

For: PLANNING & REGULATION COMMITTEE – 23 May 2016

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

Development Proposed:

Section 73 application for the continuation of the winning and working of sand and gravel with restoration using suitable imported materials without complying with the requirements of condition 2 of the planning permission 10/01929/CM in order to extend the time period for extraction until December 2020 and the time period for restoration until December 2022 to allow sufficient time for the working of material from beneath the plant site.

Divisions Affected: Kidlington South, and Eynsham

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

Location: Cassington Quarry, Worton Farm, Witney, OX29 4EB.

Applicant: Hanson Quarry Products Europe Ltd

Application No: MW.0158/15 District ref No: 15/04415/CM

District Council Area: Cherwell and West Oxfordshire

Date Received: 4 December 2015

Consultation Period: 17 December 2015 – 12 January 2016

Recommendation:

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• **Part 1 – Facts and Background**

Location (see site plan Annex 1)

1. The permitted sand and gravel site is located off the A40 approximately 3km west of Oxford.

Site and Setting (see site plan Annex 1)

2. The area the subject of this proposal (which includes the processing plant) is located at the eastern end of the site. Immediately to the north of the plant area is the M&M waste recycling centre and to the west is the Anaerobic Digestion (AD) facility.
3. The site is within Oxford's designated Green Belt. Two Sites of Special Scientific Interest (SSSI) are located approximately 500 metres to the south of the plant and area remaining to be worked. They are – Pixey & Yarnton Mead and Cassington Meadow. Both these SSSIs also form part of the Oxford Meadows Special Area of Conservation which means they are of European importance. No sites of archaeological interest are affected by the proposal.
4. Cassington village is about 800 metres to the west and the nearest dwellings are in Yarnton and lie over 300m north east from the plant area beyond the railway embankment.
5. The small settlement of Worton lies 750m to the west, and Cassington village lies about 1.5km to the west.
6. There are belts of trees screening the plant area from Worton, Cassington and also from the A40.
7. The plant area is located just over 100 metres south of the mainline railway from Oxford to Banbury. Much of the surrounding area to the south and east has been worked for sand and gravel and has been restored to lakes.
8. The plant area is east of the haul road that leads to the A40.
9. Planning permission was granted in 1986 for sand and gravel extraction at Cassington Quarry. Since then sand and gravel has been extracted in line with this consent and various modifications to the original permission. Permission was granted in 2002 to complete the restoration of the site with inert waste materials. This consent allowed the applicant to undertake mineral working up to December 2010 and restoration to be completed by 2012.
10. Planning permission was granted in 2011 allowing the extraction to continue until 31 December 2015, and the restoration to be completed by 31 December 2017.

Details of the Development

11. There remain unextracted reserves of sand and gravel under the plant area totalling approximately 380,000 tonnes. The intention is that the existing plant would be dismantled and removed over a period of 6 months and the mineral then extracted and processed using mobile plant. The proposal is to amend condition 2 of the existing planning permission to allow the time limit for the extraction of the remaining mineral to December 2020 and the restoration of the site to be completed by December 2022.
12. Initially the application was submitted with the description of development reading that the extraction would be until 2022, and the restoration by 2024. It was publicised on that basis, but during the consultation period the applicant agreed to reduce the time period and amend the description of development. Further consultation was not necessary because no consultees would have been disadvantaged by the change.
13. The applicant has also put forward the case that if further working in the Standlake to Yarnton Area was identified in the emerging Oxfordshire Minerals and Waste Core Strategy, this would support the extension of time as the mineral could be worked through the existing plant site.
14. Should this variation be approved there would be commensurate changes necessary to other conditions including condition 6 which currently requires restoration in accordance with the approved scheme to be implemented by 31 December 2017.

• Part 2 – Other Viewpoints

Representations

15. There are no third party representations for this application.

Consultations

16. West Oxfordshire District Council – No objections subject to conditions protecting local residents from traffic.
17. West Oxfordshire District Council (Public Protection) – no observations.
18. Cassington Parish Council – Objects – unnecessary continuation of gravel extraction.
19. Environment Agency – No objections.

