

**Divisions Affected – Benson and Cholsey and Wallingford**

**PLANNING AND REGULATION COMMITTEE**

**19 APRIL 2021**

**THE USE OF THE LAND AT NEW BARN FARM QUARRY FOR THE IMPORTATION, HANDLING AND RE-SALE OF AGGREGATES.**

**Report by Assistant Director for Strategic Infrastructure and Planning**

**Contact Officer:** Naomi Woodcock      **Tel:** 07554 103 464

**Location:** New Barn Farm, Cholsey, Wallingford, Oxfordshire OX10 9HA

**OCC Application No:** MW.0114/20

**SODC Application No:** 19/01725/CC3REG P20/S4474/CM

**District Council Areas:** South Oxfordshire

**Applicant:** Grundon Sand and Gravel Ltd

**Application Received:** 12<sup>th</sup> November 2020

**Consultation Period:** 3rd December 2020 – 24<sup>th</sup> December 2020

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## **Executive Summary**

1. The report sets out the proposed development for which planning permission has been applied under application no. MW.0114/20. Having considered the report against the development plan and other material considerations including consultation responses and representations received it is recommended that subject to a supplemental routing agreement first being entered into that the application be approved subject to conditions to be determined by the Assistant Director of Strategic Infrastructure and Planning.

## **PART 1- FACTS AND BACKGROUND**

### **Location (See Plan 1):**

2. New Barn Farm Quarry is located 500 metres<sup>1</sup> south of the edge of Wallingford and 1km north of Cholsey in the south of the county.
3. The application site lies 1.3km south of Wallingford AQMA.

### **Site and Setting:**

4. The application site is located within New Barn Farm Quarry close to the eastern corner of the permitted quarry site.
5. The approved quarry site is approximately 38 ha in size, and is bordered to the north east by the A4130 Bosley Way; the south east by the Wallingford Road, which links Wallingford and Cholsey; to the south west by a drainage ditch, beyond which lies agricultural land; and to the north west by the Cholsey and Wallingford Railway, beyond which lies agricultural land. There is a solar farm to the east of the northern part of the site, on the other side of Wallingford Road.
6. The application site is 0.57ha in area and lies 600 metres west of the Chilterns Area of Outstanding Natural Beauty (AONB) and 1,100 metres east of the North Wessex Downs AONB.
7. The closest residential dwellings to the proposed development are located 600 metres away to the west and 800 metres away to the south.
8. South Oxfordshire District Council has granted outline planning permission<sup>2</sup> for a new residential development of up to 502 dwellings (amended from 550 dwellings) and a new primary school, directly north of the application site, on the other side of the A4130.
9. The application site is a hardstanding area that comprises:

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<sup>1</sup> All distances are approximate.

<sup>2</sup> reference P16/S4275/O

- In the northernmost part of the site, access to both the application site and the wider quarry from the A4130;
  - A wheel wash and office to the east of the site access;
  - A weighbridge immediately north east and south west of the office
  - A large storage area for minerals/aggregates to the south west of the offices and weighbridges; and
  - An internal route from the site access to the mineral/aggregate storage area.
10. The application site also includes a small 'pick up' zone to the east of the weighbridge. This zone was created in early summer 2020 as a social distancing mitigation measure following the implications/guidance of the Covid-19 outbreak.

**Relevant Planning History:**

11. Planning permission MW.0094/16 was granted on 8 November 2018 for the extraction of sand and gravel with associated processing plant, conveyors, office and weighbridge, and parking areas. This permission included the construction of a new access onto the A4130 and restoration to agriculture, incorporating two ponds, using imported inert materials. This permission has been implemented and the quarry is now operational.
12. Condition 3 of this permission requires the extraction of minerals to cease by 31 December 2037.
13. Condition 4 of this permission requires the land to be restored by 31 December 2039 or within 24 months of the cessation of mineral extraction if sooner.
14. Condition 5 of this permission stipulates that no operations shall be carried out at the site except between 7.00 and 18.00 Monday to Fridays and 7.00 and 13.00 on Saturdays.
15. Condition 22 of this permission stipulates the maximum noise levels for the development during working hours.
16. Condition 23 of this permission stipulates the maximum noise levels for temporary operations for construction and removal of bunds.
17. Condition 24 of this permission requires the noise from typical site operations to be monitored every 3 months for the life of the development.
18. Approval<sup>3</sup> was granted on 24 April 2019 for the dust monitoring and control scheme for New Barn Farm Quarry, as required by condition 26 on permission MW.0094/16.

