

Conditions (NB due to the deletion of the commencement period condition which is not required for a section 73 application, condition 40 becomes condition 39 and condition 51 becomes condition 50)

- 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. The extraction of minerals shall cease by 12th February 2017.**
- 3. No aggregates shall be imported to the site by road for any purpose except for construction of site infrastructure and other aggregates, excluding gravel, which shall only be imported to the rail aggregates depot and which shall not be greater than 30% of the total aggregates import to the rail aggregates depot.**
- 4. From the date of this permission the operators shall maintain records of all heavy goods vehicle movements to and from the site. The records shall detail the date, time of day, vehicle registration number, name of company operating the vehicle and a description of the vehicle's load including the tonnage. Such records shall be made available to the Minerals and Waste Planning Authority upon request.**
- 5. No waste or inert material needed for the restoration of areas B, C, and D as shown on approved plan K.0117_25-1d (Phase 1) shall be imported to the site by road after the end date of 12th February 2025 of this permission.**
- 6. No more than 250,000 tonnes of waste shall be imported by road in any period of a year starting from the date of this permission.**
- 7. No mineral extraction, waste disposal, demolition works or construction of any buildings or structures, including HGVs entering and leaving the site, but excluding water pumping or environmental monitoring, shall be carried out at the site except between the following times:-**
 - a) 7:00 am to 18.00 pm Mondays to Fridays; and**
 - b) 7.00 am to 13.00 pm Saturdays**
 - c) No operations shall take place on Sundays, Public or Bank Holidays.**
- 8. Prior to the completion of the road junction and access referred to in Condition 68, no vehicular access to the site shall be used other than that shown on approved plan K.0117_25-1d (Phase 1) as a black arrowhead onto the A4095. The first 100 metres of the access road in use shall be metalled and maintained to ensure a smooth running surface free of pot holes, mud and other debris at all times.**
- 9. Any remaining length of access or haul road not surfaced in accordance with approved plan K.0117_25-4d (Phase 4) shall be hardened to ensure a smooth running surface free of pot holes and shall be maintained as such and kept free of mud and other debris at all times.**
- 10. No vehicles loaded with minerals shall leave the site unsheeted except those only carrying stone in excess of 500 mm.**
- 11. A drainage system shall be installed and maintained to ensure that no surface water from the site flows on to the public highway. That**

- drainage system shall include a swale feature alongside the public highway.
12. No commercial vehicles shall enter the public highway until their wheels and chassis have been cleaned to prevent material being deposited on the highway.
 13. The sign and road markings advising drivers to turn left out of the site entrance, as shown on approved document titled "Advisory Lorry Routing (October 2012)", shall be maintained until such time as the access referred to in Condition 68 and 69 is in use.
 14. No development shall take place except in accordance with the dust suppression measures specified in the approved scheme titled "Condition 16 - Dust" dated May 2009.
 15. No blasting for the purposes of mineral extraction shall be carried out on the site.
 16. With the exception of the operation of the rail storage depot and aggregate depot, as shown on approved plan K0117_25-4d, between the hours of 07:00 am to 18:00 pm Monday to Friday and 7:00 am to 18:00 pm Saturdays the noise levels arising from mineral extraction, mineral processing or waste disposal shall not exceed 55 dB(LAeq) (1 hour), freefield at the properties marked on approved plan K.0118_27-1a (Noise and Vibration Monitoring Locations) with the exception of site 4. The rated level of noise emitted from the uses on open storage area, the PDI Unit and Units 1 and 2, all as shown on approved plan K.0117_07-5 (Phase 7), shall not exceed background when measured in accordance with British Standard BS 4142:1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas at any noise sensitive location within the vicinity of the open storage area, the PDI Unit or Units 1 and 2.
 17. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.
 18. The noise emitted at any time from the site from mineral working, mineral processing and waste disposal activities shall not contain any discrete continuous noise, i.e. whine, hiss, screech, hum or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) distinguishable at the locations identified in condition 16 above.
 19. In the event of justified noise complaints i.e. where noise levels set out in condition 16 are exceeded, night time operations shall cease until a scheme detailing appropriate noise mitigation measures has been submitted to and agreed in writing by the Mineral and Waste Planning Authority. Any scheme that is approved shall be implemented.
 20. No development shall take place except with arrangements for ensuring that reversing vehicles do not emit warning noise other than white noise.
 21. The rail storage depot and aggregate depot as shown on approved plan K.0117_25-3d (Phase 3) shall not be used for storage until noise impact assessments for the depots have been submitted to the Mineral and Waste Planning Authority and approved in writing. Approval of either will enable that one to be implemented in advance of the other that has

not yet been approved. The assessments shall set out acceptable noise levels in terms of LA max N noise criteria as well as LAeq terms and shall include mitigation measures to achieve these acceptable noise levels. Any mitigation measures that are approved shall be implemented and retained for the life of the depots.