20. Thames water – No comment.
21. Natural England - No comment.
22. Oxford Green Belt Network
 1. Concern over the seven year period.
 2. Concerned that no EIA was thought to be needed in relation to the nearby Special Areas of Conservation (SACs), particularly in view of cumulative impacts with other developments such as Northern Gateway.
 3. Hope that monitoring will continue as the extraction continues and the restoration scheme is put in place.
23. Transport Development Control – No objection.
24. Minerals and Waste Policy:
 1. The remaining mineral forms part of the sand and gravel land bank which is currently at just over 12 years, well above the minimum of 7 years required by the NPPF.
 2. If this existing 380,000 tonnes reserve is not worked as part of the current quarrying operation (i.e. before Cassington Quarry is restored), it is unlikely that it would ever be commercially viable to work it at some future date. Therefore, if these sand and gravel deposits are not worked now they will effectively be sterilised and lost as a potential mineral resource. There is a sufficient landbank now, but the sand and gravel would have to be dug from elsewhere.
 3. Although outside the principal locations identified in the Minerals and Waste Core Strategy, Cassington Quarry is in a location where the acceptability of mineral working has been established, it is located close to the Oxford market, and it has good access from the A40.
 4. The delay in restoring the plant site area needs to be balanced against the benefit of enabling the remaining currently permitted reserves to be extracted.
 5. The application is to enable working of sand and gravel beneath the processing plant, the applicant's comments about retention of the existing plant for future working in the Eynsham and Yarnton area are not relevant.
25. County Ecologist:
 1. Discussed with Natural England the requirements for Habitats Regulation Assessment. Natural England has not stated that a new assessment needs to be carried out.

2. Agrees with the applicant's Ecology Report that a Great Crested Newt (GCN) Licence would be required from Natural England for works around the plant site.
3. Questions the quality of GCN habitat that would be provided by an angling lake.
4. Timing of reptile surveys are acceptable in these circumstances, but asked for clarification on the meaning of "in significant numbers" as included in 4.17 of the Ecology Report, which was subsequently supplied and found to be acceptable

• **Part 3 – Relevant Planning Documents**

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

26. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise. The relevant development plan documents are: The Oxfordshire Minerals and Waste Local Plan 1996 Saved Policies; West Oxfordshire Local Plan 2011; and Cherwell Local Plan 2011 – 2031 incorporating the remaining saved policies of the Cherwell Local Plan 1996.

27. The relevant development plan policies are:

Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP)

SD1 – Land banks for sharp sand and gravel

SD10 Safeguarding of mineral resources

PE13 – Restoration of mineral workings

PE14 – Nature Conservation

PE18 – Code of practice and conditions

CY1 – Area for sharp sand and gravel working.

PB1 – Plant and buildings - design and landscaping.

West Oxfordshire Local Plan 2011- saved policies (WOLP)

NE1 – Safeguarding the Countryside

NE5 – Oxford Green Belt.

Cherwell Local Plan 2031 (CLP)

PSD 1 – Presumption in favour of sustainable development.

ESD 9 – Protection of the Oxford Meadows SAC

ESD10 – Protection and enhancement of biodiversity and the natural environment.

ESD13 – Local landscape protection and enhancement.

ESD14 – The Oxford Green Belt

Cherwell Local Plan 1996 – saved policies as set out in appendix 7 of the Cherwell Local Plan 2031 (CLP1996)

ENV1 – Development likely to cause detrimental levels of pollution.

TR10 – Heavy goods vehicles.

28. 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 this development. Those policies are:

M2: Provision for working aggregate minerals
M3: Principal locations for working aggregate minerals
M4: Sites for working aggregate minerals
M5: Working of aggregate minerals
C1: Sustainable development
C5: Local environment, amenity and economy
C7: Biodiversity and geodiversity
C10: Transport

29. The Draft West Oxfordshire Local Plan 2011- 2013 (DWOLP) is also a material consideration to which limited weight should be given. Relevant policies are
Policy OS3: Prudent Use of Natural Resources
Policy EH2: Biodiversity
Policy EH6: Environmental Protection
30. The Government's National Planning Policy Framework (NPPF) is also a material consideration in taking planning decisions.

