

For: PLANNING AND REGULATION COMMITTEE – 15 JULY 2019

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Proposed extraction of mineral and restoration by infilling with imported inert materials to agriculture and nature conservation

Division Affected: Kingston & Cumnor

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

Location: Shellingford Quarry, Stanford Road, Stanford in the Vale, Faringdon, SN7 8HE

OCC Application No: MW.0104/18
VOWH Application No: P18/V2610/CM

District Council Area: Vale of White Horse District Council

Applicant: Multi-Agg Ltd

Application Received: 30 August 2018

Consultation Periods: 16 October – 15 November 2018
30 May – 1 July 2019

Contents

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

Recommendation: The report recommends that application MW.0104/18 be **approved**

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

1. The existing Shellingford Quarry covers a 38-hectare area immediately south of the A417 approximately 600 metres west of Stanford in the Vale. It is also 700 metres east of Shellingford and 3.2 km (2 miles) south east of Faringdon. The proposed extension area would be immediately west and south west of the existing quarry, bringing the working closer to Shellingford.

Site and Setting (see Plan 2)

2. The proposed extension area measures 30 hectares and is currently in agricultural use. It is adjacent to the existing quarry which includes areas of mineral extraction, waste infilling, mineral recycling, mineral processing and stockpiling, offices, carparking and waterbodies.
3. The closest buildings to the site are agricultural buildings immediately west of the site boundary. The closest residential properties are in Shellingford village and lie approximately 250 metres west of the site boundary. Shellingford Primary School also lies a similar distance from the boundary, also in Shellingford village. Quarry Cottage also lies approximately 250 metres from the extension area, to the north east, on the B4508/A417 crossroads. The closest properties in Stanford in the Vale are approximately 1km (0.6 mile) from the extension site and 400 metres from the existing quarry.
4. Stanford in the Vale Household Waste Recycling Centre (HWRC) lies on the other side of the A417, approximately 650m from the extension area.
5. The White Horse Business Park lies immediately to the east of the southern part of the proposed extension area. The existing quarry lies immediately east of the northern part of the extension area.
6. Holywell Brook lies approximately 100 metres south of the application boundary. Public footpath 338/6 lies close to the southern boundary outside of the site.
7. The application site falls entirely in flood zone 1 which is the area of least flood risk. There is a corridor of higher flood risk along the Holywell Brook, however this is outside of the application area.
8. The site slopes gently to the south, falling from 89m AOD in the north to 74m AOD in the south.

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9. The closest SSSI is the Shellingford Crossroads SSSI designated for its geological interest. This lies 80 metres north of the existing quarry, north of the A417. Wicklesham and Coxwell Pits SSSI lies approximately 2.8 km (1.7 miles) east of the site. Fernham Meadows SSSI lies approximately 3.5km (2 miles) south west of the quarry. Chaslins Copse Local Wildlife Site lies approximately 600 metres west of the site on the other side of the B4508.
10. The North Wessex Downs Area of Outstanding Natural Beauty lies approximately 6km (3.7 miles) south of the site. T
11. The site is predominantly agricultural and also includes an area of woodland plantation. 4.9 hectares of the site is subgrade 3a agricultural land, which is classified as 'best and most versatile' agricultural land. This comprises 16% of the total site area.
12. Part of Shellingford village has been designated as a conservation area which also contains a number of listed buildings. This lies approximately 250 metres from the site boundary. St Faith's church in Shellingford is Grade I listed and lies approximately 270 metres from the site boundary.
13. Stanford in the Vale also has a designated conservation area containing listed buildings, this is 1.2 kilometres (0.7 mile) from the extension area site boundary at the closest point. There are five listed buildings located in close proximity west of the A417 in Stanford in the Vale, these are approximately 1 km from the application site.
14. An existing vehicle track runs close to the site boundary around the northern and eastern boundaries. This forms the eastern boundary south of the agricultural buildings and then swings east so that the southern section of the extension area lies south of the track.
15. The extension area lies within Shellingford Parish and Stanford in the Vale Parish lies immediately east. The existing quarry includes land in both parishes.

Planning History

16. The proposed extension area is adjacent to the existing Shellingford Quarry. Quarrying at this site was originally permitted in 1986. The current quarrying operations were permitted granted consent in 2009 (planning permission reference STA/SHE/8554/8-CM OCC ref MW.0132/09), and this consent has since been varied by a new permission issued in 2011 (STA/SHE/8554/12-CM OCC ref MW.0020/11). An eastern extension to the quarry was permitted in 2011 (permission reference STA/SHE/8554/11-CM OCC ref MW.0021/11). T

17. here are a number of other permissions at the quarry related to the mineral extraction, including separate permissions for the sorting and export of inert material, a screening bund, a security caravan and a site office and weighbridge. T
18. he application site forms the majority of a site (SS-08 / CR-16) which has been nominated to the County Council by Multi-Agg Limited for possible allocation in the Site Allocations Plan as a site for working soft sand and crushed rock and is one of the site options in the consultation document. Preparation of the Site Allocations Plan is ongoing. A consultation on issues and options was undertaken in August-October 2018 and the site options are currently being assessed, prior to the publication of a draft plan with preferred sites in September 2019. The target date for adoption of the Sites Plan is December 2020. T

Details of Proposed Development

Overview

19. t is proposed to extract limestone and soft sand from the site over a 22-year period and to restore to original ground levels using imported inert fill. I
20. he development would involve the temporary loss of 38.6 ha of agricultural land and 0.38 ha of woodland. T
21. nder the current consent for the main quarry, extraction must end by the end of 2028, with restoration completed by the end of 2029. The eastern extension has permission for extraction and deposit of waste until the end of 2020 and restoration by the end of 2021. This application proposes that mineral would be extracted from a new western extension for 22 years until 2041, with three further years for the completion of restoration by 2044. U
22. The western extension is proposed in order to ensure continuity of supply as mineral extraction has already been completed in the eastern extension area and the main quarry is now also nearing completion.

Mineral Extraction

23. t is anticipated that the site would yield 1.8 million tonnes of limestone and 1 million tonnes of sand over a 22-year period until 2041. It is proposed that there would be a maximum rate of extraction of 135 000 tonnes per annum. The site would be divided into six phases with I

working starting in the north east before moving west and then south. The final area to be worked would be in the southeast adjacent to the White Horse Business Park. The depth of working would be 15 metres.

24. T
 he methods of working would be the same as the existing operation. Sand would be extracted using a 360-degree excavator. Limestone would be broken up using a hydraulic breaker or ripper. Both materials would then be loaded into dump trucks for transport to the processing plant via internal haul road. Overburden would be backfilled using loading machines and dump trucks.
25. T
 he plant site is already at the lower level and it is proposed to access the mineral in the extension area from the lower level by working sideways from the plant site.
26. T
 he site would be dewatered with groundwater being pumped to attenuation ponds within the existing quarry. These are not within the application area but are within other land under the control of the applicant.

Waste Disposal

27. T
 he application states that up to 50% of the imported waste used to infill and restore the quarry would be builders' waste and the remainder would be naturally occurring excavated material. It would be from local construction and demolition projects. The void to be filled would be approximately 1.6 million m³. Phases would be progressively restored as mineral was being extracted from the next phase.

Mineral Processing Operations

28. M
 inerals extracted from the western extraction area would be processed in the processing plant in the adjacent quarry. The existing consent requires the restoration of this site by the end of 2028 and therefore, should this application be successful, a Section 73 application would be required to seek consent for the retention of the processing plant, site office, silt ponds, car park, access onto the A417 and access through to the proposed new extraction areas. These activities are located in the north-western corner of the existing site, adjacent to the eastern boundary of the extension area.

Main Quarry and Eastern Extension

29. M
 ineral reserves in the eastern extension are worked out and this area is

being restored. The western extension would initially be worked simultaneously with the existing main quarry, however remaining reserves are now low in the main quarry and therefore this area is anticipated to progress to restoration shortly.

Hours of Operation

30. T
The proposed hours of operation are standard operating hours, in line with the existing quarry, i.e. 7am-6pm Mondays to Fridays and 7am-1pm on Saturdays with no working on Sunday or Bank/Public holidays. The applicant subsequently agreed not to work on Saturday mornings, as requested by Shellingford Parish Meeting.

Restoration

31. T
The site would be restored to original ground levels using imported inert materials. Restoration would be phased and take place alongside mineral extraction. It is anticipated that it would take 12 years to infill the site, with three years of this being following the completion of extraction. Therefore, the total period of operations would be 25 years. The restoration proposals include a range of semi-natural habitats including species rich grassland, open water, woodland and hedgerows.

32. T
The restoration would provide 20.63 ha of agricultural grassland and it is proposed to restore this to sub grade 3a quality. The part of the site south of the track would be restored to species rich grassland for nature conservation, including a new area of woodland adjacent to Rogue's Pits Copse and a pond in the south-east corner. There would also be additional woodland along the eastern boundaries.

