

For: PLANNING AND REGULATION COMMITTEE – 27 JANUARY 2020

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

Planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) to Vary Condition 2 of the Prior Approval Letter (under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Part 17 Class B) for the Installation and Use of a Concrete Batching Plant to produce Ready-mixed Concrete for sale (OCC ref MW.0068/19), to amend HGV movements from 22 to 44 per day.

Division Affected: Faringdon

Contact Officer: Emma Bolster **Tel:** 07775 824954

Location: Land at Faringdon Quarry, Fernham Road,
Faringdon, Oxfordshire SN7 7LG

Applicant: Grundon Sand and Gravel Ltd

Application No: MW.0107/19 **District Ref:** P19/V/2603/CM

District Council Area: Vale of White Horse

Date Received: 10 October 2019

Consultation Period: 31 October – 21 November 2019

Recommendation: **Approval**

The report recommends that the applications be approved.

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• **Part 1 – Facts and Background**

Site and Setting (see site plan Annex 1)

1. The application site is located within Faringdon Quarry, in the south-west corner of the mineral workings, adjacent to the existing weighbridge and parking area. The application site lies wholly within the parish of Little Coxwell.
2. Faringdon Quarry is located approximately 0.2 mile (0.33 km) south-east of Faringdon and the same distance from Little Coxwell. The quarry straddles the administrative boundary between the parishes of Little Coxwell and Great Faringdon, to the north-east of the site. Faringdon Quarry lies adjacent to the western edge of the restored Wicklesham Quarry.
3. The access for Faringdon quarry is via Fernham Road. The site entrance is approximately 95 metres from the junction with the A420, which is designated as a link to a larger town on Oxfordshire's Lorry Route Map, as shown in the Oxfordshire Minerals and Waste Core Strategy (OMWCS) page 116.
4. The nearest residential properties to the application site location are all within the parish of Little Coxwell. These are Orchard House and Gorse Farm to the south, at approximately 240 metres and 280 metres respectively and Church House to the west, at approximately 220 metres. The closest residential properties in Faringdon, off Lower Greensands are approximately 330 metres to the north of the approved batching plant area.
5. The application site lies approximately 130 metres from bridleway 278/2/210 to the south and footpath 278/1/20, approximately 70 metres to the west and the other side of Fernham Road.

Planning History

6. Planning application GFA/3888/11-CM (MW.0126/10) was approved by the County Council and issued 24 June 2013. This application was for an extension to Wicklesham Quarry, to the east of the extension application site. The quarry was re-named Faringdon Quarry and has a cessation date of 31 December 2026 for extraction. Faringdon Quarry is required to be restored to agriculture by 31 December 2027, when a 5 year after care period commences until 31 December 2032. This permission has now been superseded.
7. As part of the approved permission GFA/3888/11-CM (MW.0126/10), a routeing agreement was signed (dated 11th June 2013), which requires all HGVs to use only the identified approved routes. For Faringdon Quarry, the approved HGV routes are the A420 and the A417.

8. Application P16/V2331/CM (MW.0117/16) was submitted in August 2016. This was a Section 73A application to implement various changes to the quarry extension, including the working in Phase 1a, the site's restoration, amend lighting details and formally change the site's signage and name to Faringdon Quarry. This application was approved and issued 21 December 2016. The time periods for cessation of extraction (31 December 2026), restoration (31 December 2027) and aftercare (until 31 December 2032) remain unchanged from the original permission. This is the consent under which Faringdon Quarry currently operates.
9. Application P19/V1857/CM (MW.0068/19) was submitted in July 2019. This was for Prior Approval for the installation and use of a Concrete Batching Plant at the application site within Faringdon Quarry, to produce ready-mixed concrete for building and construction operations in the general areas of Swindon, Faringdon, Wantage and the rural areas and villages between. It was considered that the proposal fell within the provisions of Part 17, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO"), and therefore benefited from "permitted development" rights.
10. The GPDO grants deemed planning permission for a number of different types of development, subject to certain provisions and it is not necessary for these types of development to be subject to an application for express planning permission. The application for the Prior Approval of the Mineral Planning Authority (MPA) was solely to judge if the proposed location, height and appearance of the proposed batching plant within the existing permitted quarry was considered acceptable. This application was considered by Planning and Regulation committee on 9th September 2019 and the committee resolved to issue the prior approval subject to 5 conditions relating to screen planting, HGV movements, noise and dust monitoring and mitigation and preventing mud being tracked onto the highway. The Prior Approval letter was issued 08 October 2019.

