

## **Division Affected – Cropredy & Hook Norton**

### **PLANNING AND REGULATION COMMITTEE**

**Date 24<sup>th</sup> November 2025**

**Extraction of mineral, importation of inert restoration material, revised restoration scheme, aggregate recycling facility and other ancillary development at the existing Wroxton Fields Quarry**

#### **Report by Planning Development Manager**

**Contact Officer:** Rachel Jones **Tel:** 07710 290845

**Location:** Wroxton Fields, Quarry, Stratford Road A422, Wroxton, Oxfordshire OX15 6EZ

**OCC Application No:** MW.0063/24  
**CDC Application No:** 24/01479/CM

**District Council Area:** Cherwell

**Applicant:** Earthline Ltd.

**Application Received:** 22<sup>nd</sup> May 2024

**Consultation Period:** 31<sup>st</sup> May 2024 – 30<sup>th</sup> June 2024 (First consultation)  
5<sup>th</sup> June 2025 – 5<sup>th</sup> July 2025 (First Reg 25 consultation)  
25<sup>th</sup> September – 25<sup>th</sup> October 2025 (Second Reg 25 consultation)

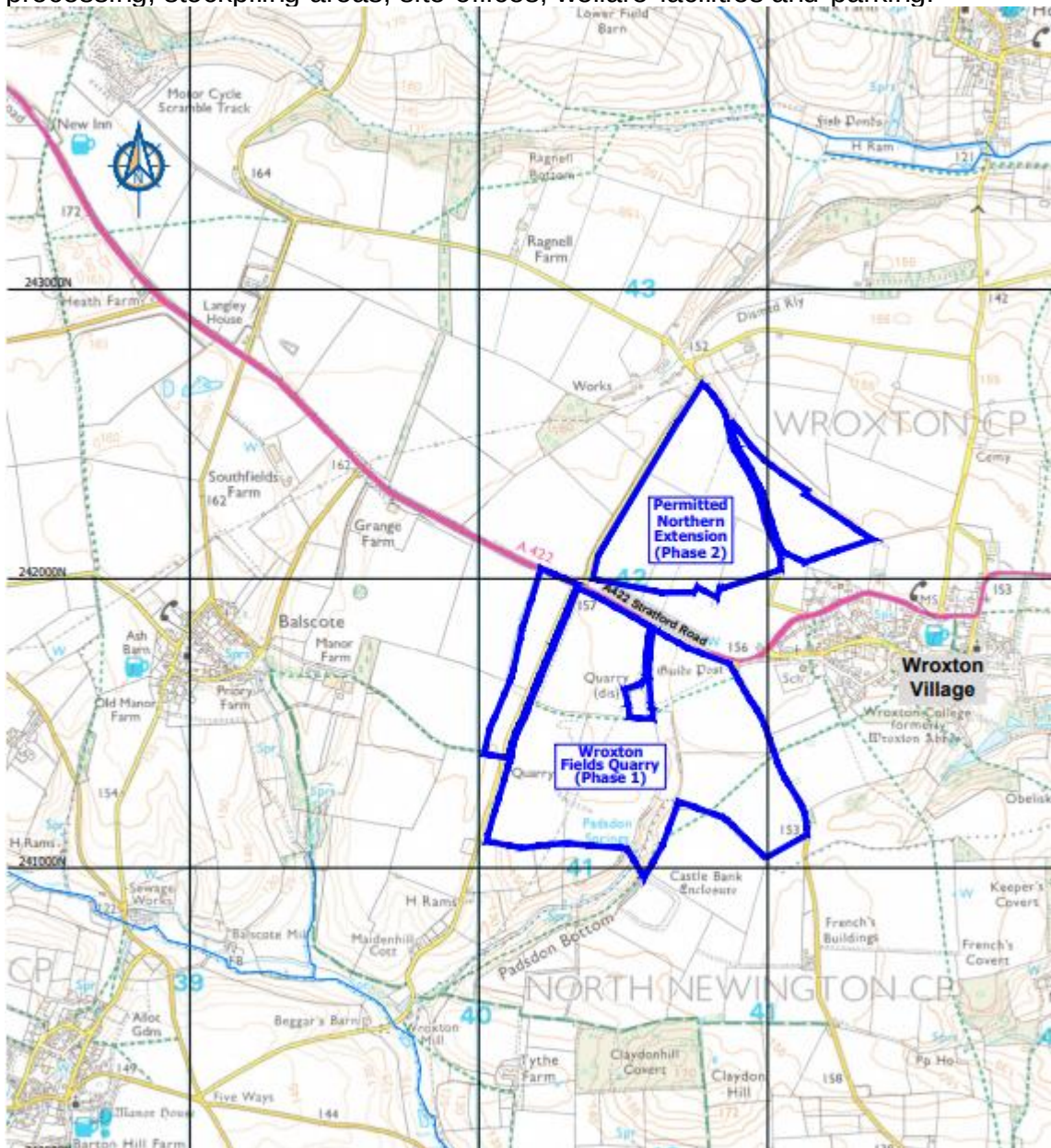
#### **Contents**

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

## PART 1- FACTS AND BACKGROUND

### Location (see Plan 1)

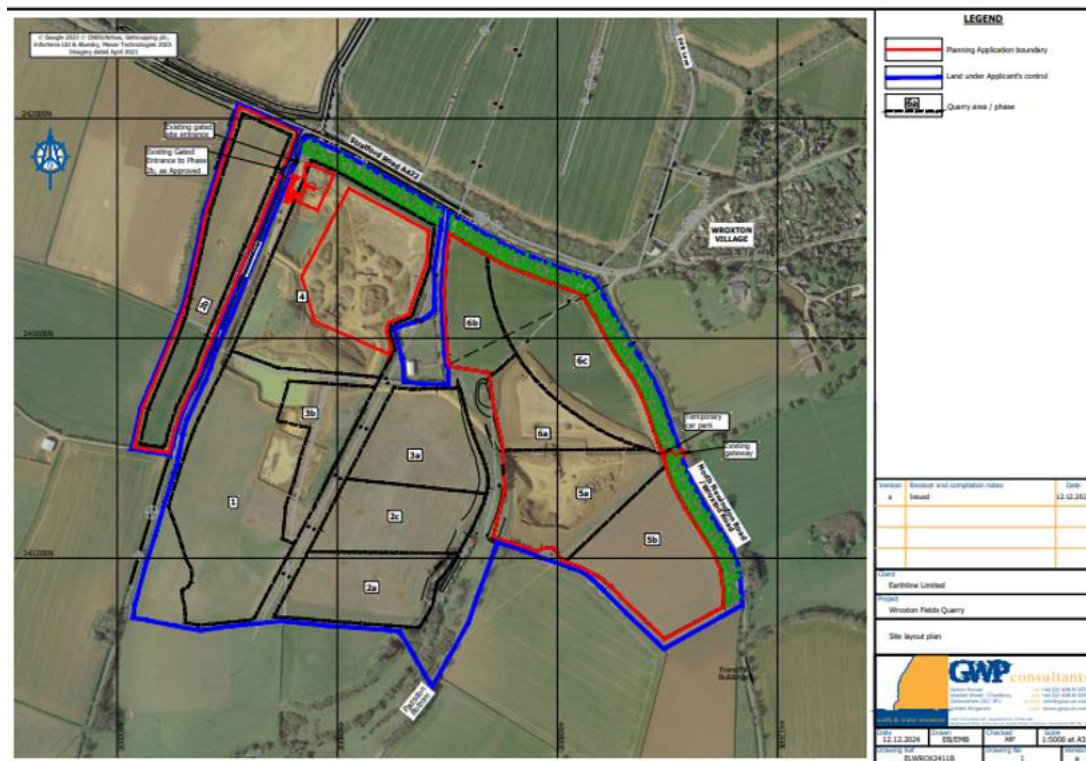
1. Wroxton Fields Quarry is an existing quarry, measuring approximately 68 hectares, with planning permission for mineral extraction and restoration using site derived materials to agricultural land. Wroxton Fields Quarry is located to the west of Wroxton Village and approximately 4km to the west of Banbury, in Oxfordshire. The quarry is accessed from the A422 Stratford Road, which borders the site to the north. The quarry comprises mineral extraction, mineral processing, stockpiling areas, site offices, welfare facilities and parking.



Plan 1 – Site Location showing existing permitted quarry boundaries

## Site and Setting (see Plan 2)

2. The current active areas of extraction at the site are Phases 5 and 6 located in the east of the quarry. Primary crushing takes place at the working face, with secondary processing, washing and stockpiling taking place within Phase 4 in the north-west of the quarry close to the weighbridge and site access. Phase 5 comprises poorer quality mineral and is better accessed in the drier summer months, whilst Phase 6 has better quality mineral and can be accessed throughout the year. As such, the phases are worked side by side in order to maximise productivity throughout the year.
3. The site was relatively flat prior to mineral working, excavated phases now lie at a lower level than the surrounding land. The site is surrounded on all sides by agricultural land, the wider area is rural, with mixed farmland, small villages and wooded stream valleys.
4. The nearest residential properties to the quarry are those located on the western edge of Wroxton village, including Alpha Cottage, approximately 100m to the east, Wroxton Primary School, approximately 200m to the east; and French's Buildings circa 370m to the south east. Manor Farm is located approximately 530m to the west of the quarry and Phase 2b. Premium Paws Dog Day Care Centre is located at Stone Pit Barn, which is located within the centre of the quarry and adjacent to Phase 6b.
5. There are three Public Rights of Way (PROWs) that cross the site. PROW 418/13/20 transects the site from west to east, including crossing Phase 6, albeit this section has been temporarily diverted around the perimeter of Phase 6 to enable works to continue. PROW 418/3/10 transects Phase 5, albeit this is currently diverted around the perimeter of Phase 5 for a temporary period during mineral extraction. PROW 418/13/10 crosses the southern section of Phase 2b.
6. Overhead power lines cross the site, running south to north between Phases 1/3b and 2a/2c/3a and then south west to north east through Phase 6.
7. The site does not lie within any landscape, ecological or historical designation. Wroxton Abbey Registered Park and Gardens is located circa 20m to the east of the site. Castle Bank Enclosure Scheduled Monument is located to the south of Phase 5 and Padston Bottom. A Grade II Listed Stone Guidepost is located to the immediate north east of the Site and Grade II Listed Alpha Cottage is located approximately 100m to the east on the edge of Wroxton Village. A number of Listed Buildings are located within Wroxton Village to the east and in Balscote village to the west of the Site. Wroxton Village is a designated Conservation Area.
8. The Cotswolds Natural Landscape (Formerly known as the Cotswold Area of Outstanding Natural Beauty) is located 3.4km to the north west and Neithrop Fields Cutting Site of Special Scientific Interest (SSSI) is located 2.6km to the east. Wroxton and Balscote Mills Local Wildlife Site (LWS) is located 200m south; and Horley LWS is located 900m north.



### Plan 2 – Proposed application area (Red line boundaries)

## Planning History

9. Wroxton Fields Quarry has a long history and has been worked over many years. It is currently being operated under planning permission 19/00407/CM (MW.0020/19), dated 21/11/2019, which was a Section 73 variation of condition application to planning permission 12/01365/CM (Review of Old Mineral Permission (ROMP) and unusually relates to a number of separate parcels of land, including the following 'active' sites: Wroxton Quarry, Alkerton Quarry and Hornton Quarry. Hornton Quarry is believed to be almost completely restored and Alkerton Quarry has little permitted remaining mineral and has a new permission (ref: MW.0124/21) for infilling and erection of 18 no. holiday lodges.
10. Earthline Limited began operating at Wroxton Fields Quarry in 2020, operating under a lease with the landowner, Trinity College. Since that time, Earthline have made improvements to the site to ensure operations are safe and effective. These improvements include investing in upgrading the site entrance, internal haul road and installing new equipment; improvements to the site office area; installing a fixed processing and stockpiling area with improved drainage in Phase 4; ensuring valuable mineral left in situ by the previous operator is worked out where possible; re-assessing the proposed restoration for the site; and making other safety improvements.
11. At the time that Earthline took over operations, mineral extraction had taken place in Phases 1, 2, 3 and 4 with Phases 1, 2 and 3 having been restored or

10. Earthline Limited began operating at Wroxton Fields Quarry in 2020, operating under a lease with the landowner, Trinity College. Since that time, Earthline have made improvements to the site to ensure operations are safe and effective. These improvements include investing in upgrading the site entrance, internal haul road and installing new equipment; improvements to the site office area; installing a fixed processing and stockpiling area with improved drainage in Phase 4; ensuring valuable mineral left in situ by the previous operator is worked out where possible; re-assessing the proposed restoration for the site; and making other safety improvements.

11. At the time that Earthline took over operations, mineral extraction had taken place in Phases 1, 2, 3 and 4 with Phases 1, 2 and 3 having been restored or

partly restored. Phase 4 had been partly excavated and now holds the processing plant and stockpiling area, being located close to the site entrance. At that time mineral extraction was taking place in Phase 5.

## **Details of Proposed Development**

12. This application seeks permission for the extraction of mineral, importation of inert material for restoration, a revised restoration scheme, an aggregate recycling facility and other ancillary development at the existing Wroxton Fields Quarry.
13. The key aspects of the application are set out below:
  - Mineral Extraction
  - Importation of restoration materials and revised restoration scheme
  - Aggregate Recycling Facility – previously permitted under ref: 19/01760/CM (MW.0084/19)
  - Ancillary development
    - New car park adjacent to Phases 5 and 6 (retrospective)
    - Improvements to the Site office area – additional buildings and parking (retrospective)
    - Installation of processing/wash plant in Phase 4 and amended phasing of Phase 4 restoration (retrospective)

### Mineral Extraction

14. The application seeks permission for mineral extraction from the following areas within the existing quarry boundaries:
  - Small strip between Phases 5 and 6
  - Phase 6c
  - Phase 2b
15. Mineral extraction currently takes place within Phases 5 and 6. Working in Phases 5 and 6 involves blending rock excavated from Phase 5 during drier seasons with rock excavated from Phase 6 during the winter months. Phases 5 and 6 are proposed to be worked out prior to extraction within Phase 2b, which is proposed to be excavated in a southerly direction.

### Strip between Phases 5 and 6

It has been established that a narrow strip of land between Phases 5a and 6a does not have the benefit of planning permission for mineral extraction. Approximately 30,000 tonnes of ironstone was extracted from this mineral 'gap' at the time that extraction moved from Phase 5a into Phase 6a. Therefore, this application seeks retrospective planning permission for the extraction of this mineral and proposes to restore this area, alongside Phases 5 and 6 using a combination of imported inert and site derived materials to original ground levels and to agricultural use.

#### Phase 6c

16. Under the extant planning permission a buffer zone to Wroxton Village was created, which prevented mineral from being extracted within 350m of the village, unless details were submitted and approved by the Local Planning Authority as per condition 4. (a) attached to Planning Permission 19/00407/CM (MW.0020/19). In December 2020 a submission of details pursuant to condition 4 under application reference MW.012820 was made to reduce the stand-off to Wroxton Village to enable excavation within Phases 6a and 6b. This application was supported by noise, dust and visual impact assessments, the determination of which concluded that with adequate mitigation measures the proposed development would not result in significant detrimental effects.
17. It is anticipated that approximately 410,000 tonnes of ironstone remain within that buffer zone, which could also be worked out without causing significant detrimental effects to the amenities of local residential receptors. At the current rate of extraction and sale, it is expected that Phase 6c can be worked out within 3 years. It is proposed that the mineral void would then be restored using imported inert and site derived materials to original ground levels and to an agricultural afteruse.
18. Phase 6c would be worked alongside extraction within Phases 6a and 6b. A soil bund is proposed to be constructed along the northern and eastern boundaries of Phase 6c to provide the necessary mitigation of potential effects from the works. These soils would then be used in the final restoration of Phase 6.