Long Term Management

33. The application includes details of a five-year agricultural aftercare and drainage scheme. The applicant subsequently further agreed to a 20-year ecological management plan.

Rights of Way

34. T
There are no rights of way within the application site, although footpath 338/6 runs south of the site boundary.

Traffic and Access

35. No changes are proposed to the current HGV movements. The existing consent limits movements to 200 per day (i.e. 100 in and 100 out).

36. The existing quarry and processing plant have an access onto the A417. This is not within the application site but is within other land under the control of the applicant.

Environmental Impact Assessment

37. T
 he application is supported by an Environmental Impact Assessment (EIA) and an Environmental Statement (ES) was submitted with the application. This covers the range of potential environmental impacts of the proposal. A summary of the findings can be found in Annex 3.
38. F
 urther information was requested and submitted in relation to dust monitoring.

PART 2 – OTHER VIEWPOINTS

39. There were two periods of public consultation. The first was held during October and November 2018. The second consultation was held following the submission of further information on dust monitoring and ran from 30 May-1 July 2019.
40. The full text of the consultation responses can be seen on the e-planning website¹, using the reference MW.0104/18. These are also summarised in Annex 4 to this report.
41. T
 he application is being reported to this Committee as it is EIA development. It has also received objections from the Parish Council and local residents.
42. A
 total of 17 third party representations expressing concern or objection were received during the first consultation, with 4 new representations received during the second consultation. The points raised are covered in Annex 5.
43. A
 representation was also received from the governors of Shellingford Primary School during the first consultation. This objected to the application due to impacts on the health and wellbeing of pupils and staff, especially in relation to air-borne silica dust. It states that children are at greater risk and no detailed study of dust had been undertaken at the school.

¹Click here to view application MW.0104/18 [MW.0104/18](#)

PART 3 – RELEVANT PLANNING DOCUMENTS

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

44. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise. I

Development Plan Documents

45. The Development Plan for this area comprises: T
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
 - Oxfordshire Minerals and Waste Local Plan 1996 saved policies (OMWLP)
 - The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies
 - The Vale of White Horse Local Plan 2031 Part 1 (VLP)
46. The OMWCS was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies. It is anticipated that Part 2 of the Plan will include Site Allocations and any further development management policies that may be necessary in relation to the allocated sites.
47. The OMWLP was adopted in July 1996 and covered the period to 2006. 46 policies within the OMWLP were 'saved' until the adoption of the OMWCS and 16 of these policies continue to be saved until the Part 2 Site Specific document is adopted. The saved policies are site-related policies and none of them apply to the area proposed in this planning application. Therefore, they are not relevant to the determination of this planning application.
48. Some policies of the VLP 2011 were saved following the adoption of VLP in 2016. These will be replaced when the emerging VLP2 is adopted.

Emerging Plans

- Draft Vale of White Horse Local Plan 2031 Part 2 (VLP2)
49. The Vale of White Horse Local Plan 2031 Part 2 (VLP2) was submitted to the Secretary of State for independent examination in February 2018. Hearings closed in September 2018 and the inspector has written to VOWDC regarding potential modifications to ensure the plan can be adopted in due course. Therefore, although it is not yet

adopted, this document is at an advanced stage and can be given appropriate weight.

Other Policy Documents

50. The National Planning Policy Framework (NPPF) was first published in 2012 and revised in July 2018 with minor further revisions made in February 2019. This is a material consideration in taking planning decisions. Relevant sections include those on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment.
51. The National Planning Policy Guidance (NPPG) contains specific advice on matters including flood risk, minerals, conserving and enhancing the historic environment, determining a planning application and natural environment.
52. There is no neighbourhood plan affecting the site area.

Relevant Development Plan Policies

- OMWCS:

- M2 – Provision for working aggregate minerals
- M3 – Principal locations for working aggregate minerals
- M5 – Working of aggregate minerals
- M10 – Restoration of mineral workings
- W1 - Oxfordshire waste to be managed
- W2 - Oxfordshire waste management targets
- W6 - Landfill and other permanent deposit of waste to land
- C1 – Sustainable development
- C2 – Climate Change
- C3 – Flooding
- C4 – Water environment
- C5 – Local environment, amenity and economy
- C6 – Agricultural land and soils
- C7 – Biodiversity and Geodiversity
- C8 – Landscape
- C9 – Historic environment and archaeology
- C10 – Transport
- C11 – Rights of way

- The Vale of White Horse Local Plan 2011 (VLP 2011) saved policies

- DC9 – The impact of development on neighbouring uses
- DC12 – Water quality and resources
- HE1 – Development affecting setting of conservation areas
- HE4 – Development within the setting of listed building
- HE9 – Archaeological evaluation
- NE9 – Lowland Vale

L10 – Rights of way

- The Vale of White Horse Local Plan 2031 Part 1 (VLP)

Core Policy 1 – Presumption in favour of sustainable development

Core Policy 35 – Promoting public transport, walking and cycling

Core Policy 39 – Historic environment

Core Policy 42 – Flood risk

Core Policy 43 – Natural Resources

Core Policy 44 – Landscape

Core Policy 45 – Green infrastructure

Core Policy 46 – Conservation and improvement of biodiversity

Relevant Emerging Plan Policies

- Vale of White Horse Local Plan 2031 Part 2 (VLP2) (Publication Version)

Development Policy 16 – Access

Development Policy 23 – Impact of development on amenity

Development Policy 25 – Noise pollution

Development Policy 26 – Air quality

Development Policy 30 – Watercourses

Development Policy 36 – Heritage assets

Development Policy 37 – Conservation areas

Development Policy 38 – Listed Buildings

Development Policy 39 – Archaeology and scheduled monuments

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Director for Planning and Place

53. The NPPF sets out a presumption in favour of sustainable development (paragraph 10), which is supported by policy C1 of the OMWCS and Core Policy 1 of the VLP. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise. T

54. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues. A

55. The key planning issues are: T
i) Minerals

- ii) Waste
- iii) Landscape and visual impacts
- iv) Transport
- v) Rights of way and public access
- vi) Amenity and health
- vii) Flood risk and water environment
- viii) Archaeology and historic environment
- ix) Biodiversity
- x) Soils and agriculture
- xi) Carbon emissions, natural resources and waste
- xii) Sustainable development

Minerals

56. OMWCS policy M2 states that permission will be granted for aggregate mineral working to enable landbanks of reserves with planning permission to be maintained of at least 7 years for the extraction of soft sand and at least 10 years for the extraction of crushed rock.
57. There were 3.105 million tonnes of permitted reserves of soft sand in Oxfordshire at the end of 2017. Based on the 2018 Local Aggregate Assessment (LAA) annual requirement rate of 0.189 million tonnes, this is a landbank of 16.4 years. Recent annual sales of sand have exceeded the LAA rate and based on average annual sales for the three years from 2015 to 2017 of 237,000 tonnes (25% higher) the permitted reserves are equivalent to 13.1 years.
58. Permitted reserves of crushed rock in Oxfordshire at the end of 2017 were 9.318 million tonnes. Based on the LAA annual requirement rate of 0.584 million tonnes the landbank at the end of 2017 was 16 years. Based on average annual sales for the three years from 2015 to 2017 of 832,000 tonnes (42% higher) these permitted reserves were equivalent to 11.2 years.
59. Therefore, there are already landbanks of over 7 years for soft sand and 10 years for crushed rock, which are the minimum required by OMWCS policy M2. However, these are minimum requirements and the policy does not set a ceiling on the maximum reserves to be maintained. Therefore, although the figures show that there is no urgent need for new permissions for soft sand or limestone extraction, the proposal is in accordance with OMWCS policy M2 with regards to landbanks.
60. OMWCS policy M2 also states that the need to maintain sufficient productive capacity to enable the LAA rates to be realised will be taken into account. Regarding the permitted reserves of soft sand, nearly 50% is held at a single quarry and a total of 70% of these reserves are held in two quarries. These two quarries account for approximately 35% of Oxfordshire's soft sand production capacity. There are four other quarries, one of which produces only small quantities of soft sand and two of which have reserves which would last less than 5 years at current

rates of working. This indicates that there will not be sufficient production capacity to allow the LAA rate to be maintained throughout the 7-year landbank period. On that basis, there is a need for further soft sand extraction to be permitted in order to maintain sufficient productive capacity.

