geology.
 - It is a conservation target area for Oxfordshire's Biodiversity Action Plan.
 - Great weight should be given to timely restoration of the quarry.
 - Delaying restoration would serve the landowners bid to obtain planning permission for industrial use, and this would be an abuse of process.
 - This is creeping industrialisation.
 - Extensions to timescales should not be continually permitted.
 - What are the reasons for the extension of time and why aren't they in the public domain?
 - The land should be restored to agricultural use without further delay.
 - Enforcement action should be taken.
 - Activity at the quarry ceased in 2010.
 - Unrestored, the site is a visible scar on the landscape within a network of well used footpaths.
 - There are rare plants and protected species on the site.

Consultations

MW.0134/15

23. Vale of White Horse District Council (Planning) – no objection.
24. Vale of White Horse District Council (Environmental Protection) – no comments.
25. Little Coxwell Parish Council – objects for the following reasons:
 - This is the third application for an extension of time. The site should have been restored to agriculture 2 years ago.
 - The new quarry is well underway and quarrying at Wicklesham ceased over a year ago. This is a delaying tactic, as the owners are hoping to be able to develop the site for employment land.
 - The NPPF requires that: 'Local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions.' The earliest opportunity was some time ago. Further delay is not justified.
26. Faringdon Parish Council – no objection.
27. Environment Agency – no comments.
28. Natural England – no comments, but asks that the planning authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.
29. Thames Water – no comments.
30. County Ecologist / Planner - no objection to the proposals, but makes the following comments:
 - If minded to permit, please apply the ecology conditions and informatives from the previous consents, plus a condition requiring the submission of further details of the restoration scheme. The applicant could submit this pre-determination if they would prefer.
 - Applicant has applied for a licence from Natural England because of the potential impact on Great Crested Newts (a European Protected Species). As time has elapsed since the last Great Crested Newt surveys, I assume that Natural England would require a more recent survey for licencing and it is possible that the location of newts on the site might have changed which could influence the restoration plan. In determining the application OCC need to consider it likely that the three tests of derogation are met if minded to grant consent. The third test relates to ecology and I am satisfied that this application meets that test with the Site Restoration Plan as approved (Drawing Number DG/QO/WIC/SM/03 Rev A), the first and second tests are planning-related.

- The proposed restoration scheme includes the creation of ponds suitable for Great Crested Newts in their breeding phase. I consider that it is likely that a Natural England licence would be issued for the proposed works.
- However, prior to commencing restoration further information is needed to assess the details of the restoration proposals. For example, confirmation of how the grassland on the site will be managed e.g. will it be grazed? I recommend that they confirm that the ponds would be fenced so that grazing animals could not access them due to the potential impact on breeding newts and their terrestrial habitat. Also, plans should be submitted to show the contours of the ponds.

31. Minerals and Waste Policy – no comments.

MW.0133/15

32. Vale of White Horse District Council (Planning) – no objection.

33. Vale of White Horse District Council (Environmental Protection) – no comments.

34. Faringdon Town Council – no objections.

35. Environment Agency – no objections.

36. Natural England – no comments, but asks that the planning authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

37. Ecologist Planner – as for MW.0134/15.

38. Minerals and Waste Policy – no comments.

Part 3 – Relevant Planning Documents

Relevant planning policies (see Policy Annex to the committee papers)

39. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant development plan documents are:

- Saved policies of The Oxfordshire Minerals and Waste Local Plan 1996
- Saved policies of The Vale of White Horse Local Plan 2011.

40. The Draft Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS) has been out to consultation. This document is now at a more advanced stage of preparation and as such further weight can be given to the policies it contains. At the meeting of the full County Council on 24th March 2015, the OMWCS was approved for publication and submission to the Secretary of State for independent examination following consideration of any representations received. Therefore, it is appropriate to consider draft policies which are relevant to the developments.
41. The Vale of White Horse Local Plan 2031 Part 1: Strategic Sites and Policies, has been submitted to the Secretary of State for independent examination. It is therefore also appropriate to consider draft policies that are relevant to the developments.
42. The Government's National Planning Policy Framework (NPPF) and the National Policy for Waste (NPPW) are material considerations in taking planning decisions.