**Details of Proposed Development:**

*Need*

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<sup>3</sup> Oxfordshire County Council Planning Reference: MW.0129/18

19. The quarry has identified a need for the provision of a wider range of aggregate products within the local area. The need arose from the interest which the local community have shown in the different types of aggregates.
20. The applicant proposes to meet this demand by providing the local community with a wider range of aggregate products. Planning permission is therefore being sought for the importation, handling and resale of 10,000tpa of aggregates within a small section of New Barn Farm Quarry.
21. It is anticipated that 30% of the imported aggregates would be secondary and/or recycled and would largely comprise compost soil blend. The proportion of secondary and/or recycled aggregates is expected to increase as more supplies become available.
22. The application provides the following indicative list for the composition of the imported aggregates:
  - Building sand
  - Type1/ Scalpings,
  - 20mm shingle
  - Compost soil blend/top soil,
  - 20mm Old English chippings; and
  - 20mm Cotswold chippings.
23. It is proposed to blend some imported aggregates with mineral won from the quarry prior to re-sale.
24. It is envisaged that non-commercial builders, DIYers, landscape gardeners, and local residents would collect the imported aggregates in various load sizes, such as between less than 1 tonne to 4 tonne loads, directly from the quarry.

*Storage area*

25. The existing storage area for the quarry would be re-arranged to accommodate the storage of the imported aggregates. In particular, the existing mineral stocks would be relocated and 1.6 metre high concrete blocks would be installed to the west of the office to create 6 20m<sup>2</sup> aggregate importation bays. The materials stored within these bays would have a maximum height of 3 metres.
26. A turning area for vehicles associated with material delivery and pick-ups would be created immediately west of the new importation bays.
27. The new layout of the storage area would allow for the separation of large vehicles and small vehicles. It would also make provision for: i) a customer self-bagging area and ii) an area where customers can pick up material in already pre-packed circa 1t bags.
28. Small quantities of imported aggregates would also be stored in a 100m<sup>2</sup> 'Pick & Mix' area. This area would have the potential to store four 1.5 metre high aggregates stockpiles prior to their sale/export off site.

29. The Pick and Mix area would comprise a self-service zone for customers wishing to collect up to 1 tonne of material. The area would allow for vehicle manoeuvring associated with material delivery and pickups.

*Hours of operation and timescale*

30. The site would be operational 279 days of the year and the hours of use would be limited to those permitted by the quarry, which are as follows:
- 07:00 – 18:00 Mondays to Friday; and
  - 07:00 – 13:00 Saturday
31. No operations would take place on Sundays, Public or Bank Holidays.
32. Planning permission is sought on a temporary basis until 31 December 2037 to coincide with the date that mineral extractions cease at the quarry site.

*Vehicular movements*

33. The aggregates would be imported to the site in HGVs. Based on the maximum volumes proposed to be imported to the site, it is anticipated that the development would generate on average 2 in and out trips per day (4 two-way HGV movements). This calculation is based on 20-tonne average vehicle load to import the material to the site.
34. The Planning Supporting Statement explains that the number of HGV movements may actually be less as some HGVS which enter the quarry site to purchase sharp sand may bring the aggregates to the development site on their way in i.e. they would form part of the existing movements associated with the quarry.
35. It is anticipated that the exportation/sale of the aggregates would generate on average 12 in and out trips per day (24 two way movements), based on 3 tonne average vehicle load.
36. In total, the overall proposed development would generate on average 14 in and out trips per day (28 two way movements).
37. New Barn Farm Quarry generates 120 HGV two way movements per day and 22 two way car movements from staff and visitors. No changes are proposed to these traffic movements.

*Additional information*

38. A Surface Water Statement was submitted during the consultation period to address the issues raised in the Lead Flood Authority's first response.