61. There are 14 quarries with permitted crushed rock reserves in Oxfordshire. Approximately 65% of these reserves are held in three quarries which account for approximately 60% of Oxfordshire's production capacity. Based on current levels of sales, which are significantly higher than the LAA rate, the remaining reserves at most of Oxfordshire's crushed rock quarries will last for less than 10 years; in two cases for only one year. This indicates that the distribution of the remaining permitted reserves of crushed rock is such that there will not be sufficient productive capacity to enable the LAA rate to be maintained throughout the 10-year landbank period. On this basis there is a current need for further reserves of crushed rock to be permitted.
62. Therefore, there is a current need for new permissions for limestone and soft sand to ensure that there is sufficient production capacity to deliver the LAA rates over the landbank period. The extension to Shellingford Quarry would make a significant contribution towards that need.
63. OMWCS policy M3 details the principal locations for working aggregate minerals. The application site is within the 'Corallian Ridge area from Oxford to Faringdon' soft sand strategic resource area. It is also within the 'area south and south east of Faringdon' strategic resource areas for crushed rock. These areas are listed in policy M3 as principal locations for aggregates mineral extraction. The application is therefore in accordance with this policy. The supporting text for this policy states that provision should preferably be made through extensions to existing quarries rather than from new quarries. This lends further support to the application.
64. OMWCS policy M4 is not relevant as it relates to how specific sites will be selected through the Part 2 plan document. OMWCS policy M5 confirms that prior to the adoption of the Part 2 document, permission will be granted for working of aggregate minerals where this would contribute towards meeting the requirement for provision and in accordance with M3 and policies C1-C12.
65. OMWCS policy M10 states that mineral workings shall be restored to a high standard and in a timely and phased manner. It lists criteria which the restoration and afteruse of mineral workings must take into account, including the character of the landscape, the conservation and enhancement of biodiversity and the quality of agricultural land. It states that planning permission will not be granted for mineral working unless satisfactory proposals have been made for the restoration, aftercare and afteruse of the site.

66. The restoration proposals are considered appropriate. The use of inert fill takes into account the existence of best and most versatile agricultural land and ensures that there would be no loss of this in the restoration. The long-term management proposals would also ensure that the restoration was acceptable in terms of biodiversity. The proposals are in accordance with OMWCS policy M10.

Waste

67. OMWCS policy W1 states that provision will be made to provide capacity for Oxfordshire to be self-sufficient in the management of principal waste streams, including commercial and industrial waste. The policy provides forecasts of the capacity required to 2031 and therefore would contribute towards Oxfordshire's self-sufficiency in dealing with its inert waste, in accordance with OMWCS policy W1.
68. OMWCS policy W2 sets targets for the diversion of waste from landfill. The target for the 'permanent deposit of inert waste other than for disposal to landfill' is 25%. The proposal falls within this category as the deposit of waste would enable the restoration of the quarry. The OMWCS does not quantify the additional capacity required, but provision of additional capacity for 'permanent deposit of inert waste other than for disposal to landfill' would reduce the need for disposal of inert waste to landfill, which comes at the bottom of the waste hierarchy. Provided the waste to be deposited cannot be recycled, and therefore does not prejudice achieving the target for inert waste recycling, the application would accord with OMWCS policy W2.
69. OMWCS policy W6 states that provision for the permanent disposal to landfill of inert waste that cannot be recycled will be made at existing facilities and at sites allocated in the Part 2 plan. The Part 2 plan is still in preparation and therefore this does not apply, however this part of the policy does indicate that there is a need for additional capacity within the plan period. OMWCS policy W6 goes on to state that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. Therefore, provided that the waste to be deposited cannot be recycled, the application is supported by OMWCS policy W6. The use of inert waste would allow the quarry to be restored to an agricultural after-use, preserving the best and most versatile agricultural land to ensure that the development is in accordance with OMWCS policy M10.

Landscape and Visual Impacts

70. OMWCS policy C8 states that minerals development shall demonstrate that it respects and where possible enhances the local landscape character and shall be informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts.

71. VLP core policy 44 states that the key features that contribute to the nature and quality of the landscape will be protected, these include trees, hedges, watercourses, views, tranquillity and areas of cultural and historic value.
72. The site is located within the Lowland Vale as shown in VLP 2011 saved policy NE9 which states that development in the Lowland Vale will not be permitted if it would have an adverse impact on landscape, particularly on the long open views within or across the area.
73. The Landscape and Visual Impact Assessment submitted with the application concludes that there would not be any significant impacts and the restoration would be beneficial. There has been no objection on landscape grounds from OCC's Environmental Strategy team, subject to conditions to vegetate and maintain the bund and limit the height of stockpiles and storage heaps. It is considered that subject to these conditions and the development being carried out in accordance with the submitted plans, the proposals would respect the local landscape character and not give rise to adverse impacts. Landscape impacts would be temporary for the duration of the development. Therefore, the development complies with relevant policies protecting the landscape including OMWCS policy C8, VLP policy 44, and VLP 2011 policy NE9.

Transport

74. NPPF paragraph 111 states that all development that generates a significant amount of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 109 states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
75. OMWCS policy C10 states that minerals development will be expected to make provision for safe and suitable access to the advisory lorry routes shown in the plan and if possible, lead to improvements in the safety of all road users, the efficiency and quality of the network and residential and environmental amenity. Where practicable minerals shall be transported by rail, water or conveyor. Where minerals are to be transported by road they should be in locations which minimise road distances.
76. VLP2 policy 16 states that development must demonstrate that adequate provision will be made for vehicle turning, loading, circulation and servicing and that where the highway infrastructure is not adequate to service the development acceptable offsite improvements should be demonstrated.
77. There would be no change to the number of HGV movements or the site access arrangements as a result of the proposed extension to the quarry area. The application does not include the plant site and therefore does

not include vehicle access, parking or manoeuvring areas, as this is covered by a separate consent. However, this area is within land controlled by the applicant and therefore conditions can be imposed as necessary to ensure safe and suitable access to the extraction area. No objections or concern have been raised by OCC Transport Development Control. The application is considered to be in accordance with relevant policies in relation to traffic and transport.

Rights of Way and Public Access

78. NPPF paragraph 98 states that planning policies should protect and enhance public rights of way and access and local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.
79. OMWCS policy C11 states that the integrity and amenity value of the rights of way network shall be maintained and if possible, it shall be retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. Improvements and enhancements to the rights of way network will generally be encouraged.
80. VLP 2011 policy L10 states that development over public rights of way will not be permitted unless alternative provision can be made which is equally or more attractive, safe and convenient. VLP core policy 35 promotes public transport, cycling and walking.
81. There have been no objections from the OCC Rights of Way team as they consider that there would be no significant impacts on the footpath to the south of the boundary. They have also confirmed that there is no need for mitigation measures. There would be some noise and visual impacts on the footpath resulting from phases 4 and 6 of the extraction and filling, however this is not considered to be significant.
82. The Environmental Strategy team have commented that the proposal provides the opportunity for the creation of a new permissive footpath linking existing rights of way in the area. The applicant was not able to agree to a circular route within the restored site due to the proximity of dairy buildings, however has agreed that a permissive path could be provided along the southern edge of the existing quarry which will be explored further. It is recommended that if permission is granted for this development, it should be subject to a legal agreement requiring the provision of a permissive footpath along the southern quarry boundary.
83. Overall, it is considered that there would be no unacceptable impacts on rights of way and the proposals are in accordance with OMWCS policy C11, VLP 2011 policy L10 and VLP core policy 35.

Amenity and health

84. NPPF paragraph 180 states that decisions should ensure new development is appropriate for the location by taking into account the likely effects (including cumulative effects) on health, living conditions and the natural environment. This includes mitigating and reducing to a minimum potential noise impacts and limiting the impact of light pollution on amenity and nature conservation.
85. NPPF paragraph 205 states that when determining planning applications for mineral extraction, planning authorities should ensure that there are no unacceptable adverse impacts on human health and that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source. Appropriate noise limits should be established for extraction in proximity to noise sensitive properties.
86. OMWCS policy C5 states that proposals for mineral development shall demonstrate that they will not have an unacceptable adverse impact on the local environment, human health and safety, residential amenity and the local economy, including from a range of factors including noise, dust, visual intrusion, light, traffic, air quality and cumulative impact. Where necessary, appropriate buffer zones between working and residential development will be required.
87. VLP policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of: loss of privacy, visual intrusion, noise or vibration, smell, dust, pollution or external lighting.
88. VLP2 policy 23 states that development proposals should demonstrate that they would not result in significant adverse effects on amenity of neighbouring uses including in relation to loss of privacy, visual intrusion, noise or vibration, odour, dust, pollution or external lighting. VLP2 policy 25 states that noise generating development that would have an impact on amenity or biodiversity should provide an appropriate scheme of mitigation and development will not be permitted if appropriate mitigation cannot be provided in line with the appropriate British standards.
89. VLP2 policy 26 states that development likely to have an impact on local air quality must demonstrate mitigation incorporated into the design to minimise impacts. An air quality assessment will be required for development in areas of existing poor air quality.
90. There have been no objections from the Environmental Health officer, subject to the mitigation for noise and dust proposed, including acoustic bunds, implementation of a Dust Management Plan and for better management of dust affecting the surface of the A417. Subject to these conditions, the proposals are considered to accord with OMWCS policy C5, VLP 2011 policy DC9 and VLP2 policies 23, 25 and 26.
91. Residents of Shellingford have raised a number of concerns about the amenity impacts of the quarry operations. The concerns about the

workings moving closer to the village are understood. However, the technical assessments submitted with the application demonstrate that impacts could be satisfactorily mitigated. Therefore, it is considered that the proposals are capable of complying with relevant policies, subject to conditions to control noise and dust being imposed and complied with.