22. Any chemical or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container's or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls.
23. Repair, maintenance and refuelling of plant and machinery, shall where practical, only take place on an impervious surface drained to an interceptor.
24. Schemes to deal with the risks associated with contamination of the site identified in the approved document titled "Desk Study Report & Site Remediation Strategy (May 2009)" shall be submitted to and approved by the Minerals and Waste Planning Authority in accordance with the approved document titled "Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36 (revised)" dated 14/04/2010. In addition a scheme to deal with the risks associated with contamination from all waste stockpiles located around the north of the site (as detailed on page 6 of the approved Desk Study Report & Site Remediation Strategy dated May 2009) shall be submitted prior to the commencement of Stage 4. These schemes shall include all of the following elements:
 - a) A site investigation scheme, based on the findings of the approved Desk Study Report & Site Remediation Strategy, sufficient in scope to provide information for an assessment of the risk to all receptors (including those off site) that may be affected by the contamination. The results of the site investigation, a risk assessment that identifies the magnitude of any risks to receptors and a method statement based on those results giving full details of the remediation measures required and how and when they are to be undertaken.
 - No stage of development as listed in the approved schedule (Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36 (revised) dated 14th April 2010) shall take place until the details required prior to that stage have been submitted and approved in writing by the Mineral and Waste Planning Authority. The development shall proceed in strict accordance with any approved details.
25. Within one month of completion of any remediation measures required by condition 25 a verification report confirming that the remediation measures have been undertaken in accordance with the method statement shall be submitted to the Mineral and Waste Planning Authority. The verification report shall set out measures for maintenance, further monitoring and reporting.
26. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out in the specific area affected by the contamination until the

- developer has submitted, and obtained, written approval from the Minerals and Waste Planning Authority for an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with. Remediation measures shall then be undertaken in complete accordance with the amended method statement.
27. Piling or any other foundation designs using penetrative methods shall not take place except in accordance with a scheme agreed in writing by the Mineral and Waste Planning Authority.
 28. Details of the final surfacing and containment arrangements for all areas used for the storage, handling, loading and unloading of fuels, oils, chemicals or effluents shall be submitted to, and approved in writing by the Mineral and Waste Planning Authority. Any approved scheme shall be fully implemented and retained throughout the life of that part of the development that it serves.
 29. No soakaways shall be constructed in contaminated ground.
 30. No development shall take place except in accordance with the groundwater monitoring scheme as set out in the approved scheme titled "Groundwater Monitoring Plan" (reference JER7612 revision 4) dated September 2009.
 31. Groundwater levels shall not be artificially maintained below the current dewatered level of 56 m AOD at any time except in accordance with a scheme that shall first be agreed in writing by the Mineral and Waste Planning Authority.
 32. There shall be no direct connection between the River Cherwell and any surface water features within the development area.
 33. For the duration of mineral extraction, infilling and restoration groundwater levels shall continue to be monitored on a monthly basis in accordance with the groundwater monitoring scheme approved under condition 31. This data shall be forwarded to the Minerals and Waste Planning Authority 6-monthly.
 34. No development shall take place except in accordance with the approved surface water drainage scheme dated May 2009 as amended by letter from Veronique Bensadou to James Irvine dated 24th June 2010 and plan CRM.003.004-001 (Proposed Contour Plan dated June 2010).
 35. No development shall take place except in accordance with the approved scheme for the disposal of foul sewage titled "Condition 35b" Disposal of Foul Sewage" dated May 2009.
 36. The former landfill of high alkaline content waste in the northern corner of the site shall be removed off site or an onsite remediation strategy to address the high alkaline content shall be submitted to and approved by the Mineral and Waste Planning Authority in accordance with the approved document titled "Proposed Schedule of Staged Activities and Schemes Pursuant to Conditions 26 & 36" dated 14th April 2010 (prior to landfilling of the third hectare area as shown on approved plan K.0117_25-5d (Phase 5)). Any agreed remediation strategy shall be implemented in accordance with the approved details.
 37. No development shall take place except in accordance with the arrangements to minimise potential nuisance from light spillage, as

specified in approved document titled "Condition 37 - Lighting" dated May 2009.

