

PLANNING AND REGULATION COMMITTEE – 10 DECEMBER 2018**DIRECTOR FOR PLANNING AND PLACE****Development Proposed:**

Application MW.0098/18: Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to continue the development permitted by permission no P16/V3191/CM (MW.0139/16) (for the progressive extraction of sand and gravel, importation of inert waste material with restoration to nature conservation and an agricultural reservoir) varying conditions 1, 20 & 23 and removing condition 21 to allow the development to be accessed via a temporary haul road in place of the existing required vehicle access route

Application MW.0099/18: Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to continue the development permitted by permission no P13/V2763/CM (MW.0124/13) (to retain and operate the processing plant and ancillary operations) without complying with by varying conditions 11, 12, 16 & 18 and removing conditions 17, 19 and 20 of to allow the development to be accessed via a temporary haul road in place of the existing required vehicle access route

Division Affected: Sutton Courtenay and Marcham

Contact Officer: Mary Thompson **Tel:** 07393 001 257

Location: Land adjoining Stonehill Lane, Oday Hill, Sutton Wick, Abingdon, OX14 4AA

Application Nos: MW.0098/18 **District Ref:** P18/V2129/CM
MW.0099/18 **District Ref:** P18/V2172/CM

Applicant: H Tuckwell & Sons Ltd

District Council Area: Vale of White Horse

Date Received: 17 August 2018

Consultation Period: 30 August – 20 September 2018

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Recommendation

The report recommends that the applications MW.0098/18 and MW.0099/18 be **approved**.

- Part 1 – Facts and Background

Location (see plan 1)

1. The wider Sutton Wick minerals complex is located approximately 800m north east of Drayton, 700m from the southern edge of Abingdon, 1.3km (0.8 mile) west of Culham and 1.4km (0.9 mile) northwest of Sutton Courtenay.

Site and Setting

2. Application MW.0098/18 relates to the Camas Land extraction area within the Sutton Wick complex of mineral workings. Much of the wider area has undergone sand and gravel extraction in the past and been restored. The Camas Land is split into a northern half and a southern half by Bassett Lane. To the east lies an area of past mineral working, now restored to pasture through infilling. The application site is generally level although it rises slightly towards the north east and is at a lower level than adjacent land to the west. It is surrounded by agricultural land. The southern part of the site contains an agricultural reservoir which would be replaced through the restoration.
3. There is a ditch and hedgerow along the northern boundary of the northern half of the site and another (Oday Hill Drain) along the western boundary of the whole area. The site is located in flood zone 3, the area of highest flood risk and frequently floods in winter.
4. The closest properties to the Camas Land include Willowdene, Fairdene and Oday Hill, immediately north west of the Camas Land extraction area. Two semi-detached houses, 7 and 9 Oday Hill, lie opposite on the other side of Stonehill Lane, approximately 100 metres north west of the north west corner of Camas Land. Stonehill Farm lies a further 350 metres north west along Stonehill Lane. There is a row of residential properties on Drayton Road, approximately 350 metres south of the site boundary.
5. There is a slope down from Stonehill Lane onto the flood plain where the Camas Land extraction area and plant site are located.

6. Application MW.0099/18 relates to the plant site area. This is also located within the wider Sutton Wick complex, approximately 150 metres north east of the Camas Land, immediately south of a sewage treatment works. There is an access into the eastern boundary of the plant site onto Peep O' Day Lane, which then links to Camas Land via Bassett Lane. Planning permission (MW.0010/18) is in place to construct a new haul road which would link the northern part of Camas Land with the plant site, using a new access through the plant site's western boundary, avoiding Peep O' Day Lane and Bassett Lane.
7. Peep O' Day Lane is a bridleway and Sustrans cycle route. It forms part of the Vale Way promoted route. Bassett Lane and Stonehill Lane are also bridleways.

Planning History

8. Planning permission for sand and gravel extraction at the Camas Land (MW.048/05) was granted on 18 March 2016. A Section 73 permission (MW.0139/16) was issued on 20 February 2017 to regularise development which had taken place without complying with the approved plans and conditions and the development is taking place under that consent. The permission allows 5 years for the extraction of mineral (until February 2022) and 8 years (until February 2025) for the completion of restoration using inert fill. The current application MW.0098/18 is a Section 73 application to further amend the conditions on this consent.
9. The plant site has a separate permission (MW.0124/13), issued on 23 March 2016 which allows the processing of mineral until 31 December 2025. The current application MW.0099/18 is a Section 73 application to amend the conditions on this consent.
10. Permission was granted in August 2018 (MW.0010/18) for the construction of a new temporary haul road to access the Camas Land and the plant site from Stonehill Lane without the need for vehicles to use Peep O' Day Lane or Bassett Lane, which are also used by pedestrians, cyclists and horse riders. This decision was made under delegated powers. The report is appended as Annex 4. Construction of the new haul road commenced on 11 October 2018.

Details of the Development

11. The current applications are necessary to regularise the use of the new road permitted under MW.0010/18 in relation to existing permissions MW.0139/16 and MW.0124/13, as these include conditions specifying that the previous access arrangements must be used.
12. The conditions on the consent for mineral extraction at the Camas Land and the use of the plant site currently state that the approved route from the plant site to the B4017 is via Peep O' Day Lane, Bassett Lane and Stonehill Lane. This is because the new haul route had not been proposed

at the time that those applications were determined. Therefore, the Section 73 applications submitted are necessary to amend the conditions on the Camas Land and the plant site consents so that the permitted new haul road can be used.

13. As traffic would now use the new haul road, rather than the previously approved route, the approved accesses into the north and south sections of the Camas Land from Bassett Lane would become a crossing point for vehicles to access the part of the Camas Land south of Bassett Lane, from the area to the north of Bassett Lane. An internal haul road would run within the Camas Land area to the new access point. This would be approximately 7 metres wide and would be removed when no longer required. This would delay the restoration of the affected parts of the Camas Land extraction area.
14. The new haul road permitted by MW.0010/18 would enter the Camas Land on its northern boundary. The haul road would then need to run through the Camas Land to reach extraction areas within the site and to reach the crossing point over Bassett Lane into the southern part of the site. The current permission for extraction at Camas Land includes progressive restoration. Therefore, the continued existence of the haul road through the northern part of the site, which would otherwise have been restored, requires changes to the approved plans.
15. Annex 1 shows the detail of the proposed changes to the conditions on the Camas Land consent and Annex 2 shows the detail of the proposed changes to the conditions on the Plant Site consent, required to ensure that the new haul road could be used as intended. The conditions on the existing consents are provided at Annexes 5 and 6.

• Part 2 – Other Viewpoints

Representations

16. MW.0098/18 – One representation raising objection has been received. This relates to impacts on a property located near the haul road and is concerned about noise and pollution impacts and states that at present lorries run to the front of the property only and at a suitable distance.
17. MW.0099/18 – Two representations raising objection have been received. These both relate to impacts on the same property located close to the haul road. They express concern about noise, odour, dust, impact on property value and subsidence.
18. All of the representations received relate to the proposal for a new haul road, which already has permission under MW.0010/18. There have been no comments specifically on the proposed changes to the existing conditions on the planning consents for extraction at the Camas Land or the mineral processing site. However, the objectors have stated that they were unaware of the application for the construction of the haul road.

19. The application for the haul road was publicised following usual procedures, including site notices, a newspaper advert and letters to the closest properties. This did include the property which the two objectors are concerned about.

Consultations

20. Applications MW.0098/18 and MW.0099/18 were both subject to consultation between 30 August and 20 September 2018.

Sutton Courtenay Parish Council

21. MW.0098/18 – No objection, it would be helpful to remove traffic from Peep O Day Lane.

Vale of White Horse District Council – Planning

22. MW.0099/18 – The District Council raises no objection but suggests that local residents' comments are taken into account.

23. MW.0098/18 – No response received.

Vale of White Horse District Council – Environmental Protection

24. MW.0098/18 – No objections or observations

25. MW.0099/18 - No observations or comments to make on this particular application regarding noise, dust or odour.

Environment Agency

26. MW.0098/18 - No objection to the variation of conditions to permit the use of the road.

27. MW.0099/18 – No objection.

Natural England

28. (MW.0098/18) – Responded, no comments.

Ramblers Association

29. (MW.0098/18) No objection. The haul road crosses a public footpath to Abingdon, which must be kept open at all times (including at night).

OCC Transport Development Control

30. (MW.0098/18 and MW.0099/18) No objections.

OCC Rights of Way

31. (MW.0098/18) Concern that the crossroad layout on Bassett Lane could cause safety issues for non-motorised users. A staggered junction would provide for lower speeds. Recommends physical speed control measures and signage on Bassett Lane. The new HGV access onto Stonehill Lane is welcomed as it will reduce HGV use of the bridleways. However, if possible separated provision for vehicles and non-motorised users should be provided all the way to the B4017.
32. (MW.0099/18) – The new HGV access onto Stonehill Lane is welcomed. However, if possible separated provision for vehicles and non-motorised users should be provided all the way to the B4017, with a diversion to provide for the bridleway away from the access road running in an adjacent field if necessary.
33. Further comments – the long route could be blocked by lockable bollards to prevent HGVs on the routes shared by non-motorised users.
34. *OCC Ecology Officer* – (MW.0098/18) No objection. Ecological assessment and measures secured in relation to application MW.0010/18 for the construction of a temporary haul road shall be implemented to ensure no protected species or habitat are impacted, including the undertaking of a Water Vole survey prior to any culverting/bridge works affecting the Oday Hill drain. The proposed internal haul road is located in the wildlife buffer zone, therefore details of compensatory planting and enhancements are required by condition.
35. *OCC Ecology Officer* – (MW.0099/18) No objections.

Part 3 – Relevant Planning Documents

Relevant Planning Policies – (see policy annex)

36. Development should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
37. The relevant development plan documents are:
 - The Oxfordshire Minerals and Waste Core Strategy 2031 Part 1 (OMWCS)
 - The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) (saved policies)
 - The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies
 - The Vale of White Horse Local Plan 2031 Part 1 (VLP1)

38. The Government's National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG) are material considerations in taking planning decisions.

39. The Vale of White Horse Local Plan 2031 Part 2 (VLP2) Publication Version was submitted to the Secretary of State for independent examination in February 2018. Therefore, although this document is not yet adopted it is a material consideration which can be given some weight.

Relevant Policies

40. The relevant development plan policies are:

- Oxfordshire Minerals and Waste Local Plan Core Strategy 2031 (OMWCS)
 - C1 Sustainable development
 - C5 Local environment, amenity and economy
 - C7 Biodiversity and geodiversity
 - C10 Transport
 - C11 Rights of Way
 - M2 Provision for working aggregate minerals
- Oxfordshire Minerals & Waste Local Plan (OMWLP) 1996 (saved policies)
 - SW2 – Access to Sutton Wick area
 - SW3 – Stonehill Lane
 - SW4 – Rate of production in Sutton Wick area
- Vale of White Horse Local Plan (VLP 2011) (saved policies)
 - DC5 - Access
 - DC9 – Neighbouring amenity
- Vale of White Horse Local Plan 2031 Part 1 (VLP1)
 - Core Policy 1 – Presumption in favour of sustainable development

41. The relevant emerging plan policies are:

- Draft Vale of White Horse Local Plan 2031 Part 2 (VLP2)
 - Development Policy 16 (Access)
 - Development Policy 23 (Amenity)
 - Development Policy 25 (Noise)
 - Development Policy 26 (Air Quality)

Comments of the Director for Planning and Place

Mineral Working and Restoration

42. OMWCS policy M2 sets out the level of provision to be made for aggregate working through the plan period. The proposed changes to the conditions on the Camas Land and plant site consents would enable the use of the new haul road permitted under MW.0010/18 and, therefore, facilitate the extraction of sand and gravel from a permitted site which contributes towards achieving the figures set out in the policy. However, the mineral would still be extracted from the site under the original access arrangements currently permitted by the Camas Land and plant site consents if this application is not approved. Therefore, there is no conflict with, nor particular support from, OMWCS policy M2.
43. OMWCS policy M10 requires that mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. No change is proposed to the end date for restoration on the Camas Land or plant site. The presence of a haul road through the Camas Land site would affect the progressive restoration of the extraction in that area and extend the duration of landscape and visual impacts in the extraction area. However, the area of the site which would be affected by the haul road is relatively small and it is common at quarries for haul roads and conveyors to extend across areas which are otherwise restored. It is not considered that the presence of a haul road is contrary to the principles of progressive restoration. There would be a delay in achieving the biodiversity benefits of the restoration. However, there has been no objection from the Ecology Officer, subject to a condition for a scheme of ecological enhancements. Therefore, it is recommended that such a condition is added and subject to that the proposals are considered to accord with OMWCS policy M10.

Traffic and access

44. OMWCS policy C10 states that waste development will be expected to make provision for safe and convenient access onto the advisory lorry routes shown on the Oxfordshire Lorry Routes Map.
45. VLP 2011 policy DC5 states that proposals for development will only be permitted provided that safe and convenient access will be provided both within the site and to and from the highway network.
46. VLP2 development policy 16 states that proposals for development will need to demonstrate that adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning.
47. OMWLP policies SW2, SW3 and SW4 cover access arrangements for sand and gravel extraction in the Sutton Wick areas. Policy SW2 states that access will not be permitted into the B4016 between Drayton and Sutton Courtenay, or to south Abingdon via Peep O'Day Lane. Policy SW3

states that access will be via Stonehill Lane and particular attention will be paid to the needs of users of the lane. Policy SW4 states that because of access difficulties, future planning permissions will seek to limit the rate of production in the area.

