

Division(s): Chipping Norton

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PLANNING & REGULATION COMMITTEE – 18 JULY 2011

APPLICATION FOR CONTINUED WORKING OF EXISTING QUARRY TO ALLOW FOR RECOVERY OF STONE FOR PERMITTED BUILDING WORKS AND TO REPROFILE SOIL AND OVERBURDEN MOUNDS, WITH RESTORATION TO AGRICULTURE

**Report by Deputy Director for Environment & Economy (Growth &
Infrastructure)**

Location: Springhill Farm, Salford

Applicant: J and A Bamford

Application No: 11/0742/P/CM **District Council Area:** West Oxfordshire

Introduction

1. This application is for the extraction of limestone from an existing quarry that has previously been partially worked to provide block stone for use on the estate, principally for the construction of Salford Manor House (granted consent by West Oxfordshire District Council in 2008), with overlying walling stone supplied to the local market. This application is in effect a renewal of a part implemented previous consent (lapsed in 2009) for the extraction of stone to complete the quarrying operations to provide stone for Salford Manor House and restoration of the land to agriculture. As such, the applicant is seeking permission to extend the life of the extraction for a further period of 2 years until October 2013 with restoration to be completed by October 2014. The application proposes no alteration to the amount of stone to be worked or to the area of the quarry.

Location (see plan)

2. The site is located 4 kilometres (2.5 miles) north west of Chipping Norton and 1.5 kilometres (1 mile) north west of Salford in the north west corner of the County. The A44 (Oxford-Evesham Road) passes some 600 metres to the south of the site.

The Site and its Setting (see plan)

3. The site sits on the edge of a ridge within the Cotswolds Area of Outstanding Natural Beauty (AONB) and is visible from Chipping Norton. The nearest residential property is Twin Brook Farm located approximately 350 metres away from the extraction area. The current approved access to the site is via a

private road on the applicant's land that joins Golden Lane opposite Twin Brook Farm. Golden Lane then connects to the A44 via a class C road. Spring Hill Farm is owned by the applicant and is to be demolished on the completion of Salford Manor House. It lies about 170 metres east of the site. Salford Manor House is proposed to be built approximately 200m south of the quarry.

4. The quarry has been started under the former permission and is now stripped and working has commenced to strip the topsoils and overburden in a clockwise fashion under the terms of the approved phasing plan. Stone extraction commenced in the south of the site to a depth of around 3m below ground level and has progressed to follow overburden stripping. Some stone, particularly the overlying walling stone has been removed and the exposed face remains to be worked in a similar clockwise manner.
5. No footpaths or sites of archaeological or ecological interest are affected by the proposal.

Details of the Development

6. The application seeks to renew the previous lapsed permission for the extraction of around 5,720 tonnes of dimension (block) stone and 4,000 tonnes of associated walling stone. The applicant now proposes that extraction would end by October 2013 with restoration completed by October 2014. It is proposed to work the site in broadly five phases.
7. The block stone is required to construct the outer facings and walls of Salford Manor House, which was granted planning permission by West Oxfordshire District Council in November 2008. The approval requires the house to be built of local stone.
8. Walling stone is found around the block stone in crevices, gulleys and overlaying the deposit and is worked as a consequence of extracting the block stone.
9. The proposed working depth of the quarry extends to 7.5m. The extraction would be managed to ensure systematic working and restoration until the appropriate quantity of stone has been recovered.
10. Although the application is for the extraction of the same quantity as the previous permission, a limited amount of stone has already been extracted. This comprises some of the overlying walling stone with a limited quantity of dimension stone having been removed from site and dressed as ashlar for use in the entrance gates of the new Manor house.
11. Recovered stone would be taken off-site to be processed at nearby facilities, e.g. Stanleys Quarry at Chipping Camden (approximately 16 km (10 miles) north west to the site). The block stone would then be returned as finished ashlar blocks for use on site.