38. No reflective materials shall be used on the walls and roofs of buildings to be constructed on site.
39. By 12th February 2017 an aftercare scheme for Area A marked on approved plan K.0117_25-1d shall be submitted for the approval of the Mineral and Waste Planning Authority and shall include all the areas to be restored to nature conservation use and shall address the monitoring and management of that land, water body, plant and animal community. Any scheme that is approved shall be implemented in any restored area from the date that that area is restored.
By 12th February 2020 an aftercare scheme for Area B-D marked on approved plan K.0117_25-1d shall be submitted for the approval of the Mineral and Waste Planning Authority and shall include all the areas to be restored to nature conservation use and shall address the monitoring and management of that land, water body, plant and animal community. Any scheme that is approved shall be implemented in any restored area from the date that that area is restored.
40. Details of the site's ecological mitigation and management shall be in accordance with the approved Ecological Mitigation and Management Plan pursuant to condition 41 of Planning Permission 11/01492/CM.
41. Details of the site's reptile mitigation shall be in accordance with the approved Reptile Mitigation Plan (Revised) dated March 2016 pursuant to condition 42 of Planning Permission 11/01492/CM.
42. Translocation of reptiles from any part of the site where extraction or infilling is to take place shall be completed before that extraction or infilling commences in that part. Translocation shall take place to the reptile receptor area as shown on approved plan Reptile Fencing & Schedule 1 Bird Exclusion Zone Plan or in accordance with the mitigation strategy approved pursuant to Condition 42 of Planning Permission 11/01492/CM.
43. The existing trees, bushes and hedgerows within the site, as denoted by the red line and as shown as being retained and protected during construction on approved plan K.0117_25-1d (Phase 1), shall be retained and shall not be felled, lopped, topped or removed. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Mineral and Waste Planning Authority, in the planting season immediately following any such occurrences.
44. Within 6 months of a cessation of mineral extraction or waste disposal for a period exceeding 24 consecutive months, at any time before the mineral extraction or waste disposal development is completed, a reinstatement and restoration scheme shall be submitted in writing forthwith to the Mineral and Waste Planning Authority for approval. The scheme shall provide revised details of final levels, restoration, capping, landscaping and a timescale for the implementation of the scheme and each element within it. The approved scheme shall be carried out in accordance with the approved timescale.

45. **Crushing, screening, processing and storage of minerals shall not take place other than on the quarry floor.**
46. **No extraction of limestone shall take place except within the area bounded by the line shown as "proposed limit of extraction" on approved plan K.0117_14-2 (Scheme of Mineral Working: Proposed Excavation Area and Cross Section Locations).**
47. **No mineral extraction shall take place below 67 metres AOD.**
48. **No storage of skips shall take place on the site.**
49. **No waste other than non-recyclable construction, demolition or excavation wastes shall be deposited on the site.**
50. **A restoration scheme shall be submitted to and approved in writing by the Mineral and Waste Planning Authority for Area A marked on approved plan K.0117_25-1d by 12th February 2017. The restoration scheme shall be based on the Schematic Restoration Plan for Zone A included in the approved Reptile Mitigation Plan (Figure 2.1) and include addition details:**
 - a) **Restored habitats, which shall include the habitat elements shown on approved plan K.0117_25-3d (Phase 3)**
 - b) **Measures for safeguarding and protecting existing areas of biodiversity and details of regrading other areas to create new habitats**
 - c) **The provision of a bird hide within area A**
 - d) **Details showing the provision of paths and a car park for public access to the site including:**
 - **Perimeter paths for area A and public access arrangements**
 - **Specifications with regard to width, construction materials, waymarking, fencing and resting places**
 - e) **Details of the creation of the three geological windows as shown on approved plan K.0117_24-3 (Geological Exposures) or alternatives and how public access to them will be provided**
 - f) **the removal and re-deposition of the excess materials deposited above the levels permitted in planning permissions 98/00470/CM, 98/02053 and 02/02602/CM**