#### Phase 2b

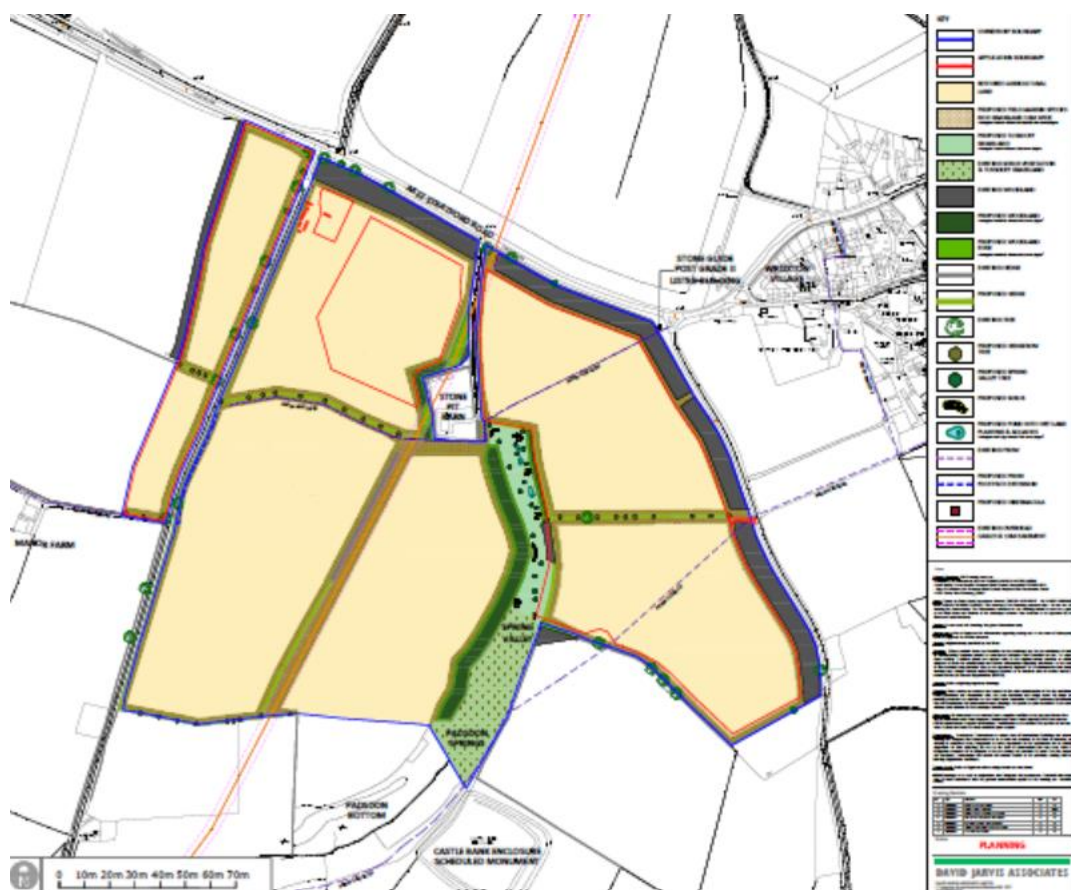
19. Planning permission ref: 19/00407/CM permitted mineral extraction across the site, including within Phase 2b (referred to as Phase 8 under previous permission). The previous operator of the site explored Phase 2b, which involved stripping the soils in the northern section and carrying out some limited extraction of the ironstone beneath. However, extraction across this Phase was not progressed and the stripped soils were replaced, the surface was restored and the Phase was placed into aftercare. Phase 2b has now completed the required 5 years of aftercare and as such any further works proposed to be carried out in this Phase require a new planning application.
20. The applicant anticipates that extraction operations in Phase 2b would yield approximately 340,000 tonnes of mineral, which is proposed to be excavated and transported in dump trucks to the processing plant in Phase 4. This Phase would be worked in the same way as the rest of the quarry, using the same equipment.
21. It is proposed that soil storage bunds would be constructed around the perimeter of Phase 2b using soils stripped from the Phase. These bunds would provide suitable soil storage, protecting the integrity of the soil resource until replaced during restoration. They would also provide adequate mitigation of potential amenity effects to local receptors, including users of PROW 418/13/10 to the south.

22. Following extraction, the Phase would be restored using approximately 170,000m<sup>3</sup> of imported inert materials, alongside site derived materials. The applicant anticipates that Phase 2b would take between 2-2.5 years to extract and between 2.5-3 years to restore. Phase 2b would be restored primarily to agriculture with the enhancement of boundary planting.

#### Importation of Restoration Materials and Revised Restoration Scheme

23. Existing Planning Permission ref: 19/00407/CM permits restoration of the site, using site derived materials (quarry wastes and soils), to achieve a low-level restoration to agriculture. It is accepted that greater efficiencies in mineral processing now result in much lower amounts of 'quarry waste' being produced for restoration purposes; which maximises the productivity of the site, makes the best use of the mineral extracted and reduces waste generation. This is supported by National and Local Planning Policy. However, this reduction in 'quarry waste' means that for Wroxton Fields Quarry, the applicant considers that there will be insufficient material remaining on site to achieve the approved restoration scheme. This would mean that good quality restoration could not be achieved using solely site derived materials. As such, it is proposed that additional suitable restoration materials are required which would be imported to the site.
24. In addition, improvements are proposed to the final site restoration through the importation of suitable inert restoration material. This would enable the site to return to original ground levels; provide improvements in drainage (essential for good quality productive agricultural land); provide a suitable growing medium for agricultural crops; better compliment the landscape setting; and enable the diverted PROWs to be replaced upon their original alignment and gradient.
25. It is proposed that approximately 750,000m<sup>3</sup> of inert infill material would be required to restore Phases 5 and 6 to original ground levels. At an anticipated import rate of approximately 60-80,000m<sup>3</sup> per annum, which is dependent upon market conditions, it is anticipated that this would take approximately 11 years. Subject to the granting of planning permission, the infilling of Phases 5 and 6 would follow behind mineral extraction within those phases. Extraction of mineral and importation of inert infill material would occur within separate phases of the quarry simultaneously, for example extraction in Phase 6c whilst infilling in Phase 5a/b.
26. As set out above, it is proposed that approximately 170,000m<sup>3</sup> of inert infill material would be required to restore Phase 2b to original ground levels. It is anticipated that it would take approximately 2.5-3 years to restore this phase.
27. The restoration materials would comprise Construction, Demolition and Excavation (CDE) wastes, which are materials excavated during construction projects locally that cannot be used or recycled at source. They would mostly comprise excavation materials, such as sands, silts, clays and soils. An Environmental Permit will be required for this operation, which will ensure the materials are suitable.

28. A revised Restoration Scheme has been prepared for the whole quarry (please see Plan 3), which would subject if necessary, to an appropriate s73 variation planning permission, replace the currently approved restoration scheme under planning permission 19/00407/CM. The scheme would retain the primary afteruse as agriculture, whilst incorporating changes to the final landform and additional ecological enhancement, including species-rich grassland, broadleaved woodland, ponds and species-rich hedgerow. The estimated date for completion of the development would be by 31<sup>st</sup> December 2042 with restoration within one year in line with the existing planning permission.
29. The Biodiversity Net Gain metric indicates that the revised scheme would provide 20.31% increase in habitat units and 8.89% increase in hedgerow units, which in combination would create 29.2% biodiversity gain. The biodiversity gain would be partly on-site (within the red-line application boundary) and partly off-site within the wider existing quarry.



**Plan 3 – Proposed Restoration**

### Aggregate recycling Facility

30. An Aggregate Recycling Facility (ARF) was permitted to be installed and operated at Wroxton Fields Quarry under planning permission 19/01760/CM (MW.0084/19). However, the permission expired before pre-commencement conditions could be discharged and as such it is necessary for the Applicant to re-apply for planning permission for this facility.

31. The ARF is proposed to be located within Phase 4, in the northwest of the quarry, close to the site entrance and offices and adjacent to the mineral processing plant and stockpiling area. In this location it would be sited in a position to receive incoming materials for processing; this location is also situated at the farthest point from the identified sensitive receptors; and it would be co-located with the aggregate processing plant.
32. The ARF is proposed to receive imported inert wastes from local construction and demolition projects, comprising concrete, brick, sands, gravels, soils, silts, etc. These materials will then be screened, crushed and washed in order to produce a secondary recycled aggregate at a rate of circa 75,000 tonnes per annum, in accordance with the site's Environmental Permit. It is proposed that the remaining materials will then be used on site for restoration purposes.

#### Ancillary Development

##### Car park adjacent to Phase 5 and 6

33. The Applicant constructed a temporary car park in 2021 adjacent to Phases 5 and 6, on the western quarry boundary. This car park is accessed via an existing agricultural access onto the North Newington / Wroxton Road, adjacent to PROW 418/3/10 and was constructed using aggregates from the quarry. The location of the car park enables quarry staff to access the operational phase of the quarry on foot.
34. Prior to the Covid-19 lockdown restrictions of 2020, all staff would be required to park in the main car park, near to the site offices and would then be transported across the site in shared vehicles to the operational phase. During the Government imposed lockdown periods, the sharing of vehicles was prohibited and therefore the Applicant constructed a new car park in a location which facilitated staff travelling in their own vehicles and walking the final distance to the operational phase.
35. The Applicant has stated that as Phases 5 and 6 remain operational phases, this car park remains necessary and will continue to be required until such time as these Phases have been restored. This application therefore includes a proposal for retrospective planning permission for the construction of this car park facility for a temporary period to be tied into the life of the quarry.

##### Improvements to the Site Office Area – additional building and parking

36. Since the Applicant took over control at Wroxton Fields Quarry, a number of operational and safety improvements have been undertaken at the site which include:
  - The installation of more efficient processing and wash plant within Phase 4, to improve the quality of the product from the extracted mineral and minimise wastage

- The improvement of on site drainage, in particular within Phase 4, which had previously held water on a regular basis resulting in difficult working conditions and occasional site closures
- The re-surfacing of the road from the site entrance into Phase 4 to improve operational conditions and reduce mud being carried out onto the public highway
- The installation of additional office space to improve the conditions for employees
- Improvements to the existing parking areas for staff and HGV's to improve safety for employees and visitors to the site.

37. The changes that have been carried out to the site office area include:

- Improved staff and HGV parking – The existing parking area has been increased in size to accommodate the required staff and visitors and to provide a separate parking area for HGV's
- Replacement weighbridge office – The weighbridge/site office has been increased in size to better accommodate staff needs and on site processes. The office space measures 6m x 6m.
- Stores – New storage containers have been installed close to the weighbridge office.
- Fuel Tank – A new double skinned fuel tank has been installed adjacent to the existing car park in the north west of the quarry. The tank measures approximately 11.7m x 2.4m and is approximately 2m in height.
- Security Accommodation – New security accommodation has been installed to enable 24-hour security on site. This facility measures approximately 10m x 2m and is located just inside the site entrance.
- Lighting – Security lighting has been installed in the site office area to provide sufficient lighting to site personnel during periods of low natural light. The lights are fixed and directional, they are directed downwards and into the site, away from site boundaries.

#### Phase 4 Processing and Stockpiling Area

38. The Applicant has installed more efficient processing and washing plant within Phase 4, in the north west of the quarry which is stated to have resulted in significant improvements in the quality of products produced from the extracted mineral and to have minimised wastage. The Applicant has focussed secondary processing activities within Phase 4 which lies close to the site entrance for operational reasons and to reduce activity within the active Phase thereby minimising the amenity impacts to local receptors.

39. Mineral was extracted from Phase 4 to its current depth historically by the previous operators, which resulted in the creation of suitable base for the installation of the plant. Under the approved scheme Phase 4 would have continued to be worked out and restored in sequence, however, the Applicant considers that for operational and amenity reasons the retention of the processing plant in this location is beneficial and proposes that the extraction of any remaining mineral from within Phase 4 and its subsequent restoration should take place as the last phase of the development following completion of Phases 5, 6 and 2b.

#### General Details of the Development

40. Wroxton Fields Quarry excavates ferruginous limestone and ferruginous sandstone (also known as ironstone) from the Marlstone Rock Formation. The excavated stone from the Marlstone Rock Formation is suitable for a range of crushed and graded aggregate products, and where appropriate, dimension/building stone. There is a strong demand for these products to serve local construction projects.
41. The proposed additional extraction areas are expected to yield approximately 780,000 tonnes of mineral. The quarry currently extracts mineral at a rate of approximately 150,000 tonnes per annum, which is anticipated to continue subject to variations in market demand moving forward.
42. At this rate, it is anticipated that the additional mineral resource proposed would be excavated within approximately 5 years from the commencement of the development.

#### Retention of Existing Quarry Infrastructure

43. The development proposed would continue to be supported by the existing quarry infrastructure, including the current site access to the north west of the quarry, site offices, weighbridge, welfare facilities, security and parking, processing plant and stockpiling area and internal haul roads.
44. Primary access to the quarry is proposed to continue to be to and from the existing site entrance, with the addition of staff access to and from the new car park onto the North Newington/Wroxton Road on the eastern site boundary.
45. Under Planning Permission ref: 19/00407/CM (MW. 0020/19) this infrastructure is permitted until 2042.

#### Plant and Machinery

46. It is proposed that the following plant and equipment would continue to be used on site for mineral extraction and for infilling and restoration purposes.

#### Excavation:

- 2 No. 360° excavators

- 4 No. articulated dump trucks
- Excavation dewatering pump

Restoration infilling:

- 1 bulldozer

47. The site currently employs around 20 members of staff. These include site management, machine operators, drivers and engineers. It is proposed that these roles would be maintained and in addition, the proposed additional operations may generate positions for up to a further 10 employees.
48. The proposed hours of operation would be in accordance with the currently permitted hours, other than for emergency maintenance and would be 07.00 am-06.00 pm Monday to Friday, 7am – 1pm on Saturdays with no working on Sundays or Bank/Public holidays or on Saturdays immediately following Bank Holiday Fridays. No operations for the formation and subsequent removal of material from bunds and soil storage can take place prior to 08:00 am.
49. Primary access to the quarry is proposed to continue to be to and from the existing site entrance, with the addition of staff access to and from the new car park of North Newington/Wroxton Road on the eastern site boundary.
51. Traffic generation associated with the proposed development is expected to be very similar to that associated with the existing permitted development. The applicant states that even with the additional proposed activities including importation of infill restoration materials and the aggregates recycling facility, the expected rates of extraction and infill and reduced movements due to backhauling (using lorries for both import and export materials), are expected to generate similar levels of traffic to those permitted.
52. Based on the anticipated rate of working and market demand, the site is anticipated to generate on average 75 HGV loads per day (150 movements) at its peak (when mineral is exported and infill material is imported at the same time). The use of backhauling is anticipated to reduce the number of HGVs to an average of 56 lorry loads per day (112 movements).

### **Environmental Impact Assessment**

53. The application is supported by an Environmental Impact Assessment (EIA) and an Environmental Statement (ES) was submitted with the application. This covers the range of potential environmental impacts of the proposal. A summary of the findings can be found in Annex 5.

## PART 2 – OTHER VIEWPOINTS

54. The full text of the consultation responses can be seen on the e-planning website<sup>1</sup>, using the reference MW.0063/24. These are also summarised in Annex 3 to this report.
55. By the end of the second Regulation 25 (Reg 25) consultation period a total of 72 third-party representations had been received, 46 following the initial application consultation period and 26 (including duplicate responses) following the end of both Reg 25 consultation periods. All of these representations were objecting or expressing concerns. The points raised are addressed in Annex 4. The main concerns raised included the proximity of the Wroxton Village School and residential development in the village, increased traffic through the villages, increased noise and dust and other pollution and health risks. Concern was raised regarding the proposal's compliance with adopted Oxfordshire County Council planning policy. There were concerns about the impact of the proposal on the Conservation Area of Wroxton, impacts on wider nature and wildlife. Concerns were raised about whether a further quarry extension is needed in the local area and that recycled aggregate should be used instead.
56. Following the first period of consultation, the applicant was asked for further information on a range of topics including ecology, highways, arboriculture, landscape and visual impacts and noise. This was provided and a further consultation was held in June 2025. The further information received included the submission of a revised Landscape and Visual Impact Assessment and appendices, an ecology (BNG and Habitat Condition Targets) addendum with BNG metric, responses to queries from the Local Lead Flood Authority (LLFA), a traffic schedule and a technical note on noise.
57. Following the second period of consultation, the applicant amended the detail of the ecology addendum and BNG metric to address concerns raised by the county biodiversity officer. This provides full details of on and offsite BNG.
58. Following the second Reg 25 consultation in September 2025, there remains an objection from CDC, the OCC Landscape Officer, CPRE, OCC Highways as well as from the local County Councillor, Wroxton and Balscote Parish Council, and the local community.

