

For: PLANNING AND REGULATION COMMITTEE – 27 FEBRUARY 2017

Development Proposed:

Application MW/0132/16

Installation and use of pipe system and associated pumps to transport minerals from the Stonehenge Farm extension area to the processing plant at Linch Hill permitted under appeal ref: APP/U3100/A/09/2107573

Application MW.0134/16

Variation of conditions attached to consent APP/U3100/A/09/2107573 for the extraction of sand and gravel with associated processing plant, silt ponds, conveyors and ancillary works. Restoration to wetland/reed bed and fishing, extraction of basal clay to form hydrological seals and for the purpose of restoration on site

By: DIRECTOR FOR PLANNING AND PLACE

Division Affected: Northmoor

Contact Officer: Gemma Crossley

Location: Land at Stonehenge Farm, Northmoor, OX29 5SY

Application No: MW.0132/16 16/03854/CM
MW.0134/16 16/03857/CM

Applicant: Hanson Quarry Products Europe Ltd

District Council Area: West Oxfordshire

Date Received: 4 November 2016

Consultation Period: 17 November – 15 December 2016

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Recommendation

The report recommends that subject to no over-riding objections being received from outstanding consultees applications MW.0132/16 subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 and MW.0134/16 be approved, subject to Deeds of variation as necessary to the S. 106 and routing agreements and to conditions to be determined by the Director of Planning and Place including those set out in Annex 3.

• PART 1 – FACTS AND BACKGROUND

Location (see site plans Annex 1)

1. The site of application MW.0132/16 comprises the route of the proposed pipeline which runs from the Plant Site at Linch Hill, the former Stanton Quarry, to the extraction site at Stonehenge Farm, which lies to the south of Standlake Road between the villages of Northmoor and Standlake in west Oxfordshire. Stonehenge Farm Quarry is centred on grid reference 440720, 202225 and lies circa 11.25 km (7 miles) southwest of Oxford City Centre.
2. The site of application MW.0134/16 comprises land at Stonehenge Farm, the original conveyor route (and proposed pipeline route), the plant site area and silt disposal area at Linch Hill, to the north of Northmoor, and the site access onto Cow Lane.

Site and Setting

3. The mineral extraction site at Stonehenge Farm is currently agricultural land comprising circa 40 hectares. It is bordered to the north by Standlake Road, to the west by the river Windrush, whilst further agricultural land lies to the south and east. Park Farm lies to the immediate north/northeast. Stonehenge Farmhouse lies some 300m to the southeast of the site.
4. High voltage overhead power cables cross the site in an east-west direction and a number of public footpaths also transect the site, particularly in the east and south.
5. The pipeline is proposed to follow the same route as the approved conveyor system, which runs from the north eastern corner of Stonehenge Farm Quarry, in a NNE direction, crossing Standlake Road, a stream, a footpath and ditch, a farm track and bridleway before entering the southwestern corner of the former Stanton Quarry, where the Plant Site is located.
6. The nearest residential properties to the site are Park Farm, which borders the northern boundary of the site; Newbridge Mill Cottage, circa 140m to the southwest of the site; Stonehenge Farmhouse, circa 220m to the south of the

site; Manor Farm circa 70m to the west of the route of the proposed pipeline and Rose Cottage, circa 190m to the east of the proposed pipeline.

7. Langley Lane Meadow Site of Special Scientific Interest (SSSI) lies 1.3km to the southwest of the mineral extraction site and Appleton Lower Common SSSI lies 1.5km to the southeast.
8. The Scheduled Monument listed as Prehistoric and Later Settlements near Northmoor, List number 1006343 lies to the east and north of Stonehenge Farm quarry and is crossed by both the route of the pipeline and part of the existing permitted area for the mineral extraction site.
9. The site lies within Flood Zones 2 and 3, which respectively have a 1 in 1000 and 1 in 100 chance of flooding each year. The site does not lie within a Groundwater Protection Zone.

Background and History

10. Planning permission was granted for the extraction of 1.55 million tonnes of sand and gravel with associated processing plant, silt ponds, conveyors and ancillary works; restoration to wetland/reed bed and fishing; extraction of basal clay to form hydrological seals and for the purpose of restoration on site at Stonehenge Farm Quarry on appeal (reference number **APP/U3100/A/09/2107573**) on 8th October 2010. This required that the development commence by 8th October 2013 and that the mineral extraction be completed by the earlier of 31st July 2021 or 8 years from when the winning and working of minerals had begun with restoration completed by 30th September of the year following the cessation of mineral extraction. The appellant provided Planning Obligations under S. 106 of the Town and Country Planning Act and also a routeing agreement. In summary these provide for:
 - i) vehicle routeing from the plant site requiring vehicles to travel via the Blackditch, B4449 and A415 to and from the A40, with the provision of associated signage and measures for ensuring that contractors and sub-contractors are aware of and comply with the required routeing;
 - ii) A contribution of £32,000 to the County Council to be used towards monitoring compliance with the routeing agreement;
 - iii) 20 years period of long term management of the restored quarry and associated payments including provision of money to the Lower Windrush Valley Project;
 - iv) The payment of an index-linked monitoring fee for the agreements to the council;
 - v) A flood management plan;
 - vi) Water levels monitoring plan with mitigation measures including the provision of works mitigate any derogation of water supplies to affected local residents;
 - vii) a permissive footpath suitable for wheelchair users leading to and maintenance of a bird hide;
 - viii) bird management because of the nearby RAF base; and

- ix) limited parking for 4 cars during the management period.
11. The planning permission was legally implemented in September 2013 with officers confirming the situation following a site visit made on 4th October 2013 by the carrying out of works for the winning and working of around 278 tonnes of mineral. However, the quarry has not been actively operational since that time. Thus mineral extraction is currently required to be completed by 31st July 2021 with restoration by 30th September 2022.

Details of the Development

12. The applicant has submitted a planning application (reference MW.0132/16) for the installation and use of a pipe system and associated pumps to transport minerals as an alternative to the permitted conveyor system and a section 73 application (reference MW.0134/16) to amend a number of conditions on the existing planning permission (appeal reference: APP/U3100/A/09/2107573) including to amend the end date for mineral extraction to 31st December 2023, with restoration being completed by 31st December 2024 rather than 30th September 2022 and to commensurately amend plans currently showing a conveyor to a pipeline. The proposed pipeline would be a twin rigid pipeline (315 mm diameter HDPE) extending over a distance of approximately 1.7 Km to facilitate the movement of mineral from the permitted quarry mixed with water under high pressure using acoustically housed electric pumps and the return of clean water. The pipelines within the quarry itself would be flexible so that they could be moved around as required from the working phases and they would be fed by dump trucks feeding into a hopper. The pipeline would facilitate an extraction rate of 300,000 tonnes per annum which if run at that rate would reduce the extraction to five years. However, to allow for initial setting up works, and contingencies such as winter flood stoppages, the duration for which permission is sought is therefore for cessation of extraction by 31st December 2023 with restoration to be completed by 31st December 2024. Where the fixed pipes are in floodplain areas of 1% Annual Exceedance Probability with a 20% allowance for climate change, the pipes would be elevated above ground level by railway sleepers which would allow for the unimpeded flow of surface water during a flood event. The pipes would be similarly elevated where required to allow for the free movement of small animals.
13. Provision would be made for the crossing of the water course adjacent to Pinnock's Farm, two public rights of way and a farm track. Formation of these crossings is anticipated to take a maximum of a week and closure will be avoided unless absolutely necessary for health and safety reasons. The ditch near Manor Farm is culverted, as consented.
14. The pipe system would be installed underneath the Standlake Road by horizontal directional drilling which does not require closure of the road. There would be a temporary launch pit and 'launch lay-down' area of approximately 25m x25m to the north of the road (with a temporary access track) and a reception pit and smaller hardstanding (10m x 10m) to the south of the road. The drilling would be undertaken in a southerly direction from the launch pit north of the road and the pipes would be fed back from the reception pit south of

the road. These temporary areas would comprise stone over terram and would be in place for two to three weeks and then removed.

15. There are also a number of conditions which have been discharged and therefore they can be removed or amended to refer to approved schemes should planning permission be granted to application no. MW.0134/16.