A restoration scheme for Area B-D shall be submitted and approved in writing by the Mineral and Waste Planning Authority by 12th February 2020. The scheme shall be based on the approved Final Landscape Master Plan K.0118_78-1 and include additional details of:

- a) **Tree, hedgerow and scrub planting, including a woodland planting scheme for areas C and D designed to maximise a range of bird habitats and will detail the species, ages, spacing and distribution of plants**
- b) **Restored habitat in area B which shall include the habitat elements shown on approved plan K.0117_25-3d (Phase 3)**
- c) **Measures for safeguarding and protecting existing areas of biodiversity and details of regrading other areas to create new habitats**
- d) **The provision of a bird hide within area B**
- e) **Details showing the provision of paths and a car park for public access to the site including:**
 - **Paths around and through the whole site**

- Links to the local existing public rights of way
 - Specifications with regard to width, construction materials, waymarking, fencing and resting places
- f) Details of the creation of the two geological windows as shown on approved plan K.0117_24-3 (Geological Exposures) or alternatives and how public access to them will be provided
- g) the removal and re-deposition of the excess materials deposited above the levels permitted in planning permissions 98/00470/CM, 98/02053 and 02/02602/CM
- Any restoration scheme approved in writing by the Mineral and Waste Planning Authority shall be implemented in accordance with condition 53 and will supersede approved plans K.0118_78-1 (Final Landscape Masterplan) and K.0117_53-1 (Final Restored Uses Masterplan) and the restoration details shown on approved plans K.0117_07-5 (Phase 7), K.0117_25-8d (Phase 8), K.0117_52-1 (Phase 9), and K0117_48-5 (Interim Restored Uses Masterplan).
51. Notwithstanding condition 6, soil for the purposes of restoration of the area shown as open storage area on approved plan K.0117_48-5, shall be imported by road to the site, following the removal of the hardstanding, for a period of no more than two years.
52. The restoration plan shall be implemented in areas A, B, C and D as shown on approved plan K.0117_25-1d (Phase 1) as follows:
- a. Area A shall be completely restored before unit 1, as shown on approved plan K.0117_07-5, is constructed.
 - b. Area D shall be completely restored within five years of the commencement of car storage operations in the area marked as 'second 10 hectares' on approved plan K.0117_25-5d.
 - c. Areas B and C shall be completely restored within 2 years of the cessation of car storage in these areas or by 17 June 2036, whichever is sooner.
53. Final restoration levels shall not exceed the limits shown on approved plans K.0117_11-3 (Scheme of Filling), K.0117_18-3 (Plan Showing Fill and Cut Area and Cross Section Locations), K.0117_19-2 (Cross Sections 1 & 2), K.0117_20-2 (Cross Sections 3, 4 & 5) and K.0117_21-2 (Cross Sections 6, 7, 8 & 9).
54. Demolition of the derelict cement works buildings and structures (including the chimney) shall be completed within 5 years of the date of this permission in accordance with details to first be submitted to and approved in writing by the Mineral and Waste Planning Authority.
55. The operator shall inform the Mineral and Waste Planning Authority, in writing, of the date when cars are starting to be stored on site. Car storage shall not take place for a period exceeding 15 years from the date when car storage first began. In any event, car storage shall cease by 17 June 2034.
56. The Pre Delivery Inspection (PDI) unit building shall not be constructed other than in the position shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and then only in accordance with the proposals in approved plans K.0117_32-1 (Proposed PDI Unit Floorplans) and K.0117_26-3 (Proposed PDI Unit Elevations). Notwithstanding the Use Classes Order 1987 any Order or any Order