## **PART 2 – OTHER VIEWPOINTS**

### **Consultation & Representations:**

39. 8 public responses have been received to this application, of which 3 object to the development proposal, 2 raise concerns and 3 support the application. The main issues raised by the responses are as follows:
- Objections/concerns:
    - Environmental impacts of the development;
    - Need for the development;
    - Use of the application site for builders merchant type operations;
    - Negative impact on local businesses and the local economy;
    - Extension of the quarry and development beyond 2037;
    - Transport impacts;
    - Type of aggregates being imported and the blending of materials; and
    - Existing impacts from the permitted quarry works.
  - Support:
    - Environmental benefits for local businesses;
    - Economic benefits for local businesses; and
    - Improved level of services for local businesses.
40. The local member (County Councillor Mark Gray) has not submitted a formal response to the application.
41. Councillor Sudbury (County Councillor for Wallingford, Brightwell, Wittenhams) objects to this application and requests that the application be determined by the Planning & Regulation Committee. This land has permission to quarry aggregate. That should not include selling aggregate quarried somewhere else, which can be bought from builders' merchants and which will take business away from the local economy. He also questions the proposed vehicle movements and the likelihood of smaller vehicles being suitable for transporting the weight of material suggested and that the vehicle movements generated are likely to be up to 50 to 100 times higher than proposed. He also considers that the access road layout is not suitable for a high volume of retail traffic.
42. Cholsey Parish Council comment that one of their main concerns expressed over many years of opposing the New Barn Farm quarry was the huge number of lorry movements that would be required on a daily basis. This new application for importation of minerals suggests that the council were correct to oppose the initial development of the area. Many local residents have already expressed concerns about the increased number of lorries on the bypass and they are concerned that this number can only increase given the basis of this application.
43. Wallingford Town Council comment that that this appears to be building merchant type operation for the building trade and general public and is contrary to the gravel extraction activities that Grundon were granted permission for. They have concerns on the impact of Grundon's proposed business on local small businesses. This is contrary to the emerging Neighbourhood Plan Policy 6.2.6 and 6.2.19. With regards to proposed selling of 'compost soil blend/topsoil' which is totally unrelated to aggregates produced from quarrying activities again there are local garden centres that this will have an impact on. Indeed, it would have an impact on the local economy. Wallingford Town Council is concerned that the quarrying activity will extend well beyond 2037 with the likely consequential extension to the current

application if granted. Wallingford Town Council also has grave concerns regarding traffic volumes and movements and is concerned with the impact increased traffic movements will have on air pollution which will be contrary to emerging Neighbourhood plan policy EE2.6

44. South Oxfordshire District Council raises no objection to this proposal given the overall scale of development occurring on the site in relation to the current quarrying activities.
45. South Oxfordshire District Council Environmental Health Officer raises no objections to the proposed development.
46. South Oxfordshire District Council Air Quality Officer first response: Due to the size and nature of the proposed development and its close location to Wallingford's Air Quality Management Area, we would request an Air Quality Assessment to be carried out in order to fully assess the air quality impacts of the development.
47. South Oxfordshire District Council Air Quality Officer second response: I have now reviewed the initial AQ Assessment and AQ Addendum (DustScan Ltd, 2016) submitted by the developer for the original application which found that the AQ impacts would be negligible for a development that would entail 142 two-way movements per day. Therefore, it is unlikely that the current application, which refers to an additional 28 two-way movements daily, would have a significant impact on local air quality. However, due to the size and nature of the proposed development and the nearby Wallingford Air Quality Management Area, in order to protect public health from any impacts arising from the traffic increase associated to this development, I suggest conditions: i) requiring vehicles associated with the quarry workings and the aggregate importation operation to adhere to the routing agreement; and ii) compliance with the dust scheme approved as part of the original quarry application.
48. CPRE object to the planning proposal and comment that the application site is not identified as industrial, retail or employment land by either the Cholsey or Wallingford Neighbourhood Plans nor the emerging South Oxfordshire Local Plan. We note there are at least three builders' merchants, selling sand and aggregate, in the area. There is no evidence of local demand and this activity would damage these long-established businesses.
49. Natural England raises no objection to the application. They comment that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
50. The Environment Agency have no comments to make in respect of the proposed development.
51. The OCC Environmental Team raise no objection to the application and comments that the development is proposed to be located within the boundary of the existing

operational quarry and as such don't consider the application to cause additional adverse ecological effects.