92. The applicant has agreed not to work in the extension area on Saturday mornings, in response to local concerns. This can be secured by condition.
93. Concern has also been expressed about potential health impacts from the quarry workings, including from silica dust. An air quality and dust assessment was submitted with the planning application and there has been no objection from the Environmental Health Officer, subject to the submission, approval and implementation of a Dust Management Plan incorporating the mitigation measures in the submitted assessment. Further work on dust and air quality was submitted following a request from the public health team, which also concluded that there would be no significant impacts. There has been no objection from Public Health England, or OCC's public health team, subject to the provision of a detailed dust management plan which covers both operational and non-operational hours and includes details of how dust levels will be monitored, the weather conditions which would trigger the cessation of operations and the mitigation measures which would be in place. The provision of this plan could be required by a pre-commencement condition. It is considered that such a condition and the submission and implementation of a detailed dust management plan, would ensure that there would be no unacceptable impacts in relation to dust, air quality or public health on the residents of the village or children at the school, in accordance with the relevant policies.
94. Stanford in the Vale Parish Council responded to the second consultation and queried whether air quality monitoring had taken place in the direction of the prevailing wind, towards Stanford in the Vale. The applicant has confirmed that Stanford in the Vale was not included in the air quality assessment of the distance between the village and the quarry. Only receptors within 400 metres of the quarry were included as the Institute of Air Quality Management (IAQM) minerals guidelines indicate that this is the extent of dust impacts.
95. No additional external lighting is proposed for the extended quarry working areas. The permission for the main quarry consent, including the plant site allows for flood lighting to be erected with the prior consent of the Minerals Planning Authority and, therefore, there could be external lighting associated with the plant site. However, this is not part of this application. Therefore, the proposal is not considered to create any impacts in terms of lighting.
96. Concerns have been expressed about the potential for noise, especially given that workings would be moving closer to the village. There was not

a recent history of complaints about noise at this site, although some have been received since the application was submitted. The proposed extension area includes further noise mitigation through the provision of soil bunds and it is considered that noise impacts could be adequately controlled through conditions to cover noise limits and a noise management plan.

97. Complaints have been received since the application was submitted about noise from hydraulic breakers at the existing quarry. It is understood that noise from breakers at the quarry is noticeable when the wind is blowing from the quarry towards the village. It is recommended that a condition is added for a noise management plan. This could include further mitigation measures such as limiting breaker use when there is a moderate to strong north-easterly wind, to respond to any concerns about noise that arise during operations. The applicant has confirmed that they would be willing to commit to cease use of the hydraulic breaker when there is a moderate to strong north-easterly wind, although they do not consider this necessary to comply with statutory guidance, in order to satisfy the concerns of the local residents. It is recommended that such details are required as part of the noise management plan.
98. Concerns have been raised about the existing quarry operations causing mud on the public highway outside the site access. The quarry currently uses a wheelwash and a road sweeper as required to clear debris and mud on the A417. This is regularly monitored by the OCC monitoring team who have not found mud to be a significant problem. There can be staining on the road, however, this does not create a safety concern. There would be no increase in daily HGV movements as a result of this application and therefore it is not considered that the proposed development would worsen the situation. However, given the local concerns a condition could be used to require details of improved measures for keeping the public highway free of mud to be submitted, approved and implemented. This could be used in conjunction with a condition requiring that no mud is deposited on the public highway and this would be monitored in the usual way. It is considered that any potential impacts resulting from lorries depositing mud on the road can be adequately controlled and reduced through the use of these conditions.
99. A number of objections have raised concerns about the amenity impacts of the current operations. There is no currently active community liaison meeting for the representatives of the local community to meet with the site operator to discuss concerns about the quarry activities. If permission is granted for this extension, it is recommended that this is subject to a condition requiring the applicant to submit details of a local liaison meeting for approval. A regular meeting would improve understanding between the quarry operator and the community and help build relationships so that complaints and concerns can be raised and addressed. It would facilitate forewarning of noisy activities, investigation

of complaints and the sharing of information about monitoring visits, which Shellingford Parish Meeting have requested.

Flood risk and water environment

100. OMWCS policy C3 states that minerals development will, where possible, take place in areas with the lowest probability of flooding. Where development takes place in areas of flood risk, this should only be where other areas have been discounted using the sequential and exception tests as necessary and where a flood risk assessment demonstrates that risk of flooding is not increased from any source. The opportunity should be taken to increase flood storage capacity in the flood plain where possible.
101. OMWCS policy C4 states that proposals for mineral development will need to demonstrate that there would be no unacceptable adverse impact on surface or groundwater resources. Watercourses of significant value should be protected.
102. OMWCS policy C2 states that minerals development should take account of climate change.
103. VLP core policy 42 states that the risk and impact of flooding will be minimised through directing development to areas of lowest flood risk, ensuring that new development addresses the management of sources of flood risk and does not increase flood risk elsewhere and ensuring wider environmental benefits of development in relation to flood risk.
104. VLP 2011 policy DC12 states that development will not be permitted which would adversely affect the quality of water resources, including groundwater, rivers or disturbance of contaminated land.
105. VLP2 policy 30 states that development on or adjacent to watercourses will only be permitted where it would not have a detrimental impact on the function or setting of the watercourse or its biodiversity. Plans for development should include a 10m buffer along the watercourse. Development within 20m of a watercourse will require a construction management plan.
106. The Environment Agency has confirmed that they have no objection to this application, subject to conditions protecting groundwater and the underlying aquifer, including submission of a monitoring plan for groundwater and surface water, a scheme to secure the maintenance of spring-fed flows and a maximum extraction depth. There has been no objection to this application from the Lead Local Flood Authority, subject to conditions to cover a surface water and groundwater monitoring plan and a scheme to secure the maintenance of spring-fed flows to Holywell Brook. It is considered that the proposals are in accordance with relevant policies for the protection of the water

environment and flooding including OMWCS policy C4 and VLP 2011 policy DC12.

107. The site falls within flood zone 1, the area of least flood risk. It therefore complies with the sequential test, which is designed to direct development to areas of lesser flood risk. This is in accordance with VLP core policy 42 and OMWCS policy C3.
108. The submitted application has taken climate change into account, for example in the flood risk assessment, in line with OMWCS policy C2.
109. There are no watercourses within the site area and Holywell Brook lies 110 metres south of the southern boundary. Therefore, there are adequate buffers from watercourses in line with VLP2 policy 30.

Archaeology and Historic Environment

110. NPPF paragraph 189 states that where a site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
111. NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
112. OMWCS policy C9 states that minerals development will not be permitted unless it has been demonstrated that there would not be an unacceptable adverse impact on the historic environment. Great weight will be given to the conservation of designated heritage assets including scheduled monuments, listed buildings and conservation areas. Proposals for mineral working shall wherever possible demonstrate how the development will make an appropriate contribution to the conservation and enhancement of the historic environment.
113. VLP core policy 39 states that the council will ensure that new development conserves and where possible enhances designated and non-designated heritage assets in accordance with national policy.
114. VLP 2011 policy HE1 states that proposals within or affecting the setting of a conservation area will not be permitted unless they can be shown to preserve or enhance the established character or appearance of the area. Development will only be permitted in open spaces where it can be shown these areas do not make a positive contribution to the

conservation areas special interest or views. Levels of traffic and noise must be compatible with the preservation and enhancement of the character of the area. VLP 2011 policy HE4 states that planning permission for development within the setting of a listed building will not be granted unless it can be shown that the proposal respects the characteristics of the building in its setting.

115. VLP 2011 policy HE9 states that the applicant will be required to carry out an archaeological field evaluation where there are grounds to believe that important archaeological remains may be disturbed.
116. VLP2 policy 36 states that proposals for development which would affect heritage assets must demonstrate that they conserve and enhance the special interest or significance of the asset and its setting.
117. VLP2 policy 37 states that development within or affecting the setting of a conservation area must demonstrate that it would conserve or enhance its special interest, character, setting and appearance. VLP2 policy 38 states that development affecting the setting of a listed building must demonstrate that it will conserve and enhance the heritage significance and setting, respect features of special interest and be sympathetic in design.

Archaeology

118. A desk-based assessment was submitted with the application. The site is within an area of considerable archaeological potential, however there has been no objection from the archaeology team, subject to a condition for a written scheme of archaeological investigation including the processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication. Subject to this condition, the proposals are considered to be in accordance with relevant policies relating to archaeology including OMWCS policy C9, VLP 2011 policy HE9 and NPPF paragraph 189.