Details of the Development

11. This application seeks to amend the maximum number of HGV movements on the prior approval consent for the concrete batching plant at Faringdon Quarry (MW.0068/19). Condition 2 on the prior approval states that there shall be no more than 22 HGV movements per day (11 in and 11 out) in relation to the concrete batching plant operations. The reason given in the Prior Approval letter for the condition is to protect the amenities of the residents of Little Coxwell and Faringdon.
12. This application proposes amending the condition to allow a maximum of 44 HGV movements per day (22 in and 22 out), rather than a maximum of 22 HGV movements per day. There is no condition limiting HGV

movements in relation to the operation of the quarry per se. Information submitted with the original planning application in 2010 provides a breakdown of the movements and based on the HGV payload this equates to be a maximum of 44 HGV movements per day, although this is not explicitly stated.

13. In support of the application, the applicant has stated that the inclusion of a condition limiting the concrete batching plant to a maximum of 22 HGV movements per day was based on a misinterpretation of the information supplied with the prior approval application as above which was for a maximum of 44 HGV movements per day. This is not acceptable to the applicant because it restricts the ability of the batching plant to be operated fully.
14. The yearly production rate of the quarry operations was expected to be in the region of 50-60,000 tonnes per annum, in each of the 3 phases at the time the quarry permission was originally approved (2013). The most recent annual figures supplied to the MPA within the Aggregate Monitoring Survey (2018) confirms that the current production and sales figures are less than half of the expected production rate from when permission was originally granted. The amendment to the condition proposed would bring the site's sales and overall extracted mineral volume closer to the original, intended production rates.
15. Prior-approval permission MW.0068/19 allows the operator to utilise the mineral available within Faringdon Quarry to feed the concrete batching plant, which is currently supplied to customers for concrete production elsewhere. The applicant has stated that by producing concrete on-site, sales exports could be increased from the existing to the expected tonnage with a marginal increase in HGV movements to supply the plant with cement, offset by not having the existing HGV movements that transport the mineral extracted elsewhere for concrete production. By packaging the materials extracted in a different form to that originally envisioned for sale by making ready-mix concrete would potentially require less HGV movements overall as the ready-mix concrete HGVs have a bigger payload than the traditional HGVs that serve the quarry operations. The HGV movements associated with the sale of concrete from the batching plant would therefore fall within the anticipated vehicle movements for the wider Faringdon Quarry associated with the sale of aggregate materials from site as currently approved.
16. On this basis, the only additional HGV movements associated with the concrete batching plant to those originally envisaged would be the cement deliveries specifically for the batching plant, which would be 1-2 deliveries per day, generating 2-4 HGV movements.
17. The cap of 22 HGV movements per day represents half of the predicted HGV movements for the quarry operations when running at full capacity which would be 44 movements per day. The HGV movements capped at 22 per day does not allow for full operation when the batching plant

would be in production. The installation of the concrete batching plant is to bring the existing site sales up to what is permitted for the quarry operations, which was the reasoning behind the Prior Approval submission.

18. This application has been made to amend the limit to HGV movements serving the batching plant operations, to be consistent with the wider mineral operations. Although there is no formal limitation on HGVs associated with the existing quarry, when the application was submitted and subsequently approved this was anticipated to be 44 HGV movements per day (22 in/ 22 out). Therefore, the applicant has requested that this is the figure included in the varied wording of condition 2 controlling the concrete batching plant.