Landscape and Visual Amenity

12. It is proposed to reinforce the existing vegetation around the site and infill any gaps which might allow views into the site. The two main proposed areas of infill are at the south eastern corner of the site, where it is proposed to link two areas of willow planting, and the western corner, where the two established hedgerows would be linked, forming a continuous screen and habitat corridor around the whole site. Any other smaller gaps in the hedgerow would be closed up with additional planting.

Traffic and Transport

13. The application states that traffic movements to and from the site range from a minimum of 1.5 movements per day up to a maximum of 4 (ie, 2 lorries in and 2 lorries out). The trucks would have a minimum capacity of 10 tonnes and a maximum of 20 tonnes.
14. There was a condition on the former planning permission requiring the applicant to erect a sign to ensure that vehicles enter and leave the site via Golden Lane and west to the A44. This would be implemented as part of this application.

Restoration

15. Restoration of the site would be by backfilling (with waste rock, overburden, subsoil and topsoil) to agriculture with a small open quarry face remaining to continue to provide the estate with walling stone for field boundaries and other farming uses on site. The restored land would be returned to arable crops or pasture. No material is proposed to be imported for the purposes of restoration.

Background Information and History

16. Planning permission was granted by Oxfordshire County Council in 2003 to allow an extension for a limited period to December 2005 to a farm quarry to provide stone for the construction of Salford Manor House and associated buildings. Planning permission for these buildings was approved by West Oxfordshire District Council.
17. In 2004 a further planning permission was granted for an additional 12 months to work and restore the quarry and also to vary the condition that states that no stone smaller than 0.5 tonnes would be allowed off the site. The variation of this condition allowed the applicant to remove and sell 4000 tonnes of walling stone from the site. This walling stone lies on top of the required block stone and has to be removed in order to access it. This permission extended the life of the extraction until December 2006, with restoration to be completed by December 2007.
18. A further permission was granted in May 2006, extending the quarry and permitting additional dimension stone extraction (to 5,720 tonnes) to provide sufficient stone to meet the requirements of amended plans for Salford Manor

House and 4000 tonnes of walling stone for extraction, as well as an extension to the life of quarrying operations. This permission was for 3½ years and required the cessation of extraction by March 2009 and the completion of restoration by October 2009. This permission has now lapsed.

19. West Oxfordshire District Council granted consent in November 2008 for amendments to the Salford Manor House scheme. This permission requires work on the new house to commence by November 2011.

Consultation Responses and Representations

West Oxfordshire District Council - Planning & Environmental Health

20. No objections

Salford Parish Council

21. Make the following comments:

- The stone recovered from the existing quarry should be used only for the permitted building works, i.e. the previously approved country house.
- The quarry should be restored when stone removal is completed.
- The time allowed for the continued working of the quarry should not be indefinite, but limited, and it should be linked to the approved planning application for the building of the country house.
- Have concerns about breach of planning permission which has already taken place, in that the stone previously quarried was not retained to build the house. Neither has landscaping taken place. Both are serious breaches of the original planning conditions. Would like reassurances that efforts will be made to ensure that such breaches will not be repeated if the current application is approved.

Environment Agency

22. No objections subject to a condition requiring submission of surface water drainage scheme.

Natural England

Biodiversity and Landscape

23. No objections.

Soils and Agriculture

24. No objection. Draw attention to the Mineral Planning Authority to ensure good practice during the operation of the site and to achieve quality restoration.

Oxfordshire Geology Trust

25. No response has been received.

BBOWT

26. No significant objections to the application. Support the stated intentions of the Landscape Statement.

Cotswolds Conservation Board

27. The Cotswolds Conservation Board supports this proposal which is in accordance with the Cotswolds AONB Management Plan 2008-13 and the Board's Position Statement on Minerals and Waste Planning.

Transport Development Control

28. No objection to this proposal subject to the following conditions:
- A contribution of £1000 to be paid towards the Chipping Norton Air Quality Management Area scheme prior to the reopening of the quarry.
 - Previously approved access route (along Golden Lane) for HGVs to be maintained in renewing the permission.