Part 4 – Analysis and Conclusions

Comments of the Deputy Director (Strategy and Infrastructure Planning)

31. Policy PSD 1 of the CLP states that a positive and proactive approach will be taken to reflect the presumption in favour of sustainable development. In addition policy C1 of the OMWCS states that a positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework.
32. The main issues to be addressed in deciding this application are; Green Belt, potential effect on the SAC and biodiversity, potential loss of permitted reserves, effect on local amenity and countryside, and transport.

Green Belt

33. Policy NE5 of the WOLP and policy ESD14 of the CLP both state that development within the Green Belt will only be permitted for uses that maintain openness and do not conflict with the purposes of including land within it.
34. Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. It then defines the essential characteristics of Green Belts as being their openness and their permanence.
35. Paragraph 80 of the NPPF sets out the five purposes of the Green Belt: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
36. Paragraph 90 of the NPPF states that mineral extraction is not inappropriate development in the Green Belt provided the openness of the Green Belt is preserved, and that it does not conflict with the purposes of including land in the Green Belt.
37. The proposed development would involve the continued use of the Green Belt land for mineral extraction. A mobile processing plant would be brought onto the site, and the permanent plant would be removed. This would mean there would be no permanent structure remaining on the site.
38. The proposed development would be temporary and the land would be restored to a use compatible with the Green Belt. It would not lead to urban sprawl or neighbouring towns merging; it would not lead to any encroachment on the countryside; there would be no harm to the setting of Oxford; and there would be no impact on urban regeneration.
39. The proposal is therefore not inappropriate development in the Green Belt.

Potential Effect on the Special Area of Conservation (SAC) and Biodiversity

40. Concern has been raised about the lack of an EIA for the development. A screening opinion was carried out for the proposed development and it was determined that an EIA was not required because the proposal does not include any new development, only an extension of time to carry out the existing development which would not lead to any significant environmental effects.
41. Because of the potential for impacts on the Oxford Meadows SAC, prior to determining the planning application Oxfordshire County Council must

first determine whether these impacts are likely to be significant and if so, that an appropriate assessment of the implications for the SAC and its nature conservation objectives is carried out. An appropriate assessment was carried out in relation to the quarry development previously in 2003 which concluded that at that time, no further action was required apart from keeping abreast of monitoring results of groundwater levels as required under an existing legal agreement. The need for an appropriate assessment with regard to the current application has been assessed in Annex 2 of this report. The annex concludes that a further appropriate assessment is not required.

42. NPPF paragraph 9 states that sustainable development includes moving from a net loss in biodiversity towards achieving net gains for the future. OMWLP policy PE14 states that proposals which would affect a nature conservation interest will be assessed taking into account the importance of the affected interest, the degree of damage and the extent to which replacement habitat could preserve the interest in the long term. Policy ESD9 of the CLP specifically seeks to protect the Oxford Meadows SAC including that applicants must demonstrate that there will be no adverse effects on water quality and quantity of any adjacent water courses, and that groundwater flows will not be significantly altered. Policy ESD10 of the CLP states that a net gain in biodiversity will be sought. This is repeated in policy C7 of the OMWCS which adds that the highest level of protection will be given to sites and species of international nature conservation importance (e.g. Special Areas of Conservation and European Protected Species) and development that would be likely to adversely affect them will not be permitted. DWOLP policy EH2 makes similar provision.
43. The plant area lies some 450 metres from the Pixey and Yarnton Meads and Cassington Meadows SSSIs and so the Oxford Meadows SAC. The Meads are south of the A40 and the gravels have been excavated between the Meads and the plant area. The existing permission includes an approved restoration plan for the area which is not proposed to be altered by this application and which will enhance biodiversity. The only change that this application proposes is in the timescale for restoration, and this would not have a negative effect on biodiversity.
44. The proposed development is in accordance with Policy ESD10 of the CLP, policy PE14 of the OMWLP and policy C7 of the OMWCS.