16. The table below sets out the proposed changes to conditions:

Condition	Variation
<p><i>1. The development shall be carried out strictly in accordance with the particulars of the development, plans, specifications and phasing contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise the application form dated 21st December 2006, supporting statement dated December 2006, supplementary information dated January 2008, plans S59/105A, S59/106A, S59/107A, S59/108 rev C, S59/109-1 rev C, S59/109-2 rev C, S59/109-3 revC, S59/112A, S59/125, S59/123A, S59/113A, S59/111 rev C, and Hydrologic Flood Risk Assessment 2029/5 rev2 incorporated in the Environmental Statement dated January 2008 as updated by the Entec 2d Modelling Report dated 26 October 2009 and 2d Supplementary Modelling Report dated 22 January 2010.</i></p>	<p>Drawing references to change.</p>
<p><i>2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.</i></p>	<p>The initial implementation of permission commenced September 2013. Condition met.</p>
<p><i>3. Extraction of minerals shall cease by the earlier of 31st July 2021, or 8 years after the date on which winning and working of minerals shall have begun, and buildings, plant and machinery to which this permission relates shall be removed and restoration shall be completed in accordance with the approved details by 30th September of the year following the completion of mineral extraction.</i></p>	<p>Amend dates to cessation of mineral extraction by 31 December 2023 and completion of restoration by 31 December 2024</p>

Condition	Variation
<p>4. 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: 07.00 to 18.00 hours on Mondays to Fridays 07.00 to 13.00 hours on Saturdays. No operations shall take place on Sundays, Public or Bank Holidays.</p>	No change.
<p>5. During development, there shall be no raising of ground levels as shown on the pre-development topographical survey submitted in accordance with condition 23, other than in the areas shown on approved plans S59/109-1 rev C, S59/109-2 rev C and S59/109-3 rev C.</p>	These drawings were superseded by plans submitted to discharge condition 33.
<p>6. Save as modified by any details approved pursuant to any other condition of this permission, the development shall not be designed and constructed other than in accordance with the flood risk assessment produced by Hydro Logic incorporated in the Environmental Statement dated January 2008.</p>	No change.
<p>7. No extraction, tipping or temporary storage of materials shall take place within 16 metres of the River Windrush. During the course of development, no tipped material shall enter any watercourse or culvert.</p>	No change.
<p>8. No dewatering shall take place in phases 1, 3 and 5, as shown on approved plan S59/108 rev C.</p>	Drawing reference to change.
<p>9. Vehicular access to the site shall only take place via the site access to Stanton Harcourt Quarry as shown on approved plan S59/105 rev A except that maintenance and extraction plant and vehicles used in extraction, construction on site or maintenance of the conveyor shall enter adjacent to the point marked as "conveyor to be tunnelled under road" on approved plan S59/105 rev A or from the south west corner of the plant site.</p>	Drawing reference to change.
<p>10. No mineral shall leave the extraction area except on the conveyor to Stanton</p>	Condition to be amended to reflect change from conveyor to piped system.

Condition	Variation
<i>Harcourt Quarry which includes the notation “conveyor to be tunnelled under road” on approved plan S59/105 rev A.</i>	Drawing reference to change.
<i>11. The surface of the internal access road between the weighbridge and the public highway shall be metalled, drained and kept clear of debris throughout the life of the plant site during the course of the development hereby permitted and no vehicles shall enter the public highway unless their wheels are sufficiently clean to ensure that no mud or debris is taken onto the public highway.</i>	No change.
<i>12. No loaded vehicles shall leave the site unsheeted except those only carrying stone in excess of 75mm.</i>	No change.
<i>13. The noise levels arising from the development shall not exceed 55 dB(LAeq) (1 hour) at the boundary of the Plant Site, 51 dB(LAeq) (1 hour) at the boundary of phase 3, and 46 dB(LAeq) (1 hour) at the boundary of all other phases identified on approved plan S59/108 rev C.</i>	Drawing reference to change.
<i>14. The noise levels arising from the temporary operations of soil stripping, bund formation and restoration shall not exceed 70 dB(LAeq) (1 hour free field) measured at the closest dwelling. Such temporary works shall not take place for more than eight weeks in any twelve month period. At least 48 hours prior notice of such works shall be given to residents of dwellings within 350 metres of the works before those works begin.</i>	No change.
<i>15. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer’s instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery, they shall be installed and retained in use.</i>	No change.
<i>16. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle, excluding HGVs or delivery</i>	No change.

Condition	Variation
<i>vehicles, operating on the site, other than those which use white noise.</i>	
<i>17. No pumping of water shall take place on site except with electrically powered pumps.</i>	No change.
<i>18. The existing trees, bushes and hedgerows within the site, as shown to be retained on approved plans S59/108 rev C and S59/113A (except to allow the conveyor to enter the processing plant area), shall be retained and shall not be felled, lopped, topped or removed in areas outside the current or succeeding phase of mineral working or tipping. 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 Minerals Planning Authority.</i>	Drawing reference to change. Reference to 'conveyor' to be deleted and replaced with 'piped system'.
<i>18A No development shall take place until full details and a programme of soft landscape works have been submitted to and approved in writing by the Minerals Planning Authority and the approved works shall be carried out in accordance with the approved programme. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment) and schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. If within a period of 2 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Minerals Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Minerals Planning Authority gives its written approval to any variation.</i>	Condition discharged. No change.
<i>19. No restoration shall take place except</i>	No change.

Condition	Variation
<i>in accordance with the details of the restoration scheme to reed beds and lakes, as specified in the restoration scheme to be approved under condition 33 of this permission.</i>	
20. No lowering of the water level of any water areas to expose the base of the reedbeds of the restored quarry shall take place save where required on a short term basis for the management of the reed beds.	No change.
21. There shall be no after-use of any of the restored ponds other than in accordance with details of a scheme to be submitted to and approved in writing by the Minerals Planning Authority	No change.
22. Deleted(Inspector did not use this condition number)	No change.
23. Development shall not commence until a detailed pre-development topographical survey of the site south of Standlake Road, which shall verify ground levels before any development takes place, has been submitted to and approved in writing by the Minerals Planning Authority.	Condition discharged.
24. Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the Minerals Planning Authority. The hereby permitted development shall be carried out in accordance with the approved drainage details.	Condition discharged. Pipe allows for flood water flows in same way as conveyor.
25. There shall be no working of minerals within 15 metres of the pond, as shown on approved plan S59/107A, except in accordance with a scheme for monitoring the hydrological effects of working which shall identify the action needed to protect and retain the ecological interests of the pond. The scheme shall be submitted to and approved in writing by the Minerals Planning Authority before development commences.	No change.

Condition	Variation
<p>26. No mineral working shall take place within 30 metres of any main river except in accordance with details that shall have been submitted to and approved in writing by the Minerals Planning Authority before development commences. The details shall include the extent of workings and the associated mitigation needed to protect the physical integrity of the watercourse or watercourses.</p>	<p>No change.</p>
<p>27. No development shall take place until details of the tunnel and conveyor crossing beneath Standlake Road in the location marked as “conveyor to be tunnelled under road” on approved plan S59/105A have been submitted to and approved in writing by the Minerals Planning Authority. The details shall include provision for a wall of hay bales in the tunnel crossing area to screen views of the conveyor from Park Lodge Farm and for the annual replacement of that screen by no later than the end of the month of September. The conveyor shall not operate save in accordance with the approved details.</p>	<p>Condition originally discharged in respect of conveyor proposal.</p> <p>Condition to be amended to reflect pumping system application.</p> <p>Drawing reference to change.</p>
<p>28. No development shall take place until details of how bridleway 362/28 and footpaths 313/2A and 313/4c will cross the conveyor, including any trees to be lost as a result, have been submitted to and approved in writing by the Minerals Planning Authority. The conveyor shall not operate unless the approved crossing arrangements are in place.</p>	<p>Condition originally discharged in respect of conveyor proposal.</p> <p>Condition to be amended to reflect pumping system application.</p> <p>Drawing reference to change.</p>
<p>28A No development shall take place until details of the covers, fencing and plastic rollers for the section of the conveyor running parallel to footpath 313/2A and fencing between the conveyor and any public footpath that lies adjacent to the conveyor have been submitted to and approved in writing by the Minerals Planning Authority. The conveyor shall not operate unless the approved details are in place.</p>	<p>Condition discharged. Condition redundant.</p>
<p>29. No development shall take place until</p>	<p>Condition originally discharged in respect</p>

Condition	Variation
<p><i>details of the conveyor bridge and associated screening at the stream crossing point west of Pinnocks Farm have been submitted to and approved in writing by the Minerals Planning Authority. The development shall be carried out in accordance with the approved details.</i></p>	<p>of conveyor proposal.</p> <p>Condition to be amended to reflect pumping system application.</p> <p>Drawing reference to change.</p>
<p><i>30. No development shall take place until a scheme of measures for the suppression of dust, has been submitted to and approved in writing by the Minerals Planning Authority. The scheme shall include:</i></p> <p><i>(a) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site;</i></p> <p><i>(b) Dust suppression on haul roads, including speed limits.</i></p> <p><i>The approved scheme shall be implemented and complied with at all times.</i></p>	<p>Condition discharged. No change.</p>
<p><i>31. No development shall take place until a plan showing the layout of the Plant Site and Stock Storage Area and silt disposal area, all as shown on approved plan S59/105 rev A, has been submitted to and approved in writing by the Minerals Planning Authority. The approved layout shall be in place during any sand and gravel processing at the site.</i></p>	<p>Condition discharged. Submitted plan S59/177 amended to show pipe and new replacement office, and new plan provided showing office unit.</p>
<p><i>32. No development shall take place until the developer has secured the implementation of a staged programme of archaeological investigation and recording in accordance with a written scheme which has been submitted to and approved in writing by the Minerals Planning Authority.</i></p>	<p>Condition discharged. No change.</p>
<p><i>33. Development shall not commence until details of a scheme of restoration to reedbeds and lakes as identified in the approved supporting statement and following the general principles of the application in particular approved plan S59/111C have been submitted to and</i></p>	<p>Condition discharged. Changes to some of the documents submitted for that discharge.</p>