County Ecologist

29. Make the following comments-
- Submitted Landscape scheme is satisfactory.
 - Queries regarding the restoration of some parts of the site.
 - There are areas within the application site (which would not have stone extracted from them) which are potentially more valuable for biodiversity. Ask the applicant about their plans for the restoration of the area outside the working phases.

County Archaeologist

30. No objection.

Representations

31. One of the local residents has objected to this planning application. The following points are made:
- Planning conditions were breached throughout the previous permissions and quarrying continued after the expiry date, well into 2010.
 - If after more than eight years working this ever growing area, no good stone has been recovered, then it would be fair to assume that the out-look to do so looks bleak.

- If lorries were to take stone out by way of Golden Lane and not by the Historic access on to the A44, expect the Highways Authority to keep the Golden Lane in safe repair. At present it needs some attention.
- Has concern about road safety along Golden Lane.

This letter is available in the Members' Resource Centre.

Relevant Planning Policies (see policy annex attached to this Agenda)

32. Development should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
33. The Development Plan for this area comprises the South East Plan, the saved policies of the Oxfordshire Structure Plan and the Oxfordshire Minerals and Waste Local Plan (OMWLP) and the West Oxfordshire Local Plan (WOLP) 2011.
34. Whilst the South East Plan (SEP) forms part of the Development Plan, the Government has made it clear that it intends to abolish regional strategies. This intention has been upheld as being a material consideration in determining planning application.
35. All relevant policies are listed in the policy annex. The key policy issues deal with (i) Impact of the proposal on the AONB and open Countryside; (ii) Restoration (iii) Need for the development.
36. In terms of impact of the quarry proposals on the AONB South East Plan (SEP) policy C3 and WOLP policy NE4 are relevant. For the impact on open countryside, policies to be considered include C4 of the SEP and NE1 of WOLP. For restoration policy PE13 of OMWLP is applicable. For the need of the development, policy SD3 of OMWLP needs to be considered.

Comments of the Deputy Director for Environment & Economy (Growth and Infrastructure)

37. The main planning issues to be considered are - whether or not the proposal has an unacceptable environmental impact on the AONB in particular and the countryside in general; whether the restoration of the site can be achieved satisfactorily and whether any impact is outweighed by the local need for limestone.

Impact on AONB & Open Countryside

38. The development is small scale in both its extent and level of activity. Existing and proposed bunds along with existing and proposed planting should mitigate any potential adverse impact on the AONB. Any impact would be for a short period of time (2 years). Supporting text of policy SD3 of OMWLP states that quarries supplying traditional local building stone can be located in the AONB if local need outweighs the environmental impact. The development is not visible to any nearby residential properties or roads. The development is temporary

and would revert back to agricultural land on completion. The Cotswolds Conservation Board supports this proposal which accords with the Cotswolds AONB Management Plan 2008-13 and the Board's position statement on Minerals and Waste Planning. Therefore, in my view this proposal meets the aims of the policy NE4 of WOLP and C3 of SEP.

39. The site is located in the open countryside. However the application includes proposals to improve existing screening which would in my view reduce its impact on the surrounding landscape. It therefore accords with SEP policy C4. The general character of the immediate area would be maintained and the proposal should not significantly affect the natural beauty of the wider landscape. The development is for a short term (2 years maximum) and as such it would not conflict with WOLP policy NE1.

Restoration

40. The site would be fully restored upon the completion of extraction and would be levelled, topsoils replaced and returned to arable farmland and meadow along with a small farm based quarry as previously existed. Although the County Ecologist supports the restoration scheme in principle, she still has queries regarding the restoration of the areas outside the working phases within the application area (which would not have stone extracted from them) but which are potentially valuable for biodiversity. The applicant has now addressed this issue and confirmed that suitable enhanced habitat would be created around the field margins to the site. Therefore, in my view, the proposal meets the requirement of policy PE13 of OMWLP.