- replacing it the building shall not be used for purposes other than the pre delivery inspection of motor vehicles. The building shall be removed when the land on which it is located is restored.
57. Notwithstanding the Use Classes Order 1987 or any Order replacing it, the Open Storage Area as shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) shall not be used for any other purpose than the storage of cars.
 58. When car storage ends on site all the fences shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) shall be removed other than those around the rail storage depot, aggregates depot and the curtilages of Unit 1 and 2 buildings all as shown on approved plan K.0117_52-1 (Phase 9).
 59. Notwithstanding condition 7, rail access may take place at any time but no railway transporter or wagon shall be emptied or filled on the site of the aggregates depot as shown on approved plan K.0117_52-1 (Phase 9) other than during the hours noted in condition 7.
 60. No development shall take place that may adversely affect the main railway line or its safe operation, its drains or culverts.
 61. The area marked as 'rail storage depot' on approved plan K.0117_25-3d (Phase 3) shall not be used for any purpose other than the offloading or loading of railway transporters or rail wagons or the storage of materials brought in by rail.
 62. No rail imported aggregates shall be stored on site except in the bays constructed in the location shown on approved plan K.0117_29-3 (Proposed Aggregates Depot Layout) or within the rail storage depot, as shown on approved plan K.0117_52-1 (Phase 9), within such structures and in such locations and to such dimensions that the Mineral and Waste Planning Authority approve in writing.
 63. No development of the rail storage depot, as shown on approved plan K.0117_25-3d (Phase 3), shall take place until details of the plant, machinery, buildings and structures there have been submitted to and approved by the Mineral and Waste Planning Authority in writing.
 64. Notwithstanding the provisions of part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at either the rail storage depot or aggregate depot, as shown on approved plan K.0117_25-3d (Phase 3) other than as shown in the details on approved plan K.0117_29-3 (Proposed Aggregates Depot Layout) and in details agreed pursuant to condition 63.
 65. The Unit 2 building shall not be constructed other than in the position shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and in accordance with approved plans K.0117_34-1 (Proposed Unit 2 Floorplan) and K.0117_28-3 (Proposed Unit 2 Elevations). The building shall not be used for any purpose other than a B8 use as defined by the Use Classes Order 1987 or any Order replacing it.
 66. Notwithstanding condition 65 the area immediately around the Unit 2 building defined by the fence shown on approved plan K.0117_48-5

- (Interim Restored Uses Masterplan) shall not be used other than to store materials related to the activities in the building. No storage of materials shall take place above the level of the eaves of the building as shown on approved plan K.0117_28-3 (Proposed Unit 2 Elevations).
67. The Unit 1 building shall not be built other than in the location shown on approved plan K.0117_48-5 (Interim Restored Uses Masterplan) and then only in accordance with approved plans K.0117_33-1 (Proposed Unit 1 Floorplan) and K.0117_27-3 (Proposed Unit 1 Elevations). The building shall not be used for any other purpose than a B8 Use as defined by the Use Classes Order 1987 or any Order amending or replacing it. The area immediately around the building defined by the fence shown on approved plan K.0117_48-5 shall not be used other than to store materials related to the activities in the building. No storage of materials shall take place above the level of the eaves of the building as shown on approved plan K.0117_27-3.
68. The PDI and class B8 buildings, as shown on approved plan K.0117_25-4d (Phase 4) shall not be used nor cars stored or exported from the site until the road junction marked 'Construction of light controlled junction and A4260/A4095/Quarry link road' on approved plan K.0117_25-4d has been constructed. On completion of construction, road vehicles shall not use any access to site other than as shown on approved plan K.0117_25-4d.
69. Prior to the use of the site access referred to in Condition 68, a sign shall be erected and thereafter maintained advising drivers of vehicle routes approved by the Mineral and Waste Planning Authority. The wording and construction details of the sign shall be submitted for the approval of the Mineral and Waste Planning Authority prior to the use of the access. The sign must be in accordance with the approved details.
70. HGV movements to and from the site shall not exceed 318 (159 in, 159 out) in any day.
71. The road marked 'haul-route-existing route to remain' on approved plan K.0117_25-1d (Phase 1) shall not be used for the transport of minerals or waste materials or in connection with any activities approved by this permission. It shall revert to use as a track for agricultural, rail (but not in connection with the rail storage depot or rail aggregate depot) and site security uses before the construction of Unit 1 shown as 'Construction of 1 ha (2.5 acre) class B8 building ...' on approved plan K.0117_25-4d (Phase 4) is complete.
72. The road, marked as 'surfaced access road' on approved plan K.0117_25-4d shall be realigned so that it runs between restoration areas B and C, rather than A and B. The realignment shall be completed before restoration of areas B and C are complete. The residual line between restoration areas A and B shall be removed and the area restored in accordance with the restoration plan approved under condition 50 and within the timescales for restoration for those areas as set out in condition 52.