---

<sup>1</sup> Click to access the application here [Planning Register | Oxfordshire County Council](#)

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

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

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

### **Development Plan Documents**

- 60 The Development Plan for this area comprises:
- Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS)
  - Oxfordshire Minerals and Waste Local Plan 1996 (Saved Policies) (OMWLP)
  - Cherwell District Council Local Plan 2031 Part 1 (CDCLP)
- 61 The Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (OMWCS) was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out the strategic and core policies for minerals and waste development, including a suite of development management policies.
- 62 The Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) was adopted in July 1996 and covered the period to 2006. Some policies of the OMWLP were replaced following adoption of the OMWCS in 2017 but 16 policies continue to be saved.

### **Emerging Plans**

- 63 Work had commenced on the OMWCS Part 2 – Site Allocations, although it was at an early stage. However, in December 2022, the Oxfordshire Minerals and Waste Local Development Scheme (13th Edition) (OMWDS) was approved at Cabinet. This set out a process for pursuing a new Minerals and Waste Local Plan which will combine Part 1 and Part 2, and upon adoption would have replaced the OMWCS 2017. The emerging OMWLP was scheduled for submission in March 2025. However, The most recent Oxfordshire Minerals and Waste Development Scheme (14<sup>th</sup> Edition) was produced in July 2025. This Scheme reflects that in July 2025, the OCC Cabinet agreed to cease producing a new Minerals and Waste Local Plan under the current plan-making system and prepare to produce the plan under the new plan-making system, proposed by the Levelling Up and Regeneration Act 2023, once it is brought into effect.
- 64 Therefore, there is currently no timetable for the Minerals and Waste Local Plan production. Once the secondary legislation has been made and the new process for local plan-making has been set out, a new plan-making timetable will be produced as soon as practicable and the remaining 16 saved policies of the OMWLP 1996 continue to be relevant.

- 65 Cherwell District Council is working to prepare a new Cherwell District Local Plan 2042. CDC submitted its Cherwell Local Plan Review 2042 to the Secretary of State for Independent Examination on 31 July 2025. It is intended that the emerging Local Plan 2042 Once this Plan is adopted it will replace the adopted Cherwell Local Plan 2011-2031 (Part 1). As the draft plan progresses it will carry more weight in decision making, according to its stage of preparation, the extent to which there are unresolved objections to relevant policies, and the degree of consistency with policies in the National Planning Policy Framework.

### **Relevant Development Plan Policies**

- 66 The OMWCS policies most relevant to the consideration of this application are:

- M2 - Provision for working aggregate minerals
- M3 - Principal locations for working aggregate minerals
- M5 – Working of Aggregate Minerals
- M10 - Restoration of Mineral Workings
- W6- Landfill and other permanent deposit of waste to land
- C1 - Sustainable Development
- C2 - Climate Change
- C3 - Flooding
- C4 - Water Environment
- C5 - Local Environment, Amenity & Economy
- C6 – Agricultural Land and Soils
- C7 - Biodiversity and Geodiversity
- C8 - Landscape
- C10 - Transport
- C11 - Rights of Way

- 67 The CDCLP 2011-2031 policies most relevant to the consideration of this application are:

- PSD1 – Presumption in Favour of Sustainable Development
- ESD1 – Mitigating and Adapting to Climate Change
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD17 – Green Infrastructure

- 68 The Cherwell Local Plan Review 2042 Submission document (Reg 19) Dec 2024 policies most relevant to the consideration of this application are:

- CSD1 – Mitigating and Adapting to Climate Change
- CSD9 – Water Resources and Wastewater Infrastructure
- CSD11 – Protection and Enhancement of Biodiversity
- CSD12 – Biodiversity Net Gain

- CSD15 – Green and Blue Infrastructure
- CSD16 – Air Quality
- CSD17 – Pollution
- CSD18 – Light Pollution
- CSD19 – Soils, Contaminated Land and Stability
- CSD22 – Sustainable Transport and Connectivity Improvements
- CSD23 – Assessing Transport Impact/Decide and Provide
- LEC1 – Meeting Business and Employment Needs
- LEC3 – New Employment on Unallocated Sites
- LEC7 – Best and Most Versatile Agricultural Land
- LEC8 – Rural Diversification
- COM11 – Cherwell Local Landscapes Designations
- COM16 – Public Rights of Way
- COM18 – Creating Healthy Communities
- COM27 – Conservation Areas
- COM28 – Listed Buildings

69 None of the saved OMWLP policies are relevant to the consideration of this application. The saved policies are all site-specific and none of them apply to the area proposed in this planning application.

### **Other Material Considerations**

70 The current version of the National Planning Policy Framework (NPPF) was published in December 2024 (Minor corrections made in February 2025) and relevant sections include those on facilitating the sustainable use of minerals, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment.

71 The National Planning Policy for Waste (NPPW) was published in 2014.

72 Relevant sections of the Planning Practice Guidance (PPG) include specific advice on matters including flood risk, minerals, conserving and enhancing the historic environment, determining a planning application and natural environment.

73 The emerging Oxfordshire Local Nature Recovery Strategy (OLNRS) is a coordinated strategy to develop a shared ambition to recover nature across the county, help wildlife to flourish, improve air and water quality, and mitigate the impacts of climate change. The strategy is part of a series to cover the whole of England, and assist the delivery of the Environment Act 2021. The final version of the LNRS was approved by the council at its Cabinet meeting on 21<sup>st</sup> October 2025 and has now been published.

## PART 4 – ASSESSMENT AND CONCLUSIONS

### Comments of the Planning Development Manager

- 74 The NPPF sets out a presumption in favour of sustainable development, which is reflected in OMWCS policy C1. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise.

#### Need for Mineral Extraction

- 75 The NPPF contains a 'presumption in favour of sustainable development,' and Section 17 specifically promotes 'facilitating the sustainable use of minerals.' It clearly sets out at paragraph 224 that when determining planning applications, local planning authorities should 'give great weight to the benefits of mineral extraction, including to the economy.'
- 76 Paragraph 226 of the NPPF states that minerals planning authorities (MPAs) should plan for a steady and adequate supply of aggregates by, amongst other things; maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised.
- 77 OMWCS sets out a vision that:
- "There will be a sufficient supply of aggregate materials available to meet the development needs of the county with a world class economy, and make an appropriate contribution to wider needs, provided from the following sources (in order of priority):*
- *Secondary and recycled aggregate materials (where practicable)*
  - *Locally produced sharp sand and gravel, soft sand, limestone and ironstone and*
  - *Import of materials such as hard crushed rock that are not available locally.*
- 78 OMWCS policy M1 supports the supply of aggregate mineral from recycled and secondary aggregates to minimise the demand for primary aggregates. This policy goes on to say:
- "Permission will normally be granted for recycled and secondary aggregate facilities at other sites, including for temporary recycled aggregate facilities at aggregate quarries and landfill sites, that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1-C12...."*
- 79 The OMWCS contains 12 objectives which includes to *"make provision for a steady and adequate supply of sharp sand and gravel, soft sand and crushed rock over the plan period to meet the planning economic growth and social needs of Oxfordshire."*
- 80 The OMWCS acknowledges that *"Oxfordshire is one of the few places in the south east of England where there are resources of rock, and provision figures*

*will enable the County to continue to make an appropriate contribution towards local and wider requirements for crushed rock.”*

- 81 OMWCS policy M2 sets out the required provision of aggregate minerals over the plan period, including 0.584 million tonnes per annum (mtpa) of crushed rock, which equates to 10.512 million tonnes. The policy also states that permission will be granted for aggregate mineral working to enable a landbank of at least 10 years for crushed rock, taking into account the need to maintain sufficient productive capacity to enable these rates to be realised.
- 82 The most recent Local Aggregates Assessment (LAA), which provides forecasts of the demand for aggregates; an analysis of supply options; and the rate of future provision, is due to be presented for a Cabinet Member decision on 13 November 2025 and the Planning Committee will be verbally updated on the status of the document. The LAA 2024 utilises data to the end of 2024.
- 83 As set out in the 2023 Local Aggregate Assessment (LAA), the landbank figure for crushed rock at the end of 2023 was 4.9 years. This is below the 10-year minimum landbank required by the NPPF. The OMWLP policy team have considered permissions granted and estimated sales to the end of 2024 to calculate the landbank position. At the end of 2024, the landbank had reduced further to 3.5 years. Two planning permissions for limestone extraction have been granted to date in 2025 for a total of 3.6 million tonnes at Dewars Farm Quarry and 370,000 tonnes for a borrow pit at Green Lane, Great Tew. Despite the grant of further planning permissions, it is considered the landbank in November 2025 remains below the 10-year minimum. The PPG on Minerals, paragraph 82, states that low landbanks may be an indicator that suitable applications should be permitted as a matter of importance [DP1]
- 84 There is a need for additional sites and extensions to come forward to provide the county with the minimum 10 year landbank, as required by OMWCS policy M2. This proposal would provide an estimated 750,000 tonnes of further crushed rock over a 5 year period, at approximately 150,000 tpa. Based on the Annual Provision Rate (APR) identified within the 2023 LAA for Crushed Rock of 0.964 million tonnes, the proposed extension would add 0.78 years to the county's landbank.
- 85 At the end of 2024 there were 14 sites with planning permission for crushed rock extraction, 12 of which were active. There are currently four applications including extraction of crushed rock with the County Council for determination, one of which is this application at Wroxton Fields Quarry. There is also an application at Whitehall Quarry (MW.0157/22) for 3 million tonnes, a retrospective application for 500,000 tonnes at Shipton in Cherwell (MW.0077/23) and an application for an extension to Rollright Quarry for 900,000 tonnes (although this would include principally extraction for block stone). Should these applications be approved, the landbank position would improve but would still result in a landbank below the 10 year landbank provision required by the NPPF 2024. However, the landbank position needs to be considered as it is at the time of making this decision, and it cannot be assumed that any other application would be approved.

- 86 The PPG makes it clear that there is no maximum landbank level and each application for minerals extraction must be considered on its own merits (paragraph 84).
- 87 OMWCS policy M2 also states that the need to maintain sufficient productive capacity to enable the rates of aggregate provision to be realised will be taken into account. This is because if a large part of the landbank is coming from one or two sites, it may not be possible to produce the annual requirement. The early closure of the Wroxton site would reduce the number of sites producing crushed rock mineral into the market, which has already decreased by sites such as Horton Quarry being worked out and Alkerton Quarry being at the end of its productive life.
- 88 The supporting text to OMWCS policy M3 sets out the Principal locations for working aggregate minerals and explains that the Strategic Resource Areas identified in the OMWCS have been drawn based on available geological information broadly to encompass areas of potentially workable mineral deposits which, in terms of extent and probable depth of mineral, have the potential to provide new mineral working sites either in the form of new quarries or large extensions to existing quarries.
- 89 Policies M3 and M4 also make provision for the consideration of extensions to existing quarries within the Mineral Strategic Resource Areas, with Policy M4 giving priority to extensions over new sites where environmentally acceptable (although the Part 2 Plan is no longer being progressed).
- 90 OMWCS policy M5 states that prior to the adoption of the OMWLP Part 2, permission will be granted for the working of aggregate minerals where it would contribute towards the requirement for provision in policy M2 provided that the location strategy in policy M3 and the requirements of policies C1-C12 are met.
- 91 OMWCS Policy M10: Restoration of mineral workings, sets out the requirement to restore mineral workings to “a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity”.
- 92 The site is not within a Strategic Resource Area but would be an extension to an existing quarry outside the Strategic Resource Areas. Subject to consideration of the criteria set out in policy M4 it could meet the locational strategy in policy M3. Therefore, subject to assessment of the details of the proposal against policies M4 and C1-C12, the OMWCS supports mineral extraction in this area. As identified above, the landbank for crushed rock at the present time is considerably below the required level. The mineral that the application would provide would assist in maintaining Oxfordshire’s landbank and a steady supply of mineral and the need must be given great weight in the planning balance as set out in NPPF paragraph 224.

## Location

- 93 As set out above, the site is in accordance with OMWCS policy M3 regarding the location of crushed rock quarries subject to consideration against other policies. This is the most relevant locational policy as it directly relates to the type of development proposed.
- 94 Concerns have been raised by respondents that this proposal would not protect the countryside, which is valued in this location for recreation. However, as stated in paragraph 222 of the NPPF minerals can only be worked where they are found and this development would be temporary in nature with an end date for all operations at the quarry continuing to be 2042. The development would be phased, ensuring that only part of the site would be active at any time and the countryside would be protected in the long term through the imposition of restoration conditions. The site is not within a designated Natural Landscape, although it is in close proximity to the Cotswolds Natural Landscape (Formerly known as the Cotswold Area of Outstanding Natural Beauty) which is located 3.4km to the north west.
- 95 OMWCS Policy M4 sets out the factors that would have been taken into consideration when allocating specific sites in the Site Allocation Document (the production of this document has now been placed on hold following the latest review). Ahead of a replacement Local Plan being produced which includes site allocation criteria it is relevant to consider applications against the factors set out in Policy M4.
- a) the quantity and quality of the mineral resource
- 96 It is predicted that the development will yield approximately 750,000 tonnes of ferruginous limestone and ferruginous sandstone (also known as ironstone) from the Marlstone Rock Formation. The excavated mineral is suitable for a range of crushed and graded aggregate products and where appropriate, dimension/building stone. Both of which are in demand locally.
- b) Priority for the extension of existing quarries, where environmentally acceptable (including taking into consideration criteria c) to l)), before working new sites.
- 97 The development provides reserves from within an existing mineral site, it would extend the area of mineral extraction but would not result in an extension to the permitted site boundary. It makes use of the services and infrastructure already available at the quarry, including the site offices, weighbridge, staff facilities, processing plant and road access. As an existing site, it is given priority over new sites, where environmentally acceptable.
- Consideration of criteria c) to l) is addressed below.
- c) potential for restoration and after use and for achieving the restoration objectives of the Plan in accordance with Policy M10;

- 98 Phases 5, 6 and 2b are proposed to be restored using a combination of site derived and imported inert materials to return the site to original ground levels and primarily to an agricultural afteruse, with additional ecological enhancements, including species-rich grassland, broadleaved woodland, ponds and increased species-rich hedgerow (see attached Restoration Scheme drawing ref: 3167-4-4-4-DR-0001-S4-P6). The proposed restoration scheme improves upon the approved scheme, by providing additional biodiversity enhancement, and complies with Policies M4 and M10.

d) suitability and accessibility of the primary road network

- 99 The site is accessed from the existing quarry access, via an unnamed road onto the A422 Stratford Road. The A422 connects Banbury to Stratford-Upon-Avon to the north-west. The development will continue to use this suitable approved access, in addition to using a new temporary access for staff on the North Newington Road.

- 100 The anticipated daily vehicle movements will be similar to those approved under the existing planning permission.

e) proximity to large towns and other locations of significant demand to enable a reduction in overall journey distance from quarry to market;

- 101 Wroxton Fields Quarry is located approximately 4km from Banbury, which is an area of proposed housing and other growth and therefore where demand for aggregates and supply of suitable infill material will be generated. The quarry is well located for this local market and with adequate transport connections.

f) ability to provide more sustainable movement of excavated materials;

- 102 There are limited opportunities for movement of mineral and infill material to and from Wroxton Fields Quarry other than by road. However, the use of modern vehicles and backhauling can reduce the miles travelled and fuel consumption and therefore reduce emissions.