• Part 2 – Other Viewpoints

Representations

19. There were 16 third party responses received during the consultation period for this application. These were all objections. Representations on matters such as dust and noise generation, impact on the Rights of Way, landscape and ecology, water usage and permanence of installation in relation to the batching plant that has now been approved cannot be taken into account in any decision on this application. These were taken into account in the consideration of the Prior Approval request (MW.0068/19). The summarised responses below are those that are **specifically related to HGV movements:**

1. 44 truck movements a day at this dangerous junction is an accident waiting to happen
2. There have been a number of road traffic accidents near misses and fatalities at the Fernham Road/ A420 junction, which is dangerous
3. The A420 between Faringdon and Longcot should be 50mph with no overtaking enforced by average speed cameras
4. Large, slow vehicles will increase the risk of accident on an increasingly busy road with local and commuter traffic
5. More large, slow moving trucks turning left could be dangerous if other cars try to follow them
6. Visibility will be impaired when turning right onto the A420 by large trucks
7. A roundabout and/ or traffic lights would considerably mitigate dangers at the junction. In the absence of this, any HGVs exiting the Grundon site turning onto the A420 should be prohibited from turning right (ie towards Faringdon) and instead trucks should be compelled to turn left and use the roundabout at Watchfield to turn around and re-enter the A420 in the opposite direction
8. An acceleration lane should also be considered for traffic joining the A420 from Fernham Road and heading towards Swindon.

9. The nature of the additional truck use is unclear – is the total per day or an average? How will this be enforced?
10. The numbers are 'averages' so would the full impact of the concrete mixing plant on the road network and community? Is the limit to truck movements per day a maximum or not?
11. Who or what is going to monitor the number of vehicles using the site?
12. It needs to be ensured the truck movements are for the site as a whole and not just the batching plant.
13. What is the justification for doubling the number of vehicles? Has there been a verifiable 100% increase in demand for concrete in the Faringdon area?
14. The sale of ready-mix concrete will increase imports and introduce concrete trucks that are not currently seen to a busy, dangerous junction onto the A420.
15. Is the application for a total number of movements daily or for the concrete batching plant only? What is the expected total vehicle movements daily in and out of the entire site? How will this be monitored and by whom?
16. Fernham Road is used by cyclists, horse riders and pedestrians. It would be preferable for a tarmac track (or similar) to be created adjacent to the road itself to keep HGV movements separated from vulnerable road users.
17. Doubling the number of HGV movements will clearly have a significant negative impact on the current challenges of traffic joining and exiting the A420 at the Fernham Road junction.
18. The increase in movements will result in a significant increase in nuisance from increased HGV movements and cause significant disturbance to residents of Little Coxwell, members of the public using the numerous footpaths adjacent to the site and horse riders from the nearby riding facility.
19. Existing traffic levels for rush hour and schools, including double decker buses and coaches using Fernham Road will be impacted.
20. Trucks to enter the site frequently park in the entrance to Grundons as the gate is shut. Should the truck movements double, then clearly the problem will increase. The current gates should be moved further back or additional parking provided. If this is not possible, trucks should be prohibited from parking on Fernham Road in order to minimise danger to other road users.
21. How will the increased traffic onto the A420 to and from site be monitored?
22. There is already significant congestion and this will add to delays.
23. There will be an increased risk to life for other vehicle drivers, cyclists, pedestrians, horses and riders including children, which should be considered in relation to obesity endemic.
24. Agricultural traffic uses Fernham road, particularly at cultivation and harvest time

25. Local roads are already dangerous, traffic levels are very high and the small Fernham Road junction which provides access to the site is associated with accidents, including a fatal accident involving a pedestrian in recent years
26. Doubling the truck movements will magnify concerns over noise, dust and pollution, with significant increase in dust impacts on residents and local flora and fauna.
27. Mud and dust on the road
28. The previous planning committee meeting sensibility limited the number of truck movements where there would be no further increases to the overall truck movements. If Grundon immediately apply to double the number will they not frequently apply for small increases which may be hard to argue against?
29. How are noise, dust, traffic and environmental impacts to be monitored in an unbiased way
30. Local people challenged Grundon's claim that the plant would make concrete using material mainly extracted from the site as the local people are aware that the gravel and cement would have to be imported. The last application to double the number of vehicles using the site daily confirms the validity of our original objections
31. Grundon claims the concrete is for local use. There is insufficient demand locally for this volume of concrete and the number of proposed vehicle movements on local roads for transport distances of 10 to 25 miles at least is unsustainable and environmentally damaging
32. The site will not be economically viable without large imports of materials, hence the application to increase vehicle traffic
33. The original planning permission was granted based on 22 truck movements per day. Doubling this number before operations have even commenced sets a worrying precedent. The number should not be increased simply because of an administrative error made by the applicant combined with a lack of suitably robust procedures to review such applications prior to submission. Instead the number should only be reviewed after operations have commenced. This would allow the immediate impact of the planned 22 HGV movements per day to be monitored, as part of which the impact of noise, dust, traffic etc could be accurately measured. Only once these measurements have been accurately recorded and their impact measured can affect the doubling of the HGV movements be accurately determined.