Condition	Variation
<p><i>approved in writing by the Minerals Planning Authority; such details shall show:</i></p> <p><i>(a) the retention of the pond and the nearby black poplar tree between phases 2 and 4 as shown on approved plan S59/108 rev C;</i></p> <p><i>(b) how the clay seals in phases 2, 4 and 6 shall be removed and how lakes shall be linked and how hydraulic connectivity between lakes shall be retained to effectively manage flood risk and groundwater levels;</i></p> <p><i>(c) how water levels shall be managed to assist with the establishment and management of the reedbeds;</i></p> <p><i>(d) cross-sections showing the angles of slope into the water;</i></p> <p><i>(e) scalloped lake margins;</i></p> <p><i>(f) the positions, species, density/planting distance and initial sizes of all new trees and shrubs;</i></p> <p><i>(g) enhancements to allow wheelchair access;</i></p> <p><i>(h) removal of all soil and overburden bunds; and (i) the programme of restoration.</i></p> <p><i>Any scheme that is approved shall be carried out in accordance with the approved details. Planting shall be carried out in the first available planting season.</i></p>	
<p><i>34. Groundwater and surface water monitoring of each phase of the development shall take place throughout the working, restoration and the 5 year after-care period referred to in condition 43, in accordance with a scheme which shall include details of the frequency of measurements and examination of the measurements. The scheme shall have been approved in writing by the Minerals Planning Authority and it shall include provision for a hydrological report to be submitted annually to the Minerals Planning Authority for approval setting out the groundwater and surface water</i></p>	<p>No change.</p>

Condition	Variation
<p><i>monitoring data collected in the preceding year, which report shall include recommendations for any modifications to the scheme of groundwater and surface water monitoring and mitigation measures to prevent derogation of private wells as a result of the development. The groundwater and surface water monitoring and mitigation measures shall be undertaken in accordance with any approved scheme and approved modifications to that scheme.</i></p>	
<p><i>35. Ground levels which are above the restored water level following extraction shall be verified by a post-restoration topographical survey to be submitted to the Minerals Planning Authority for approval within one year of the complete restoration of the site south of Standlake Road. Any ground levels identified by the approved survey which are above those shown on the predevelopment topographical survey shall be reduced to those shown on the pre-development topographical survey within a further year.</i></p>	No change.
<p><i>36. No dewatering operations shall take place until details of a scheme to monitor and protect the levels of domestic and licensed groundwater and surface water sources has been submitted to and approved in writing by the Minerals Planning Authority. The scheme shall address the following sources:</i> <i>Licensed Surface Water:</i> <i>28/39/11/009 Littlebrook Nurseries NGR: SP415028</i> <i>Private Supplies:</i> <i>Moreton Farm NGR: SP41190142 Ref. SP40/01</i> <i>Stonehenge Bungalow NGR: SP41030150 Ref. SP40/64</i> <i>Moreton House NGR: SP41000150 Ref. SP40/066</i> <i>Moreton Cottage NGR: SP41320152 Ref. SP40/067</i> <i>The Well House NGR: SP41250138 Ref.</i></p>	No change.

Condition	Variation
<p>SP40/069 Newbridge Mill NGR: SP40230187 The scheme details shall include:</p> <p>(a) The number and location of monitoring boreholes.</p> <p>(b) The means and frequency of monitoring, including during prolonged dry periods.</p> <p>(c) Hydrological calculations to determine:</p> <p>(i) the minimum water levels to be maintained in each of the monitoring boreholes and (ii) the water levels in each of the monitoring boreholes at which reporting and assessment will be undertaken (reporting trigger levels) (d) To whom and the frequency with which reports shall be made of monitoring results.</p> <p>(e) The mitigation measures to be undertaken in the event that any reporting trigger levels are reached.</p> <p>The scheme shall be carried out in accordance with the approved details. No dewatering operations shall take place unless at least the minimum water levels in (c)(i) above are maintained in each of the monitoring boreholes.</p>	
<p>37. Within 1 month of completion of mineral working in phase 2, as shown on approved plan S59/108 rev C, a hydrogeological review and evaluation of the dewatering working method shall be submitted to the Minerals Planning Authority for approval.</p>	<p>Drawing reference to change.</p>
<p>38. No dewatering shall take place in phases 4 and 6 as shown on approved plan S59/108 rev C until a scheme of mitigation to ensure that sufficient water is maintained in the recharge trenches has been submitted to and approved in writing by the Minerals Planning Authority. No dewatering in phases 4 and 6 shall take place except in accordance with the approved scheme.</p>	<p>Drawing reference to change.</p>
<p>39. No screening bunds shall be constructed in phases 2 and 3 as shown</p>	<p>Amend drawing references to drawings approved under condition 33 or as</p>

Condition	Variation
<p><i>on approved plan S59/109-1 rev C and S59/109-2 rev C unless they are located and constructed in accordance with details that have been submitted to approved in writing by the Minerals Planning Authority. The details shall be informed by any 2d modelling necessary to assess the impact of locating the screening bunds in their proposed positions. Survey details of the position of each of these screening bunds shall be submitted to the Minerals Planning Authority within 1 month of the completion of its construction. No mineral extraction shall take place in phase 2 unless the bunds for the phase are in place and no mineral extraction shall take place in phase 3 unless the bunds for the phase are in place.</i></p>	<p>amended under this application.</p>
<p><i>40. No water shall be discharged from the site except in accordance with a scheme that has been submitted to and approved in writing by the Minerals Planning Authority.</i></p>	<p>No change.</p>
<p><i>41. Details of the location, height, design, sensors and luminance of external lighting (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways and pollution of the sky) shall be submitted to and approved in writing by the Minerals Planning Authority before any external lighting is used on the appeal site. External lighting at the appeal site shall be in accordance with the approved details for the duration of the development.</i></p>	<p>No change.</p>
<p><i>42. No vegetation clearance works shall be undertaken in the bird nesting season (March 1st – August 31st) without prior written approval from the Minerals Planning Authority. Such approval will only be granted if a survey of nesting birds in the area to be cleared has been undertaken by an appropriately qualified ornithologist and details of the survey have been submitted to the Minerals Planning</i></p>	<p>No change.</p>

Condition	Variation
<i>Authority.</i>	
<p><i>43. An after-care scheme and programme for each of the phases as shown on approved plan S59/108 rev C, which starts in each phase as restoration is complete in that phase and lasting for 5 years in each phase, shall be submitted for the approval of the Minerals Planning Authority at least one year before after-care is due to start in phase 1. The scheme shall include the monitoring and management details of the following habitat types: open water, reed beds, wet woodland and species types: nesting birds, bat roosts otter holts, amphibian ponds and invertebrate provisions. No further working in any subsequent phase to be commenced shall take place until a scheme and programme are approved in writing. The scheme and programme shall be carried out in accordance with the approved details, subject to the requirements of condition 44 below.</i></p>	<p>Drawing reference to change.</p>
<p><i>44. Prior to completion of restoration in phase 1 and in every subsequent year during the after-care period for the relevant phase (as identified in condition 43), the mineral operator shall provide the Minerals Planning Authority and the landowner/occupier with a detailed annual scheme and programme for the written approval of the Minerals Planning Authority including:</i></p> <p><i>(a) Proposals for managing the land for the forthcoming 12 months, incorporating any proposed modifications to the scheme and programme as a result of the findings in (b) below;</i></p> <p><i>(b) A record of after-care operations carried out on the land during the previous 12 months.</i></p> <p><i>No further working in any subsequent phase to be commenced shall take place until a scheme and programme of management and after-care of the land are approved in writing by the Minerals</i></p>	<p>No change.</p>

Condition	Variation
<i>Planning Authority. The scheme and programme shall be carried out in accordance with the approved details.</i>	
<i>45. No winning and working of minerals shall take place in phase 6, as shown on plan S59/108 rev C, until a scheme and programme to manage water levels in the reedbeds of the restored site has been submitted to and approved in writing by the Minerals Planning Authority. Any scheme that is approved shall be implemented.</i>	Drawing reference to change .
<i>46. No winning and working of minerals shall take place in any phase as shown on approved plan S59/108 rev C until details of fencing or vegetation sufficient to deter geese from entering that restored phase have been submitted to and approved in writing by the Minerals Planning Authority. Any details that are approved shall be implemented.</i>	Condition discharged. Drawing reference to change.
<i>47. No above ground oil storage tank shall be erected on site unless it is sited on an impervious base and surrounded by a liquid-tight bunded compound with no drainage outlet. Any bunded area shall be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges shall be enclosed within its curtilage. The vent pipe shall be directed downwards into the bund.</i>	No change.
<i>48. Development shall not commence until details of a scheme to prevent pollution of the environment resulting from oil/fuel spills has been submitted to and approved in writing by the Minerals Planning Authority, such scheme to include the following: mobile fuel bowsers to be double skinned with lock off valves and drip trays beneath connection points; availability of oil/fuel spill kits and hose repair kits; training of staff in the use of such kits. Development shall be in accordance with the approved scheme.</i>	Condition discharged. No change.
<i>49. Prior to the commencement of any tree felling, lopping or topping within the</i>	No change.