- 103 There are limited alternative modes of transport available for the movement of staff to and from the site. However, Earthline Limited encourage sustainable travel, such as the use of buses, cycling and car sharing where possible.

g) avoidance of locations within or significantly affecting an Area of Outstanding Natural Beauty;

- 104 The closest Area of Outstanding Natural Beauty (AONB) to the application site, is the Cotswolds AONB, which lies over 3.4km to the west at the closest point. The application site therefore lies at a sufficient distance from the AONB for there to be no significant effects.

h) avoidance of locations likely to have an adverse effect on sites and species of international nature conservation importance and Sites of Special Scientific

Interest; in the case of locations within the Eynsham / Cassington / Yarnton part of the Thames, Lower Windrush and Lower Evenlode Valleys area, it must be demonstrated that there will be no change in water levels in the Oxford Meadows Special Area of Conservation and the proposal must not involve the working of land to the north or north east of the River Evenlode; in the case of locations within the Corallian Ridge area, it must be demonstrated that there will be no change in water levels in the Cothill Fen Special Area of Conservation;

- 105 The nearest Sites of Scientific Interest (SSSIs) are Neithrop Fields Cutting SSSI, located circa 2.6km to the east, in Banbury; and Sharp's Hill Quarry SSSI, located circa 8.5km to the southwest of Wroxton Fields Quarry. Both designated for their geological exposures. The development will have no effect on these designated sites.

l) avoidance of locations likely to have an adverse effect on the significance of designated heritage assets, including World Heritage Sites, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens and Registered Battlefields, or on archaeological assets which are demonstrably of equivalent significance to a Scheduled Monument;

- 106 Wroxton Abbey Registered Park and Gardens is located to the immediate east of the Site. Castle Bank Enclosure Scheduled Monument is located to the south of Phase 5 and Padsdon Bottom. A Grade II Listed Stone Guidepost is located to the immediate north-east of the Site and Grade II Listed Alpha Cottage is located circa 100m to the east, on the edge of Wroxton Village. Several Listed Buildings are located within Wroxton village to the east and in Balscote village to the west of the Site; and Wroxton village Conservation Area is located to the immediate east.

- 107 Despite the proximity of the site to Wroxton Conservation Area, Wroxton Abbey Registered Park and Garden, Castle Bank and the Grade II Listed Guidepost, the proposals will have no further significant detrimental effect on these designated heritage assets or their settings, than the existing approved development. The proposed development will have a temporary minor impact upon the historic landscape character of the proposal site, as the existing character of the landscape will change during operations, however the former character is proposed to be restored and improved upon completion with a significant Biodiversity Net Gain.

j) avoidance of, or ability to suitably mitigate, potential significant adverse impacts on:

- i. locally designated areas of nature conservation and geological interest;
- ii. non-designated heritage assets;
- iii. local landscape character;
- iv. water quality, water quantity, flood risk and groundwater flow;
- v. best and most versatile agricultural land and soil resources;
- vi. local transport network;
- vii. land uses sensitive to nuisance (e.g. schools & hospitals);

- viii. residential amenity & human health; and
- ix. character and setting of local settlements;

- 108 Existing and proposed additional mitigation measures will ensure that any potential effects upon the environment or local amenities are not significant. The Environmental Statement submitted in support of this application, incorporates environmental assessments to demonstrate that the development would not result in significant adverse effects to the environment or to local amenity.
- k) potential cumulative impact of successive and/or simultaneous mineral development, including with non-mineral development, on local communities; and
- 109 The quarry is currently worked and restored in a phased manner and whilst there would be working under the current permission concurrently with the proposed development, the potential for cumulative effects have been assessed within the Environmental Impact Assessment as to be not significant. Further, cumulative effects with other local proposed or committed development has been assessed and also concluded as not significant.
- l) ability to meet other objectives and policy expectations of this Core Strategy (including policies C1 – C12) and relevant policies in other development plans.
- 110 Consideration of compliance with Policies C1-C12 is addressed below.
- 111 The proposed development complies with all parts of Policy M4, in particular that the quality of the mineral is already proven as it is an existing operational site with existing customer base (part a); there are benefits to working mineral within an existing site over identifying a new site (part b); the site has an existing approved and suitable access (part d); and the site is proximal to Banbury (part e).
- 112 Policy M5 states *“Prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2 and provided that the proposal is in accordance with the locational strategy in policy M3 and that the requirements of policies C1 – C12 are met.”* The development complies with Policy M5 as it assists OCC in meeting a steady and adequate supply of mineral (an adequate supply cannot be provided from only a limited number of sites); the proposal will provide reserves to support a landbank currently below the minimum requirement; the reserves are found within the boundaries of an existing consented quarry, negating the need for a new site (Policy M3); the reserve will provide aggregate, as well as building stone; and it complies with policies C1 – C12 (see below).
- 113 The development site is an existing quarry, which is being worked out and restored. This is the right time to work this identified remaining mineral

reserve, while the main quarry is operational; the necessary plant, equipment and skilled personnel are available; and prior to restoration of neighbouring phases.

- 114 Policy M10: Restoration of mineral workings, sets out the requirement to restore mineral workings to “a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity”. This proposal seeks to improve the proposed restoration of the quarry, using imported inert materials to supplement site-derived materials, providing high-quality agricultural land alongside biodiversity enhancements.

### **Infilling with Inert Restoration Material**

- 115 The OMWCS sets out the vision for the treatment of waste within the County. This promotes increased self sufficiency in dealing with the waste generated within Oxfordshire. It proposes a network of economically and environmentally efficient well designed recycling, composting and other waste treatment facilities to recover material and energy from the county’s waste and support its thriving economy.
- 116 The proposed development is considered to accord with the waste planning vision and objectives of the OMWCS in that it would provide a suitable site for the recycling and deposit of construction, demolition and excavation waste materials generated locally for the infilling and restoration of the site.
- 117 The site is an existing quarry, where the importation of suitable restoration materials would be ancillary to the existing site operations and would facilitate improved quality restoration of the site. The proposed aggregate recycling facility would enable the reuse and recycling of inert waste materials as a recycled aggregate, which places less demand on primary aggregates.
- 118 The infilling and restoration of the mineral void using imported inert material, which primarily comprises excavation wastes from the construction market, is supported by the OMWCS. The OMWCS sets out the amount of waste arising for each waste type in Oxfordshire requiring provision for management per year, including 1.033mtpa Construction, Demolition and Excavation Waste (CDE). The OMWCS aims for Oxfordshire to be net self-sufficient in the management and disposal of Municipal Solid Waste (MSW), commercial and industrial waste (C&I) and CDE (Policy W1), particularly as these are the principal waste streams, which make up two thirds of the total waste requiring management in the County. As set out within the OMWCS, the CDE waste stream is approximately 80% inert, which is expected to be primarily managed through recycling, including at recycled aggregate facilities, recovery operations and for the backfilling of mineral workings, with some being used for restoration of landfill sites.
- 119 IMWCS Policy W2: Oxfordshire waste management targets, are set above the European Waste Framework Directive requirements. 80% of the CDE waste stream is anticipated to be inert, of which 60% is to be recycled by 2021 and

70% by 2031. In addition, 25% of the inert CDE is to be used for permanent deposit other than for landfill, such as backfilling of mineral workings and operational development such as bund construction. It is therefore not only acceptable to infill the mineral void using imported inert materials, but it is also supported and encouraged through the waste policies of the OMWCS.

- 120 The general location strategy for waste management facilities is provided within Policy W4. The supporting text states that strategic waste management facilities, which it defines as those that would manage at least 50,000tpa, should normally be located within 15 kilometres (km) of Oxford City Centre or 5km of specified towns. Wroxton Fields Quarry is located 4km from Banbury and as such is suitably located to receive excavation material for restoration purposes from construction sites in this area.
- 121 Policy W5: Siting of waste management facilities, identifies land uses that are likely to be considered suitable for waste management, which includes “an active mineral working”. The OMWCS sets out that the further development or extension of an existing site may also offer a better option than the development of a new facility elsewhere. The waste element of this development is the use of excavation materials for restoration of the mineral void and the installation of a recycled aggregate facility, both of which are encouraged within the NPPF and OMWCS. Wroxton Fields Quarry is an operational quarry, suitable for the co-location of an aggregate recycling facility and with a mineral void, requiring suitable restoration materials. The proposal therefore complies with Policy W5. It goes on to say that landfill sites shall be restored in accordance with the requirements of policy M10.
- 122 Policy W6 states that provision will be made for the permanent deposit to land of inert waste which cannot be recycled at existing facilities and sites that will be allocated within the MWLP. Policy W6 goes on to say that priority will be given to the use of inert waste as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. The use of inert restoration materials will be used to supplement site-derived material and provide improvements in the proposed restoration of the site to high-quality agricultural land.

### **Restoration and Aftercare**

- 123 OMWCS policy M10 expects mineral sites to be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. The restoration of the site to agriculture and nature conservation is considered to be appropriate at this site.
- 124 The proposed importation of inert materials to enable restoration of Phases 5, 6 and 2b to agriculture at original ground levels would provide a higher standard of restoration than the approved lower-level scheme utilising only site derived materials.
- 125 Working and restoration of the remainder of the quarry would continue in a phased manner, in line with Policy M10. The Applicant proposes that the

restoration scheme can be achieved within the existing permitted life of the quarry (to 2042), therefore in a timely manner.

- 126 OMWCS policy W6 states that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve satisfactory restoration of quarries. Permission will not otherwise be granted for development that involves the permanent disposal of inert waste on land unless there would be overall environmental benefit. The proposals therefore accord with this policy, providing that the waste used could not be recycled, as inert waste would be used to achieve an appropriate restoration by ensuring that best and most versatile agricultural land could be returned to productive use and that the rest of the site would be returned to appropriate nature conservation use delivering biodiversity enhancements.
- 127 The OCC Landscape Officer commented that the red line on the restoration plan drawing does not match the red line boundary on the other plans at its southern end where it extends across the Manor Farm Access.
- 128 The Applicant has responded and has confirmed that the red line depicted on the proposed restoration plan is the original quarry red line boundary. It is considered appropriate to show the original site boundary on this plan, but for the purposes of this application to reflect just the proposed development areas - Phase 5 and 6, Phase 2b (excluding south of the hedge), processing area, site offices etc. and temporary car park, the red line original site boundary colour has been amended to blue and the plans updated accordingly.
- 129 The OCC Landscape Officer has also commented with regard to the proposed restoration scheme that the Applicant has confirmed that they consider that the development proposed strikes the right balance between restoring the site to productive agricultural after-use, improved drainage and enhancements in biodiversity. The benefits of the proposed habitat creation in Spring Valley are recognised, however it is considered that the scheme largely comprises the reinstatement of previous land uses and vegetation boundaries with limited additional landscape benefits. It seems a missed opportunity not to deliver wider landscape and biodiversity benefits as part of the restoration. The Oxfordshire Local Nature Recovery Strategy (OLNRS) indicates that the site could become of particular importance to biodiversity.
- 130 The proposed woodland planting looks to be approximately 7m in width, which would appear to be more like a tree belt than a woodland. The hedgerow links also look narrow despite being accompanied by field margins. It is therefore recommended that the width of the hedgerows and tree/woodland planting is increased to create a stronger landscape structure and more substantial green infrastructure links. In addition the provision of biodiversity measures in line with the OLNRS could also be explored.
- 131 The Applicant has responded to these comments and has confirmed that the restoration scheme is considered to strike the correct balance between landscape improvements, ecological enhancement, BNG and the landowner's requirements to return the site to agriculture upon completion of quarrying.

- 132 The proposed woodland planting on the western boundary of Spring Valley is 20m wide with an additional 3m wide woodland edge on either side.
- 133 The proposed woodland planting on the eastern boundary of Spring Valley aims to follow the width of the existing vegetation (small woodland/tree belt) at 5m wide with 3m wide woodland edge.
- 134 All hedgerows are proposed as triple staggered and shown at the mature width of 4m wide.
- 135 Overall, the proposals to restore the quarry using inert fill to return the site to agriculture use with enhanced BNG across the site, are considered to be supported by development plan policy. Returning the site to its current landform and these uses after working would also limit the impact of the proposals on the landscape in the longer term.

### **Landscape & Visual Impacts**

- 136 The application site comprises an existing quarry, arable fields, part of the Padston Springs, with trees, scrub and grassland, mature hedgerows and peripheral woodland planting. The whole site topography is generally level, falling slightly towards the south.
- 137 The surrounding area of the site is rural and traditionally picturesque with mixed farmland, nestled villages and wooded stream valleys.
- 138 There are three Public Rights of Way footpaths that cross the site. PROW 418/13/20 and PROW 418/3/10 cross the eastern operational phases and, as such, they are currently temporarily diverted around the perimeter of the quarry, to be reinstated upon restoration
- 139 Phases 5,6 and 2b are proposed to be restored to agricultural use at original ground levels, with additional wide field margins, thick hedgerows and hedgerow trees, and an enriched wooded stream valley with strengthened woodland areas, scrub, the creation of new ponds with wetland planting, scattered stream valley trees and hibernacula.
- 140 NPPF paragraph 187b) requires planning policies and decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 141 OMWCS Policy C8 (Landscape) requires proposals for minerals and waste development to demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. This shall include adequate and appropriate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping.

- 142 Policy M10 (Restoration of mineral workings) requires mineral workings to be restored to a high standard and in a timely and phased manner to an after-use that is appropriate to the location and delivers a net gain in biodiversity. It carries on to list a number of considerations that should be taken into account including the characteristics of the site prior to mineral workings, the character of the surrounding landscape, the enhancement of the local landscape character, the conservation and enhancement of biodiversity appropriate to the local area and the consultation with local communities on the options for afteruse.
- 143 CDCLP 2011-2031 Policy ESD 10 requires that biodiversity and the natural environment are enhanced and protected and species criteria by which this should be achieved.
- 144 CDCLP 2011-2031 Policy ESD 13 states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where applicable the creation of new ones, including planting of woodland, trees and hedgerows.
- 145 Policy ESD 17 (Green Infrastructure) requires the District's green infrastructure network to be maintained and enhanced.
- 146 CDCLP Proposed Submission (CDCLPPS) Dec 2024 Policy CSD 11 (Protection and Enhancement of Biodiversity) requires that new development proposals will be expected to make a positive contribution to Cherwell's nature recovery through the protection, restoration, and expansion of protected sites, habitats and species.
- 147 CDCLPPS Policy CSD 12 states that unless exemptions apply, development will be required to demonstrate a minimum 10% net gain in biodiversity (measured using the DEFRA Statutory biodiversity metric) by protecting, enhancing and creating habitats of biodiversity value.
- 148 The Oxfordshire Landscape and Wildlife Study (OWLS) shows the site to be located in the Landscape Type 'Farmland Plateau' and the Local Character Area 'Hornton to North Newington (NU/22). Landscape guidelines for this landscape type seek amongst other things the environmentally sensitive maintenance and management of hedgerows, the strengthening of field patterns by planting up gappy hedges and the establishment of tree belts around quarries and other large structures to reduce their visual impact using locally characteristic native tree and shrub species. It also seeks the restoration and after-use of quarries in a way that strengthens and enhances the local landscape character.
- 149 The submitted Landscape and Visual Impact Assessment (LVIA) states in Chapter 9 that the greatest landscape effects would generally be contained to within the site and along its perimeter, and that effects on landscape character of the site would be *Moderate Beneficial* overall.

- 150 With regard to visual effects, it finds that the proposed development would mostly be screened from view and the majority of the assessed viewpoints would experience no change. Only eight viewpoints along the boundary would have visibility of the development, one being the entrance to a residential property and seven by users of PRowS. The LVIA considers that only users of the PRow 418/13/10; vp 10) would experience a *major adverse* effect during site operations but that all viewpoints would experience beneficial effects in the long term.
- 151 The OCC Landscape Officer sought further information relating to:
- Visualisations with regard to the viewpoints chosen,
  - Images –which comprised summer views only
  - Type 3 visualisations – required most selected viewpoints such as vp4 and vp10.
  - Further detail of the application baseline especially with regard to retrospective elements
  - Timeframes for restoration of all phases.
  - height and appearance of the bunds
  - Arboricultural information requested
  - Provision of a biodiversity led Restoration Plan
- 152 Following the comments from the Landscape Officer the Applicant submitted a revised LVIA addressing all of the concerns raised which formed part of the first reg 25 consultation documents
- 153 As part of the Reg 25 submission an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) were submitted. The AIA shows that the central hedge crossing phase 2b, which is proposed for removal as part of the scheme, comprises a Cat-C hedge (H064) and tree (T065). No other vegetation is proposed to be removed, and it is important that retained vegetation is adequately protected during operation.
- 154 With regard to the LVIA, this was updated in response to the previous comments of the Landscape officer, but the conclusions have in effect remained the same. The LVIA considers effects only to be minor or temporary adverse during operations and concludes that the restoration of the quarry will have a positive, lasting effect on landscape character, biodiversity, and visual amenity overall. Visual effects are assessed to be temporary during operation with only one viewpoint (vp10) experiencing a Moderate/Major Adverse effect. The Landscape Officer agrees that the impacts will be temporary and localised but does consider that the benefits of the scheme are overestimated.
- 155 She commented that the greatest landscape and visual effects are assessed to occur in relation to the excavation and restoration of the southern part of phase 2b (vp10). In addition to vp10, I also consider users of the unnamed road between phases 2b and 4 (motorists, cyclists but also pedestrians connecting between PRowS) to be adversely affected by the working of 2b due to the site being lower lying at the southern end, which enable views from the road into the site.