52. The Lead Archaeologist explains that the site has been subject to a programme of archaeological mitigation ahead of the quarry. No further archaeological investigations are required for this area. As such there are no archaeological constraints to this scheme.
53. The Landscape Specialist 1<sup>st</sup> response: An increase in vehicle movements could cause additional adverse effects on the special qualities of the nearby AONBs. The Specialist requested clarification on whether cumulative impacts on the highway networks had been considered, and on the proposed routing of vehicles. In addition, commented that an update of the Planning Statement is required to include an assessment of the potential impact on the AONBs.
54. Landscape Specialist 2<sup>nd</sup> response: As the quarry is already existing, I don't expect the proposals within the site boundary to cause additional adverse landscape or visual effects. However, consideration should also be given to whether an increase in vehicle movements could cause adverse effects on the special qualities of the nearby AONBs such as tranquillity or the landscape character of country lanes. I don't envisage the development to cause adverse effects on the AONBs. As such I have no objection to the application. However, it is also my understanding that the stated vehicle movements are predictions rather than a firm commitment, and that traffic volumes could increase over time. Whilst I am content that the predicted level of traffic will not cause adverse effects on the AONBs, I am concerned about the cumulative impact potential future increases in vehicle movements could have on traffic volumes, especially in combination with other developments in the area. I would therefore welcome if vehicle movements associated with this application could be restricted if possible.
55. Lead Local Flood Authority 1<sup>st</sup> response: Object. The key issues are: i) excessive lorry and truck movements; ii) the impact of access road, layby loading/unloading bays on water quality; iii) surface water strategy is needed and should be in line with guidance; and iv) the groundwater issues need to be fully understood.
56. Lead Local Flood Authority 2<sup>nd</sup> response: Following the further information provided, I have had a look at the proposals in detail again and as the access road is already approved and constructed, and the operations within the site are pretty much the same as already approved, then I have no further concerns with this application.
57. Transport Development Control raise no objection subject to a condition capping the amount of aggregates imported to the site to 10,000tpa.

### **PART 3 – RELEVANT PLANNING DOCUMENTS**

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



**Development Plan Documents:**

58. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise. The relevant development plan for this area comprises:

- The Oxfordshire Minerals and Waste Local Plan Part 1 Core Strategy 2031 (OMWCS);
- South Oxfordshire Local Plan 2035 (SOLP); and
- Cholsey Neighbourhood Plan 2017 – 2033 (CNP) (However, neighbourhood plans cannot include policies for county matters i.e. minerals and waste development).

59. The relevant Development Plan policies are:

**Oxfordshire Minerals and Waste Local Plan Part 1 Core Strategy 2031 (OMWCS)**

- M1 (Recycled and secondary aggregate)
- M9 (Safeguarding mineral infrastructure)
- W4 (Locations for facilities to manage the principal waste streams)
- W5 (Siting of waste management facilities)
- C1 (Sustainable development)
- C4 (Water Environment)
- C5 (Local environment, amenity and economy)
- C8 (Landscape)
- C10 (Transport)

**South Oxfordshire Local Plan (SOLP) 2035:**

- DES6 (Residential amenity)
- ENV1 (Landscape and countryside)
- ENV12 (Pollution)
- TRANS5 (Consideration of development proposals)

**Cholsey Neighbourhood Plan (CNP) 2017 – 2033:**

- CNP T2 (Transport and AONB)

**Other Policy Documents and Material Considerations**

60. The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions.

61. The Chilterns Area of Outstanding Natural Beauty Management Plan (CAONBMP) 2019 – 2024 is a material consideration. The relevant policy is:

- DP4 (Setting of the AONB).