Consultations

20. Vale of White Horse District Council – No objection
21. Little Coxwell Parish Council – Objection
Summary of objection below:

- Doubling the proposed truck movements from 22 to 44 would have a major impact on the community, environment and be an unsustainable increase in traffic at a hazardous junction onto the A420
- Grundon's own admission is current business is in the order of 10-12 trips per day (5-6 in, 5-6 out) as the expected production is half that originally expected in 2013. The condition applied for 11 movements in and 11 movements out already increases the 2013 levels. This application doubles it and is submitted the day after permission is issued for the concrete mixing plant with conditions to limit the impact of truck movements on the local community.
- The grounds for installing the plant are now doubled in context as the impact of doubled truck movements will mean the concrete mixing plant will have to produce twice as much material to support the proposed increase.
- These increased impacts on neighbourhood amenity are noise, traffic, dust and pollution, impact on the rural countryside and water supply.

22. Faringdon Town Council – No response

23. OCC Highways – No objection subject to routeing agreement
Planning permission MW.0068/19 permitted 11 two-way daily HGV movements in connection with the concrete batching plant associated with Faringdon Quarry. The concrete batching plant was permitted for this site for through the 'Prior Approval' process, in this instance heavily restricting the level of consultee comments. This subsequent application is for a doubling of the daily two-way HGV movements, associated with the batching plant to 22 two-way movements has been submitted as a Section 73 application. The Highway Authority are able to make representations in this instance.

The current planning permission for the quarry permits materials to be imported as part of the operations. There are no specific planning conditions to limit the number of HGV movements associated with the quarry operations. The submission also indicates that the proposed ready-mix concrete movements are in the main effectively replacing existing material movements associated with the quarry site, together with an additional new 3 two-way daily movements. Whilst this is acceptable in principle, it is noted that the payload of such ready-mix concrete HGVs exporting concrete from the site are considerably higher than those HGVs associated with the previous export of quarry products.

Mindful of the introduction of heavier HGVs onto the highway network, the Highway Authority have significant concerns with regard to the introduction of such large and slow-moving vehicles at the junction of Fernham Lane and the A420.

There is a deceleration lane at the said junction for vehicles approaching from the east and a ghosted right-hand junction provision for vehicles

approaching from the west on the A420. There is no right turn provision for HGVs emerging from Fernham Lane onto the A420 heading in an easterly direction. As the A420 in the vicinity is only restricted to the national speed limit of 60mph, it can be described as a high speed road. The Highway Authority is of the opinion that the introduction of large slow-moving vehicles making this manoeuvre would be detrimental to the safety of all users on the A420 and do not wish to see any increase in the number of reported incidents at this junction.

The Highway Authority would require that the existing Routing Agreement for the quarry site, which stipulates that all HGV movements associated with the quarry site turn right out of the site onto Fernham Road, be amended to include all ready-mix concrete HGV movements too. In addition, ready-mix concrete HGV movements will be required to turn left only (west), regardless of destination. If the destination is Oxford direction, they will be required to turn at the Watchfield Roundabout, approx. 3 miles west of the junction and retrace.

24. OCC Biodiversity – No objection

25. OCC Landscape Specialist – No objection

The operational quarry is not within an Area of Outstanding Natural Beauty (AONB) or setting, or subject to any other landscape designations. The quarry is located adjacent to the A420, which is already subject to high traffic flows including HGVs. In this context, the potential increase in traffic movements is not expected to cause significant additional landscape or visual impacts.