- 156 It is considered that bunding would be unlikely to be effective in mitigating views from the road in this location due to the height difference, so these impacts could be mitigated by either not excavating the southern part of 2b, which would also allow for the retention of the hedgerow and tree proposed for removal or to reduce the impact the timeframe for excavating and restoring this part of the site could be as short as possible.
- 157 The Applicant has responded to confirm that extraction from Phase 2b already benefitted from planning permission under ref 19/00407/CM, so was deemed to be acceptable at that time. The previous operator extracted a small amount of mineral in the north of that phase, didn't progress any further and restored it. The County Council as Mineral Planning Authority had viewed it as complete in terms of restoration and aftercare and have therefore advised the Applicant that to continue excavation of remaining in this area a new planning application would be required and therefore this element is incorporated into this application. The principle of extraction in Phase 2b is considered to be already established.
- 158 In addition, there are now viewpoints proposed along the unnamed road between phases 2b and 4. The LVIA assumed that the existing hedge and trees along the unnamed road would be retained (see Appendix 1 Predicted Visual Effects). With the retention of the existing vegetation around Phase 2b and the addition of a 2-3m high bund, it may be possible to see a small strip of Phase 2b along the Phase 2b western boundary, however visibility beyond the bund can be managed by allowing the existing hedge to grow.
- 159 It is considered that were any glimpses of Phase 2b afforded along the Phase 2b western boundary, these would be observed by the occupants of moving vehicles, cyclists or walkers and would be transitory in nature. Once the site is restored, the view would once again be into an area of the site restored to agricultural use.
- 160 The application proposes the retention of existing external lighting which is located around site offices and plant area in Phase 4 for safety reasons. The lighting is directed inwardly towards the site and in a downward direction on the lowest part of the active site. No complaints have been received to date from any neighbouring occupiers or users of the PRow's regarding any issues arising from the use of this lighting and it is not therefore considered to result in any detriment to the visual amenity of the site or to the amenity of any neighbouring residential occupiers.
- 161 The application also proposes the retention of the existing internal haul road and access road for the duration of the activities at the site. These elements would be removed and the land restored in line with the submitted restoration scheme thereby removing any impact that these features have on the landscape following the end of the active quarrying phases and ensuring the implementation of additional landscape planting benefits. It is therefore considered that the most significant landscape impacts would be temporary for a relatively short time period.

- 162 The LVIA concludes that the development is in accordance with NPPF section 15 paragraph 187, Cherwell Local Plan policies ESD 10 and ESD 13, Cherwell Local Plan Proposed Submission Dec 2024 policies CSD 11 and 12 and OWLS Landscape Type Guidelines.

#### Landscape Mitigation

- 163 The Landscape Officer has requested a number of landscape conditions relating to landscape, management and lighting be added to any permission that may be granted. It is proposed to retain existing mature boundary vegetation and to continue to protect retained trees and to restore vegetation over time, through the implementation of the restoration plan.

#### Landscape Conclusions

- 164 Overall, taking into account the comments from the Landscape Officer and the responses of the Applicant addressing the comments raised, the proposals are considered to accord with landscape policies, including OMWCS policy C8, CDCLP policies ESP10, ESP13 and ESP 17, CDCLPPS Dec 2024 policies CSD 11 and 12 because they would respect and enhance the local landscape character.
- 165 The most significant landscape impacts would take place during the ongoing operational period and during the proposed phased site restoration, which is to be carried out over a relatively short timeframe. The impacts on the landscape must be balanced with all other relevant policy considerations, including the need for the mineral.

#### **Biodiversity**

- 166 The application site comprises an existing operational quarry, although Phases 2b and 6c are arable fields with boundary trees, a species-poor hedgerow and soil storage bund. These areas do not comprise any statutory or non-statutory ecological designations. The Applicant conducted an Ecological Assessment comprising a desk and field surveys which identified the following ecological receptors:
- Locally designated sites – Local Wildlife Sites
  - Hedgerow and woodland plantation
  - Locally notable mammals
  - Nesting birds
- 167 The Applicant has demonstrated in the Ecological Assessment submitted as part of the ES to the application that adverse ecological impacts have been removed or significantly reduced by the design and operation of the proposed quarry development, which avoids and protects key sites and habitats found adjacent to the proposed extraction areas and within the local landscape, including locally designated sites/habitats.

- 168 The Applicant contends that the Ecological Assessment demonstrates that appropriate mitigation has been established to protect hedgerow/plantation, foraging mammals and nesting birds, which nullifies any potential significant adverse effects.
- 169 The Application proposes that residual adverse effects include the temporary removal of mainly intensively managed arable land and the loss of small lengths of species-poor hedgerow and a vegetated embankment. These residual adverse effects are not considered to be significant and are mitigated by the restoration of the site to agricultural land with additional ecological enhancements, including species-rich grassland, broadleaved woodland and ponds, while the overall length of species rich hedgerow is increased.
- 170 Policies C7 and M10 of the OMWCS taken together expect mineral and waste development, including the restoration of mineral workings, to conserve biodiversity and where possible deliver a net gain in biodiversity. OMWCS policy C7 also states that long term management arrangements for restored sites shall be clearly set out and included in proposals, which should include a commitment to ecological monitoring and remediation.
- 171 The proposed restoration scheme is calculated to provide +20.31% Biodiversity Net Gain (BNG) in habitat features and +8.89% BNG in linear (hedge) features which would be in part delivered within the application red line boundary and partly within other land within the area of the existing permitted quarry but off-site of the red line application area. The proposed quarry restoration therefore meets the requirements of Policy C7: Biodiversity and geodiversity of the OMWCS and policy CSD 12 of the CDCLPPS Dec 2024 and the Environment Act 2021.
- 172 The proposed quarry operation and restoration will not alter the functioning of the retained habitats on-site and, critically, will significantly increase the overall habitat and structural diversity found within the application area, which contributes to UK and Oxfordshire biodiversity targets, and benefits a range of wildlife.
- 173 Whilst the development would lead to the removal of habitat in the short term, the site is not especially sensitive in terms of ecology and the restoration proposals would increase the biodiversity value of the site. The impacts of the development on ecology could be mitigated through the use of conditions to ensure a phased approach and to address any specific impact on species.
- 174 The CDC Ecology Officer stated that whilst the Biodiversity metric had been completed, no evidence of reptile surveys had been submitted for consideration to determine any necessary mitigation or securing of compensation.
- 175 In response the OCC Biodiversity Officer has confirmed that the requirement for reptile surveys have now been resolved following a site meeting where the low suitability, small size and reduced connectedness of the habitats on site were discussed regarding reptiles. It was agreed that the conclusion made

within the submitted ecological report was considered appropriate and residual impacts to reptiles could be addressed through securing a Construction Environmental Management Plan (CEMP) that included appropriate working methods to mitigate impacts on reptiles.

- 176 The submitted Ecology (BNG and Habitat Condition Targets) Addendum Version 4, dated 27th August 2025, includes condition assessments for the proposed habitats, most of which are expected to reach moderate to good condition. While this is ambitious, it should be achievable with appropriate management. This will need to be detailed in a Habitat Management and Monitoring Plan (HMMP).
- 177 Given the presence of off-site habitat creation/enhancements, and significant on-site habitat creation/enhancements, the HMMP for the on-site biodiversity gain can be delivered by condition but the off-site biodiversity gain and the associated monitoring fees for all the biodiversity gain requires to be secured through a S.106 legal agreement.
- 178 The Ecological Appraisal (2023) recommends that prior to the start of each proposed extraction or land restoration Phase an ecological walkover survey for the presence of protected/notable animals, e.g. badger and nesting birds, is conducted. The report also recommends working methods to avoid impacting species and habitats during the restoration works. As such, it is recommended that a Construction Environment Management Plan for Biodiversity is conditioned, which details ecological risks, precautionary measures to avoid harming species and habitats (i.e. walkover surveys, protection measures, timing of works, etc), roles and responsibilities, and ongoing monitoring and remedial measures.
- 179 A number of representations have expressed concern about the impacts on wildlife. Although there would be a short-term impact on habitats and species, the proposals are considered to be acceptable in terms of ecological impact as there would be long-term benefits following the restoration of the site, and conditions could be applied to protect wildlife during the operational phase. There would need to be a condition for the on-site biodiversity gain to be delivered through a HMMP for a period of 30 years to ensure that the benefits for ecology were delivered as planned with the provision of an associated off-site biodiversity gain delivery and monitoring fee through a section 106 Legal Agreement.
- 180 Subject to the conditions discussed above and a S.106 legal agreement for the off-site delivery of biodiversity gain for 30 years post-restoration and the payment of the OCC BNG Management and Monitoring fee, the proposals are considered to be in accordance with OMWCS policies C7 and M10, CDCLP 2011-2031 policies ESD 10, 13 and 17 and CDCLPPS Dec 2024 policies CSD 11 and 12.

## Trees

- 181 OMWCS Policy C7 Biodiversity and geodiversity requires that that development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.
- 182 CDCLP 2011-2031 policies ESD10 and ESD13 and CDCLPPS policy CSD 15 (Green and Blue Infrastructure) specifically protect trees, woodlands and hedgerows. An Arboricultural Report has been submitted with the application which identifies that trees adjacent to the works would be retained with appropriate mitigation measures. It concludes that the implementation of the proposed restoration plan would enhance lost canopy and vegetation cover over time.
- 183 OCC Tree Officers initially expressed concerns that no Arboricultural Report had been submitted for consideration. This report was submitted as part of the first Reg 25 submission. The OCC Tree Officer has confirmed that the information addressed the previous concerns raised and that if planning permission is granted a condition should be attached requiring the implementation of the tree protection measures set out in the Arboricultural Method Statement dated March 2025 and shown on the tree protection plans.
- 184 Subject to the imposition of the tree protection condition as requested by the OCC arboricultural officer that the proposals are considered to be in accordance with OMWCS policies C7, CDCLP 2011-2031 policies ESD 10, 13 and CDCLPPS Dec 2024 policies CSD 15.

## **Transport**

- 185 Policy C10 Transport of the OMWCS expects proposals for minerals and waste development to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Plans in ways that will maintain and if possible lead to improvements in Safety for all road users, the efficiency and quality of the road network and residential and environmental improvement including air quality.
- 186 CDCLP 2011-2031 policy ESD 1 (Mitigating and Adapting to Climate Change) requires that new development will mitigate the impacts of new development within the District on climate change. This includes delivering development that seeks to reduce the need to travel and encourages sustainable travel options.
- 187 CDCLPPS Dec 2024 policy CSD 23 states that applications should be accompanied by a Transport Assessment or Transport Statement, where there would be significant transport implications. It also sets out what these

should include. Appropriate provision for works and/or contributions will be required towards providing an adequate level of accessibility.

- 188 Transport Development Management (TDM) originally objected to the proposals, requesting further assessment work relating to the traffic generation of the site setting this out in three distinct sections within the Transport Statement (TS) – existing, proposed and net change. In addition the Applicant was advised that the retention of the access to the temporary car park would require construction to appropriate standards and that a Stage 1 Road Safety Audit would need to be undertaken as well as a 7 day ATC speed survey to establish actual vehicle speeds in the vicinity of the site access. This further information was provided and TDM removed their objection subject to conditions and an informative requiring the Applicant to enter into an appropriate Highways Agreement for the construction of the access.
- 189 Wroxton Fields Quarry is served by an existing site entrance in the west of the site onto an unnamed road which connects onto the A422 Stratford Road. The site access is of a good standard with an excellent safety record and will continue to serve the proposed development.
- 190 The existing planning permission is unusual in that it serves three sites: Wroxton Fields Quarry, Alkerton Quarry and Horton Quarry. The permission places a restriction upon the tonnage of mineral which can be exported from the three sites over a 3 year period, being no more than 350,000 tonnes per year. Horton Quarry is at the end of its life, with no further significant traffic generation. Alkerton Quarry has very limited remaining mineral to be extracted and a new planning permission for revised restoration to nature conservation and holiday lodges. It is therefore generating very limited traffic associated with mineral extraction.
- 191 The proposed development for mineral extraction, infill restoration, an aggregate recycling facility (ARF) and ancillary development would introduce new traffic generating activity, in terms of importing infill material and imports / exports associated with the ARF. However, the current rates of mineral extraction and proposed rates of infill importation, including the use of backhauling (using lorries to both import and export material), would ensure that the site can continue to operate within the equivalent number of HGV movements as per the existing 350,000 tonne per annum restriction. The exception to this would be if there is a period of overlap between mineral extraction, infill importation and the approved importation of restoration material at Alkerton Quarry, during which time HGV movements may increase by circa 5 movements per day, which is negligible.
- 192 A new temporary car park, accessed from the North Newington Road, was constructed for up to 6 staff vehicles to achieve staff separation during the National Covid restrictions. This has proven to be beneficial to site operations and therefore is proposed to be retained for the duration of extraction and restoration works in the eastern part of the site. Subject to maintenance of

boundary vegetation to ensure suitable visibility, this would not result in any significant detrimental traffic effects.

- 193 Aggregate products primarily travel east towards Banbury. The quarry is located just 2km from the outskirts of Banbury and is therefore proximal to the aggregate market, which reduces the HGV miles associated with the site and complies with Policy C10.
- 194 The application is supported by a Transport Assessment (see Annex 5 Environmental Impact Assessment), which sets out the transport effects associated with the development and concludes that the development would not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. As such, the development complies with OMWCS policy C10: Transport.
- 195 The information submitted demonstrates that the existing car park access can be designed to meet the required technical specifications and would not cause an issue in terms of highway safety. The Transport Assessment shows that the proposed additional HGV movements per day would have less than a 2% impact on the local highway network, which is acceptable to the TDM officer. Although representations have been made expressing concern about traffic impacts, the site is considered to have good access on the strategic road network, with a direct access from and exit to A-roads.
- 196 The development is considered to be in accordance with relevant transport policies including OMWCS policy C10, CDCLP 2011-2031 policy ESD 1 and CDCLPPS Dec 2024 policy CSD23.

### **Rights of Way**

- 197 OMWCS policy C11 states that the integrity and amenity of the rights of way network shall be maintained and improvements and enhancements to the rights of way network will be encouraged. Where appropriate, provision should be made for this in restoration schemes.
- 198 CDCLP 2011-2031 Policy ESD 17 (Green Infrastructure) requires that the District's green infrastructure network will be maintained and enhanced through the protection and enhancement of existing sites and features and the improvement of connectivity between sites.
- 199 CDCLPPS Dec 2024 states that PRow will be protected and enhanced to ensure access to PRow and the connectivity of these networks.
- 200 There are two public rights of way (PROW) which transect Phases 5 and 6 and as a result have been temporarily diverted around the phase boundaries during extraction and restoration works. The proposed development will not result in any further direct or indirect effects upon the PROWs and therefore accords with OMWCS policy C11: Rights of way.
- 201 There has been no objection from the Rights of Way team.

- 202 It is acknowledged that the continued presence of a quarry in this location could detract from the enjoyment of the visual impact of the area in this location, and this has given rise to local concern. However, the impacts would be temporary for the duration of extraction and restoration and would continue to be mitigated through phasing and screening. Once the site is restored there would not be any long-term impacts on rights of way. The development is not considered to conflict with OMWCS policy C11.