62. The North Wessex Downs Area of Outstanding Natural Beauty Management Plan (NWDAONBMP) 2019 – 2024 is also a material consideration. The relevant policies area. The relevant policy :
- DE20 (Traffic Volumes)
63. The emerging Wallingford Neighbourhood Plan does not cover the application area but it does about it with the access being onto and from the A4130. The Neighbourhood Plan is not yet adopted but has been through independent examination and is being put to local referendum on 6<sup>th</sup> May and so is at an advanced stage.

## **PART 4 – ASSESSMENT AND CONCLUSIONS**

### **Comments of the Assistant Director for Strategic Infrastructure and Planning**

64. Key considerations are:
- i. sustainable Development;
  - ii. need;
  - iii. environmental and amenity impacts;
  - iv. transport Impacts;
  - v. impact on the natural environment;
  - vi. water environment;
  - vii. economic impact; and
  - viii. consultation period.

#### **Sustainable Development**

65. 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 contained in the National Planning Policy Framework and the aim to improve the economic, social and environmental conditions of the area.
66. Policy C1 of the OMWS also states that planning proposals which accord with the policies in this plan will be approved unless material considerations indicate otherwise. The development will therefore only be in compliance with these policies if it is also generally in compliance with other development plan policies.
67. The CPRE, Wallingford Town Council and 2 public responses are concerned about the submission of future applications to extend quarry working beyond 2037. In particular, they are concerned that this may give rise to the submission of a further application to extend period for the importation of aggregates at the site, if permitted. Consequently, this could add permanence to the development.
68. As every application submitted must be determined on its own merits, I do not consider the concerns raised about possible future applications to be a material consideration and therefore should not be taken into consideration. In relation to the

application for the importation of aggregates at New Barn Farm Quarry, there is a presumption in favour of this development provided that the proposals accord with planning policy and material considerations do not consider otherwise.

69. The rest of this section of the report assesses whether the key issues of the proposed development accord with development plan policy and so informs the conclusion as to whether it is sustainable development.

### **Need**

#### *Demand*

70. To meet the aggregate mineral demand in Oxfordshire Policy M1 of the OMWCS prioritises the supply of recycled and secondary aggregate materials above primary aggregates in order to minimise the need to work primary aggregates.
71. Policy M1 of the OMWCS seeks to enable the maximum delivery of recycled and secondary aggregate within Oxfordshire by encouraging the supply of recycled and secondary aggregate.
72. Policy M1 explains that provision will be made for facilities to enable the supply of a minimum of 0.926 million tonnes of recycled and secondary aggregates per annum.
73. Wallingford Town Council, the CPRE and a public response have objected to the application as they do not consider there to be a local need for this type of development, particularly given that there are existing and similar businesses in the area.
74. One public response has advised that the development would enable them to provide a better service to their customers within the Wallingford area.
75. Whilst there are similar businesses in the area, I am of the view that the development would help meet the demand for aggregates in Oxfordshire. The proposal includes the supply of recycled and/or secondary aggregates, which is afforded preference above primary aggregates by Policy M1 of the OMWCS. However, it is disappointing that only up to 30% of the aggregates imported would comprise recycled and/or secondary aggregates, although this percentage is expected to increase as supply increased. Nonetheless, the proposal does include the supply of recycled and secondary aggregates. I therefore consider this proposal to be in line with Policy M1 of the OMWCS, subsequently the development would help Oxfordshire meet its minimum supply target of 0.926 million tonnes of recycled and secondary aggregates per annum.

#### *Safeguarding mineral infrastructure*

76. Policy M9 of the OMWCS states that existing and permitted infrastructure that supports the supply of minerals in Oxfordshire is safeguarded against development that would unnecessarily prevent the operation of the infrastructure or would

prejudice or jeopardise its continued use by creating incompatible land uses nearby. Paragraph 4.69 of the OMWCS states that such infrastructure includes existing and permitted quarries with remaining permitted reserves.