26. County Councillor Judith Heathcoat – Objection

- The day following the issue of approval for the Prior Approval request for a concrete batching plant to produce ready mixed concrete for sale (MW.0068/19) a subsequent application was made to double the amount of truck movements from the site and thus routing/access and safety really do not need to be discussed
- This very sensitive site stands adjacent to the A420 which runs through the whole of my Division. My Division is both urban, rural and agricultural. I have advised that the site is adjacent to a bridle path. Production noise will startle and frighten horses with serious consequences to riders, joggers and walkers
- The A420 bypasses Faringdon with its speed limit of 60mph. The A420 has a very poor reputation and this is recognised by OCC. There is a chapter dedicated entirely to the A420 in our LTP4 and it is mentioned in “Connecting Oxfordshire” papers of 2016. It is identified for inclusion in the Major Road Networks proposals. A420 Safety Meetings have been held with me, officers, Cllrs Constance and FitzGerald O’Connor whose Divisions straddle the A420 also. Traffic is constantly increasing with Swindon’s expansion and the development in the Vale. Traffic is heavy commercial, commuter, agricultural and industrial. Numerous “T” junctions line the A420 and

these are where the most RTC's occur. Many of the villages are "blind" villages and therefore have only one road in and out of them

- The A420's attraction to commercial and industrial traffic is increasing with the rail terminal located at South Marsden near junction 15 of the M4 – just off the A419 and its capacity is set to increase. Commercial traffic does not follow the advisory notices to use the A34 to the M4 it uses the A420!
- The A420 is a highway with contradictions, one minute single lane, and the next dualled with speed limits fluctuating from 50mph and 60mph. Commuter traffic is increasing with the housing development in Swindon and Oxfordshire.
- Little Coxwell is effectively a "closed village" with one junction onto the A420. The exit from the Fernham Road onto the A420 has traffic moving at 60mph and more as speed limits are ignored - there is a hill so traffic is unsighted, until a driver is already committed to turning onto the road!. Despite what was reported by officers on 9th September that the junction of Fernham Road and the A420 is deemed acceptable with sufficient splays and sightlines this is absolutely not so. This junction most definitely needs to be modified, there is no filter lane provision when joining the A420. This application introduces larger and therefore potentially slower moving HGV's both onto and off the existing network. There is no central reservation for pedestrians walking daily to the schools on Fernham Road on the other side of the A420. The HGVs coming from the site need to be instructed to turn right out of the Grundon's site on to the Fernham Road, and also need to be instructed to turn left onto the A420 regardless of destination and required to turn at the Watchfield Roundabout – these heavy and slow moving HGV's cannot be allowed to enter the A420 turning right towards Oxford.

Part 3 – Relevant Planning Documents

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

27. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant development plan documents are:

- Oxfordshire Minerals and Waste Local Plan Core Strategy (OMWCS)
- Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) saved policies
- Vale of the White Horse Local Plan 2031 Part 1 (VLP1)
- Vale of the White Horse Local Plan 2031 Part 2 (VLP2)

28. The Government's National Planning Policy Framework (NPPF) 2019 is also a material consideration.

Relevant Policies

29. Oxfordshire Minerals and Waste Core Strategy (OMWCS):
M10 Restoration of mineral workings
C1 Sustainable development
C5 Local environment, amenity and economy
C10 Transport
30. Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP):
There are 16 'saved' policies relating to specific areas which remain saved pending the adoption of the adoption of the Oxfordshire Minerals and Waste Local Plan: Part 2 – Site Allocations Document. None of these saved policies relate to the Faringdon area.
31. Vale of the White Horse Local Plan 2031 Part 1 (VLP1):
Core Policy 1 Presumption in favour of sustainable development
Core Policy 33 Promoting Sustainable Transport and accessibility
32. Vale of the White Horse Local Plan 2031 Part 2 (VLP2):
Development Policy 23: Impact of development on amenity
Development Policy 25: Noise pollution

• Part 4 – Analysis and Conclusions

Comments of the Director for Planning and Place

33. This application is solely for the variation of the condition attached to the Prior Approval granted in 2019 for the concrete batching plant. The consideration of its acceptability therefore relates solely to the impacts of the 22 additional HGV movements proposed compared to the existing permitted situation. Therefore, any comments made on the application in relation to the principle of the concrete batching plant being located at the quarry and its impacts in any other respect are not relevant to the determination of this application.