Relevant Policies

43. Oxfordshire Minerals and Waste Local Plan 1996 - Saved Policies (OMWLP):
 - PE13 (Restoration of mineral sites)
 - PE11 (Rights of Way)
 - PE14 (Nature conservation)
 - PE18 (Regulation of development through imposition of conditions. Code of Practice)
 - PB1 (Siting of plant and buildings)
 - PB2 (Removal of plant and buildings)
44. Vale of White Horse Local Plan 2011(VOWHLP)
 - DC9 (Impact of development on neighbouring uses)
45. Oxfordshire Minerals and Waste Local Plan Core Strategy – Proposed Submission Document (OMWCS):
 - M8 (Restoration of mineral workings)
 - C5 (General environmental and amenity protection)
 - C7 (Biodiversity and geodiversity)
46. Vale of White Horse Local Plan 2031 Part 1: Strategic Sites and Policies Submission Document (VOWHLPSD)
 - CP1 (Presumption in favour of sustainable development.
 - CP44 (Landscape)
 - CP45 (Conservation and enhancement of biodiversity)
47. National Planning Policy for Waste (NPPW)
48. National planning Policy Framework (NPPF)

• **Part 4 – Analysis and Conclusions**

Comments of the Deputy Director (Strategy and Infrastructure Planning)

49. Before embarking on the assessment of the applications against the policies I will address some of the issues raised in the consultation process that are not material to the decision.
50. The comment has been made to the effect that the proposal is a delaying tactic, it would be beneficial to the applicant in terms of achieving an industrial use on the site, and that it would be an abuse of process.
51. As planning authority, the County Council does not know the motives of the applicant, and it must consider the applications on their merits. To do that in accordance with the development plan, taking into account other material considerations is the correct process.
52. Granting planning permission to these applications would not affect the planning merits of any future application. This site would be as it is now subject to restoration conditions. If another application, determined on its merits, was granted permission and implemented, it would override the current permission whether restoration was achieved or not.
53. The two applications are very closely linked as one is intended to provide additional materials to be used in the restoration of the original quarry area. I therefore consider that the impacts of both applications are closely linked and need to be considered together,
54. Policy CP 1 of the VOWHLPSD states that planning applications that accord with its policies will be approved, unless material considerations indicate otherwise. It also says that where there are no policies, or where they were out of date permission will be granted unless material considerations indicate otherwise. This reflects the presumption in favour of sustainable development set out in the NPPF, and give a strong indication that planning permission should be granted unless there are clear policy or material considerations to refuse.
55. The main issues to be addressed in determining these applications relate to whether the proposed development is acceptable in terms of impacts on the neighbouring amenity and biodiversity, and whether the development would have an adverse effect on the completion of site restoration.

Impact on neighbouring amenities and landscape

56. Policy VOWHLP DC9 requires that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment. Policies PE18 of the OMWLP and the associated code of practice and C5 of the OMWCS make similar provision.
57. The location of the development is as it has been whilst mineral was being extracted. The National Planning Practice Guidance allows normal operations to have a maximum noise level of 55dB(A) and 70 LAeq, 1h for temporary operations. Previous noise surveys indicate that noise levels as experienced at the nearest property, The Gardens, would not exceed these levels and this was when actual extraction was taking place closer than the location of the development proposed here. It is not therefore considered that there would be any significant adverse impact associated with either application and it is noted that the Environmental Protection Team has made no objection to the applications.
58. The effect of dust upon the local residents should not be significant. Like the previous operations within the quarry, a number of mitigation measures and standard good working practices would be applied to reduce the potential for fugitive dust emissions. Again, the Environmental Protection Team has made no objection to the applications.
59. Policy PB1 of the OMWLP requires plant to be suitably sited. The plant would continue to be located in the bottom of the quarry at a depth of some 8 metres below surrounding land. The boundaries of the quarry are also generally provided with substantial hedgerow/tree planting. The plant would not be visible other than from within the quarry. It is also proposed that it would continue to be operated for less than a year, up to September 2016, whilst the site is restored. Therefore, I consider that the proposal is consistent with policies PB1 & PE18 of the OMWLP, DC9 of the VOWHLP and C5 of the OMWCS.
60. Policy CP44 of the VOWHLPSD seeks to protect the landscape of the area. The proposed development would enable restoration of the site in accordance with this policy.

Restoration of the site

61. Wicklesham Quarry is a long established site in which extraction operations have now been completed. Policy PE13 of the OMWLP requires mineral working sites to be restored within a reasonable timescale and that proposals for restoration should be submitted at the same time as any application for mineral working. Policy M8 of the OMWCS makes similar provision. Policy PB2 of the OMWLP requires

the removal of plant from mineral extraction sites within 24 months of the completion of extraction.