77. Councillor Sudbury, Wallingford Town Council, the CPRE and 2 public responses are of the view that the proposed development should not be located on the quarry site as the development is akin to that of a builder's merchant. They add that the site has permission for quarried aggregates, not industrial, retail or employment land. For this reason, one public respondent considers the district council to be the determining authority.
78. The applicant explains that the development would not trigger new employment at the quarry and that the proposed operation would not be 'a typical' Builders' merchant's operation that tend to sell small bags. Although the customers would be welcome to 'fill their own bags' (except for top soil) to purchase smaller quantities of aggregate it is not expected that the material would be pre-packed by the quarry in smaller than circa 1t bulk bags (also material prepacked into bulk bags would be in the minority as this is to be the supplementary activity). Some blending with mineral won at the quarry is proposed which would not be the case at a typical Builders Merchants.
79. The proposal to sell imported aggregates at quarry sites is not unique as similar arrangements exist at other quarries across Oxfordshire such as Faringdon and Duns Tew. As this application involves the use of land for the preparation or adaptation for sale of mineral at a quarry, it falls to Oxfordshire County Council as the Minerals and Waste Planning Authority to determine this application as a county matter. The district council has not disputed this point.
80. I consider that the proposal does not conflict with the aims of policy M9 of the OMWCS as:
- i) the proposed development would be sited on an existing and permitted quarry site; and
  - ii) permission is being sought on a temporary basis to coincide with the life of the permitted quarry workings.
81. However, to ensure compliance with policy M9 of the OMWCS, a condition should be imposed requiring the removal of the development at the end of the temporary period to ensure the completion of restoration in accordance with the existing permitted time period.

**Environmental and amenity impacts**

82. Policy C5 of the OMWCS and policies DES6 and ENV12 of the SOLP ensure that new development will not have an unacceptable or significant adverse impact on the local environment or residential amenity including from noise, dust, air quality and pollution.
83. Wallingford Town Council are concerned that the proposed development would have a negative impact on air pollution levels.

84. The Air Quality Officer initially expressed similar concerns given the proximity of the site to Wallingford AQMA. However, upon review of the air quality documents which were approved as part of the quarry development, the officer concluded that it is unlikely that the proposed development would have a significant impact on local air quality. In order to protect public health from any impacts arising from the proposed traffic increase, the Officer considers it necessary to attach a condition requiring all vehicles associated with the development to comply with a routeing agreement which avoids Wallingford Town Centre. The Air Quality Officer is happy for the routeing agreement to apply to HGVs only and the applicant has confirmed that they are agreeable to this.
85. The Air Quality Officer also suggests a condition requiring the proposed development to comply with the dust scheme for the wider quarry site in order to ensure satisfactory air quality for the nearby residents.
86. Two public responses raise environmental impacts as an issue. The first expresses concern that the proposed development would significantly add to noise and pollution, and the other response highlights existing noise, dust and health impacts from the permitted working quarry.
87. The dust section of the supporting statement demonstrates that the development should not give rise to significant noise or dust impact if implemented in accordance with the approved dust mitigation practices (e.g. use of a road sweeper) and noise limits (e.g. restricted hours of working) for the wider quarry area. Whilst concerns are expressed about the effectiveness of these measures in relation to the permitted quarry workings, no concerns about noise have been raised by the Environmental Health Officer. In addition, the reports produced by Oxfordshire County Council's Monitoring and Enforcement team show that no comments or complaints have been received about dust, noise or health impacts from the permitted quarry workings.
88. I agree with the Air Quality Officer that a dust condition should be imposed to ensure that the proposed development does not have an unacceptable or significant adverse air quality impact on the local environment or residential amenity. I consider that the applicant should enter into a supplemental routeing agreement to ensure that all HGVs comply with the existing routeing requirements and that the air quality impacts are not significant or adverse. To encourage visitors leaving the site not to travel through the AQMA, a condition could also be imposed requiring the applicant to erect appropriate signage close to the site exit.
89. Conditions requiring the development to comply with the noise mitigation measures and the hours of working for the wider quarry site could also be imposed.
90. It is unclear whether external lighting is proposed. In my view it would be appropriate to apply an external lighting condition to ensure that the development does not result in any unacceptable or significant adverse light pollution impacts on the local area.

### **Water Impacts**

91. Policy C5 of the OMWCS ensures that minerals and waste developments do not have an unacceptable adverse impact on or risk to the quantity or quality of surface or groundwater resources.
92. The Lead Local Flood Authority confirm in their final response that there are no concerns about potential impacts on ground water, water quality or surface water. Therefore, the proposal is considered to be in accordance with OMWCS policy C5.