48. There have been no objections from the OCC Transport Development Control team. The new haul road already has planning permission. The proposed changes to the conditions on the Camas Land and plant site consents would enable the new haul road to be implemented, which would provide a safe and convenient access, providing adequate provision for vehicles which would address the access difficulties in this area that OMWLP policies SW2, SW3 and SW4 sought to address. The proposed changes to conditions are therefore considered to accord with relevant development plan policy relating to transport and access.

Rights of Way

49. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and improvements and enhancements to the rights of way network generally encouraged.
50. The proposed changes to conditions would allow the use of the new haul road which would mean that HGVs travelling to and from the plant site would no longer need to use Bassett Lane and Peep O' Day Lane, which are used by the public for walking, cycling and riding thus reducing any conflicts, making these routes more attractive to other users and improving safety.
51. The rights of way team have commented that the crossing point on Bassett Lane could be dangerous and a staggered junction would be preferable. They have also asked for physical speed control measures on Bassett Lane. The applicant has responded that the crossing point over Bassett Lane is already in use and operates safely and that a staggered junction would introduce turning movements onto Bassett Lane which might, in itself, cause safety issues and would also require the removal of further hedgerow. Overall, it is not considered necessary for the crossing point to be replaced with a staggered junction as the crossing point is already approved under the existing consent.
52. The rights of way team have welcomed the new HGV access from the Camas Land and plant site onto Stonehill Lane, but commented that separated access for vehicles and non-motorised users should be provided all the way to the B4017. This is beyond the scope of this application as it has not been put forward by the applicant and is not necessary, as the existing permission for extraction at Camas Land allows HGV traffic to use Peep O' Day Lane, Stonehill Lane and Bassett Lane without any such restriction. The rights of way team have also suggested conditions for the current long route to the plant site to be blocked with lockable bollards. However, this is not considered feasible as other vehicles use this route, which are not associated with the quarry.

53. The proposals accord with policies relating to rights of way, including OMWCS policy C11.

Amenity

54. OMWCS policy C5 states that proposals for minerals development shall demonstrate that they will not have an unacceptable impact on the local environment, human health and safety, residential amenity and the local economy. This includes through noise, traffic, air quality, light pollution, visual intrusion, litter and the cumulative effect of development. VLP 2011 policy DC9 states that development will not be permitted if it would cause unacceptable harm to the amenities of neighbouring properties and the wider environment in terms of loss of privacy, visual intrusion, noise or vibration, dust, pollution or external lighting.
55. VLP2 policy 23 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses.
56. Noise is specifically covered by VLP2 development policy 25 which states that noise generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard.
57. VLP2 development policy 26 covers air quality and states that development proposals that are likely to have an impact on local air quality will need to demonstrate measures to minimise any impacts associated with air quality.
58. The proposed changes to conditions would enable the use of the new haul route which would mean that HGVs travelling to and from the plant site would no longer travel past the front of dwellings on Stonehill Lane. It is noted that the owner and occupier of one of the properties closest to the new haul road are concerned about potential adverse impacts on their amenity. At its closest point, the new haul road would run approximately 40 metres behind Willowdene. The existing lorry route passes directly in front of other properties on Stonehill Lane and approximately 20 metres from the front of Willowdene. Therefore, the use of the new road and the removal of quarry HGVs from Bassett Lane and Peep O' Day Lane, is considered to have amenity benefits. It would take HGVs further from properties and remove them from the Sustrans route and rights of way. It is acknowledged that the new road would be in addition to the existing road at the front of Willowdene. However, conditions would be used to ensure that the old route was not used for quarry traffic once the new road was in use. It is also acknowledged that the new road lies behind the property and that lorries would need to go up and down a relatively steep bank, which might be noisier than travelling along a flat road. However, amenity impacts were considered when determining the report for the new

road and there were no objections from the Environmental Protection Officer to the original application for the road, or for these applications to enable its use in connection with the quarry. Conditions were attached to the haul road consent to control noise levels and mitigate dust. The proposals included new tree planting to reduce visual impacts to Willowdene. These measures are considered sufficient to ensure that there would be no unacceptable adverse impacts from the use of this road.

59. Overall, the proposal is considered to accord with policies protecting local amenity. It is not anticipated that there would be significant adverse effects and it is likely that there would be improvements compared to the current situation.

Biodiversity

60. OMWCS policy C7 states that development should conserve and, where possible, deliver a net gain in biodiversity. The application states that the replacement and additional planting of trees and hedges would represent an increase in biodiversity.
61. Vegetation clearance is needed to connect the haul road through field boundaries into the Camas Land and the plant site. However, this was dealt with through the application for the new haul road. There would be a delay to the delivery of the biodiversity benefits of the Camas Land restoration, due to the presence of the internal haul route through to the Bassett Lane crossing point. However, there has been no objection to the applications from the Ecology Officer, subject to a condition requiring a scheme of ecological enhancements being attached to any permission granted to the Camas Land application. Subject to this condition, the development accords with OMWCS policy C7.

Sustainable Development

62. The NPPF contains a presumption in favour of sustainable development which has environmental, economic and social roles and this is reflected in OMWCS policy C1 and VLP1 core policy 1. OMWCS policy C2 states that applications for development should adopt a low carbon approach.
63. The proposed changes to the conditions would enable the consent for the alternative haul route to be implemented. This is shorter than the route that the consents currently require HGVs to take which would reduce the carbon emissions associated with the development. Subject to the conditions discussed above, it is considered that the proposals are supported by OMWCS policies C1 and C2 and VLP1 core policy 1.

Use of existing haul route

64. The advantages of the new haul route depend on the existing route via Stonehill Lane, Bassett Lane and Peep O'Day Lane no longer being used by HGVs travelling to and from the plant site. Therefore, it is important to

ensure that when conditions are modified to permit the use of the new haul route, they are also modified to prohibit the use of the existing route except in emergencies. Therefore, it would not be possible for both routes to be in operation at the same time. The proposed changes to the conditions can be seen at Annexes 1 and 2.

Conclusions

65. These applications are necessary to amend the conditions on existing consents to allow the recently approved new haul route to the mineral extraction area and plant site at Sutton Wick to be used. The new haul road already has permission and the proposed amendments to conditions to allow it to be used are considered to be in accordance with development plan policy relating to minerals, traffic, rights of way, amenity, biodiversity and sustainable development.

Recommendation

66. **It is RECOMMENDED that planning permission for:**

- (a) application MW.0098/18 be approved subject to the existing conditions on consent MW.0139/18, amended as set out in Annex 1 to this report;**
- (b) application MW.0099/18 be approved subject to the existing conditions on consent MW.0124/13, amended as set out in Annex 2 to this report.**

SUSAN HALLIWELL
Director for Planning and Place

December 2018

Annex 1

Proposed changes to conditions Camas Land consent MW.0098/18

Additional changes to conditions

In addition to the changes proposed by the applicant, a further condition is needed requiring the applicant to confirm the date on which they cease using the old access arrangements and move over to the new ones. This is necessary to ensure that the other conditions are clear and enforceable as different provisions apply after the new road is in use. An additional condition is also required for a scheme of ecological enhancements, as requested by the Ecology Officer. It is also necessary to require an updated restoration plan as the currently approved plan does not show the presence of the new haul road through the extraction area.

Additional condition 1

Officer recommended wording: Within one week of the access arrangements shown on approved plan 18767-500-02 Rev A being brought into use, the Minerals Planning Authority shall be notified in writing of the date that those access arrangements were brought into use.

Additional condition 2

Officer recommended wording: No HGV traffic associated with this development shall use the haul road permitted under MW.0010/18 until a scheme of ecological enhancements to ensure a net gain in biodiversity has been submitted to and approved in writing by the Minerals Planning Authority. The approved scheme shall be fully implemented in accordance with the timescales set out within the approved scheme.

Additional condition 3

Officer recommended wording: The access arrangements shown on approved plan 18767-500-02 Rev A shall not be brought into use until a plan has been submitted to the Minerals Planning Authority and approved in writing showing the progressive restoration of extraction area taking into account the presence of the internal haul road.

Applicant proposed changes to conditions

Condition 1

Current wording: The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application and as varied to planning permission no. MW.048/05 (DRA/3595/3-CM) except as modified by conditions of this permission. The approved plans and particulars comprise: [details listed]

Applicant proposed new wording: Save for references to the use of Bassett Lane and Peep O' Day Lane for access by HGVs 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. The approved plans and particulars comprise [details listed]

Officer comment: Slightly amended wording is recommended, as set out below. This is to ensure that the wording is concise and enforceable.

Officer recommended new wording: No development shall take place other than in complete accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise [details listed, also including plan 18767-500-02_Rev_A approved under MW.0010/18]

For clarity, references to the use of Bassett Lane and Peep O' Day lane as an access route in the approved documents and plans are superseded by the conditions on this consent, from the date that the new road shown on approved plan 18767-500-02 Rev A is brought into use as advised under condition [insert condition no]

Condition 20

Current wording: The surfacing of the plant access and the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005 shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the completion of site restoration and aftercare.

Applicant proposed new wording: The surface of the plant access and the sections of Stonehill and Bassett Lanes used by HGVs accessing the plant site and quarry shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the completion of site restoration and aftercare

Officer comment: Slightly amended wording is recommended, as set out below. This is to ensure that the wording is concise and enforceable and that the condition refers to a plan so that it is clear which areas the condition relates to. It also ensures that until the new road is implemented, the current requirements are still in force.

Officer recommended new wording: The surfacing of the plant access and the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005 shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the completion of site restoration and aftercare. Following the date that the new haul road is brought into use, as advised under condition [insert condition no], this condition shall relate only to the section of Stonehill Road and the crossing point on Bassett Lane as shown on approved plan 97033/CO/1f Composite Operations Plan and the section of Stonehill Road between the new haul road junction and the B4017.

Condition 21

Current wording: No vehicles shall access the public highway from the site, or access the site from the public highway, other than using the approved route being the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane, onto the B4017, shown as within the application area on approved plan

Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005.

Applicant proposed change: It is proposed to delete condition 21.

Officer comment: It is considered that a condition is still required stating which route vehicles should take to access the Camas Land and Plant Site, to prevent a situation where both the new haul road and the originally permitted route are in use at the same time. It is also required to ensure that the existing arrangements remain in place until such a time that the new haul road is brought into use. It is proposed to amend condition 21 to read as below.

Officer recommended new wording: Until such a time that the new haul road permitted by MW.0010/18 has been brought into use and the Minerals Planning Authority notified in writing, no vehicles shall access the public highway from the site, or access the site from the public highway, other than using the approved route being the sections of Peep O Day Lane, Bassett Lane and Stonehill Lane, onto the B4017, shown as within the application area on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005

Following the date that the new haul road is brought into use, as advised under condition [insert condition no], no vehicles shall access the public highway from the site, or access the site from the public highway, other than using the approved route as shown on approved plan approved plan 18767-500-02 Rev A

Condition 23

Current wording: No development shall commence until signage has been erected on the access road to warn HGV drivers of cyclists and other users of the route and also to inform cyclists and other users of the presence of HGVs. This signage shall be maintained for the duration of the development.

Applicant proposed change: No development shall commence until signage has been erected to warn lorry drivers and users of Bassett Lane of the crossing on Bassett Lane. Signage will be erected on Stonehill Lane if required at any time by the mineral planning authority

Officer comment: The proposed wording reflects the fact that Bassett Lane would no longer be used as the HGV route from the site and would only be a crossing point between the northern and southern sections of Camas Land extraction area. It should not be phrased as 'no development shall commence...' because the development has already commenced. This should be required prior to the use of the crossing point on Bassett Lane, to ensure safety.

Officer recommended new wording: No HGV traffic shall use the crossing over Bassett Lane shown on approved plan 97033/CO/1f Composite Operations Plan until signage has been erected to warn lorry drivers and users of Bassett Lane of the crossing on Bassett Lane. Signage shall be erected on Stonehill Lane if required at any time by the mineral planning authority.

Annex 2

Proposed changes to conditions Plant Site consent MW.0099/18

Additional changes to conditions

Changes are also required to condition 2, which lists the approved plans, to ensure that the approved dust plan approved under the Camas Land consent and plan 18767-500-02 Rev A, originally approved under MW.0010/18, which shows the new haul road route, are referenced.

In addition to the changes proposed by the applicant, a further condition is needed requiring the applicant to confirm the date on which they cease using the old access arrangements and move over to the new ones. This is necessary to ensure that the other conditions are clear and enforceable as different provisions apply after the new road is in use.

Additional condition 1

Officer recommended wording: Within one week of the access arrangements shown on approved plan 18767-500-02 Rev A being brought into use, the Minerals Planning Authority shall be notified in writing of the date that those access arrangements were brought into use.

Applicant proposed changes to conditions

Condition 11

Current wording: No vehicle shall exceed 25 kph on Stonehill Lane, Peep O' Day Lane or Bassett Lane.