62. Paragraph 13 of the NPPF states that in determining planning applications local authorities should “provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary.”
63. The site is currently not restored, and the County Council as local planning authority would not be achieving restoration by refusing these planning applications. It would then be faced with the need to take enforcement action to require the applicant to achieve the desired restoration. This would require allowing them a reasonable timescale in which to comply with the approved restoration conditions. I do not believe there is anything to be gained by following that route when the current applications would achieve the same result along with providing additional restoration materials.
64. There is local concern that the activity on the site continues to go on and on without restoration being achieved. To encourage restoration within the timescale I recommend two things: firstly that a condition be attached to prevent any further soils leaving the site; and secondly that there be no restriction on the amount of soil material imported to the site. This would focus all activity on the restoration of the site. A condition should also be attached requiring the cessation of importation and blending one month before the final end date for restoration so that there is no delay to the final restoration of the processing area itself.
65. It is my view that these applications which would allow the importation and blending materials would achieve the restoration by 30th September 2016 which is a reasonable timescale and as early as possible from this point in time. I therefore consider that the proposal would not conflict with the aims of policies PE13, PE18 and PB2 of the OMWLP and M8 of the OMWCS to achieve restoration at the earliest opportunity.
66. Policy CP44 of the VOWHLPSD seeks to protect the landscape of the area. The restoration of the site would fit with the aims of this policy.

Biodiversity

67. Policies PE14 of the OMWLP and C7 of the OMWCS seek to protect biodiversity and policy CP46 of the VOWHLPSD seeks to restore and enhance biodiversity. The Ecologist Planner has no objection subject to the relevant conditions from the previous consent being attached, and a further condition discussed below. The principle of the restoration has been determined by the earlier applications and I consider that the development would be in compliance with these policies.

68. The proposed development would not alter the existing restoration scheme and would help to achieve the satisfactory restoration of the site and so comply with policies CP44 and CP46.
69. The Ecologist/Planner considers that the proposed development is likely to affect a protected species, the Great Crested Newt. Under the Conservation of Species & Habitats Regulations 2010, this means there is a duty for the County Council as planning authority to consider in its determination of the application whether the proposal would be likely to secure a licence from Natural England to carry out any works. To do so the proposals must meet with the three derogation tests which are in summary:
- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
 - There is no satisfactory alternative; and
 - The action will have no detrimental impact upon population of the species concerned e.g. because adequate compensation is being provided.
70. A revised restoration plan was submitted by the applicant. The Ecologist/Planner believes that, with the updated restoration plan including mitigation for Great Crested Newts, the third test is met for both applications.
71. In terms of the first of the derogation tests, the site is a long established quarry which has already had a number of extensions of time. The County Council as Mineral Planning Authority has a clear responsibility to seek to ensure that in granting any mineral permission, it is of primary importance for the environment that provision is made for the satisfactory restoration of the site. A number of extensions of time have already been granted for the final restoration. The mineral has all been worked and I therefore consider that the need to see the site restored satisfactorily and expeditiously is now of primary importance for the environment and constitutes an imperative reason of overriding public interest. The applicant is preparing a revised restoration scheme to address the points raised by the Ecologist Planner. Subject to this, I consider that the first test is met for both applications.
72. Any alternative restoration scheme for the site is likely to encounter the same issue with regard to the potential impact on Great Crested Newts. If planning permission were to be refused to these applications then the County Council would still have a duty to consider whether it would be expedient to take enforcement action to secure the restoration of the site as required under the existing planning permissions. If the County Council did not consider it to be expedient to enforce then the site would effectively be left unrestored which would be an unsatisfactory alternative to restoration contrary to the conclusion reached above and also to the clear wishes of consultees

and local residents who wish to see the quarry restored as soon as possible. As well as there being no alternative to a satisfactory restoration of the site, there is clearly no alternative site at which the restoration could be carried out and the blending of materials is so closely associated with the restoration at the site that I consider that there is also no realistic alternative site for that either. The applications therefore meet the second derogation test.

73. Therefore it is concluded that, subject to a satisfactory revised restoration scheme being submitted, the three derogation tests are met and that Natural England would be likely to issue a licence.

Other issues

74. Policies PE11 of the OMWLP and C11 of the OMWCS seek to protect users of Rights of Ways. The proposed developments would not have any further effect any rights of way. I do not consider that they would have any additional impacts beyond any that may already exist on the users of the public rights of way.

Conclusion

75. Subject to a satisfactory revised restoration scheme being submitted the proposed developments set out in application nos. MW.0133/15 and MW.0134/15 are considered to be acceptable and in compliance with both development plan and developing policies and should be approved.