### **Flooding and Drainage**

- 203 OMWCS policy C3 (Flooding) states that minerals and waste development should take place in the areas of lowest flood risk.
- 204 OMWCS Policy C4 (Water Environment) states that proposals for minerals and waste development must demonstrate that there would be no unacceptable adverse impact on or risk to:
- The quantity or quality of surface or groundwater resources required for habitats, wildlife and human activities;
  - The quantity or quality of water obtained through abstraction unless acceptable provision can be made;
  - The flow of groundwater at or in the vicinity of the site; and •
- Waterlogged archaeological remains
- 205 CDCLP 2011-2031 policy ESD 6 requires that vulnerable development proposals should be located in areas at lower risk of flooding and that a flood risk assessment must accompany any development proposal over 1 hectare in area located in flood zone 1. The FRA must demonstrate that there will be no increase in surface water drainage rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change and that proposals must demonstrate that surface water can be managed on site and will not increase flood risk elsewhere.
- 206 CDCLPPS Dec 2024 policy CSD 7 demonstrates how the Council will manage and reduce current and future flood risk in the district using a sequential test to development. It states that FRA's should assess all sources of flood risk over the lifetime of the development and take into account the latest climate change guidance.
- 207 According to the Environment Agency's Flood Map for Planning, the site is located within Flood Zone 1, which has the lowest risk of flooding from rivers.
- 208 The development proposal provides for the extraction of ferruginous limestone and ferruginous sandstone (also known as ironstone), from the Marlstone Rock Formation, to a depth of circa 6m below ground levels. This retains approximately 2-3m of the Marlstone Rock Formation below the level of excavation and does not excavate into the groundwater. No groundwater dewatering would occur as part of the development.

- 209 The Hydrological and Hydrogeological Impact Assessment (HIA) and Flood Risk Assessment (FRA), which accompany this planning application, conclude that groundwater would not be affected and that there would be no negative surface water runoff or flood risk impacts during the mineral excavation phase.
- 210 Restoration of Phases 5, 6 and 2b is proposed to be to original ground levels for predominantly agricultural use, using a combination of site derived materials (soils and quarry fines) and imported inert materials (excavation wastes from local construction projects, including soils, silts and clays). This operation will require an Environmental Permit, which would control the types of materials imported.
- 211 The use of inert restoration materials, which have a lower permeability than the virgin rock, has the potential to alter groundwater and surface water flows and to affect groundwater levels around the site. However, the proposed working depth would retain 2-3m of the Marlstone Road Formation and the underlying Dyrham Formation below the excavation. This would allow continued groundwater flow during the excavation phase and following restoration. In addition, surface water runoff infiltration trenches, which are proposed to be constructed using permeable site derived quarry waste materials, would ensure suitable surface water runoff rates upon restoration and would contribute to groundwater recharge.
- 212 The Aggregate Recycling Facility (ARF) is proposed to process imported inert materials to produce a recycled aggregate. This will also require an Environmental Permit, which would ensure only suitable inert materials are imported.
- 213 Groundwater levels and quality would continue to be monitored during the excavation and restoration phases of the development to ensure the development does not have a detrimental impact on the local groundwater environment.
- 214 The Applicant proposes a monitoring scheme for surface water quality from the Padsdon Spring during the mineral excavation phase and following restoration to ensure the development does not have a detrimental impact on the local surface water environment or any surface water receptors
- 215 The Environment Agency have raised no objection to the proposal subject to a condition requiring the submission and subsequent agreement of further details including a monitoring and maintenance plan in respect of groundwater resources and quality and surface water, including a timetable of monitoring and submission of reports to the LPA.
- 216 There was an initial objection from the Lead Local Flood Authority, on the basis that further details were requested including the submission of a drainage strategy drawing and calculations for surface water and for the restoration phase, a surface water flood exceedance plan, a surface water catchment plan and calculations need to provide for proposed drainage

network systems for all storm events up to and including the 1 in 100 year storm event plus 40% climate change.

- 217 On the basis of the additional information submitted by the Applicant, the LLFA removed their objection to the application.
- 218 On the basis of the additional information received and the advice of consultees with the relevant technical expertise, it is considered that the development would not increase the risk of flooding. The development is considered to be in accordance with relevant policies relating to flood risk, including OMWCS policy C3, CDCLP 2011-2031 Policy ESD6 and CDCLPPS policy CSD 7.

### **Groundwater and Water Quality**

- 219 OMWCS policy C4 states that proposals must demonstrate that there would be no unacceptable adverse impact or risk to the quantity or quality of surface or groundwater, the quantity or quality of water obtained through abstraction or the flow of groundwater through the site.
- 220 The risk of water quality being adversely affected by the inert waste infill is considered to be low as the fill material would be subject to strict acceptable criteria. The applicant has already obtained an Environmental Permit from the Environment Agency for the deposit of waste which would be the pollution control regime.
- 221 The proposal is considered to be in accordance with OMWCS policy C4.

### **Amenity**

- 222 The NPPF Paragraph 223 Part f states that permitted and proposed operations should not have an unacceptable adverse impact on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in the locality.
- 223 Paragraph 223 Part g states that when developing noise limits, it must be recognised that some noisy short-term activities which may otherwise be regarded as unacceptable are unavoidable to facilitate mineral extraction.
- 224 OMWCS policy C5 states that proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on the local environment, health and safety, residential amenity or the local economy, including from noise, dust, visual intrusion, light pollution, traffic, air quality, contamination or cumulative effects.
- 225 CDCLP 2011-2031 policy PSD 1 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, including through noise, dust and external lighting.

- 226 CDCLPPS Dec 2024 policy; CSD 17 (Pollution and Noise) states that development will not be permitted if it results in an unacceptable risk to public health or safety, the environment, general amenity or existing uses due to the potential of air pollution, noise nuisance, vibration, odour, light pollution, surface/ground water sources or land pollution. The Policy requires that development should be designed to ensure that it will not result in significant adverse impacts on human health, the environment or amenity of neighbouring uses. The consideration of the merits of development proposals will be balanced against the adverse impact on human health, the natural environment and local amenity, including from noise, dust, odour, light, air pollution, land instability or any other relevant types of pollution.
- 227 Environmental and amenity assessments have been provided as part of the ES submission within Volume 2: Environmental Statement, which accompanies this planning application. Each assessment concludes that the potential effects upon receptors will not be significant and where necessary will be sufficiently mitigated. Mitigation measures include buffer zones between the extraction area and residential properties or other sensitive receptors; soil screen bunds constructed along perimeter boundaries to provide mitigation from visual, noise and dust effects; existing established boundary planting; processing within the existing processing area in the north-west of the quarry; control of hours of operation; restriction on HGV movements; noise limits; and monitoring of noise and dust levels during the operational phase.
- 228 Under the extant planning permission, a buffer zone to Wroxton Village was created which prevented mineral from being extracted within 350m of the village unless details to amend the buffer zone were submitted to and approved by the Local Planning Authority as per condition 4 (a) attached to Planning Permission 19/00407/CM (MW.0020/19). In December 2020 a submission was made which proposed a reduction in the stand off to the village to enable extraction within Phases 6a and 6b. This application was subsequently approved and the buffer zone was reduced to approximately 200m
- 229 The Applicant has proposed to extract approximately 410,000 tonnes of ironstone from within the remaining 200m buffer zone which is expected to take approximately 3 years to complete. The void would then be restored using imported inert and site derived materials to original ground levels and returned to an agricultural use.
- 230 The entirety of the land within the existing remaining buffer zone lies within the consented red line boundary of Wroxton Quarry and is bordered by mature hedgerow planting. The submitted ES demonstrates that extraction can be carried out within this area and the site restored to agriculture without resulting in detriment to any of the neighbouring sensitive receptors including the nearby primary school. There has been no objection received to the proposed development into the former buffer zone area on grounds of unacceptable

detriment to residential amenity or human health from either the OCC Public Health team or the Environmental Health Officer.

- 231 The development will continue to employ approximately 20 staff on site; employee a further 10 staff members through new activities; support staff through the wider business and externally; and support the local economy through the provision of products to the local construction market.
- 232 There has been no objection from the Environmental Health Officer in relation to noise or pollution, and it is considered that conditions can be used to ensure that noise limits, air quality, dust management and light pollution continue to be controlled and complied with, therefore protecting nearby noise-sensitive receptors. Conditions would also continue to be used to restrict hours of working.
- 233 The Applicant currently utilises and proposes to continue utilising external lighting around the offices during all hours of darkness. The plant and site offices are already located within Phase 4 at a lower ground level than other parts of the site and at a distance from the nearest sensitive receptor thereby minimising any detriment that might be afforded to residential amenity from light pollution in the evenings. A condition should be added to maintain the specifications and timing of external lighting at its current levels as this has the potential to be a nuisance. Subject to the addition of this condition, it is considered that the limited external lighting currently utilised and necessary for the development would continue to be acceptable.
- 234 Overall, it is considered that the proposals would not give rise to an unacceptable impact on amenity. There has been no objection from the Environmental Health or the Public Health teams. Appropriate conditions could be used to ensure appropriate mitigation measures are applied.
- 235 Subject to conditions, the proposal is considered to be in accordance with OMWCS policy C5, CDCLP 2011-2031 policy PSD 1 and CDCLPPS Dec 2024 policy CSD 17.

### **Historic Environment**

- 236 NPPF paragraph 202 states that historic assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 214 states that where a development would lead to substantial harm to a designated heritage asset, consent should be refused. Paragraph 215 states that where the harm would be less than substantial, the harm should be weighed against the public benefits of the proposal.

- 237 OMWCS policy C9 states that proposals for minerals and waste development will not be permitted unless it is demonstrated that they would not have an unacceptable adverse impact on the historic environment. Proposals for mineral working shall wherever possible demonstrate how the development will make an appropriate contribution to the conservation and enhancement of the historic environment.
- 238 CDCLP policy ESD 15 states that development should be sensitively designed and should not cause harm to the historic environment. Development must conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG.
- 239 CDCLPPS Dec 2024 policy COM 26 states that all development proposals should conserve and/or enhance the special character, appearance and distinctiveness of Cherwell District's historic environment.
- 240 The site is within an area of archaeological interest and potential as outlined in the submitted Heritage Impact Assessment. Archaeological investigations in Area 6 to the south and southwest of the proposal area recorded a range of features, the most significant being an iron age ditch which, based on orientation, will extend directly into Area 6c. Evidence of medieval ridge and furrow also appeared in Area 6 and is likely to continue into area 6c. The geophysical survey and trenched evaluation already undertaken have recorded archaeological features. There has been no objection from the archaeology team, subject to conditions for the approval of a Written Scheme of Investigation and the implementation of a staged programme of archaeological investigation. This will ensure that the archaeological features are properly recorded and analysed. In terms of archaeology, the proposal is considered to be in accordance with relevant heritage policies.
- 241 OMWCS policy C9 states that great weight will be given to the conservation of designated heritage assets: Blenheim Palace World Heritage Site; scheduled monuments; listed buildings; conservation areas; historic battlefields; registered parks and gardens; and non-designated archaeological assets which are demonstrably of equivalent significance to a scheduled monument; and the setting of those assets. Where an application would affect a non-designated heritage asset, the benefits of the proposal will be balanced against the scale of harm to or loss of the heritage asset and its significance.
- 242 A significant number of listed structures and buildings are located within Wroxton village and do not derive any of their significance from their relationship with the proposal site; additionally, they are shielded from the site due to topography, distance and vegetation, and as such are not at any risk. Listed structures identified as being at risk of impact comprise Grade II listed guide post (NHLE 1369616) and Alpha Cottage (NHLE 1046783), also Grade II listed. There will be no physical impact to either structure; any impact would therefore be limited to the setting of the structures.

- 243 The significance of the guide post is predominantly derived from its architectural and historic value as an early and elaborate waymarker as outlined in the Wroxton Conservation Appraisal (CDC 2017, p.35): The stone guidepost on the Banbury Road, dated 1686 (paid for Francis White whose name features in the inscription), is an intriguing reference to the economic importance of transportation and demonstrates the strategic significance of Wroxton on an historically busy thoroughfare. The post provides evidence of the importance of the historic routes along which it lies and is also strongly associated with the village, the commissioner of the post being a former resident. The proposal site contains one of the historic routes marked on the guide post; this was the road to Chipping Norton, via Balscote. The route, formerly a trackway through the open fields of Wroxton and, since at least the 19th century, a public footpath, formerly extended across Area 6c of the proposal site. The route temporarily runs around the edge of the field due to the ongoing mineral extraction within the site. Thus the proposal site has a strong historic association with the guide post and provides a contribution to its overall significance. The legibility of this relationship has reduced over time as the route gradually lost prominence, however the endurance of the route has maintained the historic association. This has been partly diminished as a result of planting along the boundary of the proposal site, which separates the route from the guide post, and more recently significantly impacted through the temporary diversion of the route.
- 244 Extraction within Area 6 has already necessitated a temporary diversion of the former routeway, which has resulted in a temporary impact to the setting of the guide post. Extraction in Area 6c is not anticipated to cause any further impact to the setting of the post in this regard, as the route has already been subject to temporary diversion. However, extraction in Area 6c may also remove any archaeological evidence of the route that would contribute to the significance of the post, though whether this survives to any degree is currently unknown. Despite this the significance of the post is not purely reliant on any material remains that may be present within the proposal site; at this point in time the historical association, made tangible by the extant route marker on the guide post and evidence of historic mapping, is arguably more significant. Thus there is likely to be a less than substantial – minor impact while extraction work takes place (this is already the case due to diversion associated with extraction in area 6), lessening to a negligible impact once the route has been restored to its historic course.
- 245 As a Grade II listed building Alpha Cottage is recognised as being of special interest. The significance of the building is largely derived from its architectural value; as an example of local vernacular architecture of the 18th century, the fabric of the building is illustrative of historic construction methods and materials. The position of the building within the village also demonstrates the spatial development of the settlement from the medieval period onwards. The immediate setting of the building is predominantly confined to its own boundaries. The wider setting is primarily defined by its relation to the historic settlement of Wroxton and its position along Stratford Road, though the proposal site and the countryside beyond also form a small element of this

setting, highlighting the building's historic rural setting and proximity to the agricultural land beyond. The proposal site therefore does not contribute meaningfully to the overall significance of the building, which is predominantly derived from the architectural value of the building and its setting within the village. As such there will be no impact as a result of the proposals.

- 246 The proposal site falls within the setting of Wroxton Abbey, a Grade II\* Registered Park and Garden. The significance of the park is predominantly derived from the form and structure of the landscape park, which is an example of the English Landscape Style and has high historic and aesthetic value; the designed landscape interacts with the natural topography to provide a strong sense of character while structured planting within frames views, highlighting significant (and listed) ornamental structures. Though the proposal site falls within the wider rural setting of the park it does not contribute meaningfully to its significance, which is instead derived from the above elements. As such there will be no impact on Wroxton Abbey as a result of the proposals
- 247 The proposal site is located adjacent to the Wroxton Conservation Area, and thus within its setting. The significance of the Wroxton Conservation Area in essence derived from its consistent architectural form, close relationship with the surrounding topography and prominence of Wroxton Abbey. Views out of the village are also important, including along Stratford Road towards the proposal site, as are the inclusion of fields and areas of open countryside, which contribute to the tranquil rural setting of the village.
- 248 The proposal site is located within the wider setting of the Conservation Area, and as such contributes slightly to its significance by illustrating the rural setting of the village. There is unlikely to be any visual impact as a result of the proposals, due to the extensive screening along the north eastern boundary of the proposal site. Mineral extraction within the proposal site, at a closer proximity to the village than previously consented, does however have the potential to temporarily result in a slight increase in the level of background noise experienced within the Conservation Area, especially from fields on the western edge of Wroxton. The greatest noise impact is likely to occur during the initial development of the site, when bunds are constructed and topsoil is stripped. As a result a temporary impact to the setting of the Conservation Area may occur during initial works. As bunds are established the levels of noise are likely to drop. This is further detailed in the noise assessment submitted with the application. Thus there will potentially be a temporary less than substantial – minor impact on the Conservation Area.
- 249 Balscote Conservation Area is located approximately 700m west of the proposal site. As a village Balscote is relatively self-contained, being arranged around three small valleys; as a result, the village has a more enclosed feel than the surrounding countryside and there are few views out of the village. As such there will be no impact to the Conservation Area or its setting as a result of the proposals, due to intervening distance and topography.