Conservation Area and Setting of Listed buildings

119. Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
120. There are no designated heritage assets on the site. However, it lies in the wider setting of a number of assets including the Grade I listed Church of St Faith and the Shellingford Conservation Area.

121. A heritage assessment was submitted as part of the ES. This concludes that the only designated site which could potentially be affected is the Church of St Faith, from which the application site is visible. However, it concludes that the potential impact is reduced due to the presence of the existing quarry.
122. The Conservation Officer has stated that it appears from historic mapping that movement to and from the village has commonly been from within the parish to the south and west where the landscape is more open and the church can be seen. This characteristic is not the same from the east and north of the village and therefore it is concluded that there would not be a visual impact on the experience of the setting of the listed buildings or the conservation area that would harm their significance.
123. There has been no objection to this application from the District Council's Conservation Officer, who considers that there would be no direct impacts on heritage assets and noise impacts would be minor resulting in less than substantial harm. NPPF paragraph 196 requires this harm to be weighed against the public benefits of the proposal and it is considered that public benefits would arise from the proposal's contribution to a steady supply of limestone and soft sand for construction in the wider area.
124. Given the limited impact on heritage assets, the temporary time frame and the public benefits, and taking into account the requirement of Section 66 (1) of the Listed Buildings and Conservation Areas Act 1990, the proposals are considered to be acceptable in terms of the impact on the setting of the local listed buildings and conservation area, in accordance with the NPPF and relevant policies including OMWCS policy C9, VLP core policy 39, VLP 2011 policy HE1 and VLP2 policies 36, 37 and 38.

Biodiversity

125. NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
126. NPPF paragraph 175 states that when determining planning applications, planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided. Development resulting in the loss or deterioration in irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable strategy for compensation. Opportunities to incorporate biodiversity

improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

127. OMWCS policy C7 states that minerals development shall, where possible, lead to a net gain in biodiversity. It also states that all minerals development shall make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity and satisfactory long-term management for the restored site shall be included in proposals.
128. VLP core policy 45 states that a net gain in green infrastructure, including biodiversity, will be sought. VLP core policy 46 states that development which will conserve, restore and enhance biodiversity in the district will be permitted, opportunities for biodiversity gain will be sought and a net loss of biodiversity avoided.
129. There has been no objection from the OCC Ecology Officer, who considers that a net gain in biodiversity is achievable in the long term through the restoration proposals. Effects on ecological receptors within the site and adjacent habitats are localised and negligible. This is subject to a long-term management plan for 20 years after the statutory 5-year aftercare period covering management of the hedgerows, associated trees, agricultural field margins to be managed for the benefit of wildlife and the pond. The applicant has confirmed that they are willing to provide 20 years of long-term management for ecology, subject to this not impeding the agricultural management of the restored land. This would follow the 5-year statutory aftercare period and would need to be secured by legal agreement.
130. Subject to this provision in a legal agreement, the development is therefore considered to be in accordance with the relevant policies related to biodiversity including OMWCS policy C7 and VLP core policies 45 and 46.

Soils and agriculture

131. OMWCS policy C6 states that proposals for mineral development shall take into account the presence of any best and most versatile agricultural land. Proposals should make provision for the management and use of soils in order to maintain agricultural land quality (where appropriate) and soil quality.
132. The development would lead to the temporary loss of 28.6 hectares of agricultural land, including 4.8 hectares of best and most versatile land. The land would be restored to agriculture, and it is intended to reinstate soil profiles capable of restoring to agricultural land back to subgrade 3a quality. Therefore, the adverse impact would be limited in extent and temporary until the site was restored and there would be a long-term beneficial impact from the restoration of approximately 20.6 ha of

agricultural land to subgrade 3a quality. There has been no objection from Natural England, who do not wish to provide detailed comments due to the area and grading of land affected. The Environmental Strategy team has commented that specific actions should be taken during the aftercare period to enhance the soil condition for the agricultural restoration. This can be secured by condition.

133. The proposals are considered to be in accordance with OMWCS policy C6.

Carbon Emissions, Natural Resources and Waste

134. OMWCS policy CS9 states that all developments should seek to minimise their carbon emissions. VLP core policy 43 states that developers should make effective use of natural resources, including by minimising waste, efficient use of water, improvements to water quality, taking account of air quality management plans, remediating contaminated land where necessary, avoiding development of the best and most versatile agricultural land and use of previously developed land where possible. As set out elsewhere in the report, the proposals are considered acceptable in these regards and therefore it is considered that the development makes effective use of natural resources in accordance with this policy.

Sustainable Development

135. OMWCS policy C1 states that a positive approach will be taken to minerals development in Oxfordshire, reflecting the presumption in favour of sustainable development in the NPPF. It states that planning applications that accord with the policies in OMWCS will be approved unless material considerations indicate otherwise. VLP core policy 1 also reflects the presumption in favour of sustainable development. NPPF paragraph 10 states that a presumption in favour of sustainable development is at the heart of the NPPF and for decision taking this means approving development proposals that accord with the development plan without delay. The proposals are considered to be sustainable and in accordance with the development plan.

Processing plant site and access

136. The application area does not include the existing processing area, site office, silt ponds, car park or access onto the A417. It only includes the proposed extension to the extraction area. It is proposed to process the mineral extracted from this extension area at the existing processing site in the main quarry, however this has permission only until the end of 2028. The proposed extension to the extraction area would lead to extraction in the extension area until 2041. Should this application be approved, the applicant would clearly need to apply to extend the life of the processing plant, silt ponds, site office and access before 2028 when permission for those activities expire, so that the processing area

was available for processing material extracted from the extension area. Therefore, it is recommended that a condition is added to any consent granted further to this application to require that development does not commence until an application is made and approved to extend the processing site to 2044. This is because if the applicant commenced the development but by 2028 had not secured planning permission for an extension to the life of the plant site, it would not be possible to continue to implement this consent in accordance with the approved details, as there would be no on-site provision for washing and grading the extracted material, disposing of silt, stockpiling, lorry parking or access from the extraction area onto the road network. It is considered that there needs to be certainty about where the material will be processed for the duration of the permitted extraction period, to ensure that it can be implemented in accordance with the details provided in the application and the processing activities can be properly controlled.

Conclusions

137. The development is in accordance with relevant policies relating to minerals, waste, landscape, rights of way, flooding and water, the historic environment, biodiversity and soils and agriculture. Concerns have been raised regarding the impacts on amenity for residents of Shellingford. However, the assessments submitted with the application indicate that these can be adequately controlled and mitigated. Therefore, subject to conditions, the proposals are in accordance with policies protecting amenity.

RECOMMENDATION

138. **Subject to the applicant signing a Section 106 agreement for the matters outlined in Annex 2 to this report it is RECOMMENDED that planning permission for MW.0104/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include those set out in Annex 1 to this report.**

Susan Halliwell
Director for Planning and Place

July 2019

Annex 1 – Conditions

1. Complete accordance with plans and particulars
2. Commencement within three years
3. Temporary consent – extraction completed by 2041 and restoration completed by 2044.
4. No implementation until such a time that the processing plant, silt ponds, stocking areas and access have planning consent until 2044
5. No working outside approved hours (7am-6pm Mondays to Fridays with no working on weekends or public/bank holidays)
6. Restoration in accordance with plans and removal of all associated plant and development.
7. 5-year aftercare, in accordance with an aftercare scheme to be submitted and approved
8. Screening bunds to be constructed and maintained in accordance with plans
9. Soil screening bunds in situ for more than 6 months to be grassed and subject to weed control
10. Submission, approval and implementation of seed mix for the bund on the southern boundary and maintenance
11. Implementation of approved final contours
12. Submission, approval and implementation of a monitoring and maintenance plan for groundwater and surface water,
13. Submission, approval and implementation of a final report following the groundwater and surface water monitoring programme
14. Submission, approval and implementation of a scheme for the maintenance of spring-fed flows
15. No excavation below 64 AOD or into the Lower Calcareous Grit Formation.
16. Details of a liaison meeting to be set up and run by the operator, to be submitted for approval and implemented.
17. Written scheme of archaeological investigation
18. Acoustic mitigation to be implemented as proposed
19. Maximum noise limits at closest dwellings as specified in ES
20. Noise management plan, including details of monitoring, submission of noise monitoring data for inspection, mitigation measures and details of weather conditions during which specified noisy activities would stop
21. No reversing beepers other than those which use white noise
22. Servicing and maintenance of plant and machinery
23. Submission, approval and implementation of a detailed dust management plan covering operational and non-operational hours and incorporating proposed monitoring, mitigation and details of weather conditions that would cause working to stop
24. Submission, approval and implementation of measures for keeping the public highway free of mud, dust and debris
25. No mud, dust or debris to be deposited on the highway
26. Establishment and maintenance of a hedge to screen the footpath
27. Management of soils during the aftercare period

28. Maximum height of temporary storage mounds and mineral stockpiles
29. Progressive working and restoration, in accordance with plans
30. Submission, approval and implementation of an Environmental Management Plan for biodiversity
31. Pre-commencement walkover ecological surveys for badgers and other protected species
32. Submission, approval and implementation of a Landscape and Ecological Management Plan (LEMP) prior to restoration of each phase
33. Submission, approval and implementation of a Biodiversity Monitoring and Remediation Strategy

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, as was the case with this application, and
- updating applicants and agents of issues that have arisen in the processing of their application, for example in this case the request for a 20-year long term management plan was raised with the applicant and accepted in order to ensure that the proposals were in accordance with policies on biodiversity.