Recommendation

76. **It is RECOMMENDED that**
- a) **planning permission for application no. MW.0134/15 be approved subject to conditions to be determined by the Deputy Director (Strategy & Infrastructure Planning) but to include the following:**
- 1) The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission.**
 - 2) No operations, including HGVs entering and leaving the site, other than water pumping or environmental monitoring, shall be carried out at the site except between the following times:**
 - 0700 and 1800 hours Mondays to Fridays and 0700 to 1300 hours on Saturdays;****No operations shall take place at any time on Sundays or recognised public holidays.**

- 3) No winning and working of mineral or sale of processed mineral shall take place. The site shall be completely restored by 30 September 2016 in accordance with the approved restoration scheme.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order amending, replacing or re-enacting that Order), the access to the development hereby permitted shall not be other than as shown as 'new access' on approved plan 010/4.
- 5) All internal haul roads shall be maintained in a condition free from potholes.
- 6) All buildings, plant, machinery or structures and their foundations and bases, together with any hard standing shall be removed from the site by 30th September 2016.
- 7) The operators shall insulate plant or machinery, silence vehicles and provide acoustic screening as may be necessary to ensure that noise levels or frequencies shall not exceed 55 dB(LAeq) (1hour) freefield during the hours of operation permitted under condition 2, at the facades of the nearest residential properties.
- 8) Dust control measures shall be utilised as set out in paragraph 3.11.5 of the approved Planning Statement dated July 2014.
- 9) No commercial vehicles shall enter the public highway unless their wheels and chassis are clean such that mud and dust are not deposited on the highway.
- 10) All turf, topsoil, subsoil and overburden stripped prior to mineral extraction, or quarry waste or such similar materials presently stored on site shall be used for site restoration only.
- 11) No storage or respreading of topsoil and subsoil shall take place unless the percentage moisture in the subsoil and topsoil to be moved is less than the percentage moisture at the plastic limit of each of the topsoil and subsoil respectively.
- 12) The full depth of the restored topsoil and the top 0.15 metres of subsoil shall be ripped with an agricultural wing tine implement at a spacing not exceeding 1.5 times the working depth. All stones and rocks exceeding 100mm in

any dimension and other deleterious material shall be removed.

- 13) No bunds of overburden, quarry waste or soil shall be left on the site after 30 September 2016.
- 14) No mineral shall be exported from the site with the exception of the stones to be removed under condition 12, and the hardstanding to be removed under condition 6.
- 15) No building, plant or machinery or structure of fixed or mobile design shall be located or operated other than on the quarry floor at the base of the deposit known as the sponge gravels except machinery engaged in storage and respreading of soil and overburden.
- 16) Oil and fuel storage bunds shall only be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tank's volume and should enclose all fill and draw pipes.
- 17) There shall be no discharge of water containing sand, gravel, soil or grease.
- 18) No reversing beepers shall be fixed to, or used on, any mobile plant.
- 19) The field access directly from the A420 into the western part of the site shall not be used for the development the subject of this planning permission or for any purpose connected with it.
- 20) No works shall be carried out other than in accordance with the approved mitigation and enhancement scheme section 6 (Mitigation Measures) of the Extended Phase 1 Habitat Survey Report dated September 2012, the Reptile Method Statement submitted 28 February 2013, the Tree Planting & Grassland Mix dated 28 February 2013 and section 1.8 of the 2013 Great Crested Newt Refresher Surveys (enzygo 2013) report dated 5 July 2013.
- 21) Warning signs to users of footpath no. 17 of vehicles crossing the access road and to drivers of vehicles of pedestrians shall be erected and maintained for the duration of the development hereby permitted.

Informatives

All bird nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore, no removal of [trees, scrub, hedgerows, and grassland] should take place between 1st March and 31st August inclusive to prevent committing an offence under the Wildlife & Countryside Act 1981 (as amended).

If any protected species [e.g. bats, badgers, dormice, otters, water voles, reptiles, amphibians, and breeding birds] are found at any point, all work should cease immediately. Killing, injuring or disturbing any of these species could constitute a criminal offence. Before any further work takes place a suitably qualified ecological consultant should be consulted for advice on how to proceed. Work should not recommence until a full survey has been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

It is recommended that the native trees and seeds to be used in the restoration scheme are of UK (or ideally more local) provenance. For example, the Flora Locale website gives contact details for suppliers of UK provenance seed and plants:

<http://www.floralocale.org/HomePage>

A Habitat Regulations licence from Natural England for great crested newts may be required to make this permission lawful.