Potential Loss of Permitted Reserves

45. Policy SD1 of the OMWLP states that separate landbanks will be maintained for sharp sand and gravel and for soft sand at levels which accord with current Government advice and with the current regional apportionment. The NPPF requires that a landbank of at least 7 years be maintained. This is also covered in the emerging policy M2 of the OMWCS which seeks to maintain a landbank of at least 7 years.

46. The sand and gravel remaining within the Cassington Quarry site forms part of Oxfordshire's landbank, which currently stands at 12 years, which is well above the required level.
47. Policy CY1 of the OMWLP states that land for sharp sand and gravel working will be released in accordance with the other policies in the OMWLP in a small area at the eastern end of the existing permission south of Worton Rectory Farm. This area immediately adjoins the existing planning permission area to which the current application relates. The area covered by the existing permission and so the current application is shown as permitted mineral workings.
48. Policy M3 of the OMWCS states that the principal locations for aggregate minerals extraction will be within areas that include the, Lower Windrush and Lower Evenlode Valleys area from Standlake to Yarnton. The application site does not fall within one of these areas.
49. Policy M4 of the OMWCS states that specific sites for working aggregate minerals within the strategic resource areas identified in policy M3, to meet the requirements set out in policy M2, will be allocated in the Minerals & Waste Local Plan: Part 2 – Site Allocations Document. It then goes on to state that in the case of locations within the Eynsham / Cassington / Yarnton area, proposals must not involve the working of land to the north or north east of the River Evenlode.
50. Policy M5 of the OMWCS states that permission will not be granted for the working of aggregate minerals outside the sites allocated further to policy M4 unless the requirement to maintain a steady supply of aggregate in accordance with policy M2 cannot be met from within those sites.
51. If the application were for a new quarrying operation it would not be justified in terms of maintaining a landbank of seven years. However, this is not a new operation; it is an application for more time to extract mineral from an area of that has already been permitted and which forms part of the current landbank.
52. OMWLP policy SD10 seeks to avoid the sterilisation of mineral resources. OMWCS policy M5 states further that permission will exceptionally be granted for the working of aggregate minerals outside the sites allocated further to OMWCS policy M4 where extraction of the mineral is required prior to a planned development in order to prevent the mineral resource being sterilised. DWOLP policy OS3 seeks to see prudent use made of natural resources.
53. The land in question would be restored as part of the countryside within the Green Belt and not sterilised beneath built development. However, the reserve would be too small to reopen and work once the restoration has taken place, and so to refuse the application would be to effectively sterilise the mineral resource. Although it is not needed for the existing

landbank it would be a reserve 380,000 tonnes that would have to be dug from elsewhere.

54. The proposed development would be in accordance with the development plan. Although it is outside the principal areas of extraction in the emerging OMWCS, it accords with policy M5 of the OMWCS which allows exceptions where a mineral resource would be sterilised.
55. The applicant has commented in the application about the retention of the existing plant for future working in the Eynsham and Yarnton area. Those comments are not relevant to this application which would require the removal of the processing plant.

Effect on Local Amenity and Countryside

56. Proposals for minerals development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors. Policy ENV1 of the CLP1996 states that development likely to cause detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not be permitted. DWOLP policy EH6 makes similar provision. OMWLP policy PB1 seeks to see processing plant sited sympathetically to minimise environmental disturbance and its removal when no longer required.
57. Mineral extraction has taken place on the site for a substantial period and has not led to any serious concerns in terms of complaints of noise, dust, fumes and groundwater. Existing conditions relating to noise and dust should be applied to the new permission if granted.
58. Policy C5 of the OMWCS also states that proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on residential amenity. It also seeks demonstration of the same for the local environment; safety; and the local economy. OMWLP policy PE13 requires restoration of mineral workings within a reasonable timescale.
59. This proposal extends the life of the site by 5 years. Some respondents to the proposal consider that the area has suffered from mineral extraction for too long. Most of the wider mineral working site has been dug and restored to lakes within the timeframe planned. A five year period was granted to manage the processing of the final reserve, and this application seeks a further extension.
60. Policy NE1 of the WOLP states that proposals for development in the countryside should among other things maintain or enhance the value of the countryside for its own sake. Policy ESD13 of the CLP seeks enhancement to the character and appearance of the local landscape.
61. The extended life for the extraction of the plant area would not unduly harm the wider environment or jeopardise the opportunity to achieve