Highways

34. Policy C10 of the OMWCS sets out that minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Map. The Lorry Route Map on page 116 of the plan identifies the A420 as a link to larger towns. It also identifies that the A420 runs past an environmentally sensitive area towards the south-west, which HGVS should avoid if at all possible. There is also a height restriction of 16ft (4.9m) that would need to be considered, on the very edge of the county's boundary with Swindon Borough Council's administrative area.

The policy also states that access should be provided in ways that maintain and, if possible, lead to improvements in the safety of all road users and the efficiency and quality of the road network, including residential and environmental amenity, including air quality.

35. Core policy 33 of the VLP1 sets out that effort will be made to ensure the impacts of new development on the strategic and local road network are minimised, measures identified in the Local Transport Plan for the district including local area strategies and ensuring transport movements are designed to minimise any effects on amenities, character and special character. Improvements to the transport network will be promoted and supported that increase safety, improve air quality and/or make towns and villages more attractive.
36. Paragraph 108 of the NPPF states that when considering specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
37. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
38. This application is to amend the maximum number of HGV movements in relation to the batching plant (permitted under MW.0068/19), which is limited to 22 HGVs per day. The increase to 44 HGV movements per day is to allow for the potential for operation and sales to be met. The application is not to retrospectively limit the HGV movements associated with the quarry operations.
39. At present, all HGV traffic on exiting the site is obliged to turn right onto Fernham Road towards the A420, to avoid impacting on local villages. This is set out in the routeing agreement (June 2013) which is attached to the operations. The applicant has agreed in writing that the batching plant HGV traffic would adhere to the existing routing agreement. Once at the junction with the A420, HGV traffic can go either left towards Swindon (approximately 60%) or right towards Oxford (approximately 40%) to access the wider highways network. HGVs can also access the site from both directions from the A420 onto the Fernham Road as there is a ghost island/ deceleration lane.
40. The A420 in the main is a classified/ inter urban road, which links Oxford with Swindon and beyond, as well as carrying local traffic. As such, the traffic base flows are significant. The proposed doubling of HGV movements associated with the batching plant, from 22 to 44 would bring it in line with the total number of movements originally envisaged for the quarry operations. There would be no overall increase in HGV

movements in total for the site as a whole, as the HGV movements associated with the batching plant would be replacing movements that would be associated with the quarry, as the dug mineral would be exported as ready-mix concrete instead of as mineral to supply other sites. As such, the increase in the number of HGV movements as associated with the batching plant would be acceptable in principle.

41. Currently, all HGV movements associated with the site turn right onto Fernham Road towards the A420 and the applicant has confirmed that HGVs associated with the batching plant will do the same. However, it is noted that the payload of the ready-mix concrete HGVs, which are associated with the batching plant, are considerably higher than an HGV that would be exporting as-dug quarry material. The introduction of slower, heavier HGVs at the junction of Fernham Road with the A420 is a significant concern.
42. Slower, heavier HGVs would be able to access the site from the A420 either east (Oxford) or west (Swindon) due to the existing deceleration lane and ghosted right hand junction, respectively. However, there is no right-turn provision for HGVs emerging from Fernham Road to go east (Oxford) on the A420. Such vehicles, turning right from Fernham Road onto the A420 would impede the flow of traffic on a section of road which is restricted only to the national speed limit (60mph). This would be detrimental to the safety of all users on the A420, and the Highway Authority do not wish to see an increase in the number of reported incidents at this junction.
43. To mitigate the impact of slower and heavier HGVs associated with the batching plant, the existing routeing agreement should be amended to include all ready-mix concrete HGV movements, to turn right only from the site towards the A420. In addition, the routeing agreement should stipulate that any ready-mix concrete HGVs will be required to turn left only (west) onto the A420, regardless of the destination. If the destination is in the Oxford direction (east), then HGV traffic should be required to turn at the Watchfield Roundabout, approximately 3 miles west of the Fernham Road/ A420 junction and then retrace.
44. Subject to a new routeing agreement being entered into to address Highway's concerns on routeing and right-turn manoeuvres onto the A420, the development is considered to accord with relevant policies to provide safe and suitable highways access by Policy C10 of the OMWCS, Core Policy 33 of the VLP1 and Paragraphs 108 and 109 of the NPPF.