- b) planning permission for application no. MW.0133/15 be approved subject to conditions to be determined by the Deputy Director (Strategy & Infrastructure Planning) but to include the following:
- 1) The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission.
 - 2) No operations, including HGVs entering and leaving the site, other than water pumping or environmental monitoring, shall be carried out at the site except between the following times:
 - 0700 and 1800 hours Mondays to Fridays and 0700 to 1300 hours on Saturdays;

No operations shall take place at any time on Sundays or recognised public holidays.

- 3) Imported material shall be used only in connection with the restoration of the quarry in accordance with the approved restoration scheme.**
- 4) All internal haul roads shall be maintained in a condition free from potholes.**
- 5) There shall be no import of waste on site except soils.**
- 6) All buildings, plant, machinery or structures and their foundations and bases, together with any hard standing shall be removed from the site by 30th September 2016.**
- 7) The operators shall insulate plant or machinery, silence vehicles and provide acoustic screening as may be necessary to ensure that noise levels or frequencies shall not exceed 55 dB(LAeq) (1hour) freefield during the hours of operation permitted under condition 2, at the facades of the nearest residential properties.**
- 8) Dust control measures shall be utilised as set out in paragraph 3.11.5 of the approved Planning Statement dated July 2014.**
- 9) No commercial vehicles shall enter the public highway unless their wheels and chassis are clean such that mud and dust are not deposited on the highway.**
- 10) Oil and fuel storage bunds shall only be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tank's volume and should enclose all fill and draw pipes.**
- 11) There shall be no discharge of water containing sand, gravel, soil or grease.**
- 12) No reversing beepers shall be fixed to, or used on, any mobile plant.**
- 13) Warning signs to users of footpath no. 17 of vehicles crossing the access road and to drivers of vehicles of pedestrians shall be erected and maintained for the duration of the development hereby permitted.**
- 14) No works shall be carried out other than in accordance with the approved mitigation and enhancement scheme**

section 6 (Mitigation Measures) of the Extended Phase 1 Habitat Survey Report dated September 2012, the Reptile Method Statement submitted 28 February 2013, the Tree Planting & Grassland Mix dated 28 February 2013 and section 1.8 of the 2013 Great Crested Newt Refresher Surveys (enzygo 2013) report dated 5 July 2013.

Informatives

All bird nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore, no removal of [trees, scrub, hedgerows, and grassland] should take place between 1st March and 31st August inclusive to prevent committing an offence under the Wildlife & Countryside Act 1981 (as amended).

If any protected species [e.g. bats, badgers, dormice, otters, water voles, reptiles, amphibians, and breeding birds] are found at any point, all work should cease immediately. Killing, injuring or disturbing any of these species could constitute a criminal offence. Before any further work takes place a suitably qualified ecological consultant should be consulted for advice on how to proceed. Work should not recommence until a full survey has been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

It is recommended that the native trees and seeds to be used in the restoration scheme are of UK (or ideally more local) provenance. For example, the Flora Locale website gives contact details for suppliers of UK provenance seed and plants:

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A Habitat Regulations licence from Natural England for great crested newts may be required to make this permission lawful.

BEV HINDLE

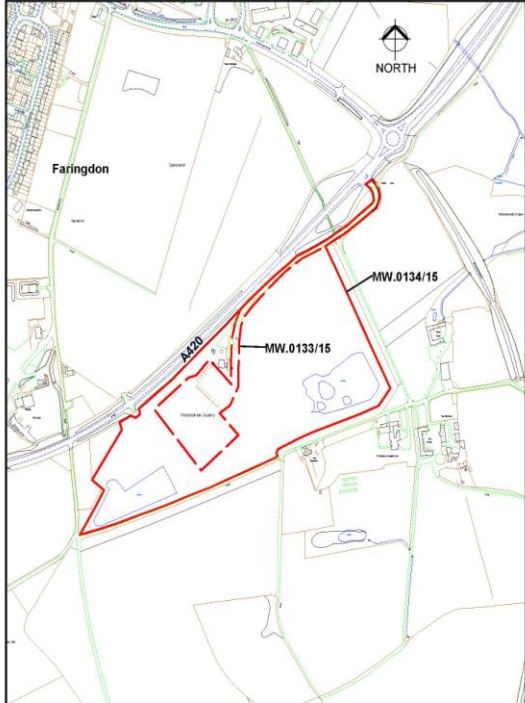
Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

November 2015

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. In this case the applicant did not take advantage of the opportunity. Any issues that occurred during the processing of the applications were raised with the applicant and this led to improvements rendering the developments acceptable. The applicant was informed of a holding objection from the County Ecologist / Planner, but was able to overcome this with the completion of a Phase 1 Habitat Survey.

Wicklesham Quarry - application nos. MW.0133/15 and MW.0134/15



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