good quality restoration in line with present requirements. The existing plant is therefore not required for the processing of the mineral underlying it. The intention is that the existing plant would be removed and mobile plant brought in to process the mineral. Clearly if permission is granted to the extension of time requested, it is desirable for the development to be progressed as expeditiously as possible. I therefore consider that a condition should be attached to any planning permission granted requiring the removal of the existing plant within 6 months so as to not leave a feature in the landscape unnecessarily.

Transport

62. Policy TR10 of the CLP seeks to stop heavy-goods vehicle movements through residential areas or on unsuitable roads. Policy C10 of the OMWCS states that development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route map.
63. The site has an access via a metalled haul road directly on to the A40 which is one of the roads for HGVs as shown on the Oxfordshire Lorry Routes map.
64. The proposal therefore accords with policy TR10 of the CLP and policy C10 of the OMWCS.

Other Issues

65. The proposed application seeks only to amend condition 2 of planning permission 10/01929/CM with commensurate amendments to other conditions including condition 6. Section 73 requires the planning authority to consider whether the application should be granted subject to the same conditions or whether there should be differing conditions. As the permission is well advanced the opportunity should be taken to review and update the conditions where they are out of date, but otherwise the same conditions should be applied.

Conclusion

66. The proposed development would allow the removal of an existing permitted resource to be worked. It would have no significant adverse impact on the local landscape or the local amenity. Its removal now would avoid the effective sterilisation of a resource that would otherwise have to be worked elsewhere at some time in the future. Permission should be granted subject to revised conditions.

RECOMMENDATION

67. **It is RECOMMENDED that planning permission for application no. MW.0158/15 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 solely in accordance with details submitted with the application unless modified by the conditions of this permission. The details submitted consist of:**
 - a. Application form dated 23/11/15**
 - b. Covering Letter dated 23/11/2015**
 - c. Email dated 04/12/15**
 - d. Drawing W92m/130 - S73 application Plan dated March 2011**
 - e. Drawing W92m/127a - S73 application dated November 2010**
 - f. Drawing 001-OX Proposed New sand and gravel processing plant dated 26/07/89.**
 - g. Drawing 011-OX Proposed weighbridge and accommodation dated 08/11/89**
 - h. Drawing 6010/0/1 - Key plan (for junction) dated April 1984.**
 - i. Drawing 6010/0/2 - Plan and profiles for the proposed junction dated April 1984**
 - j. Aftercare scheme dated 04/01/95.**
 - k. Aftercare scheme dated 21/02/95.**
 - l. Aftercare scheme dated 22/03/95.**
 - m. Aftercare scheme dated 12/04/95.**
 - n. Drawing W92a/10- Revised advanced screening proposal dated February 1984.**
 - o. Drawing W92e/15a - Restoration of Working stages 1- 4.**
 - p. Drawing W92e/16c - Operational plan dated August 1988**
 - q. Drawing W92m/22a - New processing plant, location and details dated November 1989.**
 - r. Drawing 3 (ref CHS 458/83) - Working plan**
 - s. Drawing W92m/25 - Restoration proposals dated August 1994**
 - t. Drawing W92m/27a - Working arrangements following archaeological dig dated March 1995**
 - u. Drawing W92m/42a - Working arrangements stage 5-9 sailing lake dated November 2000**
 - v. Drawing W92m/43 - Stages 10-12 working arrangements dated January 2001**
 - w. Drawing Wgzm/44 - Stages 10-12 restoration concept (as modified on approval) dated January 2001**
 - x. Drawing W92m/133 – Composite Restoration Scheme**
 - y. Cassington Quarry Stage 10 Five Year Aftercare Scheme dated 12/3/2012**
 - z. Drawing W93/92c**
- 2. No excavations shall be undertaken or continued after 31 December 2020.**
- 3. All restoration shall be carried out and completed not later than 31 December 2022.**