Applicant proposed change: No vehicle shall exceed 25 kph on Stonehill Lane

Officer comment: The change is proposed because the use of Bassett Lane and Peep O' Day Lane will now be prohibited by other conditions and therefore it is not necessary to control speed limits on this road. However, the new haul road is not yet in place and there is likely to be a period of time between consents being issued further to these applications and the new haul route being operational. Therefore, it is recommended that the condition is not changed, in order to ensure that whilst in use as a haul route all roads are affected by the speed limits.

Officer proposed change – No change should be made to this condition.

Condition 12

Current wording: A scheme to minimise the emission of dust from the development hereby authorised shall be submitted to and approved in writing by the Mineral Planning Authority within 6 months of the date of this permission. Such a scheme shall include the water spraying of plant access and those sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A, so as to suppress dust in periods of prolonged dry weather. Any scheme approved in writing by the Minerals Planning Authority shall be implemented in full and the suppression equipment thereafter maintained in accordance with the manufacturer's instructions for the duration of the permission.

Proposed new wording: The approved Dust Management Scheme dated March 2016 shall be implemented in full and the suppression equipment shall be maintained in accordance with the manufacturer's instructions for the duration of the permission

Officer comment: The dust scheme referred to was approved under the consent for the Camas Land extraction. It is now proposed to approve this for the plant site operations as well. The details contained within the scheme appear appropriate for the plant site. Therefore, the applicant's proposed wording is accepted.

Condition 16

Current wording: The surfacing of the plant access and the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development.

Proposed new wording: The surface of the plant access and the section of Stonehill Lane which will continue to be used for access between the B4017 and the plant site shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the permission.

Officer comment: The condition should be retained as it is until the new haul road is in use. Reference to a plan needs to be added so it is clear which areas the condition is referring to after this time.

Officer proposed new wording: The surfacing of the plant access and the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development. Following the date that the new haul road is brought into use, as advised under condition [insert condition no], this condition shall relate only to the crossing point on Bassett Lane as shown on approved plan 97033/CO/1f Composite Operations Plan and the section of Stonehill Road between the new haul road junction and the B4017.

Condition 17

Current wording: The means of access and haul roads shall not be other than as shown on approved plan 97033/PS/A and shall be maintained in a condition free of potholes and safe for cyclists for the duration of the development.

Applicant proposed change: It is proposed to delete this condition

Officer comment: A new condition is needed to set out what the means of access and haul road should be.

Officer proposed change: The means of access and haul roads shall not be other than as shown on approved plan 97033/PS/A and shall be maintained in a condition free of potholes and safe for cyclists for the duration of the development. Following the date that the new haul road is brought into use, as advised under condition [insert condition no], the means of access shall not be

other than as shown on approved plan approved plan 18767-500-02 Rev A and shall be maintained in a condition free of potholes and safe for cyclists for the duration of the development.

Condition 18

Current wording: The wheels and chassis of loaded vehicles leaving the site shall be sufficiently clean as to prevent the deposit of material onto the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A.

Applicant proposed new wording: The wheels and chassis of vehicles leaving the plant site shall be sufficiently clean as to prevent the deposit of material onto any public highway

Officer comment: Sections of the existing access route may not be public highway, but they do carry public rights of way and would continue to be used until the new haul route is in place. Therefore, the wording has been slightly amended as set out below.

Officer recommended new wording: The wheels and chassis of vehicles leaving the plant site shall be sufficiently clean as to prevent the deposit of material onto any public highway or any public rights of way.

Condition 19

Current wording: No materials, plant or temporary structures of any kind shall be deposited on or adjacent to Peep O' Day Lane that may obstruct the public from using the route

Proposed change: It is proposed to delete this condition

Officer comment: It is considered that this condition should remain as it is. Peep O' Day Lane would remain part of the access route until such a time that construction of the new haul road is complete and it is brought into use.

Condition 20

Current wording: No further works shall commence until a sign has been erected at the site exit, advising drivers to have due regard to users of the Sustrans Route and two additional signs have been erected on Peep O' Day Lane (20 metres to the north and south of the site exit), to warn users of the Sustrans route of HGVs. All three signs shall be maintained in good order for the duration of the development.

Applicant proposed change: It is proposed to delete this condition

Officer comment: The signs are still needed until such a time that the new haul road is brought into use. Therefore, the condition wording has been altered as set out below.

Officer recommended new wording: Signs shall be maintained in good order to at the site exit, advising drivers to have due regard to users of the Sustrans Route and on Peep O' Day Lane (20 metres to the north and south of the site exit), to warn users of the Sustrans route of HGVs, until such a time that the new haul road permitted by MW.0010/18 has been brought into use and the Minerals Planning Authority notified under condition

[insert condition no].

Annex 3

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 2017 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.

Our records and consideration of the habitats within the site area indicate that European Protected Species are unlikely to be present. Therefore, no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible.

We work with applicants in a positive and creative 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. For example, in this case further information was provided about ecological impacts to address initial concerns raised by the Ecology Officer.

**Report for application MW.0010/18
Delegated Report**

Development Proposed:

Construction of new temporary haul road for existing mineral site

Division Affected: Sutton Courtenay and Marcham

Contact Officer: Mary Thompson **Tel:** 07393 001 257

Location: Land adjoining Stonehill Lane, Oday Hill, Sutton Wick, Abingdon, OX14 4AA

Application No: MW.0010/18 **District No:** P18/V0464/CM

Applicant: H Tuckwell & Sons Ltd

District Council Area: Vale of White Horse

Date Received: 13 February 2018

Consultation Period: 22 February – 15 March 2018

Contents:

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

Recommendation

The report recommends that the application (MW.0010/18) be **approved**

I consider that this application should be delegated to the Director for Planning and Place.

Reason for Delegation: No objections

- Part 1 – Facts and Background

Location (see plan 1)

1. The site is located approximately 800m north east of Sutton Wick and the edge of Drayton, 700m from the southern edge of Abingdon, 1.3km (0.8 mile) west of Culham and 1.4km (0.9 mile) northwest of Sutton Courtenay.

Site and Setting

2. The site is a corridor within an agricultural field which lies directly north of the Camas Land area of the Sutton Wick complex of mineral workings.
3. Much of the wider area has undergone sand and gravel extraction in the past and been restored.
4. The closest properties to the proposed new road include two semi-detached houses 7 and 9 Oday Hill. These properties are located approximately 50 metres from the proposed new access onto Stonehill Lane, on the other side of the road. The closest properties also include Willowdene, which lies approximately 35 metres south of the proposed route, and Fairview which lies south of Willowdene. The proposed haul road lies partly within flood zones 1 and 2 but predominantly within flood zone 3.

Planning History

5. Planning permission for sand and gravel extraction at the Camas Land (MW.048/05) was granted on 18 March 2016. A Section 73 permission (MW.0139/16) was issued on 20 February 2017 and the development is taking place under that consent. The permission allows 5 years for the extraction of mineral from the date of commencement which was notified as being 1 March 2016 and so (until 1 March 2022) and 8 years (until 1 March 2025) for the completion of restoration using inert fill.
6. The plant site has a separate permission (MW.0124/13), issued on 23 March 2016 which allows the processing of mineral until 31 December 2025 with completion of restoration by 31 December 2028.
7. The site is now known as Oday Hill Quarry.

Details of the Development

8. It is proposed to construct a new haul road connecting the processing plant site to Stonehill Lane. This would provide an alternative route for HGVs travelling to and from the processing plant site. At present HGVs travel from the B4017 along Stonehill Lane, Bassetts Lane and Peep O' Day Lane to reach the plant site to collect processed material worked from the quarry. This is a 2.1km route which passes a number of residential dwellings on Stonehill Lane. The proposed new route would also use

Stonehill Lane from the B4017 but would then cross agricultural fields, avoiding the dwellings, Bassets Lane and Peep O' Day Lane. This would cut the distance to 1.1km. There would also be a spur to provide a direct access from the new haul route into the current extraction area known as Camas Land.

9. The track would be 5 metres wide, which would allow HGVs to pass at a very slow speed.
10. It is proposed to incorporate stiles into the fence where public footpath no. 192/20/10 crosses the proposed track, to allow for pedestrian access and to erect warning signs to benefit pedestrians using the footpath crossing, and the lorry drivers accessing the quarry.
11. It is proposed that the new road would be constructed of natural gravels and not raised above existing ground levels. Approximately 10 willow trees would need to be removed to allow access into the existing plant site, it is proposed that at least 20 replacement willow trees would be planted along the Oday Hill Drain buffer, using cuttings from existing trees. There would also be a small new copse of fast growing trees to filter views from Willowdene. It is also proposed to plant the existing gappy hedge along Stonehill Lane with a thick hedge. Two new sections of bridge would be required to allow the road to cross over Oday Hill Drain on the plant site boundary and the boundary into the Camas Land. A culvert would also be provided for the Camas Land crossing.
12. The access would be fenced on the north side to prevent grazing cattle straying onto the track. The south side of the track would be a buffer to the ditch. There would be gates in the fence to the north to allow occasional grazing for management of the buffer area. There would be fencing on both sides of the track in the area closest to Stonehill Lane where a triangle of field is cut off. Gates would be included to allow grazing in the triangle.
13. It is proposed to strip soils from the footprint of the track. Originally, it was proposed to store these adjacent to the new access for use in restoration forming a low embankment (approximately 1.1m high) by the diagonal section of track closest to Stonehill Lane, which would reduce noise impacts at nearby properties. However, following an objection by the Environment Agency to storing this material in flood zone 3, the application was amended to propose that the soils are stored at the adjacent plant site until they are needed for restoration. This would be within flood zone 2.
14. The track would be temporary and following the cessation of use the track bed would be ripped and soils replaced and reseeded to allow incorporation back into the agricultural field. The applicant has applied for planning permission for 8 years.
15. The planning permission for quarrying at Sutton Wick includes restoration using imported inert materials. It is proposed that this material would

generally also be transported to the plant site via the proposed new haul road. It would then be processed to ensure that only suitable material was used before being taken to the extraction site for landfilling. However, there might be some circumstances where waste would go direct to the site without passing through the plant site.

16. The conditions on the consent for mineral extraction at Camas Land and the plant site currently require that the approved route from the plant site to the B4017 is via Peep O' Day Lane, Bassett Lane and Stonehill Lane. Therefore, should this application be approved, a Section 73 application would be required to amend the conditions on the Camas Land consent to ensure that the new haul route could be used. NB – There are other HGV users using the same route e.g. Cemex who would continue to be permitted do so regardless of the outcome of this application.

• Part 2 – Other Viewpoints

Representations

17. No representations have been received.

Consultation

18. The main consultation was held in February and March 2018. The application was amended in June 2018 to revise the location for storage of soils from the construction of the road. It was proposed to store these in the plant site rather than adjacent to the road. The Environment Agency, OCC Environmental Strategy and the Environmental Health Officer were consulted again on this amendment.
19. Drayton Parish Council – No response
20. Vale of White Horse District Council Planning – No objection.
21. Vale of White Horse District Council Environment Health – No objections (February 2018). No further comment (July 2018).
22. Environment Agency First response (15.05.18) – Object on the grounds of biodiversity and flood risk. Biodiversity – Object because the information supplied is inadequate regarding water voles. A further water vole survey should be carried out at the correct time of year and if they are found, appropriate mitigation is needed which might include changes to the bridge locations. Flood risk – object because the submitted Flood Risk Assessment is inadequate. Further details of the proposed bund are needed in order to understand whether it is located in flood zone 3. Further clarification is required regarding the width of the ecological buffer zone, this should be a minimum 10m between the haul road and the bank top of Oday Ditch. Welcome the proposal for clear space bridges rather than culverts for the two Oday Ditch crossings. Informative – an environmental permit may be required for proposed works affecting a main river. An

environmental permit may be required for spreading waste in the floodplain.

23. Environment Agency - Further response (07.06.18) Object on the grounds of inappropriate development in a flood zone and inadequate flood risk assessment (FRA). The application should be refused because it lies partly in flood zone 3b, the functional floodplain and the development is classified as 'less vulnerable'. The Planning Practice Guidance states that 'less vulnerable' development is not appropriate in flood zone 3b. Although the FRA states that it is in flood zone 1, the plan indicates that the proposed raised bund would be in flood zone 3b. It also appears to be outside of the application area. The FRA submitted does not form a suitable basis of assessment. It fails to demonstrate that the loss of flood plain storage can be mitigated for. The FRA uses an old climate change allowance, the latest should be used. This objection could be overcome if the applicant submits a FRA which covers the highlighted deficiencies and demonstrates that the development would not increase the risk of flooding. Clarification should be provided on how much material is being removed from the floodplain, how much is being introduced and how much flood plain storage would be reduced due to the bund. Level for level flood plain compensation should be provided and only if the FRA can demonstrate that this is not possible, other mitigation should be proposed. Provides advice on ensuring that fencing does not add to flood risk and the need for an environmental permit for works near watercourses designated as main rivers.
24. Environment Agency – Final response – no objection subject to conditions if the County Council is satisfied the development passes the sequential test and an informative that any fencing should be permeable.
25. Natural England – No response.
26. Historic England – No comments.
27. CPRE Oxfordshire – No objection. However, would like assurances that the new road will be completely removed and the land rehabilitated and not used for inappropriate commercial purposes in the future like Thrupp Lane. The carbon dioxide saving claim in the application is a thousand times overstated at a tonne per kilometre.
28. Sustrans – Final response – No objection as the new haul route would avoid the need to use Peep O Day Lane. Support the comments of the Rights of Way Officer regarding the surface of Peep O Day Lane.