Annex 2 - Heads of terms for legal agreement

- Long term management – 20 years following statutory 5-year aftercare - for the hedgerows, associated trees, agricultural field margins to be managed for the benefit of wildlife and the pond, funded either through contributions to a ring-fenced OCC account, or commitment for the applicant to fund the implementation and monitoring of the management plan.
- Permissive footpath to be provided in the southern edge of the existing quarry

Annex 3 - Environmental Statement

1. A
 n Environmental Statement was submitted with the planning application. This contains chapters covering hydrology and hydrogeology, landscape and visual impact, ecology, cultural heritage, highways and traffic, noise, air quality and dust and agricultural land and soils. The findings are summarised below.
2. T
 he first chapter introduces the site and the proposals, discusses alternative working methods and briefly considers socio-economic effects, cumulative impacts and climate change.
3. H
 ydrology and hydrogeology – This section includes a consideration of the hydrological and hydrogeological baseline, flood risk, potential receptors, assessment of impacts and mitigation measures. It is concluded that there would be no flooding risks or significant detrimental impact on groundwater or surface water flows or quality. Monitoring and mitigation is proposed during the extraction phase as there is a risk that groundwater discharge to the Holywell Brook could be reduced. The relevant borehole would be monitored and if necessary mitigation measures put in place such as the early placement of fill material against the western faces and/or discharge of pumped water into recharge trenches.
4. L
 andscape and Visual Impact – This concludes that overall there would be moderate-slight adverse impacts on landscape value, which would become moderate-slight beneficial impacts following restoration. Effects on visual amenity are also assessed. Of 19 viewpoints assessed, significant adverse effects are predicted at 7. These effects would be temporary during the operational period.
5. E
 cology – The Ecological Appraisal includes the results of a desk-based review and field surveys. Impacts on important ecological receptors are assessed. It states that there is the potential for negative impacts during the operation phase and therefore mitigation is required. Proposed operational management mitigation is set out to ensure that impacts would be reduced so that they are not significant. Enhancement measures include new habitats created as part of the restoration, including hedgerows, woodland, grassland, scrub and a new pond. This assessment concludes that the impact of habitat loss is not considered to be significant.
6. C
 ultural Heritage – The Historic Impact Assessment describes an investigation consisting of examination of historic environment records,

historical maps, aerial photographs, LIDAR and a site visit. This identifies a low-moderate potential for archaeological remains within the application site. Therefore, a programme of archaeological strip, map and recording is proposed during extraction. This section also assesses the impact on designated sites including listed buildings and conservation area and concludes that the only designated site which could potentially be affected is the Church of St Faith, from which the application site is visible. However, it concludes that the potential impact is reduced due to the presence of the existing quarry.

7. H
 Highways and Traffic – The Transport Statement confirms that the proposal would not lead to any increase in HGVs as there would be no increase to the rate of mineral production. Therefore, it concludes that there would be no impact on the safe operation of the local highway network.

8. N
 Noise – The noise report describes a noise assessment undertaken at three properties close to the extension site. Noise levels are calculated for four locations for the combined extraction and infilling operations. At two of these noise levels are calculated to be above existing site noise limits, therefore mitigation is proposed in the form of 4 metre bunding on a 150m section of the western perimeter and 3 metre bunding on part of the eastern perimeter. It is shown that such bunding would reduce noise levels to within acceptable limits. Temporary operations are shown to be within the limits for temporary operations in government guidance.

9. A
 Air quality – This section assesses impacts from dust, fine particulate measures and HGV emissions. The key pollutants considered are NO², PM¹⁰ and PM^{2.5}. It outlines a number of mitigation and good practice measures that would be incorporated into a Dust Management Plan. This concludes that any change in NO² emissions from the quarry is likely to be negligible. As HGV movements from the site would not change the effect of HGVs on PM¹⁰ and PM^{2.5} levels are assessed as negligible. Overall, the impact of the development is not considered to be significant in terms of air quality.

10. A
 Agriculture and soils – A total of 4.8 hectares of the site, which is 16% of the total, is found to be grade 3a agricultural land, which is classified as best and most versatile. 78.5% of the site is grade 3b and 5.3% is non-agricultural. The impacts on best and most versatile agricultural land are assessed as minor adverse and temporary. It is predicted that once the restoration has taken place there would be no further impact. Details of soil handling measures that would be taken to protect soils are provided

11. The ES assessments have taken into account the main quarry workings. It states that there are not considered to be any cumulative impacts with other developments in the Faringdon area due to the nature of the development, its temporary nature and direct access onto the strategic highway network.

Further Information

12. An addendum to the air quality and dust assessment was submitted following the first period of consultation. This sets out the findings of quantitative air quality monitoring for PM10 and PM2.5 concentrations, carried out in two locations in Shellingford village for a one-month period. It records that the levels were low in both locations. It provides predictions of the increase in PM levels in the village as a result of quarry operations moving closer and concludes that the increase would be negligible. It states that continuous air quality monitoring is not needed, but that a Dust Management Plan required by condition could include details of regular ongoing monitoring during the operational period. It concludes that there would be no significant impacts on air quality.

Annex 4 – Consultation Responses Summary

Vale of White Horse District Council - Planning

1. No objection. Due to size and proximity to residential properties, please ensure that impact on local residents is fully considered.
2. Conservation officer – There will be no direct physical impact on the designated heritage assets. Views from within the conservation area and from listed buildings will be unchanged by this proposal. It appears from historic mapping that movement to and from the village has commonly been from within the parish to the south and west where the landscape is more open and the church can be seen. This characteristic is not the same from the east and north of the village and therefore I do not consider that there would be a visual impact on the experience of the setting of the listed buildings or the conservation area that would harm their significance. There would be some noise impact to the rural experience the conservation area and the associated assets. However, given presence of the existing quarry, I do not consider that this impact would be so severe, despite the closer proximity, as to significantly diminish the significance of the heritage assets. It is likely to be some minor adverse impact to the experience of the conservation area as a result of noise that is in closer proximity to the conservation area. However, this impact is considered to be quite low given the existing proximity of the working quarry and overall is not more than less-than-substantial harm, at the lower end of the scale, against the tests of the NPPF. Measures should be taken to limit the impact of the quarry on the experience of the nearby designated heritage assets.

Vale of White Horse District Council – Environmental Protection

Original Response

3. No objection, subject to acoustic mitigation as proposed in the acoustic report and a dust management plan incorporating the measures set out in the dust assessment. The noise assessment has followed appropriate guidance. There are frequently dust and soil deposits along the road

surface of the A417 and on vegetation. Dust is re-suspended by passing traffic. If permission is granted for the extension this impact must be better managed, mitigated and monitored.

Regulation 25 Consultation Response July 2019

4. No objection. The submitted dust report records that annual objectives would not be exceeded. Ongoing continuous or periodic monitoring will be required to demonstrate compliance with objectives and effective management of dust. Sand is not inherently dusty, as the sand is generally wet. Mitigation should only be necessary during periods of hot, windy weather where dust may be generated by wind whipping stockpiles. A planning condition should be used for a detailed Dust Management Plan, this should include a scheme for ongoing monitoring. Depositions of dust on the road need to be better controlled, haul routes need proper management and the A417 needs to be kept visibility clean and free from accumulations of mud and debris.

Shellingford Parish Meeting

Original Response

5. Object. Concerned about the proximity of the extension area to residents. The Environment Statement does not list all of the closest properties. Particularly concerned about pupils at the Primary School and residents of Church Street. Concerned about noise, the noise assessment carried out does not reflect the fact that noise levels vary significantly with wind direction. Concerned about the noise limits for temporary operations. The noise mitigation bund does not include any planting or screening. Noise levels could be reduced by planting a line of hardwood trees between the proposed extension and the village. Concerned about dust and the accuracy of the dust assessment. Concerned about hydrological problems which would only be identified after they had occurred. The actual HGV movements should be monitored to ensure that there is no increase and this monitoring should be paid for by the applicant. Vehicle wheel washing equipment should be improved and constructed so that it is impossible for HGVs to avoid them. Monitoring visits are not carried out as often as intended and this should be recognised when considering new applications.