Condition	Variation
<p><i>site, details of a bat survey and measures to protect any bats shall be submitted to and approved in writing by the Minerals Planning Authority. There shall be no tree felling, lopping or topping other than in accordance with the approved measures.</i></p>	

• **PART 2 – OTHER VIEWPOINTS**

Representations

17. No objections have been received from third parties or local residents, however one comment stated that disturbance to the footpath and bridleway that are crossed by the pipeline should be kept to a minimum during construction. A further query received requested further information on the application in terms of potential negative impacts from “*disruption, noise, mess etc.*”

Consultations

18. Consultation responses are available to read in full on the eplanning website¹ and are summarised below. To summarise there have been no outstanding objections from statutory consultees. This application has been brought to Committee following the Local Member’s concern about the extension of time requested by the applicant.

19. West Oxfordshire District Council Planning – No objection to either application.

20. Natural England have no objection to the pipeline application, subject to appropriate mitigation being secured, including:

- Raise the pipeline off the ground at regular intervals and in locations identified by Dr Duncan Painter in the ecology letter dated 4 October 2016 Applied Ecology.

21. Natural England have no objection to the variation of conditions application, stating that the development will not increase the risk to the interest features of Langley Lane Meadow and Appleton Lower Common SSSI.

22. The County Ecology Officer states that the proposed pipeline will cause little disturbance to species because the pipeline will be raised on sleepers for most of its length, allowing newts to move freely beneath it during operation and the section on the ground (about 300m) is over rough topography, with gaps to enable small species such as newts to pass under the pipe. However, as the

¹ <http://myeplanning.oxfordshire.gov.uk/swiftlg/apas/run/WCHVARYLOGIN.display>

installation and removal of the pipe, particularly in the vicinity of the pond may cause some disturbance to newts, the following condition is recommended:

“An appropriately qualified ecologist should attend during installation and decommissioning of the northern 200m section of the pipeline (nearest to the pond with Great Crested Newts) to check the area for newts, provide a toolbox talk to operatives, and ensure that no harm occurs.

Reason: to ensure the protection of fauna and to ensure that the development does not result in the loss of biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14, NPPF paragraphs 9, 109 and 118.”

23. In response to application MW.0134/16 for the variation of conditions, the Ecology Officer does not object, but recommends the following condition:

“All open pipework associated with the development should be covered overnight to minimise the risk of small mammals, such as hedgehogs being inadvertently killed and injured.

Reason: to ensure the protection of small mammals and to ensure the development is in accordance with Mineral and Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.”

24. Subject to the above condition and proposed mitigation measures, the Ecology Officer does not consider that the proposed development would have an adverse impact upon protected species.

25. The Technical Pollution Services, who respond on Environmental Health issues, provided the following initial comments on the pipeline application:

“I understand the pumps will be electrical and housed inside a standard ISO container. I take on good faith that these pumps are as quiet as the applicants believe and report they are. As there is no noise emission data or noise report which qualifies this point. I would also comment that the ISO container/s do not appear to be contained in a pump house. Also I’m not certain how close they are to the nearest noise sensitive premises.”

26. Following clarification of the details of the application, they provided the following further comments:

“My view is that the change from a conveyor system to a piped system (fixed and flexible) is unlikely to cause a significant increase to noise emissions and may be preferable to a conveyor with respect to noise and dust. My understanding is that electric pumps are to be employed rather than diesel pumps which based upon in my experience is a quieter option. I acknowledge the potential for noise emission from the pipes as the gravel moves along

causing vibration. However my judgement is that this is unlikely to be significantly noisier than a conveyor system.

In addition there are existing noise conditions that will still apply and the applicant is confident that the existing noise conditions can still be met with this revised method. They have also assured me that they have arrangements in place to liaise with residents to ensure that any problems will be effectively dealt with.

Having considered whether we should require validation of the process to ensure that noise conditions are complied with, I am mindful of the fact that the original permission does not require this and therefore we may not have a strong case for requiring it for this new application and variation.

On that basis I have no objections or recommendations to make regarding this application.”

27. The County Archaeological Officer has responded to say that there are no archaeological constraints to these applications.
28. The British Horse Society Oxfordshire responded to say that the key points from an equestrian point of view is safety for horses and riders using the bridleways; using the correct equestrian surfacing on the proposed new sections; and mitigating noise and disruption during construction and use. They request that the developer consider issues such as dust, lorries releasing air brakes, giving horses sufficient space and time to react or move away from a construction vehicle and sufficient noise barriers. They have provided details of recommended surfacing, specifications and standards for the applicant.
29. The County Drainage Engineer (Lead Local Flood Authority) has no drainage objection to the pipeline application provided there is no obstruction to overland flood flows (where the pipe is laid on the ground) and that the quality of the abstracted water is returned to the lake silt free.
30. Historic England responded to say that the proposed pipeline system route crosses the scheduled monument known as: Prehistoric and Later Monuments near Northmoor, List no. 1006343. The scheduled monument consists of below-ground archaeological deposits and the proposed scheme will cause only very limited direct impacts where the pipes will be horizontally bored below Standlake Road. These impacts will be smaller than for the conveyor system. They have no objection to the proposals, but recommend that no works take place until the applicant has obtained scheduled monument consent from the Secretary of State advised by Historic England, as required by the Ancient Monuments and Archaeological Areas Act (1979).
31. In relation to application MW.0134/16 for the variation of conditions, Historic England do not object, but they refer to their advice letter on the original application which pointed out that waterlogged archaeological deposits could be at risk from dewatering by the adjacent mineral extraction operations and

therefore advise that management of ground water and monitoring of ground levels, should be carried out so as to avoid dewatering of the area of the scheduled monument.

32. The MOD has no safeguarding objections to either application.
33. National Grid has identified that it has apparatus in the vicinity which may be affected by the activities specified. It has been referred to their Asset Protection Team for further assessment. This information has been referred to the applicant.
34. The Highways Authority state that the proposed development has the benefit, from a highways perspective, that the piped system can be installed under Standlake Road using directional drilling, thus avoiding the requirement for a temporary road closure. They inform the applicant of the need to obtain a Section 50 (New Roads and Street Works Act 1991) license before commencing drilling operations under the highway. They also state that there will be no adverse impacts on the highway from a traffic or safety point of view and therefore they do not object to the application.
35. Southern Gas Networks have confirmed that they have no apparatus in this area.
36. The Local Member Cllr Charles Mathew has commented to officers that he has no issue with the applications other than the requested extension of time in the section 73 application which he considers is unacceptable as it will extend the period of disturbance to local residents beyond what was originally proposed.
37. Responses have not been received from the Environment Agency, Thames Water, Standlake Parish Council, Eynsham Parish Council, Stanton Harcourt Parish Council, Northmoor Parish Council and BBOWT, among others. The committee will be updated orally should any further responses be received.

- **PART 3 – RELEVANT PLANNING DOCUMENTS**

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

38. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
39. The relevant development plan documents are:
 - The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) - saved policies
The OMWLP was adopted in July 1996 and covered the period to 2006. 46 policies within the OMWLP have been “saved” until such time as the

replacement Minerals and Waste Local Plan (RMWLP) is adopted. As the OMWLP pre-dates the NPPF, an assessment of the consistency of the saved policies with the NPPF and NPPW has been undertaken to ensure the continued validity of these policies to assist decision makers, developers and the local communities.

- The West Oxfordshire Local Plan (WOLP) 2011 - saved policies

The WOLP was adopted in 2006 and covered the period to 2011. All but 8 policies and proposals were 'saved' beyond June 2009 until such time as they are replaced by the new Local Plan.

40. Other material considerations are:

- i) The Draft Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS) was submitted to the Secretary of State for independent examination in January 2016. Following an examination hearing held in September, the Inspector has produced an Interim Report dated October 2016. Following the Inspector's Interim Report, the Council carried out further Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) work and have now published the Proposed Modifications (February 2017) and a SEA/SA update report for consultation, which runs from 3rd February to 20th March. Therefore, although the OMWCS is not yet adopted, it is at an advanced stage and the draft policies should be given due weight.
- ii) The Emerging West Oxfordshire Local Plan 2011-2031 (EWOLP) was submitted to the Planning Inspectorate for independent examination in July 2015. The first hearing sessions were held in November 2015, following which the examination was suspended until December 2016 to allow further work to be undertaken in relation to housing need. The Council consulted upon the Proposed Modifications in December 2016 and they are now being prepared, along with the Proposed Modifications to submit to the Planning Inspector in early 2017. Therefore, the EWOLP is at an advanced stage and so the policies can be afforded due weight.
- iii) The National Planning Policy Framework (NPPF), is also a material consideration.