- 4. All excavation shall re-commence and continue as indicated on the plans accompanying this application and the plans approved under planning permission W2001/1729 and 02/0062/CM, in an orderly and progressive manner, and leaving no humps of unexcavated land.**
- 5. No working shall take place except in accordance with the approved scheme and plans of working, landscaping and restoration indicated in the particulars of the permission.**
- 6. The composite restoration scheme approved as a detail pursuant to condition 6 of permission 10/01929/CM and shown on Drawing W92m/133 shall be implemented by 31st December 2022.**
- 7. Details of any mobile plant to be brought on site, and its location within the site shall be submitted to and approved in writing by the Mineral Planning Authority prior to being brought onto the site.**
- 8. The excavated areas shall be sloped at an angle not steeper than 1 in 1½ and in such a manner as to provide adequate support for adjoining land, and to prevent undercutting and scour.**
- 9. Except with the prior written consent of the Mineral Planning Authority, no excavations shall take place within:**
 - a. 8 metres of any watercourse;**
 - b. 6 metres of the entire length of the northern boundary of the land;**
 - c. 6 metres of the Cotswold railway line linking Oxford to Hereford;**
 - d. 10 metres from the extremity (i.e. wing walls) of any railway bridge along the northern boundary of the land or the bridge which carries the A40 over the disused Witney Branch railway line;**
 - e. 10 metres of the boundary of any highway which contains or comprises a carriageway;**
 - f. 6 metres either side of bridleway 21.**
- 10. (a) The margin of 8 metres between watercourses and the excavations required in accordance with condition 9(a) shall be preserved completely unobstructed and clear of any works, including drainage measured from the top of the nearest bank of the watercourse to the nearest edge of the workings.
(b) an access at least 4 metres wide shall be provided to the margin in 10(a) from the access road to the site.**
- 11. Except with the prior written approval of the Mineral Planning Authority, no watercourses shall be incorporated in the**

excavations and no direct connection shall be made between any excavation and any watercourse.

12. All possible steps shall be taken to prevent any solid matter, sand or gravel, or excess amounts of suspended matter from passing into any watercourse from the excavation, conveyors, the washing process, or dewatering.
13. There shall be no discharge of polluted water, sand, gravel, solid matter, oil, grease, or any other offensive or injurious matter into any watercourse.
14. Oil storage tanks shall be sited on impervious bases surrounded by oil tight bund walls. The bunded areas shall be capable of containing 110% of the tank's volume and shall enclose all fill and draw pipes.
15. All stockpiles of overburden, topsoil and excavated materials in the flood plain shall be sited so as not to impede the flow of flood waters and retained for as short a period as possible.
16. No dewatering shall be undertaken while nearby watercourses are running bank full under flood conditions.
17. No operations permitted or required by this permission shall be carried out, lorries shall not enter or leave the site and plant shall not operate except between the following times:
 - a. 0700 hours to 1800 hours Mondays to Fridays;
 - b. 0700 hours to 1300 hours on Saturdays.
18. No operations permitted or required by this permission shall be carried out, lorries shall not enter or leave the site and plant shall not operate on Sundays or bank Holidays.
19. All plant and machinery used on the land and capable of being fitted with silencers shall be fitted to the satisfaction of the Minerals Planning Authority, and except in an emergency with the consent of the Mineral Planning Authority, pumping shall only be carried out by means of electric pumps or such alternatives the details of which shall first be submitted to and approved in writing by the Mineral Planning Authority.
20. Notwithstanding the provisions of the Town and Country planning (General Permitted Development) (England) Order 2015, as amended, no fixed buildings, plant or machinery or structure or erection in the nature of plant or machinery shall be erected, sited or placed on any of the land without the prior written consent of the Mineral planning Authority.