Initial Response - Oppose the application as use of Peep O Day Lane by HGVs is not compatible with its function as a bridleway. HGVs will also cause undue damage to the bridleway surface and surrounding area, and spread mud and other material onto the path, posing additional danger and inconvenience to users.

29. OCC Transport Development Control – First response – Require vision splays and detailed dimensions of the road, prior to determination. Second response – No objection subject to a condition requiring a drawing to show suitable vision splays, in the interests of highway safety. Splays should be maintained for the life of the works. Support rights of way comments, particularly regarding the bridleway surface. Suggest an informative for the applicant to erect a sign advising drivers to turn right from the site access. Final response – no objection subject to maintenance of height of vegetation on the verge where the proposed haul road would meet Stonehill Lane.
30. OCC Rights of Way – No objection. Supportive of the applicant's desire to see heavy vehicles separated from users of the public rights of way and Sustrans cycle route. The proposed new access will cross a public footpath (Drayton Footpath 20) and the erection of suitable signs, for the benefit of both pedestrians and lorry drivers, is welcome. The proposal to install stiles either side of the access is unacceptable; these will instead need to be gates or kissing gates. Pedestrian access along the public footpath will need to be maintained during the construction of the access; if this is not possible then a Temporary Traffic Regulation Order will be required. Records suggest that there are two wooden stiles on Footpath 20 in close proximity to the new access, one where the footpath meets Stonehill Lane and the other at the Drayton / Abingdon parish boundary. Replacing these with gates or kissing gates would increase the accessibility of the footpath.

Stonehill Lane, Bassetts Lane and Peep O' Day Lane all carry public bridleways. We would like to see any damage to the surface of these routes, caused by extended periods of use by heavy vehicles, made good to a standard required by the Countryside Access Team.

31. OCC Archaeology - The proposed route of the temporary haul road is within an area of archaeological potential. There are a number of cropmarks to both the south and west. Cropmarks are visible, often from the air as marks in some types of growing or mature crops and in pasture when conditions are suitable. They are essentially the result of differential growth in vegetation due to the presence of archaeological features and outlines of them are visible within the crop. We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. This can be ensured through the attachment of suitable conditions. The applicant has submitted a written scheme of investigation (WSI) for monitoring and recording but the document is specifically detailed for application MW0139/16 and does not refer to this current application. The applicant should submit a WSI that is specifically for this development, this can be dealt with through planning condition. Final response – happy with draft planning condition.

32. OCC Ecology Officer – First response – require further information to be submitted including site plans showing the 10m buffer and protective fencing, detailed design of the proposed two bridges, a plant and seeding schedule, details of the responsibilities of the ecological clerk of works and a restoration plan. Final response – No objection. The proposed bund should be shaped to feather into the ground to the south west of the track whilst still retaining noise mounding where the track passes the closest property. The final landform will need to be informed by the available material. Proposal to rely on the seedbank to revegetate spread soil is acceptable, with reseeded if this does not take place in a timely manner. Proposal for grazing in the buffer strip is acceptable. If the track needs to be widened to allow for vehicle passing places, this should occur on the northern side and not within the buffer strip. Suggests conditions to cover a water vole survey, landscaping scheme, tree removal as stated only, widening of track on north side only, appointment of a supervising ecologist.
33. OCC Arboricultural Officer – First response - further information required relating to all trees on site. Subsequently the applicant shall provide a BS 5837:2012 Trees in relation to design, demolition and construction report identifying all trees and outlining how the impact of the development to these trees.
34. OCC – Environmental Strategy – (covering Ecology and Landscape following the submission of additional information) – No objection, however further clarification is needed regarding the soil storage bund, the details provided are not consistent with the original application and landscape assessment. The bund should be shown on the layout plan to inform the landscape assessment and confirm that it can be located outside of the flood plain. It would be helpful to have fencing and farm/pedestrian gates shown on the site plan and further details of the management of the buffer zone. Soil should be planted to prevent loss in a flood and details provided of replacement soil. Suggests a minor amendment to the planting scheme. Maintenance regime should be specified on plan, including proposals for vegetation in the buffer zone/drain. Suggests conditions to cover water vole survey prior to culvert/bridge works, landscaping scheme, soil management proposals, no tree removal other than proposed, proposals for the management of vegetation in the buffer strip. Comments on amended application (05/07/18) – No objection to the change, the soils should be stored in a manner that maintained their productive capacity when replaced.
35. OCC Drainage/ Lead Local Flood Authority – No objections. The application states that the road would not be raised above existing ground levels, which seems to provide an acceptable solution to mitigate fluvial flood risk to external receptors and maintain floodplain storage. The proposed surface water rate and volume control strategy is acceptable and an appropriate allowance for climate change has been used in the calculations. It appears that the proposal would only have a minor effect on existing surface water infiltration/greenfield run-off characteristics.

Part 3 – Relevant Planning Documents

Relevant Planning Policies – (see policy annex)

36. Development should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
37. The relevant development plan documents are:
- The Oxfordshire Minerals and Waste Core Strategy 2031 Part 1 (OMWCS)
 - The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) (saved policies)
 - The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies
 - The Vale of White Horse Local Plan 2031 Part 1 (VLP1)
38. The Government's National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG) are material considerations in taking planning decisions.
39. The Vale of White Horse Local Plan 2031 Part 2 (VLP2) Publication Version was subject to a statutory publicity period in November 2017. Although this document is at not yet adopted it is a material consideration which can be given some weight. The weight that can be given is considered to be limited at this stage.

Relevant Policies

40. The relevant development plan policies are:
- Oxfordshire Minerals and Waste Local Plan Core Strategy 2031 (OMWCS)
 - C1 Sustainable development
 - C2 Climate change
 - C3 Flooding
 - C4 Water environment
 - C5 Local environment, amenity and economy
 - C7 Biodiversity and geodiversity
 - C8 Landscape
 - C9 Historic environment and archaeology
 - C10 Transport
 - C11 Rights of Way
 - M2 Provision for working aggregate minerals
 - Oxfordshire Minerals & Waste Local Plan (OMWLP) 1996 (saved policies)

SW2 – Access to Sutton Wick area
 SW3 – Stonehill Lane
 SW4 – Rate of production in Sutton Wick area

- Vale of White Horse Local Plan (VLP 2011) (saved policies)
 - DC5 - Access
 - DC9 – Neighbouring amenity
- Vale of White Horse Local Plan 2031 Part 1 (VLP1)
 - Core Policy 1 – (Presumption in favour of sustainable development)
 - Core Policy 42 – (Flood risk)
 - Core Policy 44 (Landscape)
 - Core Policy 46 (Biodiversity)

41. The relevant emerging plan policies are:

- Draft Vale of White Horse Local Plan 2031 Part 2 (VLP2)
 - Development Policy 16 (Access)
 - Development Policy 23 (Amenity)
 - Development Policy 25 (Noise)
 - Development Policy 26 (Air Quality)
 - Development Policy 39 (Archaeology)

42. The Government's revised National Planning Policy Framework (NPPF) was published in July 2018. This is a material consideration in taking planning decisions. In July 2018 the national Planning Practice Guidance (NPPG) was also updated.

Comments of the Director for Planning and Place

Minerals Policy

43. OMWCS policy M2 sets out the level of provision to be made for aggregate working through the plan period. This proposal would facilitate the extraction of sand and gravel from a permitted site which contributes towards achieving the figures set out in the policy. However, the mineral would still be extracted from the site under the access arrangements currently permitted if this application is not approved. There is no conflict with, nor particular support from, OMWCS policy M2.
44. The application seeks planning permission for a temporary period of up to 8 years. OMWCS policy M10 requires that mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. This proposal would not affect the requirement under the existing planning permission for the Camas Land extraction to be restored by the end of February 2025.
45. The planning permission for the plant site requires cessation of mineral working by 31 December 2028 at the latest. Therefore, with a standard

condition requiring commencement of this development within three years of the date of planning permission, assuming permission is granted in August 2018, the 8 years proposed for the haul road could cover this period if it were to be commenced towards the end of that three years period. If it is commenced sooner then there may be a need at some future point for a further application to be made to extend the period of the planning permission but at this point in time it cannot be assumed that that will be necessary and no view can be expressed on the acceptability of such an application.

46. It is recommended that a condition is attached to any planning permission granted to ensure that the temporary haul road must be restored within 8 years of commencement of the development on completion of the restoration of the areas covered by the associated planning permissions whichever is earlier (please also see paragraphs 85 and 86 below).

Traffic and access

47. OMWCS policy C10 states that mineral and waste development will be expected to make provision for safe and convenient access onto the advisory lorry routes shown on the Oxfordshire Lorry Routes Map.
48. VLP 2011 policy DC5 states that proposals for development will only be permitted provided that safe and convenient access will be provided both within the site and to and from the highway network.
49. VLP2 development policy 16 states that proposals for development will need to demonstrate that adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning.
50. OMWLP policy SW2, SW3, and SW4 cover access arrangements for sand and gravel extraction in the Sutton Wick areas. Policy SW2 states that access will not be permitted into the B4016 between Drayton and Sutton Courtenay, or to south Abingdon via Peep O'Day Lane. Policy SW3 states that access will be via Stonehill Lane and particular attention will be paid to the needs of users of the lane. SW4 states that because of access difficulties, future planning permissions will seek to limit the rate of production in the area.
51. There has been no objection from the Transport Development Control team, subject to a condition requiring the maintenance of the height of vegetation to ensure satisfactory vision for the junction of the proposed new haul road with Stonehill Lane. They have also suggested an informative for signage informing drivers that there is no left turn on exiting the proposed new road. It is considered unlikely that vehicles would turn left as it is not a through road, however an informative can be added.

52. Therefore, subject to this, the proposal new haul road is considered to be a safe and convenient access, providing adequate provision for vehicles. The proposal addresses the access difficulties in this area that OMWLP policies SW2, SW3 and SW4 sought to address. The proposal is in accordance with OMWLP policy SW2 because there would be no new access onto the B4016 and Stonehill Lane would still be used for part of the route. There is no conflict with OMWLP policy SW4 which relates to limitations on the production rate and would be relevant to permissions for mineral extraction.
53. The proposal is considered to be in accordance with policies relating to traffic and access.

Rights of Way

54. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and improvements and enhancements to the rights of way network will generally be encouraged.
55. The proposed new route would mean that HGVs travelling to and from the plant site would no longer need to use Bassett Lane and Peep O'Day Lane, which are used by the public for walking, cycling and riding. The route would still be available to HGV users not visiting the plant site.
56. The rights of way team have welcomed the intention to remove traffic from the rights of way on the existing haul route and have not objected to the proposal but have requested conditions to ensure that the point where the footpath crosses the new haul road is provided with gates to allow pedestrian access, for warning signs to be erected for people and vehicles and that access to the footpath is not blocked during construction. They have also asked for two stiles on footpaths in the vicinity of the application to be replaced by gates or kissing gates to widen access and mitigate for the impact on the experience of using the footpath, due to the presence of HGVs in what is currently a green field and need to cross the haul route.
57. The applicant has agreed to the requests made by the rights of way team. To secure this, it is recommended that a condition is attached to any permission granted for implementation of the new gates and warning signage where the proposed haul road would cross the footpath. However, the existing stiles which the Rights of Way team has asked be replaced are not part of the application area nor shown as land in control of the applicant and so cannot be covered by a planning condition. Whilst these improvements may be desirable and the applicant may be willing to facilitate them, they are not necessary to make this development acceptable in planning terms and so I do not consider that they can be required through a condition. Subject to the gates and warning signs where the path would be crossed however, potential adverse impacts on the footpath are mitigated and the development offers an improvement

over the existing situation with regards to the bridleway and sustrans route on the existing haul route.

58. Sustrans have not objected to the application and they welcome the removal of these HGVs from Peep O' Day Lane. Their original concerns were withdrawn following clarification of the proposals.

59. The proposals are in accordance with policies relating to rights of way.

Amenity

60. OMWCS policy C5 states that proposals for minerals development shall demonstrate that they will not have an unacceptable impact on the local environment, human health and safety, residential amenity and the local economy. This includes through noise, traffic, air quality, light pollution, visual intrusion, litter and the cumulative effect of development. Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis. VLP 2011 policy DC9 states that development will not be permitted if it would unacceptable harm the amenities of neighbouring properties and the wider environment in terms of loss of privacy, visual intrusion, noise or vibration, dust, pollution or external lighting.

61. VLP2 development policy 23 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses.

62. Noise is specifically covered by VLP2 development policy 25 which states that noise generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard

63. VLP2 development policy 26 covers air quality and states that development proposals that are likely to have an impact on local air quality will need to demonstrate measures to minimise any impacts associated with air quality.

64. The proposed new route would mean that HGVs travelling to and from the plant site would no longer travel past the front of dwellings on Stonehill Lane. This would offer a clear benefit in terms of impacts on amenity in this respect. There is though the potential for additional impacts to the rear of Willowdene and Fairview who would be closer to the proposed haul road than to the working extent of the existing quarry to which they have a 100 metres buffer provided. The residents of these properties would have views towards it and would be more vulnerable to any noise or dust that may be generated. There has been no objection from the Environmental Health Officer or from the residents on Stonehill

Lane or the Parish Council. The overall impact on amenity would be reduced through the use of the proposed access track in comparison with the existing situation where lorries pass directly past the frontages of nos. 7 and 9 Oday Hill but the benefits in terms of visual impact and any noise or dust would be marginal for residents of Willowdene and Fairview. Any planning permission should be subject to conditions requiring the implementation of the existing dust management scheme and the noise limitation of 55 dB LAeq set out in the planning permission no. MW.0139/16 not being exceeded.