Relevant Policies

41. The relevant policies are:

Oxfordshire Minerals & Waste Local Plan (OMWLP) 1996 (saved policies)

PE4 - Groundwater

PE7 – Floodplain

PE9 – Scheduled Ancient Monuments

PE11 – Rights of Way

PE13 – Restoration of mineral workings and landfill sites

PE14 – Nature Conservation

PE18 – Code of Practice

West Oxfordshire Local Plan (WOLP) 2011

NE8 - Floodplain

NE15 – Protected Species

TLC8 – Public Rights of Way

Draft Oxfordshire Minerals and Waste Core Strategy (OMWCS)

C1 – Sustainable Development

C5 – Local Environment, Amenity and Economy

C7 – Biodiversity and Geodiversity

C9 – Historic Environment

C10 – Transport

C11 – Rights of Way

M10 – Restoration of Mineral Workings

Emerging West Oxfordshire Local Plan (EWOLP) 2011-2031

OS1 – Presumption in Favour of Sustainable Development

EH2 – Biodiversity

EH6 – Environmental Protection

• **PART 4 – ANALYSIS AND CONCLUSIONS**

Comments of the Director for Planning and Place

42. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The two applications are inter-related insofar as the section 73 application is dependent on planning permission being granted to the proposed pipeline and therefore the two applications are considered together here as one overall project. The key planning policies are set out above and discussed below in accordance with the key planning issues, which are restoration; amenity; the water environment including flood risk; impact on protected species; highways and rights of way; and the historic environment.
43. The NPPF sets out a presumption in favour of sustainable development, which is supported in policy OS1 of the emerging WOLP and policy C1 of the draft OMWCS.

Restoration

44. NPPF paragraph 144 states that when determining planning applications, local authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high standards.
45. OMWLP policy PE13 states that mineral workings and landfill sites should be restored within a reasonable time to an afteruse appropriate to the location and surroundings. Both of these policies are considered to be consistent with the NPPF.

46. Application MW.0134/16 seeks permission to vary a number of conditions on permission APP/U3100/A/09/2107573, including condition 3 which refers to the end date for the extraction of mineral and for final restoration of the site. The applicant requests that this condition be amended to require the cessation of mineral extraction by 31st December 2023, with final restoration one year later. This would provide an additional two years and five months for the completion of extraction and two years and three months for the completion of restoration to the requirements of the existing consent. The Local Member considers this to be unacceptable as it would extend the period of disturbance to local residents beyond what was originally proposed. The existing consent was implemented by October 2013 by the extraction of around 278 tonnes of mineral, following the discharge of all necessary pre-commencement conditions. Therefore, under the existing consent, the required end date for mineral extraction is 31 July 2021. However, since that time, no further works have been carried out.
47. The applicant states that in addition to providing improvements in terms of environmental impacts over the conveyor system, the pipeline will allow for an increased production rate, which will reduce the remaining period now required for extraction of the permitted reserves from 8 to 5 years, although according to the submitted schedule this would be 6 years (to 2023). Therefore, if works recommenced this year, the permitted mineral reserves would be worked out by some time in 2023. The concern of the local member is fully understood, but the County Council has no power to require that a site operator continue with a development in earnest once it has legally commenced. The overall period of time over which the quarry will be worked will be of the order of 2.5 years longer than originally envisaged but the reality has been that little actual disturbance has occurred since the commencement in 2013. If the development now proceeds without substantial further periods of dormancy, then the overall period of remaining operational disturbance would be around six years based on the application proposal. Considering the delay to mineral extraction since 2013, this is considered to now realistically be the earliest opportunity for completion of the mineral extraction with restoration following on within the following year by the end of 2024.
48. The permitted mineral reserves form part of the council's landbank of sand and gravel permissions. Whilst the landbank is not a minimum figure, if the mineral were not to be worked at this site then alternative provision will ultimately need to be made elsewhere. The planning inspector on behalf of the Secretary of State clearly found that the principle of mineral extraction at Stonehenge Farm was acceptable subject to conditions. Whilst the total time period now proposed would be longer than originally envisaged I do not consider that it could be demonstrated that there would now be a commensurate unacceptable impact on the amenity of local residents and to the local environment. Indeed the use of the proposed pipeline would seem to have reduced impacts compared to the permitted conveyor system. I do not consider that a refusal of planning permission to the section 73 application on this ground would be sustainable should the applicant then appeal the decision.

49. Overall, it is considered that the applications are supported by existing and emerging policy relating to restoration including OMWLP policy PE13, OMWCS policies M10 and the NPPF paragraph 144, particularly in that the proposal would ensure the site is worked out and restored within as short a period of time as is now possible i.e. by 2023 /2024.
50. Therefore I consider that whilst the extension of time may be regrettable, the developments are in accordance with the requirements of OMWLP policy PE13, OMWCS policy M10 and with NPPF paragraph 144.

Impacts on Amenity

51. OMWLP policy PE18 states that in making decisions the Code of Conduct will be taken into account, this sets out how operations should take place in terms of buffer zones, landscape screening, hours of working, noise, dust and odour. This policy is considered consistent with the NPPF. Policy EH6 of the EWOLP states that proposals which are likely to cause pollution will only be permitted if measures can be implemented to minimise this to a level which provides a high standard of protection for health, environmental quality and amenity.
52. OMWCS policy C5 states that proposals for minerals and waste development should demonstrate that they will not have an unacceptable adverse impact on the environment, residential amenity and other sensitive receptors, including from noise, dust, visual intrusion, vermin, birds, litter and cumulative effects of development.
53. The current consent is subject to a number of planning conditions, which include aspects of amenity control, which includes noise. These existing controls would be carried forward onto any forthcoming planning permission.
54. The impact on amenity in terms of the extension of time proposed has been considered as set out above. The proposed pipeline system is proposed to follow the same alignment as the approved conveyor and potential amenity issues such as noise and dust levels are anticipated to be lower. This is supported by the comments received from the Technical Pollution Services (TPS) who are consulted upon Environmental Health issues. The TPS response stated that as electric pumps are proposed instead of diesel pumps, noise levels are anticipated to be lower than originally proposed. In addition, it is anticipated that the existing noise controls as set out within conditions 13 and 14 are sufficient to ensure the proposed development does not cause detrimental impacts in terms of noise.
55. The developments are considered to be acceptable in terms of impact on amenity. The changes now proposed would be likely to cause less potential amenity impacts than the currently approved scheme. The development is considered to be in accordance with OMWCS policy C5, OMWLP policy PE18, and policy EH6 of the EWOLP.

Water Environment including Flood Risk

56. The site is located within Flood Zones 2 and 3 and must therefore be considered in terms of potential impacts upon the free flow of flood waters. Policy PE7 of the OMWLP states that proposed in the floodplain should not result in the raising of groundwater levels or water quality and not impede flood flows. Policy NE8 of the WOLP has a similar requirement. Policy PE4 of the OMWLP states that proposals for mineral extraction and restoration will not be permitted where they would have an impact on groundwater levels in the surrounding area which would harm existing water abstraction, river flow, canal, lake or pond levels or important natural habitats. Proposals must not put at risk the quality of groundwater.
57. The County Drainage Engineer representing the council as Lead Local Flood Authority has no drainage objection provided there is no obstruction to overland flood flows (where the pipe is laid on the ground) and that the quality of the abstracted water is returned to the lake silt free. The existing S. 106 legal agreements make provision for a flood management plan and the monitoring of water levels and the provision of alternative water supplies to local residents if required. Subject to these requirements being maintained on the section 73 application and to no over-riding objection to either application being received from the Environment Agency, I consider that the proposed developments are in compliance with the above policies.

Protected Species

58. OMWLP policy PE14 seeks to protect sites of nature conservation importance. OMWCS policy C7 states that waste development should conserve and where possible deliver a net gain in biodiversity. Policy NE15 of the WOLP states that development will not be permitted unless any potential damage to specially protected species could be prevented through compliance with conditions or planning obligations. Policy EH2 of the EWOLP states that *“the biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity ...by ...protecting and mitigating for impacts on priority habitats, protected species and priority species...”*
59. The proposed development would have no greater impact upon biodiversity or protected species than the approved scheme. The Ecology Officer is happy that the pipeline is raised off the ground along much of its length, which will allow the free movement of Great Crested Newts and requests that two conditions be attached to any forthcoming permission for the pipeline to protect Great Crested Newts and small mammals.
60. In summary, it is considered that the proposed developments would not impact upon the biodiversity of the site or upon protected species, in accordance with OMWLP policy PE14, OMWCS policy C7, WOLP policy NE15 and EWOLP policy EH2.

Highways and Rights of Way

61. OMWLP policy PE11 states that the rights of way network should be maintained. OMWLP PE11 is considered to be consistent with the NPPF. Policy

C10 of the OMWCS states that where possible minerals should be transported by rail, water, pipeline or conveyor. Policy C11 requires that the integrity and amenity value of the rights of way network is maintained. Policy TLC8 of the WOLP states that the existing rights of way network shall be safeguarded.