Further detailed response December 2018

6. Sufficient evidence has not been supplied that amenity and health of Shellingford residents and pupils at the school would not be detrimentally affected. There should be a 250m buffer zone. The cumulative noise impacts have not been quantified. Oxfordshire County Council should monitor the site more regularly. The site is not a strategic site in the OMWCS. There are other quarried near Shellingford which could supply construction materials. There would be a detrimental impact on the character and peace of Fishpond Copse, south west of the

site. Bowling Alley plantation ancient woodland is closer to the site than stated in the ES. Noise levels are currently being breached. There has been no analysis of silica, PM2.5 or PM10 emissions, which have particular health risks. It is not possible to reduce dust to a safe level. Current wheel washing arrangements are ineffective, hence the need for a road sweeper. There is no pressing need for this application to be determined ahead of the assessment of sites being undertaken for Oxfordshire County Council's site allocations document and determination of the application should be delayed until it can be assessed within that plan. Further information is required before any consent be granted, including an analysis of silica dust, a further noise assessment and independent assessment of the appropriate height and composition of the bund. Should permission be granted there should be conditions for a 250m buffer zone from residential properties, the school, Holywell Brook, Bowling Alley plantation and Fishpond Copse.

Regulation 25 Consultation June 2019

7. Restate objection to proposed quarry extension. There is no requirement for further soft sand or crushed rock and the site is currently not an approved strategic site. The proposal conflicts with OMWCS policy C5 with regard to impacts on amenity. Errors in the application identified in previous response have not been corrected. The current operations continue despite frequent complaints and breaches of conditions. No explanation for the relaxation of the standard 250 metre buffer zone. No analysis of silica content of dust. Dust measuring should be more rigorous, independent and extended. Noise measurements should be reviewed, in relation to peak noise. Details of mitigation not provided, no confidence that they would be enforced. Application does not address many of the points in the scoping opinion. No independent monitoring of data and mitigation undertaken by the applicant. Concerned about amenity, especially children at the school and nursery.
8. If permission is granted, conditions should be used to secure a 250m buffer zone between the quarry and village, no working on Saturdays, measurement of peak noise, hydraulic breaker not to be used when wind is from north east, gravimetric dust monitoring, forewarning of noisy activities, dust and noise limits, submission of details of dust control outside working hours, quarry inspection reports to be sent to Parish, liaison meetings and use of a complaints procedure.

Stanford in the Vale Parish Council

Original Consultation

9. No response

Regulation 25 Consultation June 2019

10. Recognises the importance of quarrying to the local economy. Frequently have concerns about the state of the A417 and it appears that the wheel wash and mechanical sweeper in use have only a limited effect. The extension of the quarry can only exacerbate concerns about the road. The highways response does not relate to the quarry. Have been unable to identify any information regarding air monitoring in the direction of the prevailing wind, towards Stanford in the Vale.

Natural England

11. N
No objection. The proposed development will not have significant adverse impacts on designated sites or protected landscapes. The development would affect 4.9 hectares of best and most versatile agricultural land. An agricultural after-use is appropriate. Relevant guidance on soil handling and mineral restoration should be followed.

Health and Safety Executive (HSE)

12. HSE is a statutory consultee for certain developments within proximity to pipelines and major hazard sites. They provide advice on planning applications through a web app. This confirmed that the proposed extension site does not cross any consultation zones and therefore HSE has no comments.

Historic England

13. R
Responded but do not wish to offer any comments. Advice should be sought from specialist conservation and archaeological officers, as appropriate.

Environment Agency

14. No objection. The Hydrological and Hydrogeological Environmental Impact and Flood Risk Assessment provide confidence that it would be possible to suitably manage the risks posed to groundwater resources by the development. This development would only be acceptable if conditions are imposed requiring the submission and approval of further information before development commences. These conditions should cover a monitoring and maintenance plan for groundwater and surface water, a final report following the monitoring programme and a scheme for the maintenance of spring-fed flows. There should also be a condition requiring that no excavation takes place below 64AOD or into the Lower Calcareous Grit Formation. June 2019 – confirmed no further comments and original comments still apply.

SSE

15. Responded, no comments.

Oxfordshire County Council (OCC) Archaeology

16. N
o objection. The application site is within an area of considerable archaeological potential. However, there are no known heritage assets within the application site. There should be a programme of archaeological investigation in advance of development, as proposed. This can be secured by condition on any permission granted.

OCC Public Health

June 2019

17. N
o objection subject to the submission, approval and implementation of a detailed dust management plan. Given the strength of concern raised by local residents, recommend that this plan is provided and agreed prior to determination. The plan should cover both operational and non-operational hours and include details of how dust levels will be monitored, minimised and mitigated and details of weather monitoring including the triggers for cessation of operations.

February 2019

18. F
urther information is required to satisfy the concerns and issues raised by Public Health England. The issues that have not been addressed are as follows. The cumulative effects of the extension along with the existing quarry and Hatford quarry need to be considered. A robust monitoring strategy is needed with quantitative monitoring commencing before the excavations are undertaken, to establish a baseline at the site boundary. This monitoring would be used to provide information about when dust prevention measures would need to be implemented. It is not clear how risk will be assessed without quantitative monitoring. There is no explanation of how dust will be managed outside of quarry working hours. The dust assessment does not include Busy Bees nursery in Shellingford, however this is a high sensitive receptor.

Public Health England

19. F
urther letter June 2019 – Note the submission of further information providing the results of air quality monitoring. Comments on the monitoring report – the monitoring was in place for one month but annual

standards have been used, would not recommend this approach. Recommend that a detailed dust management plan is submitted and agreed to ensure that public health is protected both during and outside the hours of operation.

20. F
- First Response January 2019 – Unable to comment on whether the proposals would exceed air quality-based standards as the methodology used is not appropriate to assessing potential risks to public health. A robust quantitative monitoring strategy would be needed for the Air Quality and Dust Assessment. Specific detailed comments on this assessment, including that information has not been provided about out of hours mitigation. If air quality standards for PM10 and PM2.5s are not exceeded, no significant impact on public health would be anticipated. The greatest risk for respirable crystalline silica would be for site staff rather than local residents. Typically, at sites which are well managed by the operator and well-regulated with appropriate control measures in place environmental concentrations of particulate matter off-site remain below those associated with short or long-term health impacts. The local authority needs to be satisfied that the methodology taken by Dustscan is valid and appropriate in determining the “modelled” data which they have then used to inform their human health risk assessment.

OCC Transport Development Control

21. N
- No objection as there would be no increase in vehicle movements or change to the existing access.

OCC Rights of Way and Countryside access

22. N
- No objection. The proposed development does not significantly impact on the footpath to the south of the site, apart from some visual/noise impact, but this is not felt to be significant -and only for phases 4 and 6 of extraction/infilling. There’s a reasonable distance of extraction away from the footpath and no vehicle access along the path – so no mitigation measures identified at this stage.

23. T
- The developer needs to ensure that any proposed earth bunds do not narrow or otherwise interfere/alter the legal route of any public right of way -and that any de-watering pipes or culverts do not interfere with the use of the footpath by the public.

OCC Drainage Team and Lead Local Flood Authority

24. N
- No objection, subject to conditions to cover a surface water and

groundwater monitoring plan and a scheme to secure the maintenance of spring-fed flows to Holywell Brook.

OCC Ecology

25. N
 o objection, subject to conditions and Section 106 agreement. The site is of a relatively low biodiversity value, with the potential to support badger, brown hare and nesting birds. A walkover survey should be undertaken prior to the commencement of any phase of the development. Effects on ecological receptors within the site and adjacent habitats are localised and negligible. A net gain in biodiversity should be achievable in the long term through the creation of new woodland, grassland and aquatic habitats. A section 106 agreement will be required for long term management for 20 years in addition to the 5 year aftercare period. Conditions required to cover an environmental management plan, protected species surveys, landscape and ecological management plan and a biodiversity monitoring and remediation strategy.

OCC Environmental Strategy

26. N
 o objection. Conditions should be added to cover the establishment and maintenance of a hedge to screen the footpath, for the maximum height of temporary storage mounds and stockpiles, a new permissive footpath and management of soils during the aftercare period.
27. L
 andscape and Visual Impacts - Broadly agree with the conclusions of the LVIA that landscape and visual impacts would not be significant and the restoration scheme would be beneficial. The assessment gives too much emphasis to the existing quarry given that this is due to be restored. Welcome that the adverse impact of screening bunds has been included in the assessment. There would be time to establish a hedge inside the site boundary to screen the works from the public footpath. Storage heaps of mineral are visible in the wider landscape at the existing quarry. Storage heaps related to the extension area should not be visually intrusive above longer-term storage mounds and bunds.
28. F
 urther comments on Landscape and Visual Impacts – Following discussions with the rights of way officer it is concluded that a new hedge would have negative impacts on the footpath. Instead request that the bund is planted with a diverse seed mix and maintained to ensure that the bund does not become an unsightly feature in its own right.
29. A
 rboriculture – No comments.