### **Transport Impacts**

93. Policy C5 of the OMWCS seeks to ensure that minerals and waste development do not have an unacceptable adverse impact on the local environment including from traffic and air quality.
94. Policy TRANS5 of the SOLP requires new development to be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment.
95. Transport related objections have been received from Wallingford Town Council, Cholsey Parish Council, Councillor Sudbury, CPRE and 2 public respondents. The objectors are concerned that the proposed development will increase vehicular movements on the local transport network.
96. The objectors consider that traffic levels on the A4130 would be significantly exacerbated by the culmination of the ongoing developments around Wallingford and the new development.
97. One public response expresses that the development would reduce unnecessary travel of up to 50 miles for the collection of materials.
98. Wallingford Town Council are concerned about safety at the site entrance/A4130 if the site is used by the general public.
99. Transport Development Control have not raised any concerns about road safety. To minimise the impact of the development on the local highway network, Transport Development Control suggest that the amount of aggregate being imported to the site should be capped at 10,000tpa.
100. The transport note that accompanies this application concludes that the development would have a negligible adverse<sup>4</sup> impact on the local road network.
101. In my view the combined average increase for HGVs and customers associated with the proposed development above that already permitted for the quarry should not have an unacceptably adverse impact on the local transport network. In addition, it is likely that the average figure would be less as some of the HGVs importing aggregates to the site would already be travelling to the quarry to purchase sharp

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<sup>4</sup> Negligible adverse: A change in traffic flows or HGV movements of less than 10% of the baseline for the receptors of very low sensitivity.

sand. I do consider it appropriate to cap the amount of aggregates being imported to the site to ensure that the development does not result in additional HGV movements.

102. Concerns have been raised about road safety at the entrance to the site. In accordance with paragraph 109 of the NPPF development should only be 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. No objection has been raised by the Transport Development Control Officer subject to the tonnage limitation set out above. In my view neither the use of the site access by the public or the average increase in vehicle movements should create a traffic hazard particularly as there are existing road signs indicating to turn left only when accessing and leaving the site and a condition could be attached to any permission granted requiring that these are maintained as is the case for the main quarry permission. In addition, the access road design itself is such that it encourages drivers to turn in the correct direction and, as set out above, a supplemental routeing agreement for the HGVs should be entered into.
103. I consider that subject to the routeing agreement and these conditions, the development accords with policies C5 and TRANS5.

**Impacts on the natural environment**

104. Paragraph 172 of the NPPF places great weight on “conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs), which have the highest status of protection in relation to landscape and scenic beauty.” Paragraph 172 also states that planning permission for major development in these areas should be refused except in exceptional circumstances. The development site is located outside of the North Wessex Downs and Chilterns AONBs.
105. Policy C8 of the OMWCS requires proposals for minerals and waste development that would significantly affect an AONB to demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan.
106. Policy ENV1 of the SOLP explains that development which affects the setting of an AONB will only be permitted if it conserves the character and natural beauty of the AONB.
107. Policy CNP T2 of the CNP 2019 explains that where appropriate, proposals should be designed to minimise their impact on the AONB.
108. Policy DP4 of the CAONBMP explain that in the setting of the AONB, consideration should be given to whether the development proposals harm the AONB, such as generating traffic in or across the AONB.
109. Policy DE20 of the NWDAONBMP resists developments that would substantially increase traffic volumes in sensitive areas.

110. The Landscape Specialist is of the view that the proposed development should not cause adverse effects on the AONBs. However, the Landscape Specialist is concerned about the cumulative impact potential future increases in vehicle movements could have on traffic volumes, especially in combination with other developments in the area and expresses that a restriction of vehicle movement would be welcome.
111. The CPRE comment that the site is very close to the North Wessex Downs AONB and as such great care needs to be taken to preserve its rural nature. They consider that the development would bring additional low grade building, light, noise and dust pollution.
112. In my view the temporary development should not affect the character or natural beauty of the nearby AONBs nor should it have any additional visual or landscape impacts on the setting of the nearby AONBs as the application site is located within a permitted working quarry. Additional buildings are not proposed as part of the works and the development would be subject to the same dust and noise control measures as the permitted quarry. A lighting condition would also ensure that the development does not give rise to additional light pollution within the AONB.
113. Given the low level of average traffic movements proposed per hour and that the application site is located just off the Oxfordshire National Lorry Route, I consider that the development should not be harmful to the setting of the nearby AONBs. A condition capping the amount of aggregates imported to the site each year (as discussed above) should go some way to addressing the Landscape Officer's concerns about future cumulative impacts.
114. I therefore consider that the proposed development should not conflict with these AONB policies.