65. Overall, the proposal is considered to be generally beneficial in comparison with the current arrangement and is generally in accordance with policies protecting local amenity subject to conditions as set out above.

Biodiversity

66. OMWCS policy C7 states that development should conserve and, where possible, deliver a net gain in biodiversity. The application states that the replacement and additional planting of trees and hedges would represent an increase in biodiversity. VLP1 Core Policy 46 makes similar provision.
67. Initially, further information was needed about the proposals in terms of impacts on ecology. Once this was provided, the Environmental Strategy Officer confirmed that there was no objection, subject to conditions to cover, amongst other things, a survey for water voles and the appointment of a qualified ecologist to supervise the works. The Environment Agency also has no objection subject to a condition requiring the protection of water voles. Subject to these conditions, it is considered that the proposals are in accordance with OMWCS policy C7.
68. A tree survey was initially requested by the OCC Arboricultural Officer. The applicant provided further information confirming that there would be the loss of ten willow trees but that these would be replaced by 20 cuttings. The Environmental Strategy officer advised that the information submitted in relation to trees was sufficient and no further survey work was needed. Therefore, the development is considered to be acceptable in terms of impact on trees, subject to conditions to ensure that no other trees are removed and the replacement trees are planted (please also see paragraphs below).

Landscape

69. OMWCS policy C8 states that proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character. VLP1 core policy 44 states that key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced, in particular (amongst other things)

features such as trees, hedgerows, woodland, field boundaries and watercourses.

70. The development would require the removal of a number of trees. However, there are proposals to replant new trees to replace those removed and there has been no objection from the environmental strategy team. Subject to a condition requiring the implementation of a landscaping scheme, the development is considered to be in accordance with OMWCS policy C8.

Restoration

71. OMWCS policy M10 states that mineral workings shall be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. It lists a number of factors that must be taken into account. The development is temporary and proposals have been included for the restoration of the site to agriculture following the removal of the road. The restoration proposals would return the site to its current use as an agricultural field. This is considered to be appropriate and subject to conditions to ensure that this takes place, the proposals are considered to be in accordance with OMWCS policy M10.

Archaeology

72. OMWCS policy C9 states that development will not be permitted unless it is demonstrated that there will not be an unacceptable adverse impact on the historic environment.
73. VLP2 development policy 39 states that in areas of archaeological remains, the effect of a development proposal on the significance of the remains, either directly or indirectly, will be taken into account in determining the application. There is a presumption in favour of the avoidance of harm.
74. The archaeology team have noted that the site is in an area of archaeological potential, however they have not objected to the application, subject to the imposition of a conditions for a watching brief and provision of a final report. Therefore, subject to these conditions, the proposal is in accordance with OMWCS policy C9 and VLP2 policy 39.

Flooding and Water Environment

75. OMWCS policy C3 states that development will wherever possible take places in areas with the lowest risk of flooding. Where development takes place in an area of identified flood risk this should only be where alternative locations in areas of lower flood risk have been explored and discounted. VLP1 Core Policy 42 makes similar provision.

76. OMWCS policy C4 states that proposals for development will need to demonstrate that there would be no unacceptable adverse impact on groundwater.
77. A Flood Risk Assessment was submitted with the application.
78. The Lead Local Flood Authority team have confirmed that they have no objection to the application and the proposed surface water rate and volume control strategy is acceptable. They consider that the proposal to construct the road from natural gravel and not raise the road surface above existing ground levels would satisfactorily mitigate the flood risk and maintain floodplain storage.
79. The national Planning Practice Guidance sets out flood risk vulnerability classifications. The Environment Agency confirmed in their response that they consider the development of a new haul road to fall within the 'less vulnerable development' classification, which the NPPG states should not be permitted in flood zone 3b. Their final position is that, should it be considered that the sequential test is passed, that the development is acceptable on flood risk grounds subject to the following condition:

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) Addendum contained in document 'Hydrology Addendum' by Hafren Water dated 12/06/201 (author R Laker) and the following mitigation measures:

- 1. There shall be no raising of existing ground levels on the site.*
- 2. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.*

Reason: *To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.*

80. Whilst the Environment Agency have stated that they consider the proposed haul route falls within the less vulnerable development classification, it could alternatively be argued that it is water compatible development. The development involves the stripping of the existing soils and the surfacing of the haul road with natural gravels not exceeding existing ground levels and its purpose is to facilitate improved access to a sand and gravel working. If it and the associated stripping and storage of soils had been proposed in the same terms as part of the application for approved sand and gravel working, then it would have been considered in that context as water compatible development and it would seem appropriate therefore to view this development as water compatible in that context.
81. In terms of the sequential test, the national planning practice guidance states that the area over which to apply the sequential test will be defined by local circumstances and also that a pragmatic approach to the availability of alternatives should be taken. As the permitted sand and gravel working lies within flood zones 2 and 3 including its existing

access arrangements, it is not practicable for any access to the site to be provided other than also at least partly within those flood zones. Similarly, the storage of the stripped soils could not practically be provided for outside those zones. The proposed haul road provides benefits over the use of that which is currently permitted and could not be provided for in an area of lesser flood risk. It is therefore considered that, taking the local circumstances into account and applying a pragmatic approach, the development does pass the sequential test.

82. The Environment Agency has also requested that an informative be provided that any fencing should be permeable to flood water. The applicant has proposed fencing to the northern side of the access track to prevent livestock from entering it and I also consider that a fence should be provided to the southern side to ensure that the 10 metres buffer to the Oday Hill Drain is protected. I therefore consider that a condition requiring fencing to be provided and maintained should be attached to any planning permission. I consider this can be combined with that requiring the provision of gates to the public footpath and the provision of warning signs as discussed above.
83. It is therefore considered that subject to the conditions requested, the development is in accordance with the aims of OMWCS policies C3 and C4 and VLP1 Core Policy 42.

Sustainable Development

84. The NPPF contains a presumption in favour of sustainable development which has environmental, economic and social roles and this is reflected in OMWCS policy C1 and VLP1 core policy 1. OMWCS policy C2 states that applications for development should adopt a low carbon approach.
85. The information submitted with the application states that the proposed new road would save 1km on every journey to or from the quarry, because the route is 1.1 km, and the existing route is 2.1km. They state that this would save 27 500km per year which would reduce the carbon dioxide emissions by 23 000 tonnes. This was subsequently corrected to 23 tonnes (or 23 000kg) following comments from CPRE Oxfordshire.
86. The proposal would clearly cut HGV miles associated with the quarry and therefore reduce carbon emissions. It is considered that the proposal is supported by OMWCS policies C1 and C2 and VLP1 core policy 1.

Use of existing haul route

87. The advantages of this scheme depend on the existing route via Stonehill Lane, Bassett Lane and Peep O' Day Lane no longer being used by HGVs travelling to and from the plant site and by HGVs travelling along it between the CAMAS land and the plant site. It clearly would not be satisfactory for the ground to be disturbed and the proposed haul road to be constructed and then not used.

88. Therefore, it is important to ensure that should this new road be constructed, the existing haul route along the Sustrans cycle route and the front of properties on Stonehill Lane is no longer used in association with the existing quarry and plant site. It is not considered that a legal agreement is necessary to achieve this as the existing consents for the plant site and Camas Land extraction limit the route taken by HGVs to the current haul route. Therefore, any planning permission granted to this application should be subject to conditions that the proposed new haul road could not be used until applications to amend the conditions on the plant site and Camas Land planning permissions had been submitted and approved such that they were then restricted to the new haul road for access and egress. Therefore, it would not be possible for both routes to be in operation at the same time. Such section 73 planning applications have now been submitted although not yet determined. Should for any reason such varied planning applications not be granted planning permission, a condition should be attached to any planning permission granted to this application requiring that the haul road then be removed and restored within one year of the date of commencement of the development.

Conclusions

89. The development is sustainable and subject to conditions as discussed planning permission should be granted.

Recommendation

It is RECOMMENDED that planning permission for application MW.0010/18 be approved subject to conditions as set out in Annex 1

SUSAN HALLIWELL
Director for Planning and Place

Signed ...*David Periam*... (Case Officer)
Date ...8th August 2018



Report approved by Director for Planning and Place
Date: 15th August 2018

Annex 1**Conditions**

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. The approved plans and particulars comprise:

Application form dated 27/11/2017

Amended supporting statement - Oday Hill Quarry Planning Application for a temporary access to Oday Hill Quarry, Sutton Wick 13/06/2018

Appendix 1 - WH Landscape Consultancy Ltd Landscape and Visual Report for proposed Access Track dated November 2017

Appendix 2 - AD Ecology Ltd Ecological Appraisal Final Report dated 31st October 2017

Appendix 3 - Dust Management Scheme Pursuant to condition 35 of planning permission MW.048/05 dated March 2016

Cotswold Archaeology Method Statement for an Archaeological Watching Brief dated December 2017

E-mail from John Salmon dated 23/03/2018

E-mail from John Salmon dated 08/08/2018

Hafren Water Flood Risk Assessment Report Reference: 2502/FRA Final Version F1 dated December 2017

Hafren Water Addendum to the Flood Risk Assessment - Response to Environment Agency letter, dated 7th June 2018 dated 12/06/2018

Location Plan Drawing no. 18767-10000-03 dated November 2017

Topographical Survey Drawing no. 18767-500-01 dated October 2017

Application Plan Drawing no. 18767-500-02 Rev A dated October 2017

Access Road Soil Storage Area REF: ODH-TSS-1-18.6.18

Reason: To ensure that the development is carried out as proposed.

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. The date of commencement of the development shall be

notified to the mineral planning authority no later than seven days of the date of commencement.

Reason: In accordance with Section 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. The temporary haul road hereby permitted shall not be used other than as the sole means of access/egress subject to both of the following developments:

- i) any planning permission granted subject to different conditions for the extraction of minerals and importation of waste materials for restoration purposes pursuant to planning permission no. MW.0139/16 (P16/V3191/CM);

- ii) any planning permission granted subject to different conditions for the operation of the processing plant and ancillary operations and the restoration of that site using wholly inert, uncontaminated naturally occurring material pursuant to planning permission no. MW.0124/13 (P13/V2763/CM).

Save for emergency purposes no other means of access to or egress from either of the developments listed above shall be used following the date of the first use of the haul road hereby permitted. Written notification of the date of first use of the haul road hereby permitted shall be provided to the Mineral Planning Authority no later than seven days following the date of first use.

Reason: To ensure that the stated amenity and highway safety benefits to other users of Peep O'Day Lane, Bassetts Lane and Stonehill Lane, including users of the Sustrans route, which provide support for the use of the haul road hereby permitted as being preferable to that permitted under planning permission nos. MW.0139/16 (P16/V3191/CM) and MW.0124/13 (P13/V2763/CM) are achieved through the removal of associated traffic from those routes (OMWCS policies C5 and C10).

4. The temporary haul road hereby permitted shall be removed and the site shall be fully restored in accordance with the details set out in the approved Amended supporting statement - Oday Hill Quarry Planning Application for a temporary access to Oday Hill Quarry, Sutton Wick 13/06/2018, the approved Appendix 1 - WH Landscape Consultancy Ltd Landscape and Visual Report for proposed Access Track dated November 2017 and the approved e-mails from John Salmon dated 23/03/2018 and 08/08/2018 no later than eight years from the date of commencement of the development as notified pursuant to the requirements of condition 2 or when no longer required as provided for pursuant to the requirements of condition 3 whichever is the earlier or one year from the date of commencement of the development should no further planning permissions have been granted as set out in

condition 3 i) and ii) above.

Reason: In view of the temporary nature of the development and to ensure that the site is satisfactorily restored (OMWCS policy M10).

5. The soils stripped for the construction of the temporary haul road hereby permitted shall not be stripped, handled and stored other than in accordance with MAFF's Good Practice Guide for Handling Soils. The soil shall not be stored other than in the location shown on the approved drawing Access Road Soil Storage Area REF: ODH-TSS-1-18.6.18. In the event that any soil is lost from site, replacement soil of a similar character to that stripped from the site, the details of the source, soil type and quantity of which shall first be submitted to and approved in writing by the Mineral Planning Authority shall be used to make good ground levels and the completion of site restoration pursuant to the requirements of condition 4.

Reason: In view of the temporary nature of the development and to ensure that the site is satisfactorily restored (OMWCS policy M10).

6. Prior to the construction of any culverts and bridging work, a water vole survey shall be undertaken during the optimum survey season between April and September, to inform the precise location and diameter of the culvert, width of bridges and construction of carriageway above them. The results of the survey along with any mitigation measures and the details of the location and construction of the culverts, bridges and carriageway over them shall be submitted to and approved in writing by the Mineral Planning Authority prior to any works being carried out for the construction of the culverts, bridges or carriageways over them. The approved details shall be implemented and maintained thereafter for the duration of the development.

Reason: to ensure that impacts to water voles and their habitats are minimised (OMWCS policy C7).