- 250 The impact of the proposals on designated heritage assets is therefore considered likely to be minimal. There will be no impact to Castle Bank enclosure, a Scheduled Monument, and to the majority of listed buildings in Balscote and Wroxton village. Listed structures at potential risk of impact were identified as Alpha Cottage and a guide post, both Grade II listed. There is likely to be no impact to the former, while a maximum temporary impact of less than substantial-minor impact is predicted for the latter. The proposal site falls within the setting of Wroxton Abbey's Grade II\* Registered Park and Garden, however no impact is predicted. There is the potential for a temporary less than substantial – minor impact on the Wroxton Conservation Area as a result of increased noise; there will however be no impact to the Balscote Conservation Area.
- 251 Historic England have raised no objections to the proposals,
- 252 There is also a requirement to take into account section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. It is considered that the proposal would preserve the listed buildings in close proximity including Alpha Cottage and their settings as there would be no direct impacts on the buildings themselves and no change to the setting following the completion of restoration.
- 253 Overall, the development is considered to be in accordance with relevant development plan policies protecting heritage assets and archaeology, including OMWCS policy C9, CDCLP 2011-2031 policy ESD 15 and CDCLPPS Dec 24 policy COM 26.

### **Agriculture and Soils**

- 254 OMWCS policy C6 states that proposals must take into account the presence of best and most versatile agricultural land. Provision should be made for the management of soils to maintain agricultural land quality and soil quality. Significant development leading to the permanent loss of best and most versatile agricultural land will only be permitted where it can be shown that there is a need for the development which cannot reasonably be met using lower grade land and where all options for reinstatement without loss of quality have been considered taking into account other relevant considerations.
- 255 The proposal would restore the site to agriculture and nature conservation use. This is considered to be an appropriate afteruse in this location and it would preserve the existing BMV agricultural land. There has been no objection from Natural England with regards to soil resources. Conditions should be used to ensure that soils are stored appropriately such as to ensure a high-quality agricultural restoration where required within the site. Subject to those conditions, the development is considered to be in accordance with OMWCS policy C6.

## Climate Change

- 256 The planning system has an important role to play in meeting the challenge of climate change. Paragraph 164 of the NPPF makes this explicit, and states that development should be planned for in ways that:
- a. Avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and
  - b. help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 257 OMWCS policy C2 states that minerals and waste proposals, including restoration proposals, should take account of climate change for the lifetime of the development. Applications for development should adopt a low carbon approach and measures should be considered to minimise greenhouse gas emissions and provide flexibility for future adaptation to the impacts of climate change.
- 258 The application addresses climate change mitigation. The Applicant demonstrates that the development has been designed to accommodate greater flexibility for climate change by
- continue to make use of existing low energy plant and machinery where possible;
  - back loading of HGV's will be undertaken where possible to avoid running empty vehicles;
  - the location of the site with close proximity to the market it serves, allows for reduced distances travelled and thereby reduced emissions;
  - recycling of construction wastes to produce secondary aggregates reduces the demand for virgin materials;
  - the use of excavation wastes for infill restoration assists in reducing natural resource use, reduces greenhouse gas emissions and therefore reduces climate change effects;
  - improved restoration scheme for the site will provide additional green infrastructure and greater biodiversity, which will assist in providing a site that is adaptable to climate change effects; and
  - the surface water management of the restored site is designed to accommodate a 1 in 100-year flood event plus 40% allowance for climate change.
- 259 Measures across the business also assist in reducing climate change effects, such as using start-stop technology in vehicles, automatic engine shut-off after pre-determined idle time, replacing plant and equipment with more efficient models, and encouraging staff to use sustainable modes of travel.

- 260 Overall, the development is considered to be in accordance with policies related to climate change and natural resources, including OMWCS policies C1 and C2.

### **Sustainable Development**

- 261 OMWCS policy C1 reflects the presumption in favour of sustainable development contained in the NPPF. It states that applications in accordance with policies in the plan will be approved unless material considerations indicate otherwise. This application is supported by development plan policies and no objections to the proposal have been raised by any technical consultees.

### **Financial Implications**

- 262 Not applicable as the financial interests of the County Council are not relevant to the determination of the planning application.

### **Legal Implications**

- 263 Legal comments and advice have been incorporated into the report.

### **Equality & Inclusion Implications**

- 264 In accordance with Section 149 of the Equality Act 2010, in considering this proposal, due regard has been had to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
264. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Conclusions**

- 265 The planning application seeks permission for the extraction of mineral, importation of inert material for restoration, a revised restoration scheme, an aggregate recycling facility and other ancillary development at the existing Wroxton Fields Quarry.

- 266 The development is located wholly within the existing boundaries of Wroxton Fields Quarry, which benefits from planning permission for mineral extraction, mineral processing and restoration to agriculture. The proposal is therefore aligned with and complementary to the existing approved development.
- 267 The development has been and the Applicant confirms will continue to be worked in accordance with existing planning controls, including mitigation measures, which ensure the potential for amenity and environmental effects are suitably managed and minimised.
- 268 It is considered that the proposed development meets the sustainable development objectives of the NPPF through ensuring there is an adequate and steady supply of mineral to support economic growth; providing a valuable resource to local construction projects; producing recycled aggregate; enabling inert materials to be put to a useful purpose; providing and protecting jobs; improving and creating open spaces that support the health and well-being of the local community; protecting and enhancing the natural environment; and providing high quality restoration with long-term biodiversity benefits. As such the NPPFs presumption in favour of sustainable development applies.
- 269 As demonstrated above, the proposed development complies with the individual policies within the Development Plan, as well as the Development Plan when read as a whole. It will contribute to the three dimensions of sustainable development, in providing social, economic and environmental benefits and therefore is afforded support from the NPPF.

## **RECOMMENDATION**

**It is RECOMMENDED that subject to a S.106 legal agreement to cover the matters in Annex 2, planning permission for MW.0063/24 be approved subject to conditions to be determined by the Planning Development Manager, to include those set out in Annex 1.**

**David Periam  
Planning Development Manager**

Annexes:

- Annex 1: Conditions
- Annex 2: Section 106 Heads of Terms
- Annex 3: Consultation Responses
- Annex 4: Representations
- Annex 5: Environmental Impact Assessment
- Annex 6: European Protected Species

## **Annex 1 – Conditions**

1. Complete accordance with plans and particulars.
2. Working restricted to the areas marked red on the approved plans
3. No more than an average of 350,000 tonnes per annum of mineral exported from the site in any given three year period.
4. No vehicle on the highway unless its wheels and chassis have been cleaned
5. The wheelwash maintained for the duration of the development
6. No mud or debris deposited on the highway
7. Temporary screening bunds in accordance with approved details for height, width and side slopes. Soil screening bunds in situ for more than 6 months to be grassed and subject to weed control.
8. No loaded lorries shall leave the site unsheeted.
9. No material shall be burnt on site.
10. No blasting shall be carried out on site.
11. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, no additional buildings, plant, machinery, or structure (whether a fixed or portable design) shall be erected or placed on site
12. No operations authorised outside approved hours (07.00 am-06.00 pm Monday to Friday, 07.00 am – 01.00 pm on Saturdays with no working on Sundays or Bank/Public holidays or on Saturdays immediately following bank holiday Fridays).
13. Notwithstanding condition 13 no operations for the formation and subsequent removal of material from the bunds and soil storage areas shall be carried out at the site except between 08.00 am and 06.00 pm Monday to Friday and 08.00 am and 01.00 pm on Saturdays with no such operations on Sundays or Bank/Public holidays or on Saturdays immediately following bank holiday Fridays.
14. All vehicles, plant and machinery shall be maintained and fitted with effective silencers.
15. No audible equipment warning of reversing vehicles shall be used on mobile plant.
16. No work shall commence in a part of the site until permitted levels of dust at set locations adjacent to working phases have been approved in writing by the Mineral Planning Authority. If exceeded working shall stop until measures for limiting dust pollution have been agreed
17. No unauthorised floodlights or tannoy system shall be used on site.
18. Fuel tanks shall be sited on concrete base with bund walls to retain spillages with removal of any water from the bunded area.
19. Soils and overburden to be stripped but not required for bunds shall be removed to the restoration area for immediate respreading.
20. Development shall cease no later than 31 December 2042 and land restored within one year of that date.
21. Should work cease earlier than the end date a revised scheme of aftercare and restoration for the areas worked but not restored shall be submitted
22. All fixed plant and machinery shall be removed from any phase and the phase restored in accordance with approved restoration scheme.
23. No pumping of water.
24. No topsoil, subsoil, or overburden shall be exported from the site.

25. No soil shall be stripped, handled or replaced except when soil is in a dry and friable condition and the weather conditions are dry.
26. All access roads approved shall be less than 5.5m wide and they shall be metalled for at least 20m from the public highway.
27. No vehicular accesses to the public highway, other than those approved under conditions of this permission, shall be formed or used.
28. No work shall take place within 10 metres of the public highway or other boundary of the site.
29. No restoration of the boundaries with slopes steeper than 1 metre vertical to 8 metres horizontal.
30. No extraction or other operations within 1.5 times the spread of any tree at the boundary of the site.
31. No regrading or stockpiling of soils, minerals, mineral waste or inert restoration material shall take place within 5 metres of any tree or hedgerow on the boundary of the site.
32. 14 days notice of commencement of soil stripping and access afforded to archaeologist to observe excavations and record items of interest and finds.
33. Restoration shall include removal of all haul roads, foundations, hardstanding, buildings, plant, structures and fences excluding protective fencing for planted areas.
34. Soils stripped or respread using a tractor and box scraper shall be ripped following respreading.
35. Stones and other objects greater than 150 mm in any dimension shall be removed from subsoil following respreading.
36. No restored land shall have slopes shallower than 1 vertical to 100 horizontal.
37. Land shall not be restored to levels below surrounding land levels such that surface and subsurface drainage is impeded and no drainage outfall is available.
38. The depth of respread soil on land to be restored shall not be less than 1.2 metres.
39. When the soil is respread it shall not be in layers thicker than 250 mm. Each respread layer shall be ripped to a depth of at least 150 mm and shall be stone picked.
40. Stones and other objects greater than 100 mm in any dimension shall be removed from topsoil following respreading.
41. No development shall take place within 10 metres of any watercourse and that margin shall remain completely unobstructed.
42. There shall be no direct connection between the pits and any watercourse.
43. Surface water drainage of any restored phases shall be in accordance with a scheme to be approved by the Mineral Planning Authority before extraction begins in that phase.
44. No pumping from the excavations shall take place whilst the adjoining watercourses are running bank full.
45. No watercourse shall be incorporated into the workings.
46. No working shall take place that will derogate from any domestic and licensed groundwater sources in the area.
47. No working shall take place that will adversely affect flows or levels in any river, stream, ditch, spring, lake or pond in the vicinity.

48. The means of access between the land and the highway shall be constructed, laid out, surfaced and drained in accordance with the approved drawings before first occupation of the development.
49. Visibility splays of 2.4m x 160m in both directions shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.
50. Internal haul roads shall be kept free of mud at all times and shall be wetted in dry weather sufficient to prevent dust being formed by the passage of lorries.
51. All access roads and haul roads within the site shall be kept free of potholes.
52. No extraction shall take place within any phase, to ensure the stability of electricity pylons or poles or underground electricity cables.
53. no development shall take place in any phase of working except in accordance with a defined scheme of dust suppression
54. Progressive working and restoration, in accordance with the approved plans.
55. Finished levels following restoration shall not be other than as shown on the approved plans.
56. Submission of and implementation of 5 year aftercare scheme.
57. Submission of annual aftercare report.
58. Annual Aftercare Site Meeting to be arranged
59. Recovery of inert waste only, no landfill.
60. Development to be carried out in accordance with approved Flood Risk Assessment.
61. Submission, approval and implementation of monitoring and maintenance plan in respect of groundwater and surface water including timetable of monitoring and submission of reports.
62. Submission, approval and implementation of monitoring plan in respect of deposition of waste including a timetable of monitoring and submission of reports for approval which shall include any necessary contingency action.
63. Groundwater monitoring at the perimeter of the site.
64. Badger survey prior to any further development.
65. Submission, approval and implementation of a Construction Environmental Management Plan (CEMP).
66. Submission, approval and implementation of Habitat Monitoring and Management Plan to deliver at least 10% BNG for a period of 30 years.
67. Submission, approval and implementation of a Landscape Monitoring Plan.
68. Written scheme of archaeological investigation.
69. Staged programme of archaeological investigation.
70. Maximum noise limits at closest dwellings for both normal and temporary operations, as specified in the submitted noise assessment.
71. Noise management plan, including details of monitoring, submission of noise monitoring data for inspection, mitigation measures and details of weather conditions during which specified noisy activities would stop.
72. Submission, approval and implementation of a detailed dust management/air quality plan covering operational and non-operational hours and incorporating proposed monitoring, mitigation and details of weather conditions that would cause working to stop.
73. Management of soils during the aftercare period.
74. A liaison meeting shall continue to be run by the operator, as previously approved and implemented.

### **Compliance with National Planning Policy Framework**

In accordance with paragraph 39 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible. We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, as was the case with this application, and
- updating applicants and agents of issues that have arisen in the processing of their application, for example in this case further information was requested under Regulation 25 and this was provided. Changes were made to the proposed BNG provision and restoration scheme in response to consultation responses. .

## **Annex 2 – Heads of Terms of Legal Agreement**

- The implementation of a 30 years Habitats Management and Monitoring Plan for the off-site Biodiversity Net Gain and any related matters
- A monitoring fee covering the monitoring of both the on-site and off-site Biodiversity Net Gain.

## **Annex 3 – Consultation Responses Summary**

### **Cherwell District Council - Planning**

#### Second Regulation 25 Consultation (September 2022)

1. No response received

#### First Regulation 25 Consultation (June 2025)

2. No response received

#### Initial Consultation (May 2024)

3. Object.
4. Harm to landscape and visual impact on the countryside.
5. Increased dust and noise and the ensuing impact on the residential amenities in the localities, also on the primary school
6. The impact, especially long-term, of tremors and excavations on buildings near the site and along the transport routes, particularly in relation to listed buildings.
7. The significant increase in HGV traffic to/from the site through the village and surrounding roads unsuitable for such use.
8. The cumulative impact on overall amenity, visual and residential, in the locality.
9. Impact on landscape from the intrusion into the buffer zone by the new 'temporary' car park and associated structures; and
10. Impact on wildlife and ecology (we note the lack of sufficient information provided).

### **Cherwell District Council – Environmental Health Officer**

#### Second Regulation 25 Consultation (September 2025)

11. There are no objections to the application.

#### First Regulation 25 Consultation (June 2025)

12. Having reviewed the relevant reports there are no objections to the proposals in respect of noise, dust and land contamination.

#### Initial Consultation (May 2024)

13. Having reviewed the relevant reports there are no objections to the proposals in respect of noise, dust and land contamination.

### **Cherwell District Council – Ecology Officer**

#### Second Regulation 25 Consultation (September 2025)

14. Significant concerns raised:

- a) The Statutory biodiversity metric has been completed but does not detail reptile surveys which should be completed
- b) The Ecology (BNG and Habitats Condition Targets) Addendum V4 includes condition assessments for the proposed habitats most of which are expected to reach moderate to good condition. This must be detailed in the Habitat Management and Monitoring Plan.
- c) Given the presence of off-site habitat creation/enhancements, and significant on-site habitat creation/enhancements, both the HMMP and associated monitoring fees must be secured through a legal agreement. The applicant will not be able to use or sell any off-site biodiversity units without this agreement, as registration on the biodiversity gains register is required.
- d) An Ecological Management Plan for Biodiversity should be conditioned, which details ecological risks, precautionary measures to avoid harming species and habitats (i.e. walkover surveys, protection measures, timing of works etc.) roles and responsibilities and ongoing monitoring and remedial measures.

First Regulation 25 Consultation (June 2025)

- 15. No response received.

Initial Consultation (May 2024)

- 16. No response received.

**Wroxton and Balscote Parish Council**

Second Regulation 25 Consultation (September 2025)

- 17. No response received.

First Regulation 25 Consultation (June 2025)

- 18. No response received.