Need for Limestone

41. The application is to extend the time for this small quarry to allow for the provision of stone for a nearby building project as well as walling stone for the local area. The only other sources of similar stone locally are at Rollright Quarry (approximately 5km (3 miles) north east to the site) and Sarsden (approximately 6km (3.5 miles) south of the site). Rollright Quarry, currently, only has a limited output of walling stone. Sarsden provides a very small amount of walling stone and building stone. The building stone from this site would be used exclusively for building the approved country house. The construction of houses in locally derived limestone is characteristic of the Cotswolds and plays an important part in the reinforcement of local character. There is, therefore, in my view an identified need for the building stone and walling stone. The proposal therefore accords with OMWLP policy SD3.

Other issues

42. Local people have expressed concern that planning conditions have been breached by the operator of the site in the past e.g. installation of a portacabin without permission, bunding not correctly implemented and non submission of an aftercare scheme. Recent monitoring visits to this site have picked up these issues and the current planning application has been submitted as a result of

these visits. Consideration of this application should regularise these issues and further conditions can be attached to ensure that the development is carried out without causing any harm to the surrounding area. Monitoring of the site will continue to ensure that the development is carried out in accordance with any permission given.

43. The traffic implications of this proposal are not significant. The amount of material to be extracted from this site is small (5,720 tonnes of building and 4,000 tonnes of walling stone) and traffic generation to and from this site would be only 4 movements per day. There is a section 278 agreement in place for the continuing maintenance of Golden Lane by the site operator. A condition could also be attached limiting the output of walling stone from this site if considered necessary.
44. Transport Development Control have requested a contribution from the applicant to the Chipping Norton Air Quality Management Area scheme and the applicant has agreed a contribution of £1000 which could be achieved by means of a Unilateral Undertaking agreement.

Conclusions

45. The proposal accords with OMWLP SD3 as the site is small and supplies building stone for the construction of a large country house adjacent to the quarry site and walling stone to the local market.
46. The development should not harm natural beauty of the AONB and is therefore acceptable against policy C3 of SEP and NE4 of WOLP.
47. The proposal seeks to improve the screening on site to reduce the visual impact of the quarry and, therefore, accords with SEP policy C4 and WOLP policy NE1.

RECOMMENDATION

48. **It is RECOMMENDED that subject to a unilateral undertaking to secure a contribution of £1000 towards the Chipping Norton Air Quality Management Area scheme that planning permission is granted for the development proposed in application 11/0742/P/CM subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) to include the matters set out below:**
 1. **Compliance condition.**
 2. **Commencement date.**
 3. **Extraction of minerals to cease by October 2013 with restoration completed by October 2014.**
 4. **No import of waste material to the site.**
 5. **Block (building) stone to be used only for construction of the nearby approved country house.**

6. Signs to be erected and maintained at the quarry site exit advising drivers of vehicle routes to be used.
7. Vehicles to enter the public highway with wheels and chassis cleaned to prevent material being deposited on the highway.
8. A maximum of 6 lorry loads of walling stone to leave the site per week.
9. To undertake a reptile survey once extraction has ceased but prior to work commencing on the overburden mounds as part of the restoration of the site.
10. Existing trees and vegetation to be retained.
11. No blasting to be carried out on the site.
12. No materials to be imported to the site for the purposes of sorting for sale, storage, or disposal at some other location.
13. Noise levels not to exceed agreed level.
14. The access road to be sprayed with water to ensure that the passage of lorries does not cause dust to rise into the air.
15. Exhausts from all mobile plant introduced to the site to be directed away from ground.
16. All transport to and from the quarry should not use any access other than the access road onto Golden Lane.
17. A maximum of 4,000 tonnes of walling stone to leave the site.
18. Block (building) stone to only leave the site for the purpose of processing prior to its return for building works (records to be maintained and accessible for inspection).
19. Selling of walling stone to cease by October 2013.
20. An aftercare scheme to be submitted and agreed.

MARTIN TUGWELL

Deputy Director for Environment & Economy (Growth & Infrastructure)

Background papers: File Ref: MW0066/11 in Minerals and Waste Development and Control Section, Speedwell House, Oxford.

July 2011