62. The proposed installation of a pipeline system to replace the approved conveyor would provide improvements in terms of highway impacts as the pipeline would be installed underneath Standlake Road using horizontal directional drilling, which does not require the road to be closed for these works, which was proposed in order to install the conveyor.
63. The Highways Authority agree that this is a benefit, from a highways perspective. They also state that there will be no adverse impacts on the highway from a traffic or safety point of view and therefore they do not object to the application.
64. There would be no greater impact upon the crossings of the stream, footpath, farm track and bridleway. There would be no greater HGV movements as a result of the proposed development.
65. For these reasons, the development is considered to be in accordance with the NPPF, policy PE11 of the OWMLP, policy TLC8 of the WOLP, and policies C10 and C11 of the draft OMWCS.

Historic Environment

66. Policy PE9 of the OMWLP states that Scheduled Ancient Monuments should be preserved in situ. Policy C9 of the OMWCS states proposals for minerals and waste development will not be permitted unless it is demonstrated, including where necessary through prior investigation, that they or associated activities will not have an unacceptable adverse impact on the historic environment.
67. The proposed pipeline would cross a scheduled ancient monument. Neither Historic England nor the council's Archaeological Officer have raised objection to this but separate Scheduled Monument Consent from the Secretary of State would also be required before any planning permission for the pipeline could be implemented.

Legal Agreements

68. Section 106 Obligations and a Routeing Agreement already exist in connection with the current planning permission, these control amongst other things the long-term management, routeing and provision of funding towards the monitoring of the development and routeing of HGVs by the County Council. It is recommended that the requirements of the existing Agreements and Obligations be carried forward by way of Deed of Variations to the section 73 application (MW.0134/16) where necessary.

Conclusions

69. The proposed installation of a pipeline to transport mineral extracted from Stonehenge Farm Quarry to the Plant Site at Linch Hill to the north, in place of the approved conveyor system, is considered to have some benefits in terms of noise impacts and lesser disruption to the use of Standlake Road. It is considered to accord with the policies of the Development Plan and with the Development Plan as a whole and would be sustainable development on environmental, social and economic grounds in accordance with paragraph 7 of the NPPF. Whilst the concern expressed by the Local Member with regard to the proposed extension of time under the section 73 application is fully understood it is not considered that refusal of that application on those grounds could be sustained. Therefore it is considered that planning permission for applications MW.0132/16 and MW.0134/16 should be granted, subject to conditions and legal agreements as set out below.

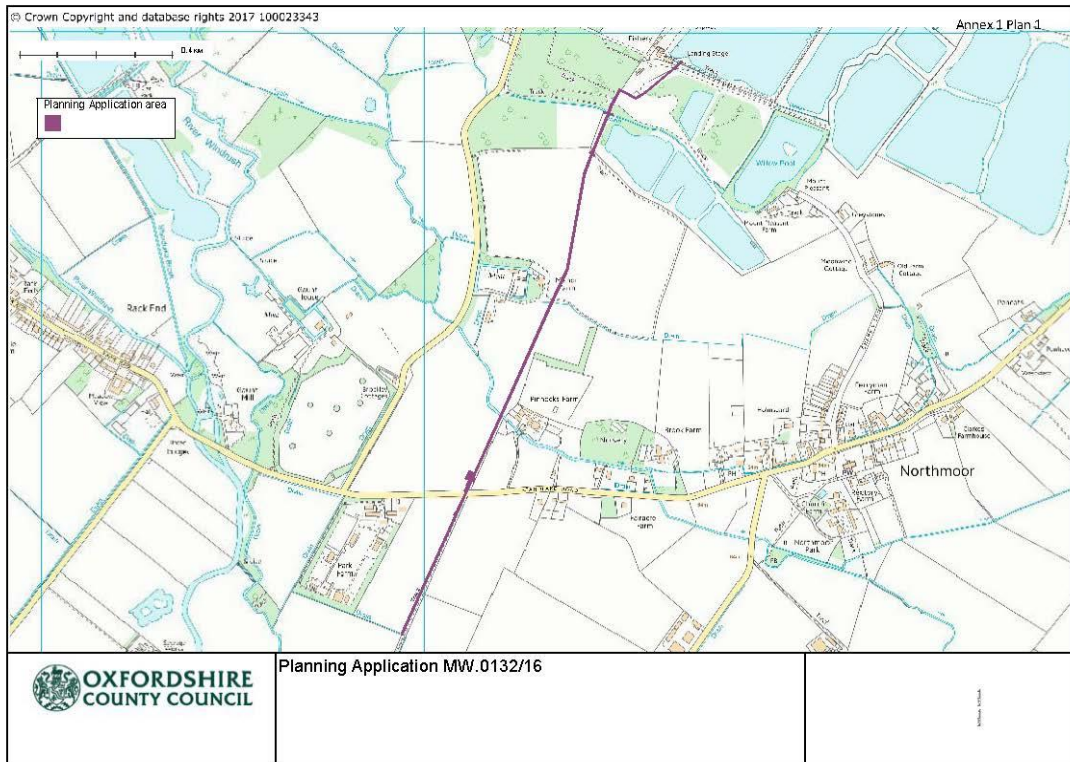
RECOMMENDATION

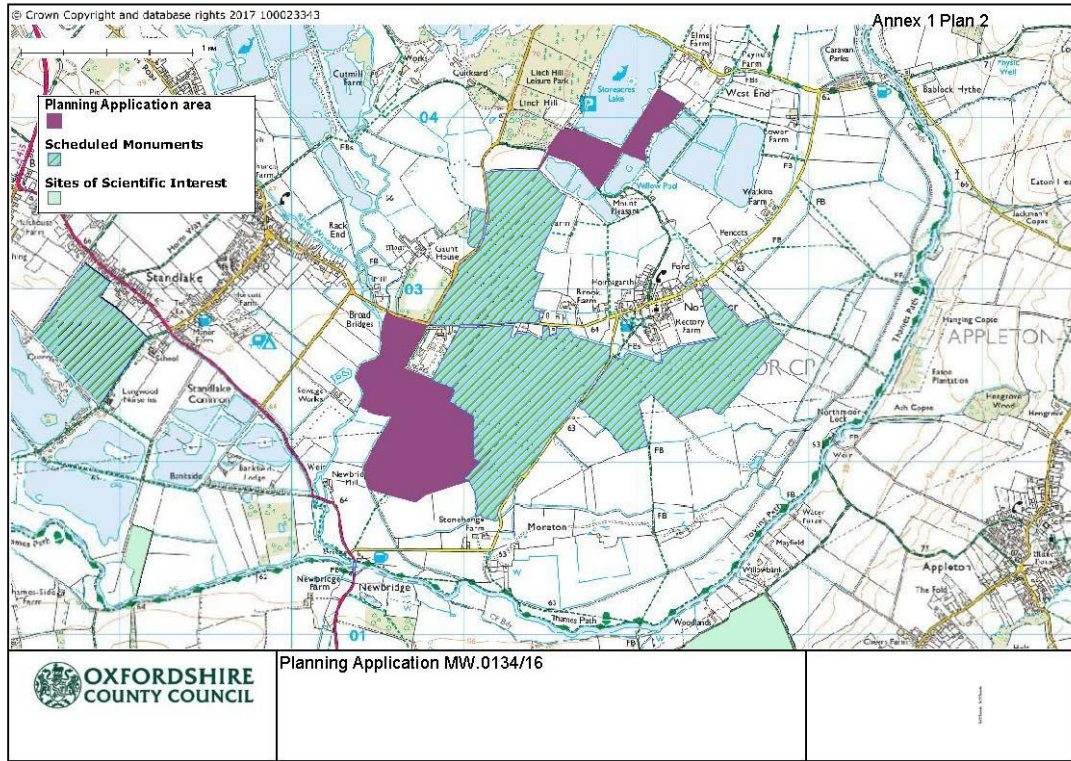
It is RECOMMENDED that subject to no over-riding objections being received from outstanding consultees that:

- (a) Application MW.0132/16 be approved subject to conditions to be determined by the Director of Planning and Place including those set out in Annex 2 to this report; and**
- (b) Application MW.0134/16 be approved subject to:**
 - i) A supplemental S106 legal agreement to bring forward relevant provisions from the existing agreements.**
 - ii) A supplemental routeing agreement linking the proposed development to the existing routeing agreement.**
 - iii) Conditions as on existing consent APP/U3100/A/09/2107573, with the amendments to conditions, deletion of redundant conditions and additional conditions and informatives to be determined by the Director for Planning and Place, in accordance with the details set out in Annex 3 and with any necessary updates to the wording of existing conditions to ensure clarity and reflect changes to policy since the original permission was issued.**

SUSAN HALLIWELL
Director for Planning and Place

February 2017





Annex 2: Proposed Conditions – MW. 0132/16

- i. 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.
- ii. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission. The date of commencement of development shall be notified to the planning authority within 7 days of commencement.
- iii. The development shall not be carried out other than in association with the development permitted by planning permission no. MW.0134/16.
- iv. The development shall cease and the pipelines and all associated pumps, plant and machinery shall be removed and the site shall be restored no later than one year from the date of cessation of the mineral extraction permitted by planning permission no. MW.0134/16 or 31st December 2024, whichever is earlier.
- v. With the exception of any works necessary in emergency situations, no operations authorised or required by this permission shall be carried out, and plant shall not be operated:
 - a) other than between 07.00 and 18.00 hours Mondays to Fridays and 07.00 to 13.00 hours on Saturdays;
No operations shall take place on Sundays, Public or Bank Holidays.
- vi. The noise levels arising from the development shall not exceed 55 dB(LAeq) (1 hour) at the facades of the closest dwelling.
- vii. The noise levels arising from the laying and removal of the pipeline and associated plant and machinery shall not exceed 70 dB(LAeq) (1 hour free field) measured at the closest dwelling.
- viii. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicles involved with the laying and removal of the pipeline and associated plant and machinery, other than those which use white noise.
- ix. The pumps hereby permitted shall not be other than electrically powered.
- x. No floodlighting shall be erected on site.
- xi. An appropriately qualified ecologist shall attend during installation and decommissioning of the northern 200 metres section of the pipeline (nearest to the pond with Great Crested Newts) to check the area for newts, provide a toolbox talk to operatives, and ensure that no harm occurs.