30. G
reen Infrastructure – The creation of new areas of publicly accessible greenspace can make a positive contribution to the wellbeing of communities. A permissive footpath could be provided linking the existing right of way northwards as without this there is no obvious point of access to the existing quarry or extension. If this is not possible a circular route within the proposed extension area would be an alternative. This would be supported by OMWCS policy M10.
31. S
oils and agriculture – Specific actions should be taken during the aftercare period to enhance soil condition for the agricultural restoration.

The following organisations were consulted, but did not respond:

Thames Water
National Grid
Ministry of Defence - Defence Infrastructure Organisation

Annex 5 – Representations Summary

1. 16 letters of objection have been received from local residents. The points raised are summarised below.

Visual impacts

- More tree planting is needed now to lessen impact, trees in existing copse are at the end of their lives
- Bunds should be higher (5m) as will settle after construction and to improve screening
- Landscape impacts of bunds

Officer Response – Landscape advice has confirmed that the proposals would not have a significant adverse effect. The impact of screening bunds was included in the assessment of landscape impacts. The material used to construct screening bunds is not likely to reduce in height significantly due to settling, however the heights in the application (4m on the western boundary and 3m adjacent to the business park) are post-settlement heights. The copse is not under the control of the applicant and therefore it is not possible to require additional planting there. However, the applicant did plant an additional tree belt in the field to the north west of the application site in 2015 and a new hedgerow along the farm track in the west of the site in 2017.

Amenity impacts

- Houses are within 300m of the site, understand that there should be a 250m/500m buffer
- A large landscaped bund is required between the extension area and the village
- Higher bunds are needed to mitigate noise

Officer Response – There is no set buffer zone between extraction and houses, the acceptability of proposals are assessed on the basis of the impacts that they would have. There has been no objection to this proposal from the Environmental Health Officer, subject to the proposed mitigation measures.

Impacts on historic environment

- Proximity to historic village, conservation area and listed buildings
- Strict controls should be in place to protect archaeological remains
- Potential Roman site to the east of Rosey Brook

Officer Response – Conditions would be used to ensure that any archaeological remains are excavated in accordance with an approved scheme of investigation. Impacts on the historic village, conservation area and listed buildings were assessed in the Heritage Impact Assessment and there has been no objection from the Conservation Officer.

Working hours

- Working should not take place on Saturday mornings,
- Working should not take place on weekends, holidays or after 7pm

Officer response – The proposal originally included working on Saturday mornings (until 1pm) but not on Sundays or public and bank holidays. Working would finish by 6pm each evening. These hours would be subject to conditions, which would be monitored and enforced. They are in line with standard hours at other quarries in Oxfordshire, including the existing quarry at Shellingford. However, following the concerns raised by Shellingford Parish Meeting during the public consultation, the operator has agreed not to work in the extraction area on Saturday mornings.

Traffic

- Mud on the A417 is already a problem, measures in place to remedy this are not effective
- HGVs do not abide by speed limits
- HGVs are driven aggressively
- The A417 is a country road and alternative roads should be used
- Wear and tear is a problem on the road at present – an appropriate road maintenance system needs to be in place
- Concern about increase in traffic on the A417, in terms of safety and pollution

Officer Response – The proposals would not lead to any additional HGV movements, however it would potentially extend the duration of HGV movements from the quarry, subject to a further consent also being issued to extend the life of the plant site. Further conditions can be added to address mud on the road.

Environmental Impacts

- Concerned about impacts on watercourses, especially Rosey Brook
- Impact on peace and character of local wood held in trust for village
- Disturbance to users of the rights of way

Officer Response – There has been no objection from the Rights of Way team in terms of impacts on the adjacent right of way, or the Lead Local Flood Authority or Environment Agency in terms of impacts on local watercourses. Conditions could be used to ensure appropriate mitigation should an impact on groundwater levels be identified.

Impacts on local schools and children

- Noise and dust would prevent outdoor lessons at the Primary School
- Impacts on day nursery on Church Street (Busy Bees)
- Potential health impacts for children

Officer response – There has been no objection to the proposals from either the Environmental Health Officer nor the OCC Public Health team. The application is accompanied by an Environmental Statement which includes assessments of air quality and noise. Busy Bees Nursery was not included as a receptor in assessments, but closer receptors were included.

Biodiversity

- Adverse impacts on deer, badgers, owls, rookery

Officer response – There has been no objection to the proposals from the Ecology Officer, who considers that the application offers the potential for a net gain in biodiversity.

Monitoring concerns

- Concerned that OCC does not visit the site as often as the target states. With pressures on budgets how can it be sure that the site will be adequately monitored?

Officer Response – The existing site has had regular monitoring visits in the past and this would continue under any new consent issued.

Nuisance and problems from existing quarry

- Noise, dust and traffic have all caused severe problems at times
- Conditions have been ignored and ineffectually implemented
- Reversing beepers cause disturbance
- Bunds have not been landscaped
- Wheel cleaning equipment has not been effective
- Road sweeper is not effective
- Damage to road verges from HGVs
- Lorries leave the site with loads uncovered

- Hydraulic breakers at the existing quarry make peak/impulsive noise, which should be controlled separately

Officer response – The enforcement and monitoring team have confirmed that there was no recent history of complaints at this site, prior to this application being made. The regular monitoring visits have picked up some areas of non-compliance, but these are related to the order in which the quarry phases have been worked. Mud on the road has been a problem in the past, but it was thought that this had been resolved through the widening of visibility splays and a barrier ensuring that vehicles are inside the wheel wash for a fixed period of time. Noise complaints were received in the past but not in recent years.

Regarding peak/impulsive noise from breakers, noise measurements undertaken for the Environmental Statement demonstrated that the site was complying with noise limits based on continuous noise limits and although breaker noise was audible it was not observed to be above 51 dB(A). It is understood that noise from breakers at the quarry is noticeable when the wind is blowing from the quarry towards the village. A condition could be added for a noise management plan which could include measures such as limiting breaker use when there is a moderate to strong north-easterly wind, to address this concern.

The Environmental Health Officer has confirmed that the submitted noise assessment follows the appropriate guidance, assesses the worst-case scenario and includes suitable mitigation measures. The assessment shows that noise impacts from the quarry at properties would be less than existing noise from other sources. It indicates that with the proposed new bunding in place noise levels from the extension area would be lower than existing noise levels from the quarrying operations.

Issues related to HGVs are covered by the permission for the plant site and access onto the highway. A new permission would be needed to extend the duration of those operations should this new extraction area be permitted. Conditions could be attached to any further plant site permission granted to ensure that lorries do not leave the site with uncovered loads and to control noise and dust. Compliance with these conditions would be monitored regularly and in response to any complaints.

Concerns at specific properties

- Quarry House – noise monitoring in the past has shown that listed high walls around garden amplify noise, dust is also trapped.
- Shellingford House – view from upper floors, proximity, amenity impacts, impact on it as a grade II listed building which is important in the landscape. Noise bund would be ineffective as house is higher, health hazard from dust

Officer Response – The technical assessment work submitted with the application confirms that there would be no unacceptable adverse impacts on sensitive receptors and there has been no objection from the Environmental Health Officer.

Adequacy of the submitted Environmental Impact Assessment

- The submitted EIA failed to properly consider alternative sites
- The submitted EIA fails to properly consider cumulative impacts
- The submitted EIA contains errors and omissions
- Silica dust has not been assessed

Officer response – The submitted EIA addresses alternative sites, application area and working methods. It does not assess specific alternative sites as the proposal is for an extension to an existing site and therefore cannot be located elsewhere. It is considered that the consideration of alternative sites is sufficient.

The EIA takes account of existing developments by including the existing operational quarries at Shellingford and Hatford in the baseline for the individual assessments. Cumulative impacts are also covered as relevant in the individual assessments. The EIA concludes that due to the nature of the development there would not be cumulative impacts. It is considered that cumulative impacts have been adequately considered.

Advice was sought from Public Health England in relation to the local concern about silica dust. They did not request any further information about this and advised that the greatest risk for respirable crystalline silica would be for site staff rather than local residents.

Further information was sought in relation to the submitted EIA, where this was considered necessary. It is now considered that sufficient environmental information has been submitted to make a decision.

Planning Policy

- The latest local aggregate assessment shows that there is no additional need for soft sand or crushed rock.

The planning policy position is set out in detail in the main report.

Other concerns

- Not clear that the eastern part of the application area is geological suitable for sand extraction
- Development not necessary
- No benefits for local people
- Object to any working past 2028 as the currently agreed end date

Annex 6 – 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.