### **Economic Impacts**

115. Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can expand. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
116. Policy C5 of the OMWCS seeks to ensure that minerals and waste developments do not have an unacceptable adverse impact on the local economy.
117. Councillor Sudbury, Wallingford Town Council and the CPRE are concerned that the planning proposal may damage existing builders merchants in the area. They consider that the development would add nothing to the local economy.
118. Four public responses consider that the development would provide time, cost saving and environmental benefits for existing businesses who currently travel outside of the local area to purchase aggregates.



119. One public response has advised that the development would enable them to provide a better service to their customers within the Wallingford area.
120. In my view approval of this temporary application would enable the applicant to diversify their product range in association with the mineral produced at the quarry so that their business can expand. As a result, customers who currently travel outside of the local area to purchase aggregates would be able to take advantage of the cost and time saving benefits that the new development would bring. In turn, this should have a positive impact on economic growth in the area. It is not considered that to allow this development would be likely to have a significant unacceptable adverse impact on the local economy with local builders merchants still supplying a considerably wider range of items than would be provided for through this application, for example timber, bricks and roofing materials
121. I therefore consider that the proposed development aligns with Paragraph 80 of the NPPF and does not conflict with policy C5 of the OMWCS.

#### *Consultation period*

122. Several complaints were received during the consultation period as the neighbour notification letters from Oxfordshire County Council requested that representations be made within 10 days of the date of the letter. Once the Planning Officer was made aware of the issue, a new letter which allowed for a 21 day consultation period was sent to all neighbours affected. The error, which was due to a database issue, has now been fully resolved.

## **Financial Implications**

123. Not applicable as the financial interests of the County Council are not relevant to the determination of planning applications.

## **Legal Implications**

124. Legal comments and advice have been incorporated into the report.

## **Equality & Inclusion Implications**

125. In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.



Other Documents:	Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy
	South Oxfordshire Local Plan 2035
	Cholsey Neighbourhood Plan 1996
	National Planning Policy Framework
	Chilterns Area of Outstanding Natural Beauty Management Plan
	North Wessex Downs Area of Outstanding Natural Beauty Management Plan
	The emerging Wallingford Neighbourhood Plan

## **Annex 1 – Conditions**

1. Full compliance with approved plans.
2. Development to be implemented within 3 years of consent.
3. Temporary permission until 31<sup>st</sup> December 2037 and removal of the development.
4. No more than 10 000 tonnes of aggregate to be imported each year.
5. Records of imports to be maintained and made available on request.
6. Standard operating hours (07.00-18.00 Mon-Fri, 07.00-13.00 Sat).
7. Development to be carried out in accordance with dust monitoring, control and management documents approved under MW.0129/18.
8. No import until a sign has been erected advising drivers to avoid the Wallingford AQMA.
9. Sign to be maintained at site exit advising drivers of 'left in, left out' requirement.
10. Noise limits.
11. Noise monitoring.
12. No reversing beepers other than white noise.
13. No external lighting other than in accordance with a plan which has been submitted and approved.

## **Annex 2 - European Protected Species**

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

- 1) Deliberate capture or killing or injuring of an EPS
  - 2) Deliberate taking or destroying of EPS eggs
  - 3) Deliberate disturbance of an 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, survey results and consideration of the habitats within the site area indicate that, with appropriate mitigation, European Protected Species are unlikely to be harmed as a result of the proposals.

## **Annex 3 - Compliance with National Planning Policy Framework**

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

We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. For example, in this case we updated the applicant of the drainage and air quality issues which arose during the planning application process and suggested solutions.