7. Prior to the commencement of the development including any site clearance a qualified supervising ecologist shall be appointed to provide an overseeing role during the construction and restoration phases of the project. He or she will ensure that agreed ecological inspections/surveys and mitigation and ecological monitoring, as described in the approved Appendix 2 - AD Ecology Ltd Ecological Appraisal Final Report dated 31st October 2017, are implemented. In addition, he or she shall provide a toolbox talk to contractors at the outset of the development (covering important ecological receptors, wildlife legislation, wildlife protection protocols and agreed mitigation, action in the event of finding a wildlife constraint and any other advice necessary to ensure compliance with all relevant national legislation and Regulations) as well as providing ongoing ecological advice for the duration of the development.

Reason: to ensure that ecological impacts including to water voles and otters and their habitats are minimised (OMWCS policy C7).

8. No trees or branches including those on the eastern boundary where the temporary haul road would access the plant site shall be removed other than as shown on Figure 3 of the approved Appendix 1 - WH Landscape Consultancy Ltd Landscape and Visual Report for proposed Access Track dated November 2017.

Reason: to ensure that ecological and landscape impacts including to local residents on Stonehill Lane are minimised (OMWCS policies C7 and C8).

9. The landscape planting scheme shown on Figure 3 of the approved Appendix 1 - WH Landscape Consultancy Ltd Landscape and Visual Report for proposed Access Track dated November 2017 as amended by the approved e-mail from John Salmon dated 08/08/2018 illustrating:

- a) species;
- b) size of plants;
- c) spacing of planting; and
- d) measures to be taken to protect the plants from damage;

- shall take place in the first planting season following the date of this planning permission and for the duration of the development any plants that die or fail to thrive shall be replaced with plants of the same species.

Reason: to ensure that ecological and landscape impacts including to local residents on Stonehill Lane are minimised (OMWCS policy C7).

10. If required to accommodate passing HGVs within the red line planning permission area, no widening of the haul road shall take place other than on the northern side of the haul road and no encroachment of vehicles or plant shall take place within the 10 metres buffer strip set out on approved Application Plan Drawing no. 18767-500-02 Rev A dated October 2017.

Reason: to ensure that ecological impacts including to water voles and otters and their habitats are minimised (OMWCS policy C7).

11. The development hereby permitted shall be carried out in accordance with the approved Hafren Water Addendum to the Flood Risk Assessment - Response to Environment Agency letter, dated 7th June 2018 dated 12/06/2018 and the following mitigation measures:

- i) There shall be no raising of existing ground levels on the site;
- ii) There shall be no storage of any materials including soil within the

1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity (OMWCS policy C4).

12. No later than three months from the date of notification of the commencement of development in accordance with Condition 2 hereof a gated stock proof fence, permeable to the flow of flood water, shall be constructed alongside the access track as shall be necessary to prevent cattle straying on to the track, kissing gates shall be installed in the fence on Footpath 192/2010 on either side of the track and warning signs shall be erected at the kissing gates for the benefit of pedestrians warning of lorries crossing and on the temporary haul road to either side of the footpath warning lorry drivers of pedestrians crossing. These shall be fully implemented prior to first use of the haul road hereby permitted and shall be maintained for the duration of the development. The fencing, gates and signage shall be removed as part of the restoration of the site as required pursuant to condition 4.

Reason: to ensure that ecological and landscape impacts including to local residents on Stonehill Lane are minimised and the safety of users of public footpath no. 192/20/10 (OMWCS policy C7 and C11).

13. An Archaeological Watching Brief shall be carried out by Cotswold Archaeology in accordance with the approved Cotswold Archaeology's Method Statement for an Archaeological Watching Brief dated December 2017. A full report for publication shall be submitted to the Mineral Planning Authority within six months of the date of the commencement of the development as notified pursuant to condition 2.

Reason - To safeguard the recording of archaeological matters within the site (OMWCS policy C9 and the NPPF 2018).

14. Public footpath no. 192/20/10 shall not be obstructed and access along it shall be maintained throughout the periods of construction of the haul road and its removal and restoration.

Reason: to ensure that public footpath no. 192/20/10 remains accessible (OMWCS policy C7 and C11).

15. The grass verges where the haul road joins with Stonehill Lane shall be kept trimmed below a height of 600 mm for 33 metres along Stonehill Lane on both sides of the junction from the date of first use of the haul road hereby permitted as notified pursuant to condition 3 for the duration of the development.

Reason: In the interest of highway safety (OMWCS policy C10).

16. The development shall not be carried out other than in accordance with the approved Dust Management Scheme pursuant to condition 35 of planning permission MW.048/05 dated March 2016 in full for the duration of the development.

Reason: To ensure that there are no adverse amenity impacts as a result of dust (OMWCS Policy C5).

17. Noise levels from the use of the haul road hereby permitted in combination with those from any developments permitted by further planning permissions granted as set out in condition 3 ii) and iv) above, during hours of use shall not exceed the maximum levels below in the locations listed.
- | | | | | |
|-----------------|--------------------|-------|-------|------|
| Willowdene | 55dB | LAeq, | 1 | hour |
| Fairview | 55 | dB | LAeq, | 1 |
| Stonehill House | 55 | dB | LAeq, | 1 |
| Stonehill Farm | 48 | dB | LAeq, | 1 |
| Metcalfe Close | 55 | dB | LAeq, | 1 |
| Gilbourn's Farm | 55 dB LAeq, 1 hour | | | |

Reason: To protect the amenities of local residents (OMWLP PE18).

18. The haul road hereby permitted shall not be used by Heavy Goods Vehicles except between the following times:-
7.00 to 18.00 Mondays to Fridays
and
7.00 to 13.00 Saturdays.
No use of the haul road hereby permitted shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenities of local residents and users of Stonehill Lane (OMWCS Policy C5).

Informatives

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible.

We work with applicants in a positive and creative 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. For example, in this case further information was requested in relation to a number of topics, including the details of the soil storage bund and water vole surveys and the applicant provided these.

Highways Authority

Although there should be no reason for vehicles to only turn right from the haul road onto Stonehill Lane, if drivers for any reason do so, signage should be erected advising drivers that there is no left turn as it is not a through road.

Rights of Way

You have agreed by e-mail dated 26th February 2018 from John Salmon to replace the two existing stiles to either side of the proposed haul road with gates to facilitate better accessibility as requested by the Rights of Way team in their consultation response to the application. Please could you liaise with Arthur McEwan-James with regard to both these works and those required by condition 12.

Environment Agency

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. An environmental permit for spreading the waste in the floodplain. <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Walls and fences can have a significant impact on the flow and storage of flood water, especially if they are constructed across a flood flow route. This can lead to higher levels of flood water on the upstream side of the fence or wall which will potentially increase the flood risk to nearby areas. Therefore walls and fences should be permeable to flood water. We recommend the use of post and rail fencing, hit and miss fencing (vertical slats fixed alternately on each side of horizontal posts) or hedging. If a solid wall is proposed there must be openings below the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to allow the movement of flood water. The openings should be at least 1 metre wide by the depth of flooding and there should be one opening in every 5-metre length of wall.

Annex 2 - 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.

Our records, the habitat on and around the proposed development site and ecological survey results indicate that a European Protected Species is likely to be present.

The mitigation measures detailed within the survey are considered to be convincing and in your officer's opinion will secure "offence avoidance" measures.

The recommendation:

Sufficient information has been submitted with the application which demonstrates that measures can be introduced which would ensure that an offence is avoided. The application is therefore not considered to have an adverse impact upon protected species provided that the stated mitigation measures are implemented.

Annex 5**Existing conditions for MW.0139/16 (Camas Land)**

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application and as varied to planning permission no. MW.048/05 (DRA/3595/3-CM) except as modified by conditions of this permission. The approved plans and particulars comprise:

- Application Form dated 8/11/2016
- Supporting Statement "Planning application to amend matters of quarry operational detail by variation of planning conditions and to provide a revised Phasing Plan." dated 31/10/2016
- Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005
- Composite Operations Plan Drawing no. 97033/CO/1f dated 24/10/2016
- Restoration Drawing No. 97033/C/R/2 dated 24/10/2016
- Illustrative Cross Sections Showing Reservoir Drawing No. 97033/CL/CS/1 dated 28/06/2016
- Flood Risk Assessment reference 1620/FRA-02 Version 2 (Hafren Water) dated October 2014 (including Appendix 1620/PC/01)
- Phase 2 Ecological Surveys document Final Document Revision 4 dated September 2015
- Sequential Test for Flood Risk – Addendum Report dated 28th April 2015
- Email dated 18th March 2015 from ECOSA regarding otters
- "Soil Movement Scheme to condition 18 and 41 of planning permission MW.048/05" dated January 2017
- "Design Brief for Archaeological Recording Action" dated 15th April 2016
- "Project Specification for an archaeological recording action" dated 15th April 2016
- "Road photograph record" dated April 2016
- "Dust management scheme pursuant to condition 35 of planning permission MW.048/05" dated March 2016
- Hafren Water letter dated 15th April 2016
- Monitoring and discharge locations during working - Drawing no. 1620/PC/01 Version 1 dated April 2016
- Restored site and long-term discharge arrangements - Drawing no. 1620/PC/02 Version 1 dated April 2016
- Badger Survey (letter from Jonathan Adey of AD Ecology Ltd) dated 8th March 2016
- Ecological Management and Habitat Restoration Plan dated 16th November 2016
- Remedial Management Plan dated 23/01/2017
- "Tree, Hedgerow and Watercourse Protection Scheme pursuant to condition 50 of planning permission MW.048/05" dated October 2016

Reason: To ensure that the development is carried out as proposed.

2. The development to which this permission relates shall be begun not later than 18th March 2019.

Reason: In accordance with Sections 73 (5), 91 to 95 of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. Extraction of minerals shall cease by the date 5 years from the date of the implementation of this consent. Deposit of waste shall cease by the date 7 years from the date of the implementation of this consent. All buildings, plant and machinery to which this permission relates shall be removed and restoration shall be completed by the date 8 years from the date of the implementation of this consent.

Reason: To ensure that appropriate restoration takes place within a reasonable timescale (OMWLP PE13).

4. Written notice of the implementation of this consent shall be provided to the Minerals Planning Authority within 14 days of that implementation.

Reason: So that condition 3 is enforceable, in order to ensure that appropriate restoration takes place within a reasonable timescale (OMWLP PE13).

5. Notwithstanding the provisions of parts 7 Class L and 27 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order amending, replacing or re-enacting that amended Order), no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To protect the amenities of the area. (OMWLP PE18)

6. 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:-

7.00 to 18.00 Mondays to Fridays

and

7.00 to 13.00 Saturdays.

No operations other than water pumping and environmental monitoring shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenities of local residents and users of Stonehill Lane, Bassetts Lane and Peep O' Day Lane (OMWLP PE18).

7. Mineral extracted from the proposed site shall only be processed at the site marked 'plant site' shown on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005.

Reason: To ensure that the development is carried out as proposed and the mineral is not transported further than necessary for processing, in the interests of sustainability (OWMLP PE18).

8. A copy of this permission and the approved plans showing the method and direction of working, infill and restoration shall be displayed in the operator's site office at all times during the life of the site. Any subsequent approved amendments shall also be displayed.

Reason: To ensure that the development is carried out as approved (OMWLP PE18).

Production Limit

9. No more than 200 000 tonnes of mineral shall be exported from the site in any 12 month period.

Reason: Due to the access difficulties in the area (OMWLP SW4).

10. From the date of implementation of this permission, the operator shall maintain records of the quantities of mineral worked and exported from the site. These records shall be made available to the Minerals Planning Authority within 14 days of a request for them to be provided.

Reason: To ensure the enforceability of condition 9, due to the access difficulties in the area (OMWLP SW4).

Soils

11. Soil movement operations shall not be carried out other than in dry weather conditions when the full volume of soil is in a dry and friable condition. Conditions shall be sufficiently dry for the topsoil to be separated from the subsoil without difficulty.

Reason: To minimise adverse effects on the soil structure (OMWLP PE18)

12. No vehicle movements over soil shall take place except for the express purpose of soil stripping or replacement operations and then only when the soils are in a dry and friable condition.

Reason: To minimise adverse effects on the soil structure (OMWLP PE18).

13. Topsoil and subsoil shall be separately stripped to their full depth and shall wherever possible be immediately re-spread in their correct sequence to the same settled depth. If this immediate re-spreading is not practicable the topsoil and subsoil shall be stored separately for subsequent replacement.

Reason: To minimise structural damage and compaction of the soils and to aid the restoration of the site (OMWLP PE13).

14. All bunds for the storage of soils shall conform to the following criteria:

- a) Topsoils, subsoils and subsoil substitutes shall be stored separately.
- b) Where continuous bunds are used dissimilar soils shall be separated by a third material
- c) Topsoil bunds shall not exceed 3 metres in height and subsoil (or subsoil substitute) bunds shall not exceed 5 metres in height.
- d) Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds. Reason: To ensure restoration of a high quality can be achieved (OMWLP PE13).

15. All storage bunds intended to remain in situ for more than 6 months or over the winter period shall be grassed over and kept weed free.

Reason: To ensure restoration of a high quality can be achieved. (OMWLP PE13)

16. All stones and other materials in excess of 15 cm in any dimension shall be picked and removed from the site prior to final restoration.

Reason: To ensure restoration of a high quality can be achieved (OMWLP PE13).