Annex 3: Proposed Conditions – MW.0134/16

1. The development shall be carried out strictly in accordance with the particulars of the development, plans, specifications and phasing contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise the application form dated 21st December 2006 as amended by the application form dated 4th October 2016, supporting statement dated December 2006 as amended by the supporting statement dated October 2016, supplementary information dated January 2008, plans S59/105 rev C, S59/106A, S59/107A, S59/108 rev D, S2/HAN/04/01 rev B, S2/HAN/04/02 rev A, S2/HAN/04/03 rev B, S2/HAN/04/04 rev B, S2/HAN/04/05 rev B, S2/HAN/04/06 rev A, S2/HAN/04/07 rev A, S59/112A, S59/125 rev A, S59/123 rev B, S59/113A, S59/111 rev D, S59m/177 rev A, S2/HAN/5/21 Hydrologic Flood Risk Assessment 2029/5 rev2 incorporated in the Environmental Statement dated January 2008 as updated by the Entec 2d Modelling Report dated 26 October 2009, 2d Supplementary Modelling Report dated 22 January 2010; plan numbers S59/175a and S59m/1758a approved pursuant to condition 18A of planning permission no. APP/U3100/A/09/2107573; plan number S59m/176 approved pursuant to condition 23 of planning permission no. APP/U3100/A/09/2107573; the AMEC report dated 12th July 2013, clarification regarding condition 36 - Email from Paul Williams to Mary Thompson dated 19th August, the clarification of water related submissions - letter from Mike Carey to Mary Thompson dated 29th August 2013 and the e-mail of clarification on condition 24 for EA - Email from Mike Carey dated 29.08.13 approved pursuant to conditions 24, 25, 26, 34, 36 & 48 of planning permission no. APP/U3100/A/09/2107573; the Smith Grant Dust Management Scheme dated June 2013 and the Smith Grant Dust Monitoring Scheme dated August 2013 approved pursuant to condition 30 of planning permission no. APP/U3100/A/09/2107573; the Written Scheme of Archaeological Investigation dated October 2012 approved pursuant to condition 32 of planning permission no. APP/U3100/A/09/2107573; plan numbers S2/HAN/04-08, S2/HAN/04-09, S2/HAN/04-10, S2/HAN/04-11, S2/HAN/04-12, S2/HAN/04-13 rev A, S2/HAN/04-14 rev B, and the Explanatory Note dated September 2012 approved pursuant to condition 33 of planning permission no. APP/U3100/A/09/2107573 as updated by Figure 1: Stonehenge Farm: Phasing Sequence and Period of Operations within each Phase from initial soil stripping through to completion of restoration earthworks (amended October 2016) and Figure 2: Stonehenge Farm: Programme of Operations for Infrastructure Development, Soil Stripping, Mineral Extraction and Restoration (Amended October 2016); plan no. S59m/179 (Goose Fencing) approved pursuant to condition 46 of planning permission no. APP/U3100/A/09/2107573.

2. Extraction of minerals shall cease by 31st December 2023 and restoration shall be completed in accordance with the approved details by one year from the date of cessation of mineral extraction or 31st December 2024 whichever is the earlier.

3. 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:

07.00 to 18.00 hours on Mondays to Fridays

07.00 to 13.00 hours on Saturdays.

No operations shall take place on Sundays, Public or Bank Holidays.

4. During development, there shall be no raising of ground levels as shown on the pre-development topographical survey approved pursuant to condition 23 of planning permission no. APP/U3100/A/09/2107573 other than in the areas shown on approved plans S2/HAN/04/01 rev B, S2/HAN/04/02 rev A, S2/HAN/04/03 rev B, S2/HAN/04/04 rev B, S2/HAN/04/05 rev B, S2/HAN/04/06 rev A, S2/HAN/04/07 rev A.

5. Save as modified by any details approved pursuant to any other condition of this permission, the development shall not be designed and constructed other than in accordance with the flood risk assessment produced by Hydro Logic incorporated in the Environmental Statement dated January 2008.

6. No extraction, tipping or temporary storage of materials shall take place within 16 metres of the River Windrush. During the course of development, no tipped material shall enter any watercourse or culvert.

7. No dewatering shall take place in phases 1, 3 and 5, as shown on approved plan S59/108 rev D.

8. Vehicular access to the site shall only take place via the site access to Stanton Harcourt Quarry as shown on approved plan S59/105 rev C except that maintenance and extraction plant and vehicles used in extraction, construction on site or maintenance of the pipeline permitted pursuant to planning permission no. MW.0132/16 shall enter adjacent to the location where the pipeline permitted pursuant to planning permission no. MW.0132/16 crosses the Standlake Road as marked on approved plan no. S59/105C on approved plan S59/105 rev C or from the south west corner of the plant site.

9. No mineral shall leave the extraction area except via the pipeline permitted pursuant to planning permission no. MW.0132/16.

10. The surface of the internal access road between the weighbridge and the public highway shall be metalled, drained and kept clear of debris throughout the life of the plant site during the course of the development hereby permitted and no vehicles shall enter the public highway unless their wheels are sufficiently clean to ensure that no mud or debris is taken onto the public highway.

11. No loaded vehicles shall leave the site unsheeted except those only carrying stone in excess of 75mm.

12. The noise levels arising from the development shall not exceed 55 dB(LAeq) (1 hour) at the boundary of the Plant Site, 51 dB(LAeq) (1 hour) at the boundary of phase 3, and 46 dB(LAeq) (1 hour) at the boundary of all other phases identified on approved plan S59/108 rev D.

13. The noise levels arising from the temporary operations of soil stripping, bund formation and restoration shall not exceed 70 dB(LAeq) (1 hour free field) measured at the closest dwelling. Such temporary works shall not take place for more than eight weeks in any twelve month period. At least 48 hours prior notice of such works shall be given to residents of dwellings within 350 metres of the works before those works begin.

14. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery, they shall be installed and retained in use.

15. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle, excluding HGVs or delivery vehicles, operating on the site, other than those which use white noise.

16. No pumping of water shall take place on site except with electrically powered pumps.

17. The existing trees, bushes and hedgerows within the site, as shown to be retained on approved plans S59/108 rev D and S59/113A (except to allow the pipeline permitted pursuant to planning permission no. MW.0132/16 to enter the processing plant area), shall be retained and shall not be felled, lopped, topped or removed in areas outside the current or succeeding phase of mineral working or tipping. 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 Minerals Planning Authority.

18. The development shall not take place other than in accordance with plan numbers S59/175a and S59m/1758a approved pursuant to condition 18A of planning permission no. APP/U3100/A/09/2107573. If within a period of 2 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Minerals Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Minerals Planning Authority gives its written approval to any variation.

19. No restoration shall take place except in accordance with the details of the restoration scheme to reed beds and lakes, as shown on approved plans numbers S2/HAN/04/01 rev B, S2/HAN/04/02 rev A, S2/HAN/04/03 rev B, S2/HAN/04/04 rev B, S2/HAN/04/05 rev B, S2/HAN/04/06 rev A, S2/HAN/04/07 rev A and plan numbers S2/HAN/04-08, S2/HAN/04-09, S2/HAN/04-10, S2/HAN/04-11, S2/HAN/04-12, S2/HAN/04-13 rev A, S2/HAN/04-14 rev B, and the Explanatory Note dated September 2012 approved pursuant to condition 33 of planning permission no. APP/U3100/A/09/2107573.

20. No lowering of the water level of any water areas to expose the base of the

reedbeds of the restored quarry shall take place save where required on a short term basis for the management of the reed beds.

21. There shall be no after-use of any of the restored ponds other than in accordance with details of a scheme to be submitted to and approved in writing by the Minerals Planning Authority.

22. The development shall not take place other than in accordance with the AMEC report dated 12th July 2013, the clarification of water related submissions - letter from Mike Carey to Mary Thompson dated 29th August 2013 and the e-mail of clarification on condition 24 for EA - Email from Mike Carey dated 29.08.13 approved pursuant to condition 24 of planning permission no. APP/U3100/A/09/2107573.