21. Except with the prior written consent of the Mineral Planning Authority, the total area of the site which for the purposes of mineral working is at any time stripped of topsoil and overburden, under excavation and excavated but which has not been restored in accordance with condition 6, excluding land in use for storage, silt beds, permanent processing plant or site roads shall not exceed 24 hectares.
22. Any land not in use at any time for the siting of plant or machinery, or for the excavation of minerals shall be retained so far as practicable in agricultural use.
23. No imported waste materials shall be deposited on the land except inert materials in the area bounded in red on approved plan W92m/44.
24. The existing hedges along the boundaries of the land shall be retained and properly maintained. Any plants which may die shall be replaced, and the replacements properly maintained. In particular the hedge along the boundary of the land adjacent to the A40 shall be allowed to grow, and shall not be cut back except with the prior written consent of the Mineral Planning Authority.
25. All trees on the land shall be preserved and properly maintained. In the event of any trees dying or being seriously damaged or destroyed, a new tree or equivalent number of trees, of a species first approved in writing by the Minerals Planning Authority shall be planted and properly maintained in positions first approved in writing by the Mineral Planning Authority.
26. Any fence or gate which is required by this permission to be retained or erected and which is destroyed or damaged during operations permitted or required by this permission shall be replaced or repaired.
27. All derelict material and all buildings, plant and machinery, and all structures erected or placed on the land in the course of the operations permitted by this permission, when no longer required for the purposes directly associated with the winning and working of the minerals, shall be removed and the land shall be restored in accordance with condition 6 of this permission.
28. Written notice shall be given to the Mineral Planning Authority of the completion of the development hereby permitted.
29. The junction between the internal haul route and A40 that has been constructed in accordance with the drawings numbered

6010/01 and 6010/02 dated April 1984 or such other scheme approved by the Mineral Planning Authority shall be kept pot hole and mud free whilst the development is in operation.

30. Facilities shall be provided on footpaths and bridleways to allow lorries to cross without obstructing or causing damage to the said footpaths and bridleways, and without causing damage to users thereof.
31. The old railway turntable between the disused Witney Branch railway line and the internal haul route shall be protected from the development hereby permitted.
32. The aftercare scheme approved on 10/5/95 shall be implemented.
33. The aftercare scheme approved as a detail pursuant to condition 33 of permission 10/01929/CM on 12/3/2012 and set out in "Cassington Quarry Stage 10 - Five Year Outline Aftercare Scheme" dated 12/3/2012 shall be implemented. That implementation shall be subject to any changes made as a result of any annual meeting, beginning when the restoration of the whole area bounded in red on approved plan W92m/44 is complete, and shall take place for a period of 5 years.
34. No waste shall be imported on to the site.
35. The area bounded in red on the approved plan W92m/44 shall be restored to agriculture in accordance with that plan by 31 December 2022.
36. The revised restoration and landscaping scheme approved as a detail pursuant to condition 38 of permission 10/01929/CM and shown on drawing W93m/92c shall be implemented by 31/12/2012.
37. Heavy goods vehicles shall leave or enter the site only by approved accesses on the A40 marked by the letter x on approved plan W92m/44.
38. No heavy goods vehicles shall enter the public highway unless the wheels and chassis have been sufficiently cleaned to prevent material being deposited on the highway.
39. Haul roads shall be sprayed with water sufficiently to suppress dust.
40. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle operating on the site, other than those which use white noise.

- 41. The existing processing plant shall be removed from the site within 6 months of the date of this permission.**

BEV HINDLE

Deputy Director (Strategy and Infrastructure Planning)

May 2016

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. Throughout the consultation period the applicant has been given the opportunity to supply more information in order to satisfy the concerns raised by consultees. The issue of the effect on the nearby SAC is a particular example, and the applicant agreed to an extension to the determination date in order to give more time for the concerns to be addressed.