17. No soils shall be stripped in any phase, or part phase other than in accordance with the approved "Soil Movement Scheme to condition 18 and 41 of planning permission MW.048/05" dated January 2017 and the approved Remedial Management Plan dated 23/01/2017. No development shall take place other than in full accordance with the approved scheme.

Archaeology

18. No development shall be carried out other than in accordance with the watching brief set out in the approved Design Brief for Archaeological Recording Action and the approved Project Specification for an archaeological recording action. The watching brief shall be carried out in full accordance with the approved documents.

Reason - To safeguard the recording of archaeological matters within the site in accordance with paragraph 136 of the NPPF (2012).

19. No development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Minerals Planning Authority, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication.

Reason - To safeguard the recording of archaeological matters within the site in accordance with paragraph 136 of the NPPF (2012).

Access

20. The surfacing of the plant access and the sections of Peep O' Day Lane, Bassett Lane and Stonehill Lane shown as within the application area on approved plan Boundaries of

Camas Land Drawing no. 97033/C/A dated 05.09.2005 shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the completion of site restoration and aftercare.

Reason: In the interests of highway safety and safeguarding the local environment (OMWLP PE18).

21. No vehicles shall access the public highway from the site, or access the site from the public highway, other than using the approved route being the sections of Peep O Day Lane, Bassett Lane and Stonehill Lane, onto the B4017, shown as within the application area on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005.

Reason: In the interests of highway safety and safeguarding the local environment (OMWLP PE18)

22. There shall be no storage of plant, and no mud or debris shall be deposited, on the public highway or on the access road to the public highway, as shown on approved plan Boundaries of Camas Land Drawing no. 97033/C/A dated 05.09.2005.

Reason: In the interests of highway safety (VLP DC5).

23. No development shall commence until signage has been erected on the access road to warn HGV drivers of cyclists other users of the route and also to inform cyclists and other users of the presence of HGVs. This signage shall be maintained for the duration of the development.

Reason: In the interests of the safety of other users of the access road (VLP DC5).

24. No mineral extraction shall take place until signage has been erected on the access road advising drivers that the maximum speed on the access road is 10 mph. Signage shall thereafter be maintained for the duration of the development.

Reason: In the interests of the safety of other users of the access road (VLP DC5)

25. The approved road photograph record shall be updated on an annual basis for the duration of development and an updated record submitted to the Minerals Planning Authority in writing within 14 days of the record being created.

Reason: in order to identify any future damage to the public highway as a result of turning vehicles, in the interests of highway safety (VLP DC5).

Deposit of Waste

26. Nothing other than uncontaminated inert waste and inert restoration materials shall be deposited at the site.

Reason: To prevent pollution and landfilling of recyclable wastes (OMWLP PE18).

27. There shall be no recycling of waste on the site and no inert waste or inert restoration materials shall be taken off-site.

Reason: To ensure the development and restoration is carried out as proposed and there is not an unacceptable increase in vehicle movements (OMWLP PE18).

Noise

28. Noise levels during working hours shall not exceed the maximum levels below in the locations listed.

Willowdene 55dB LAeq, 1 hour

Fairview 55 dB LAeq, 1 hour

Stonehill House 55 dB LAeq, 1 hour

Stonehill Farm 48 dB LAeq, 1 hour

Metcalfe Close 55 dB LAeq, 1 hour

Gilbourn's Farm 55 dB LAeq, 1 hour

Reason: To protect the amenities of local residents (OMWLP PE18).

29. Notwithstanding condition 28, noise levels for temporary working, such as bund formation and initial soil stripping, shall not exceed 70 dB LAeq, 1 hour at any of the locations below:

Willowdene

Fairview

Stonehill House

Stonehill Farm

Metcalfe Close

Gilbourn's Farm

Temporary working shall not be carried out for more than a total of 8 weeks in any calendar year. Records of the dates of temporary working operations shall be kept and made available for inspection by the Minerals Planning Authority within 7 days of such a request being made.

Reason: To protect local residents from noise intrusion (OMWLP PE18).

30. Within 3 months of the commencement of the development, the operator shall undertake noise monitoring and submit a noise monitoring result report to the Minerals Planning Authority within 14 days of the monitoring. Further noise monitoring shall take place at least annually for the duration of extraction operations, and additionally following the receipt of a justified complaint and the

noise monitoring results report shall be submitted to the Minerals Planning Authority within 14 days of each period of monitoring. The noise monitoring results report shall include details of the noise monitoring methodology which shall provide for:

- (i) Attended measurements by a competent person of LAeq 5 minute noise levels over 1 hour at each of the monitoring locations identified in condition 30;
- (ii) Details of equipment proposed to be used for monitoring;
- (iii) Monitoring during typical working hours with the main items of plant and machinery in operation;
- (iv) The logging of all weather conditions, approximate wind speed and direction and both on site and off site events occurring during measurements including 'phased out' extraneous noise events.

Reason: To enable the effects of the development to be adequately monitored during the course of the operations (OMWLP PE18).

31. No soil stripping or mineral extraction shall take place within 100 metres of any dwelling.

Reason: To protect local residents from noise intrusion (OMWLP PE18)

32. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on any mobile plant except those that use white noise, or in accordance with details as may be submitted to and approved in writing by the Minerals Planning Authority.

Reason: To protect local residents from noise intrusion (OMWLP PE18).

33. Dewatering pumps shall not be situated within 200 metres of any dwelling.

Reason: To protect local residents from noise intrusion (OMWLP PE18).

Dust

34. The development shall not be carried out other than in accordance with the approved "Dust management scheme pursuant to condition 35 of planning permission MW.048/05" dated March 2016 in full for the duration of the development.

Reason: To ensure that there are no adverse amenity impacts as a result of dust (OMWLP PE18).

Water Environment

35. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Reference 1620/FRA-02 Version 2 (Hafren Water) October 2014) (including Appendix 1620/PC/01) dated October 2014 and the following mitigation measures detailed within the FRA:

- No excavated material shall be stockpiled or stored in Flood Zone 3, except within the area of excavation where it may be stored below surrounding (pre-excavation) ground level.
- No excavation or storage of materials shall take place with 16 (sixteen) metres of the Oday Ditches (main river).

Reason: To prevent the increased risk of flooding by avoiding the loss of floodplain storage and retaining maintenance access to along the watercourses around the site. (OMWLP PE7)

36. No development shall be carried out other than in accordance with the approved surface water drainage scheme for the site set out in the approved Hafren Water letter dated 15th April 2016, the approved Monitoring and discharge locations during working - Drawing no. 1620/PC/01 Version 1 dated April 2016, the approved Restored site and long-term discharge arrangements - Drawing no. 1620/PC/ 02 Version 1 dated April 2016 and section 3 and Appendix 1620/FRA-02/A10 of the approved Flood Risk Assessment reference 1620/FRA-02 Version 2 (Hafren Water) dated October 2014.

Reason: To prevent the increased risk of flooding by avoiding an increase in the rate and volume of water leaving the site (OMWLP PE7).

37. No development shall be carried out other than in accordance with the approved scheme detailing the bank and bed profile of the proposed agricultural reservoir, its hydrological regime and its connection with the existing watercourse network set out in the approved Hafren Water letter dated 15th April 2016, the approved Illustrative cross-sections

- of existing and restored reservoirs Drawing No. 97033/CL/CS/1 dated 28/06/2016 and Appendix 1620/FRA-02/A10 of the approved Flood Risk Assessment reference 1620/FRA-02 Version 2 (Hafren Water) dated October 2014 and the approved Ecological Management and Habitat Restoration Plan dated 16th November 2016 shall be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: To ensure that the detailed restoration for the site is suitable and contributes towards the protection of priority habitats (OMWLP PE4).

38. No development shall be carried out other than in accordance with the approved scheme detailing the working method statement for the construction of the shallow recharge trenches and the lining of the gravel faces, to reduce groundwater ingress during excavation set out in the approved Hafren Water letter dated 15th April 2016 and the approved Monitoring and discharge locations during working - Drawing no. 1620/PC/01 Version 1 dated April 2016.

Reason: In order to mitigate the potential for contaminated waters from the adjacent landfill being drawn into the excavations (OMWLP PE4).

39. No development shall be carried out other than in accordance with the approved scheme to secure de-watering of the site set out in the approved Hafren Water letter dated 15th April 2016 and the approved Monitoring and discharge locations during working - Drawing no. 1620/PC/01 Version 1.

Reason: To ensure that there is no adverse change in flows or levels in groundwater beneath the site or any rivers, streams, ditches, springs, lakes or ponds in the vicinity, which would impact upon water quality. (OMWLP PE4)

40. No soil storage bunds shall be constructed other than in accordance with the approved "Soil Movement Scheme to condition 18 and 41 of planning permission MW.048/05" dated January 2017 and the approved Remedial Management Plan.

Reason: To ensure that soils storage does not impede flood flows (OMWLP PE7)

Biodiversity

41. No works of site clearance or development shall be carried out other than in accordance with all the recommendations in the Ecological Management and Habitat Restoration Plan dated 16th November 2016.

Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity in accordance with OMWLP PE14 and NPPF paragraphs 9, 109 and 118.

42. If at any time during the course of the development, badgers are present closer to the site than in the approved badger survey (letter from Jonathan Adey of AD Ecology Ltd) dated 5th March 2016, then an updated survey which shall include details of any population present, potential impacts and how impacts will be avoided and mitigated, compensation and enhancement measures shall be carried out and submitted to and approved in writing by the Mineral Planning Authority. No works shall be carried out other than in accordance with the Ecological Management and Habitat Restoration Plan dated 16th November 2016.

Reason: to ensure the protection of species as surveys are valid for 12 months and to ensure the development is in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

43. If any of the four phases of development hereby approved do not commence (or, having commenced, is suspended for more than 12 months) within two years of the most recent ecological surveys that have been submitted to and approved in writing by the Minerals Planning Authority, the ecological measures secured through Conditions 1, 41 and 42 shall be reviewed and, where necessary amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected species, UK Priority Species and UK Priority Habitats and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Minerals Planning Authority prior to the commencement of each phase of the development. Works shall then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: to ensure the protection of biodiversity and to ensure the development is in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

44. The site shall be restored in accordance with the approved Restoration Drawing No. 97033/C/R/2 dated 24/10/2016. No works shall be carried out other than in accordance with the approved Drawing.

Reason: to ensure the protection of species and that the site is restored and managed appropriately in accordance with Oxfordshire Minerals & Waste Local Plan policies PE13 and PE18 and to ensure the development results in biodiversity enhancement in accordance with NPPF paragraphs 9, 109 and 118.

45. Immediately prior to soil stripping, the area to be stripped shall be surveyed by a registered ecologist to confirm that there are no breeding birds, reptiles or other protected species on site. If breeding birds are found soil stripping will not start until the ecologist has confirmed that the birds have fledged and work may proceed. If reptiles are found no soil stripping shall commence until a Reptile Mitigation Strategy has been submitted to and approved in writing by the Minerals Planning Authority. The Strategy shall identify how the reptiles will be

translocated from the site and the site will be kept unsuitable to prevent them returning. No works shall be carried out other than in accordance with the reptile Mitigation Strategy.

Reason: to ensure the protection of species and that the site is restored and managed appropriately in accordance with OMWLP policies PE13 and PE18 and to ensure the development results in biodiversity enhancement in accordance with NPPF paragraphs 9, 109 and 118.

46. No works of site clearance or development shall commence except in accordance with the approved Composite Operations Plan Drawing no. 97033/CO/1f dated 24/10/2016. Specifically:

- The site shall be divided into approximate quarters and extraction shall proceed in each quarter as a separate phase;
- Restoration shall commence for each quarter once extraction has been completed in that quarter;
- Only one phase of the site shall be extracted at any one time;

No single phase shall take longer than 3 years from site clearance of that phase to completion of extraction in that phase, to avoid excessive disturbance to species on the site. The applicant shall inform the Minerals Planning Authority in writing of commencement of site clearance of each phase and of completion of extraction of each phase.

Reason: To ensure that flora and fauna are protected from the effects of development in accordance with Oxfordshire Minerals & Waste Local Plan policy PE3 and PE10 and to ensure the development does not result in a loss of biodiversity in accordance with OMWLP PE14, SODC Core Strategy policy CSB1 and NPPF paragraphs 9, 109 and 118.

47. Buffer zones shown on the approved Composite Operations Plan Drawing no. 97033/CO/1f dated 24/10/2016 shall be a minimum of 5 metres (except where a greater distance is needed in line with other conditions) and a minimum of 16 metres along the Oday Ditch main river including to the west and north of the site as set out in the approved Ecological Management and Habitat Restoration Plan dated 16th November 2016. Post and wire fencing shall be erected to protect these areas. No access, storage of materials, vehicles or access by site personnel shall take place within the buffer zones.

Reason: To ensure the protection of habitat and species from the effects of development and that the development does not result in a loss in biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan policy PE3, PE5, PE10 and PE14 and NPPF paragraphs 9, 109 and 118.

48. No development shall be carried out other than in accordance with the approved "Tree, Hedgerow and Watercourse Protection Scheme pursuant to condition 50 of planning permission MW.048/05". Post and wire fencing in each phase shall be erected, retained and maintained prior to site clearance throughout the period that the phase is being worked for minerals extraction until all plant, equipment and surplus materials have been removed from the phase. Nothing shall be stored or placed in the area protected and the ground levels within these areas shall not be altered. Upon completion of restoration in each phase the fencing shall be removed off site.