Environment and Amenity

45. Policy C5 of the OMWCS sets out that proposals for minerals and waste development shall demonstrate that there would be no adverse impact on the local environment, human health and safety or residential amenity

and the local economy, including from noise, dust, and traffic amongst other things.

46. Development Policy 23 of the VLP2 sets out that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses. This includes dominance and visual intrusion, noise and dust and other emissions.
47. Development Policy 25 of the VLP2 requires noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take into account location, design, layout, existing background noise, measures to reduce or contain generated noise and hours of operation and servicing.
48. As was previously acknowledged when permission P19/V1857/CM (MW.0068/19) was being considered, it was demonstrated that even the limited additional movements for the types of vehicles proposed would have an injury to amenity sufficient to justify refusing the request for Prior Approval. Members were of the view the additional types of vehicles and movements had the potential for adverse impacts on amenity and therefore a condition was added to ensure that HGV movements were no higher than that set out in the application. However, the condition restricted HGV movements to 22 per day which was a misunderstanding of the information provided in the application documents.
49. HGV movements exporting concrete from the batching plant would replace some HGV movements taking aggregate from site, as this aggregate would be used in on-site concrete manufacture. Therefore, the number of HGV movements in association with the batching plant were intended to replicate and replace the HGV movements that should have been required for the quarry operations but have not been associated with the mineral workings due to low production figures overall.
50. Although there would be an increase in HGVs to what are currently seen entering/ exiting the site, it would not be above what had been considered acceptable at the time the quarry application was determined. Overall, there would be no increased harm to visual amenity if HGV movements are amended from 22 to 44 per day.
51. There is an existing dust monitoring and action plan (DAP), which must be adhered to at all operational times. This proposal to amend the associated HGV movements for the batching plant from 22 to 44 per day would not increase the risk of dust generation. The DAP was put in place to include the number of HGVs envisioned at the time of the original quarry application, for which the batching plant movements would be a partial replacement.

52. The applicant supplied a noise assessment and an addendum as part of the Prior Approval application. This was largely concerned over the impacts of the installation and operation of the batching plant within the quarry, which is not a consideration of this application. The expected noise levels generated by the existing HGV movements would be part of the operational background noise. It is not considered that noise generated by the additional HGV movements for the batching plant would injure amenity to any greater extent than the existing workings where the impact is controlled through the planning conditions.
53. The development is considered to be in accordance with relevant policies protecting amenity, including Policy C5 of the OMWCS and Policies 23 and 25 of the VLP2.

Biodiversity

54. Policy C7 of the OMWCS sets out that proposals for minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity. Development should not cause significant harm, except where the need for and benefits of development at that location clearly outweigh the harm.
55. Core Policy 46 of the VLP1 sets out that development will conserve, restore and enhance biodiversity. Opportunities for biodiversity gain, including connection of sites and habitat restoration and enhancement will be sought, with a net loss of biodiversity to be avoided.
56. The application is purely for the increase in HGV movements from 22 per day to 44 per day relating to the approved batching plant. There is no opportunity to deliver a net biodiversity gain with this application to vary the existing condition limiting HGV movements on P19/V1857/CM (MW.0068/19). Conversely, there is no net loss of biodiversity proposed that would need to be mitigated. Although there was concern raised that increased movements would disturb wildlife locally, the county ecologist does not object to the increased HGV movements on ecological grounds.
57. The proposed development is broadly in line with policy C7 of the OMWCS and Core Policy 46 of the VLP1.

Landscape

58. Policy C8 of the OMWCS sets out that proposals for minerals and waste development should demonstrate they respect and where possible enhance local character. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape.
59. Core Policy 44 of the VLP1 sets out that key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and where possible enhanced, including features such as trees, hedgerows, woodland, field boundaries and watercourses. Where development is acceptable in principle, measures will be sought to integrate it into the landscape character.
60. The operational quarry lies adjacent to the A420. This road already carries a high volume of traffic, including HGVs and is a feature of the local landscape, which does not have any specific designation. The quarry operations are not situated in an Area of Outstanding Natural Beauty (AONB) or adjacent to an area so designated. The increased HGV movements would not cause a significant impact on the local landscape or affect the visual impact above what is existing.
61. The development is broadly in line with Landscape policy C8 of the OMWCS and Core Policy 44 of the VLP1.