23. There shall be no working of minerals within 15 metres of the pond, as shown on approved plan S59/107A, except in accordance with the AMEC report dated 12th July 2013 approved pursuant to condition 25 of planning permission no. APP/U3100/A/09/2107573.

24. No mineral working shall take place within 30 metres of any main river except in accordance with AMEC report dated 12th July 2013 approved pursuant to condition 25 of planning permission no. APP/U3100/A/09/2107573.

25. No development shall take place other than in association with the pipeline permitted pursuant to planning permission no. MW.0134/16 including where the pipeline passes under Standlake Road as shown on plan no. S2/HAN/5/16 approved pursuant to that permission.

26. No development shall take place other than in association with the pipeline permitted pursuant to planning permission no. MW.0134/16 including where the pipeline crosses bridleway 362/28 and footpath 313/4c as shown on drawing nos. S2/HAN/5/08 and S2/HAN/5/12 approved pursuant to that permission.

27. No development shall take place other than in association with the pipeline permitted pursuant to planning permission no. MW.0134/16 including where the pipeline crosses the stream west of Pinnocks Farm as shown on drawing nos. S2/HAN/5/14 and S2/HAN/5/15 approved pursuant to that permission.

28. No development shall take place other than in accordance with the Smith Grant Dust Management Scheme dated June 2013 and the Smith Grant Dust Monitoring Scheme dated August 2013 approved pursuant to condition 30 of planning permission no. APP/U3100/A/09/2107573. The approved scheme shall be implemented and complied with at all times.

29. No development shall take place other than in accordance approved plan nos. S59m/177 rev A and S2/HAN/5/21 for the Plant Site and Stock Storage Area and silt disposal area, all as shown on approved plan S59/105 rev C. The approved layout shall be in place during any sand and gravel processing at the site.

30. No development shall take place other than in accordance with the Written Scheme of Archaeological Investigation dated October 2012 approved pursuant to condition 32 of planning permission no. APP/U3100/A/09/2107573.

31. No development shall take place other than in accordance with the approved supporting statement dated October 2016, approved plan nos. S2/HAN/04/01 rev B, S2/HAN/04/02 rev A, S2/HAN/04/03 rev B, S2/HAN/04/04 rev B, S2/HAN/04/05 rev B, S2/HAN/04/06 rev A, S2/HAN/04/07 rev A and plan numbers S2/HAN/04-08, S2/HAN/04-09, S2/HAN/04-10, S2/HAN/04-11, S2/HAN/04-12, S2/HAN/04-13 rev A, S2/HAN/04-14 rev B, and the Explanatory Note dated September 2012 approved pursuant to condition 33 of planning permission no. APP/U3100/A/09/2107573 for restoration to reedbeds and lakes.

32. Groundwater and surface water monitoring of each phase of the development shall take place throughout the working, restoration and the 5 year after-care period referred to in condition 41, in accordance with the AMEC report dated 12th July 2013 and the clarification of water related submissions - letter from Mike Carey to Mary Thompson dated 29th August 2013 approved pursuant to condition 34 of planning permission no. APP/U3100/A/09/2107573.

33. Ground levels which are above the restored water level following extraction shall be verified by a post-restoration topographical survey to be submitted to the Minerals Planning Authority for approval within one year of the complete restoration of the site south of Standlake Road. Any ground levels identified by the approved survey which are above those shown on the predevelopment topographical survey shall be reduced to those shown on the pre-development topographical survey within a further year.

34. No dewatering operations other than in accordance with the AMEC report dated 12th July 2013, the clarification of water related submissions - letter from Mike Carey to Mary Thompson dated 29th August 2013 and the clarification regarding condition 36 - Email from Paul Williams to Mary Thompson dated 19th August approved pursuant to condition 36 of planning permission no. APP/U3100/A/09/2107573.

35. Within one month of completion of mineral working in phase 2, as shown on approved plan S59/108 rev D, a hydrogeological review and evaluation of the dewatering working method shall be submitted to the Minerals Planning Authority for approval.

36. No dewatering shall take place in phases 4 and 6 as shown on approved plan S59/108 rev D until a scheme of mitigation to ensure that sufficient water is maintained in the recharge trenches has been submitted to and approved in writing by the Minerals Planning Authority. No dewatering in phases 4 and 6 shall take place except in accordance with the approved scheme.

37. No screening bunds shall be constructed in phases 2 and 3 other than as shown on approved plan nos. S2/HAN/04/01 rev B, S2/HAN/04/02 rev A, S2/HAN/04/03 rev B and S2/HAN/04/04 rev B, and plan number S2/HAN/04-09 and the Explanatory Note dated September 2012 approved pursuant to condition 33 of planning permission no. APP/U3100/A/09/2107573 unless they are located and constructed in

accordance with details that have been first submitted to and approved in writing by the Minerals Planning Authority. The details shall be informed by any 2d modelling necessary to assess the impact of locating the screening bunds in their proposed positions. Survey details of the position of each of these screening bunds shall be submitted to the Minerals Planning Authority within 1 month of the completion of its construction. No mineral extraction shall take place in phase 2 unless the bunds for the phase are in place and no mineral extraction shall take place in phase 3 unless the bunds for the phase are in place.

38. No water shall be discharged from the site except in accordance with a scheme that has been submitted to and approved in writing by the Minerals Planning Authority.

39. Details of the location, height, design, sensors and luminance of external lighting (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways and pollution of the sky) shall be submitted to and approved in writing by the Minerals Planning Authority before any external lighting is used on the appeal site. External lighting at the appeal site shall be in accordance with the approved details for the duration of the development.

40. No vegetation clearance works shall be undertaken in the bird nesting season (March 1st – August 31st) without prior written approval from the Minerals Planning Authority. Such approval will only be granted if a survey of nesting birds in the area to be cleared has been undertaken by an appropriately qualified ornithologist and details of the survey have been submitted to the Minerals Planning Authority.

41. An after-care scheme and programme for each of the phases as shown on approved plan S59/108 rev D, which starts in each phase as restoration is complete in that phase and lasting for 5 years in each phase, shall be submitted for the approval of the Minerals Planning Authority at least one year before after-care is due to start in phase 1. The scheme shall include the monitoring and management details of the following habitat types: open water, reed beds, wet woodland and species types: nesting birds, bat roosts, otter holts, amphibian ponds and invertebrate provisions. No further working in any subsequent phase to be commenced shall take place until a scheme and programme are approved in writing. The scheme and programme shall be carried out in accordance with the approved details, subject to the requirements of condition 42 below.

42. Prior to completion of restoration in phase 1 and in every subsequent year during the after-care period for the relevant phase (as identified in condition 41), the mineral operator shall provide the Minerals Planning Authority and the landowner/occupier with a detailed annual scheme and programme for the written approval of the Minerals Planning Authority including:

- (a) Proposals for managing the land for the forthcoming 12 months, incorporating any proposed modifications to the scheme and programme as a result of the findings in (b) below;
- (b) A record of after-care operations carried out on the land during the

previous 12 months.

No further working in any subsequent phase to be commenced shall take place until a scheme and programme of management and after-care of the land are approved in writing by the Minerals Planning Authority. The scheme and programme shall be carried out in accordance with the approved details.

43. No winning and working of minerals shall take place in phase 6, as shown on plan S59/108 rev D, until a scheme and programme to manage water levels in the reedbeds of the restored site has been submitted to and approved in writing by the Minerals Planning Authority. Any scheme that is approved shall be implemented.

44. No winning and working of minerals shall take place in any phase as shown on approved plan S59/108 rev D other than in accordance with approved plan no. S59m/179 (Goose Fencing).

45. No above ground oil storage tank shall be erected on site unless it is sited on an impervious base and surrounded by a liquid-tight bunded compound with no drainage outlet. Any bunded area shall be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges shall be enclosed within its curtilage. The vent pipe shall be directed downwards into the bund.

46. No development shall take place other than in accordance with the AMEC report dated 12th July 2013 detailing the scheme to prevent pollution of the environment resulting from oil/fuel spills

47. Prior to the commencement of any tree felling, lopping or topping within the site, details of a bat survey and measures to protect any bats shall be submitted to and approved in writing by the Minerals Planning Authority. There shall be no tree felling, lopping or topping other than in accordance with the approved measures.

Annex 4: European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2010 which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.

4. Damage or destruction of an EPS breeding site or resting place.

Ecological survey results indicate that a European Protected Species is likely to be present.

The application details the following mitigation measures: the pipeline will be raised on sleepers for most of its length, allowing newts to move freely beneath it during operation.

Your officers would therefore recommend the following conditions to secure the implementation of the offence avoidance measures to ensure that no offence is committed: An appropriately qualified ecologist should attend during installation and decommissioning of the northern 200m section of the pipeline (nearest to the pond with Great Crested Newts) to check the area for newts and ensure that no harm occurs.

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, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

Issues which arose in the processing of the application included requests for further information for a number of consultees including Historic England, the MOD and the Ecologist Planner. The applicant responded to these requests.