Reason: To ensure that flora is protected from the effects of development in accordance with OMWLP policies PE3 and PE10 to ensure the development

does not result in a loss of biodiversity in accordance with OMWLP PE14 and NPPF paragraphs 9, 109 and 118.

49. The existing trees, bushes and hedgerows within the site, as shown on approved Composite Operations Plan Drawing no. 97033/CO/1f dated 24/10/2016 shall be retained and shall not be felled, lopped, topped or removed in areas outside the current or succeeding phase of development. Any such vegetation removed without consent, dying, being severely damaged or seriously diseased shall be replaced with trees or bushes of the same size and species, in the planting season immediately following such occurrences.

Reason: To ensure that flora is protected from the effects of development in accordance with Oxfordshire Minerals & Waste Local Plan policy PE3 and to ensure the development does not result in a loss of biodiversity in accordance with Oxfordshire Minerals & Waste Local Plan (1996) PE14 and NPPF paragraphs 9, 109 and 118.

50. A suitable means of escape for mammals must be present at all times for all excavations allowing access to ground level. Any excavations within or outside the main extraction area (e.g. trial pits or similar small excavations) shall be suitably profiled or ramped, or covered or backfilled overnight to minimise the risk of badgers being inadvertently killed and injured within the active quarry after dark. This is to ensure the protection of badgers and avoid committing a criminal offence under the Badger Act 1992. These actions should also reduce the risk of hedgehogs and other mammals being harmed by the development.

Reason: To ensure the protection of badgers and avoid committing a criminal offence under the Badger Act 1992 and other mammals and to ensure the development is in accordance with the OMWLP PE14 and NPPF paragraphs 9, 109 and 118.

51. The approved aftercare scheme set out in the approved Ecological Management and Habitat Restoration Plan dated 16th November 2016 shall be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: to ensure that the site is managed appropriately in accordance with OMWLP policies PE13 and PE18 and that the development results in biodiversity enhancement in accordance with NPPF paragraphs 9, 109 and 118.

52. Before 1st June of every year during the aftercare period, a site meeting shall be arranged by the occupier of the land, to which the Minerals Planning Authority and the landowners shall be invited to monitor the management over the previous year and to discuss and agree future aftercare proposals. The meeting shall also be attended by the person(s) responsible for undertaking the aftercare steps. Any proposals that are agreed shall be set out in writing and shall be implemented in the timescales agreed.

Reason: To ensure the effective restoration of the site to nature conservation (biodiversity) after use in accordance with OMWLP policies PE13 and PE18 and NPPF paragraphs 9, 109 and 118.

53. Before 1st August every year during the aftercare period, a detailed annual aftercare review and programme shall be submitted in writing to the Mineral Planning Authority for approval: This shall include:

- Proposals (for the forthcoming 12 months) for managing the land in accordance with the biodiversity management objectives for the site;
- A record of aftercare operations carried out on the land during the previous 12 months.

Any scheme that is approved in writing by the Mineral Planning Authority shall be implemented for the duration of the time period to which it relates.

Reason: To ensure the effective restoration of the site to nature conservation (biodiversity) after use in accordance with OMWLP policies PE18, PE13 and NPPF paragraphs 9, 109 and 118.

54. The approved ecological monitoring for the aftercare period set out in the approved Ecological Management and Habitat Restoration Plan dated 16th November 2016 shall be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: to ensure that the site is managed appropriately in accordance with OMWLP policies PE13 and PE18 and that the development results in biodiversity enhancement in accordance with NPPF paragraphs 9, 109 and 118.

55. New Zealand pigmyweed (*Crassula helmsii*) shall be managed/controlled as set out in the approved Ecological Management and Habitat Restoration Plan dated 16th November 2016.

Reason: to ensure that the *Crassula helmsii* recorded on site and any other invasive species that may occur on the site are controlled appropriately to avoid a net loss in biodiversity in accordance with OMWLP policies PE13 and PE18 and NPPF paragraphs 9, 109 and 118.

56. Within 3 months of the date of this consent any remaining disturbed soils adjacent to the hedgerow/tree-line along Bassett Lane shall be replaced and re-profiled such that the post settlement level is to the original ground level. Replaced soils shall not to be heavily compacted during replacement, shall be protected at all times from future compaction by site operations and, allowed to naturally revegetate after which they shall be managed in accordance with the aftercare plan.

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

Annex 6 – Existing conditions for MW.0124/13 (Plant Site)

1. The development hereby granted shall be for a limited period. The processing plant shall be removed by 31st December 2025, extraction of sand and gravel from this site shall cease on or before 31st December 2027 and any buildings, plant and equipment to which this permission relates shall be removed, and the site shall be fully restored in accordance with the plan approved under condition 7 by 31st December 2028.

Reason: To minimise the duration of disturbance from the development hereby permitted and to ensure the site is restored within an appropriate timescale.
Policy OMWLP PE13

2. The development hereby permitted shall be carried out in complete compliance with the approved plans and particulars except as they are modified by conditions of this permission. The approved plans and particulars comprise planning application dated 10th September 2009, planning application forms dated 14th September 2009, Section 73 application form dated 21st August 2013, Site Plan Plan 97033/PS/A dated 29.11.2005, Location Plan 97033/PS/L, Covering Letter dated 21st August 2013, Planning Statement dated August 2013, Drawing 97033 PS E v1 Limit of Extraction, Ecological Phase 1 Assessment October 2014, Drawing 97033/PS/R/1 Plant Site Restoration Scheme.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
Policy OMWLP PE18

Working Hours

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 hours:

0700 and 1800 hours Mondays to Fridays;
0700 hours to 1300 hours on Saturdays.

No operations other than water pumping or environmental monitoring, shall take place on Sundays or bank or public holidays or on Saturdays immediately following Bank Holiday Fridays.

Reason: In the interests of the amenities of the area.
Policy : OMWLP PE18

Working Areas and Restoration

4. No extraction of sand and gravel shall commence until the details of an updated Extended Phase 1 ecological survey (including assessment of potential for protected species) and any protected species surveys recommended in the results, together with any necessary mitigating measures have been submitted to and approved in writing by the Mineral Planning Authority. Any details that have been approved shall be implemented prior to the extraction of sand and gravel.

Reason: To protect the biodiversity resource of Oxfordshire (NPPF)

5. No mineral extraction shall take place outside the line marked 'maximum boundary of extraction' on approved plan 97033/PS/E/1.

Reason: To ensure that development is carried out as proposed and that there is no harm to the biodiversity interest of the site (NPPF)

6. Notwithstanding condition 5, no extraction of sand or gravel shall take place to the east of the line marked 'expected limit of extraction' on approved plan 97033/PS/E/1, unless an Extended Phase 1 survey and protected species surveys (including water vole, great crested newt, breeding birds and reptiles) have been submitted to the Minerals Planning Authority and approved in writing and the Minerals Planning Authority have also confirmed in writing that on the basis of that information mineral extraction can take place in this area. No mineral extraction shall take place in the area to the east of the line marked 'expected limit of extraction' other than in complete accordance with mitigation measures contained in the approved ecological surveys required by this condition.

Reason: To ensure that there is no harm to the biodiversity interest of the site (NPPF)

7. No extraction of sand and gravel shall commence in any area until a detailed restoration plan has been submitted to the Minerals Planning Authority and approved in writing. This plan shall show restoration to nature conservation incorporating the proposed route of the Wilts and Berks canal and shall detail the proposals in Plan Number 97033/PS/R/1. This plan shall reflect the results of the ecological surveys required by condition 4. Any scheme that is approved must be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: To ensure satisfactory and prompt restoration of the site (OMWLP PE 13)

Noise

8. Except for those temporary operations defined in condition 10, the equivalent continuous noise level (LAeq) shall not exceed 47 dB LAeq (1 hour) as measured free field at the nearest noise sensitive premises.. Any measurement taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

Reason: To safeguard the amenity of the area and of local residents. Policy OMWLP PE18

9. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant, other than beepers whose noise levels adjust automatically to surrounding noise levels or are white noise beepers.

Reason: To safeguard the amenity of the area and of local residents.
Policy OMWLP PE18

10. For temporary operations of soil stripping, bund formation and restoration, the equivalent continuous noise level (LAeq) shall not exceed 70 dB LAeq (1 hour) as measured free field at the nearest noise sensitive premises. Temporary operations which exceed the noise levels permitted by condition 8 shall be limited to a total of eight weeks in any twelve month period.

Reason: To safeguard the amenity of the area and of local residents.
Policy OMWLP PE18

Dust

11. No vehicle shall exceed 25 kph on Stonehill Lane, Peep O' Day Lane or Basset Lane.

Reason: To aid in dust suppression and prevent damage to the surface of the road Policy OMWLP PE18

12. A scheme to minimise the emission of dust from the development hereby authorised shall be submitted to and approved in writing by the Mineral Planning Authority within 6 months of the date of this permission. Such a scheme shall include the water spraying of plant access and those sections of Peep O' Day Lane, Basset Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A, so as to suppress dust in periods of prolonged dry weather. Any scheme approved in writing by the Minerals Planning Authority shall be implemented in full and the suppression equipment thereafter maintained in accordance with the manufacturer's instructions for the duration of the permission.

Reason: To protect the amenities of local residents and users of the Sustrans Route. Policy OMWLP PE18

Soil Handling

13. Handling and movement of soil shall not be carried out other than when the soil is in a dry and friable condition. No vehicle movements over soil shall take place except for the express purpose of soil stripping or replacement operations.

Reason: To minimise structural damage and compaction of the soil and to aid the final restoration of the site. Policy OMWLP PE18

14. No operations or stockpiling shall take place within a distance of twice the radius of the crown spread of any tree from its trunk and within 5m of any hedge.

Reason: To protect the health and stability of the trees and hedgerows to be retained on site Policy OMWLP PE18, PE10

15. Topsoils and subsoils shall be handled separately and where necessary stored separately in bunds until they are required for restoration.

Reason: To ensure restoration of a high quality can be achieved. Policy PE18

Access

16. The surfacing of the plant access and the sections of Peep O' Day Lane, Basset Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development.

Reason: In the interests of highway safety and safeguarding the local environment. Policy OMWLP PE18

17. The means of access and haul roads shall not be other than as shown on approved plan 97033/PS/A and shall be maintained in a condition free of potholes and safe for cyclists for the duration of the development.

Reason: In the interests of the safety of users of the Sustrans cycle route and the access roads Policy OMWLP PE18

18. The wheels and chassis of loaded vehicles leaving the site shall be sufficiently clean as to prevent the deposit of material onto the sections of Peep O' Day Lane, Basset Lane and Stonehill Lane shown as within the application area on approved plan 97033/PS/A.

Reason: In the interests of highway safety and to prevent mud and dust getting on the highway. Policy OMWLP PE18

19. No materials, plant or temporary structures of any kind shall be deposited on or adjacent to Peep O' Day Lane that may obstruct the public from using the route

Reason: In the interests of highway safety and the safety of users of the Sustrans Route. Policy: OMWLP PE11

20. No further works shall commence until a sign has been erected at the site exit, advising drivers to have due regard to users of the Sustrans Route and two additional signs have been erected on Peep O' Day Lane (20 metres to the north and south of the site exit), to warn users of the Sustrans route of HGVs. All three signs shall be maintained in good order for the duration of the development.

Reason: In the interests of highway safety and the safety of users of the Sustrans Route. Policy OMWLP PE11

Landscaping and Restoration

21. Materials to be used in the restoration of the site shall be wholly inert, uncontaminated naturally occurring material generated from the mineral workings within the Sutton Wick complex.

Reason: To prevent pollution of the water environment. Policy OMWLP PE4

Aftercare

22. No extraction of the remaining sand and gravel deposit shall commence in any area until an aftercare scheme (to include monitoring and management details of the open water, reed bed, hedges and low-nutrient grassland habitats and bats, badgers, otters, water voles, reptiles, amphibians, breeding birds, over-wintering birds and invertebrate species) has been submitted to and approved in writing by the Mineral Planning Authority. Any scheme that is approved shall be fully implemented and no work shall take place other than in accordance with the approved plan

Reason: To ensure that the site is managed appropriately in accordance with Oxfordshire Minerals & Waste Local Plan policy PE13 and that the development results in biodiversity enhancement in accordance with OMWCS policy C7.

Drainage and Water Protection

23. No pumping from the excavations shall take place whilst the adjoining watercourses are running bank full.

Reason: To prevent the increased risk of flooding. Policy OMWLP PE7

24. No sand and gravel extraction shall be commence until a survey point marking ground level has been approved in writing by the Mineral Planning Authority. The approved survey point shall be established and maintained for the duration of the development. Ground levels shall not be raised above this height throughout the duration of the development or on completion of restoration.

Reason: to prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity. Policy OMWLP PE7

25. No temporary bunding shall be constructed unless it provides gaps at 15-20m intervals

Reason: to prevent the increased risk of flooding due to impedance of flood flows. Policy OMWLP PE7

26. Any above ground oil storage tanks shall be sited on an impervious base and surrounded by bund walls capable of retaining at least 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 towards the bund.

Reason: To prevent pollution of the surrounding land, water and groundwater. Policy OMWLP PE4

of the properties on Stonehill Lane.