Sustainable Development

62. The NPPF contains a presumption in favour of sustainable development which has environmental, economic and social roles. This is reflected in Policy C1 of the OMWCS and Core Policy 1 of the VLP1.
63. Policy C1 of the OMWCS states that a positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development to improve economic, social and environmental conditions, unless other material considerations dictate otherwise.
64. Policy 1 of the VLP1 states that applications that accord with the Local Plan 2031 and subsequent, relevant Development Plan Documents or Neighbourhood Plans will be approved, unless material considerations indicate otherwise.
65. Policy M10 of the OMWCS seeks to see mineral workings restored to a high standard in a timely and phased manner.
66. This development is considered sustainable insofar as it will allow for the use of the mineral to be repackaged for sale to continue to support the economy and is in line with the existing, mineral development.

67. The proposal to amend the maximum permitted HGV movements set out in condition 2 of the batching plant permission to be in line with the HGV movements originally envisaged for the quarry operations would allow both operations to run concurrently enabling the operator to maintain production at a level more likely to ensure the timely working and restoration of the quarry. This is supported by Policies M10 and C1 of the OMWCS and Core Policy 1 of the VLP1.

Conclusion

68. The proposed amendment to the maximum HGV movements set out in condition 2 of the Prior Approval letter would allow for the batching plant to operate fully within the level of HGV movements anticipated for Faringdon Quarry, which it is sited within. As some of the HGV movements relating to the batching plant operations would utilise vehicles that have a bigger payload than the current quarry HGVs, any change to condition 2 should also be subject to an amended routeing agreement to be agreed to maintain highway flow and safety, and an additional condition to be attached, to also maintain highway safety. Subject to this, the development conforms to policy C10 of the OMWCS, Core Policy 33 of the VLP1 and paragraphs 108 and 109 of the NPPF.
69. The HGV movements proposed would not generate any further significant noise or dust impacts that would adversely affect local amenity and the local environment, as these are covered by existing conditions attached to the quarry consent and the Prior Approval. The proposal is therefore in line with policy C5 of the OMWCS and Development Policies 23 and 25 of the VLP2.
70. The proposed HGV movements do not directly impact any further on site biodiversity, so is therefore in line with policy C7 of the OMWCS, and Core Policy 46 of the VLP1.
71. The HGV movements proposed would not cause any further landscape or visual impact above what is already in existence along the A420 corridor. The proposal is therefore in line with policy C8 of the OMWCS and Core Policy 44 of the VLP1.
72. The proposal would allow for the indigenous material to be worked and repacked for sale as a product that supports the local economy and allows for the saleable product to be made onsite, reducing overall development impacts locally and contributing to the restoration of the quarry being achieved in a timely manner. This would be in line with policies M10 and C1 of the OMWCS and Core Policy 1 of the VLP1.

RECOMMENDATION

- 73. It is RECOMMENDED that subject to a routeing agreement being signed to require all HGVs to turn right onto Fernham Road and then left onto the A420 and the amendment of condition 2 of the Prior Approval (MW.0068/19) as set out in Annex 2 to this report that Application no. MW.0107/19 be approved.**

SUSAN HALLIWELL
Director of Planning and Place

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service. In this case it was considered that concerns raised in consultation with regard to the impacts of the additional HGV movements on highway safety could be addressed by an amended routeing agreement, which the applicant has agreed to.

Annex 1 - 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.

Consideration of the proposals indicate that European Protected Species are unlikely to be harmed.

Annex 2 – Proposed changes to condition

Condition 2 current wording:

The number of HGVs entering and leaving site, in connection with the mobile batching plant, shall be limited to 22 per day (11 movements in/ 11 movements out).

Condition 2 proposed wording:

The number of HGVs entering and leaving site, in connection with the mobile batching plant, shall be limited to 44 per day (22 movements in/ 22 movements out).

It is recommended that condition 2 is amended as proposed, with any necessary minor changes to the wording to ensure it is precise and enforceable.