Initial Consultation (May 2024)

- 19. Wroxton & Balscote Parish Council opposes this application on the grounds that it does not comply with the terms of Policy OSP G2 OMWLP PE1:
- 20. '(4) (a) No mineral working or activity associated with mineral working shall take place within 350 metres of any dwelling in any phase, as approved under condition 61, that affects Balscote or Wroxton, except in accordance with a scheme to be approved by the Mineral Planning Authority that proves that no adverse environmental effects with respect to noise and dust will be experienced by people living in these dwellings. The Mineral Planning Authority will expect the scheme to be supported by an environmental assessment using facts and figures collected both on site and in the villages over a suitable period of time.
- 21. (b) In any event no working shall take place within 200 metres of any dwelling in Balscote or Wroxton'.

22. Reason: To prevent working taking place close to villages or residential properties to the detriment of the amenity of residents or the countryside and to ensure that the operators are aware of the need to establish that the residents will not suffer from environmental problems if quarrying within the 350 and 200 metres zone is to be allowed (OMWCS C5)
23. The 2 nearest properties to the proposed expansion, Cuckoo Piece Barn (145 metres) and Alpha Cottage (150 metres) are both well within the 200 metres zone as confirmed in a report carried out for Earthline in December 2023 by DustScan AQ. Furthermore, at the quoted distance of 220 metres, Wroxton Primary School is situated only marginally outside of the 200 metres zone. The distances quoted in this report do not state whether these are to/from the relevant buildings or to/from the nearest point of the plots on which they stand.
24. In the case of the school this is of particular importance with pupils spending a lot of time in the school playground where they will be exposed to a potential increase in air pollution and noise, with its risk of negative effect on their health and wellbeing. We would point out that being situated to the east of the quarry the school is in direct line of the prevailing wind.
25. In this respect we note that the OCC strategy plan 2022-25 stated amongst its priorities: "...3. Prioritise the health and wellbeing of residents....7. Create opportunities for children and young people to reach their full potential..."
26. We are also concerned that this proposed expansion will inevitably lead to an increase in lorry movements through Wroxton and Drayton.
27. In conclusion we oppose any quarry expansion within the 350 metre zone.

### **County Councillor – Cllr Brant**

- 31 I write to formally object to planning application MW.0063/24 in my capacity as County Councillor for Cropredy & Hook Norton Division. I do so in strong reflection of the concerns raised by residents of Wroxton and Balscote, and by Wroxton & Balscote Parish Council, all of whom are increasingly alarmed by both the precedent set by this application and the direct impact it would have on public health, environmental safety, and quality of life.

#### **1) Breach of Existing Planning Conditions and Buffer Policies**

This application must be understood in the context of prior permissions and existing County policies. Two specific clauses apply from the Oxfordshire Minerals and Waste Local Plan (OMWLP PE18):

- (a) No mineral working or activity associated with mineral working shall take place within 350 metres of any dwelling in any phases, as approved under condition 61, that affects Balscote or Wroxton, except in accordance with a scheme to be approved by the Mineral Planning Authority that proves that no adverse environmental effects with respect to noise and dust will be experienced by people living in these

dwellings. The Mineral Planning Authority will expect the scheme to be supported by an environmental assessment using facts and figures collected both on site and in the villages over a suitable period of time.

- (b) In any event no working shall take place within 200 metres of any dwelling in Balscote or Wroxton.

In 2019, residents, including those of Alpha Cottage, chose not to oppose Earthline's previous application (MW.0020/19), which sought to quarry within 300 metres of their property. That decision was based on assurances provided through environmental reports and the belief that protective standoff conditions would be respected.

However, Earthline has since breached that permission, working to within 250 metres of Alpha Cottage (confirmed via Google Earth). Residents now regularly experience noise, dust, and traffic disruption, including from lorries passing along the A422 and through Wroxton. These lived impacts stand in direct contradiction to the earlier reports commissioned by the applicant, which claimed quarrying would be "innocuous."

This new application proposes working as close as 100-107 metres to Alpha Cottage, which would directly breach clause (b) and further erode clause (a), placing residents in unacceptable proximity to quarrying activity and violating established OCC policies designed to safeguard their wellbeing.

## 2 Misleading and Inaccurate Technical Evidence

Multiple technical reports submitted with this application undermine rather than support its case:

The DustScan report inaccurately states Alpha Cottage is 150m from the new workings, and that Cuckoo Cottage is closer - yet maps show the reverse. It also references irrelevant data from Little Rissington (32km away) to claim prevailing winds are from the southwest, while local knowledge and lived experience clearly demonstrate that the prevailing wind in the Cherwell Valley is from the northeast - blowing dust toward Wroxton.

The report ignores current dust issues already experienced by residents, such as dust-covered cars and ineffective road sweeping. It also admits its results are an "educated guess" (p24), seriously undermining its value as evidence.

The WBM Acoustics report fails to include Alpha Cottage in its analysis, instead choosing monitoring locations significantly farther away (e.g. Lampitt's Green at ~300m, Wroxton Primary School at ~440m). Based on the Inverse Square Law, residents of Alpha Cottage can expect noise levels of 56-60 dB, exceeding both WHO (50-55 dB) and MPG2 (55 dB) recommended thresholds.

The same report concedes that it has not conducted a detailed vibration assessment, despite acknowledging that road vibrations are perceptible 25m from the carriageway. Many listed cottages in Wroxton, including Alpha Cottage, are within 15-20m of the A422, and were built without foundations.

The LVIA report (David Jarvis Associates), over 120 pages long, fails to even mention Alpha Cottage-a Grade II listed building directly impacted by the proposal. This omission is glaring and suggests either a lack of thoroughness or a deliberate downplaying of the building's heritage significance and proximity.

Together, these discrepancies across multiple technical disciplines demonstrate that the application fails to meet the standard required under clause (a), and should not be permitted to proceed under clause (b).

### 3 Cumulative HGV Impact on Local Roads

The quarry's existing operations already generate a vast amount of HGV traffic, with residents frequently reporting:

Dangerous overtaking on the A422

Excessive vehicle speeds through 20mph zones in Wroxton

Verge damage, erosion, and debris along village routes

Vibrations and structural concern for historic, foundation-less homes

These problems are now compounded by ongoing and upcoming housing developments in the area, which also rely heavily on HGV access. This cumulative traffic impact has not been adequately assessed by the applicant and raises significant public safety concerns.

### 4 Health & Environmental Risks - Especially to Children

This proposal brings the quarry boundary unacceptably close to Wroxton Primary School, reducing the stand-off from 350m to 200m or less in some areas.

As stated by Wroxton & Bascote Parish Council, the health of children's developing lungs is especially vulnerable to fine particulate matter (PM10, PM2.5). The Royal College of Physicians briefing to Parliament (June 2025) provides compelling evidence that long-term exposure to air pollution damages children's respiratory and cognitive development:

[https://www.rcp.ac.uk/media/vodatygq/air-quality-report-briefing-for-mps\\_final.pdf](https://www.rcp.ac.uk/media/vodatygq/air-quality-report-briefing-for-mps_final.pdf)

Despite this, Public Health responses to this application have been superficial and wholly inadequate, ignoring existing and documented resident experience with dust and traffic pollution.

### 5 Conclusion and Recommendation

Residents of Wroxton and Bascote are not seeking a total end to quarrying in the area. They acknowledge the longstanding presence of quarrying in the local economy. However, this application crosses a clear line-one drawn both in Oxfordshire County Council policy and common sense planning principles. The applicant has already breached prior agreements, and the new proposal violates established standoff distances, lacks credible technical evidence, and poses a direct risk to health, property, safety, and quality of life.

Therefore, I urge Oxfordshire County Council to refuse application MW.0063/24 outright, in line with policies PE18(a) and (b), and in defence of your own previous conditions.

Should the Council nevertheless consider approval, I request that no permission be granted unless:

A legally binding 200m standoff is enforced with no exceptions  
Independent, locally gathered environmental assessments are required  
Comprehensive, enforceable traffic and dust control measures are implemented  
Alpha Cottage and other affected properties are explicitly addressed in all technical assessments

A full vibration impact survey is conducted, and the results made public  
The current application does not meet these standards, and it is my firm belief that it must be refused.

## **Environment Agency**

### Second Reg 25 consultation (September 2025)

- 33 No further comments received

### First Reg 25 consultation (Feb 2025)

- 34 The proposed development presents a risk to groundwater which is particularly sensitive in this location because the proposed development site is in the proximity of Wroxton and Balscote Mills Local wildlife site and Padston Springs.
- 35 The Wroxton Fields Quarry Hydrological and Hydrogeological Environmental Impact submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.
- 36 Considering the above, the proposed development will be acceptable if a planning condition is included requiring submission and subsequent agreement of further details as set out below. Without this condition we would object to the proposal in line with paragraph 109 of the National Planning Policy Framework because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

### **Condition**

The development hereby permitted may not commence until a monitoring and maintenance plan in respect of groundwater (both resources and quality) and surface water, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reasons To ensure that the site does not pose any further risk to the water environment by managing any groundwater issues and completing all necessary long-term mitigation measures. This is in line with paragraph 109 of the National Planning Policy Framework.

## **Natural England**

### Second Reg 25 Consultation (September 2025)

- 37 The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
- 38 Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

### First Reg 25 Consultation (Feb 2025)

- 39 NO OBJECTION
- 40 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.
- 41 A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

### Initial Consultation (May 2024)

- 42 NO OBJECTION
- 43 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
- 44 A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

## **Historic England**

### Second Regulation 25 Consultation (September 2025)

- 45 No objection

First Regulation 25 Consultation (June 2025)

46 No objection

Initial Consultation (May 2024)

47 No Objection

**CPRE**

Second Regulation 25 Consultation (September 2025)

48 No further comments received.

First Regulation 25 Consultation (June 2025)

49 Concerns raised re harmful impacts.

50 Despite planning controls, quarrying can still have a devastating impact on the countryside. Noise, dust and heavy lorry traffic are characteristic during mining operations and too often landscapes are left scarred by extraction. Even when restoration is undertaken, it is seldom – if ever – able to recreate the character of the countryside which was built over centuries.

51 The Dust Assessment accompanying the application outlines the different sources of dust that would be increased if this proposal were to go ahead, disamenity dust and particulate matter from the operations as well as Nitrogen dioxide emissions from the HGVs, increasing air pollution in the area and as the assessment itself outlines, blowing the dust beyond the site. We do note, with unease, the proximity to the residential area and the local primary school.

52 The following pictures taken on Hennef Way, in nearby Banbury on 6th June 2025, encapsulate how quarrying activities can in fact pollute the air in all of these ways simultaneously along with the impact on the biodiversity of the road verges over time.

53 In addition to the harm to the landscape and visual impact on the countryside this proposal would bring, we are further concerned about the long-term impact, of tremors and excavations from proposed operations and HGV traffic on the nearby residential areas, noting the proximity of the Wroxton conservation area and listed buildings. Quarrying activities cause both ground and air-borne vibrations which can affect the structural integrity of buildings, causing significant and irrevocable harm to the significance of nearby heritage assets.

54 The Transport Statement appears to suggest that there is reduced activity from Hornton and Alkerton, but in the event that this proposal is approved, it would be necessary to remove their permissions to ensure that this activity could not increase without further consideration. We also note that the latest transport assessment that is referred to was carried out in 2021 and does not appear to consider the Covid-19 restrictions in place at that time and the impact that may have had on the results.

## **Ministry of Defence (MOD)**

### Second Regulation 25 Consultation (September 2025)

55 No further comments received.

### First Regulation 25 Consultation (June 2025)

56 No objection. The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System. I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed.

### Initial Consultation (May 2024)

57 No comments received.

## **OCC Transport Development Management**

### Second Regulation 25 Consultation (September 2025)

58 No further comments received.

### First Reg 25 Consultation (June 2025)

#### Traffic Generation

59 The applicant has provided a breakdown of the existing and proposed traffic generation of the site in a tabular format. Currently the site is expected to generate 56 HGV movements (two-way) per day. The worst-case scenario of the proposed development, where no backhauling would take place, would be expected to generate 150 HGV movements (two-way) per day. This would be an increase of 94 HGV movements (two-way) per day. Assuming that vehicle movements are spread reasonably evenly across the (11 hour permitted) working day, as is quite typical with this type of development, there would be an increase of 9 HGV movements (two-way) per hour. However, there is likely to be backhauling where possible, and so the applicant has assumed a more realistic scenario where 50% of infill material is from backfilling. In this scenario, the proposed development would generate approximately 112 HGV movements (two-way) per day, which would be an increase of 56 HGV movements (two-way) per day when compared to the existing traffic generation. This would result in an average of 5 additional HGV movements (two-way) per hour. The LHA is

satisfied that the additional traffic generated by the proposed development can be accommodated on the local highway network. It is also noted that the site is limited to how much traffic it can generate by Condition 6 of planning permission no. MW.0020/19.

#### Temporary Staff Car Park

- 60 The applicant is seeking to regularise the use of a field access onto the North Newington Road to serve a small temporary staff car park. The initial comments from the LHA stated that the access would need to be constructed to appropriate standards under a S278 Agreement with OCC. As part of this process a Stage 1 Road Safety Audit (RSA) of the proposed access would need to be undertaken. Following further discussions between the applicant and the LHA it may be possible that the access improvement works can be secured via a S184 Small Works Agreement, as opposed to the more onerous S278 process. However, the LHA would need to see a more detailed plan of proposed works, including construction types to fully assess whether a S184 or S278 is appropriate. It is also noted that a S184 does not allow for the dedication of visibility splays where they fall outside of the existing highway. There is clearly a roadside ditch in this location which is likely to place the highway boundary at the roadside edge of the ditch and therefore place the visibility splays outside of existing highway. The only way to dedicate land as highway is under Section 38, which would be included in the S278 agreement. Notwithstanding, the LHA is satisfied that this can be resolved as part of the detailed design works, following any grant of planning consent. The applicant was requested to undertake a 7 day ATC speed survey to establish actual vehicle speeds in the vicinity of the site access, and demonstrate that adequate visibility splays can be achieved in accordance with the maximum recorded daily 85th percentile vehicle speeds. However, rather than undertaking the requested survey, the applicant has opted to show that visibility splays of 2.4m x 160m can be achieved, which they consider to be in accordance with current guidance contained within the Design Manual for Roads and Bridges (DMRB). Whilst the desirable minimum visibility splays required for a 60mph speed limit in DMRB is 2.4m x 215m, it is acknowledged that 160m is sufficient for a vehicle (light or heavy) to stop safely from 60mph. It is accepted that the requirements of DMRB focus on trunk roads and, along with safety, the need for vehicles to maintain a continuous speed on the trunk road network due to its strategic nature and the high volumes of traffic using it. Given that North Newington Road is not a trunk road, and is not comparable in terms of its traffic volumes and geometric characteristics it is accepted in this instance that visibility splays of 2.4m x 160m are satisfactory.

#### Conclusion

- 61 Mindful of the above, I have no objection to the proposed development subject to the following conditions and informative being included on any planning consent granted.

#### Conditions:

1- The means of access between the land and the highway shall be constructed, laid out, surfaced and drained in accordance with the approved drawings before first occupation of the development hereby approved.

Reason: To ensure a safe and adequate access.

2. Visibility splays of 2.4m x 160m in both directions shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

Reason: In the interests of road safety.

Informative

1. Prior to the commencement of a development, a separate agreement(s) must be obtained from Oxfordshire County Council's (OCC) Highway Agreements Team for the proposed highway works (vehicular access) under S278 of the Highways Act 1980.

#### Initial Consultation

- 62 The site benefits from planning permission no. MW.0020/19 for mineral extraction and restoration, which was granted on 21st November 2019. This consent covers not only Wroxton Quarry, but also Alkerton Quarry and Hornton Quarry. Condition 6 of the planning consent limits the number of HGV movements the quarries can generate by restricting the quantity of material which can be exported to no more than an average of 350,000 tonnes per annum from the sites over any 3 year period.
- 63 The quarry comprises of the main site, which is located on the eastern side of an unnamed road, and 'Phase 2b' which is on the western side of the road. The main quarry access is located approximately 58m south of the A422 Stratford Road. The Transport Statement (TS) submitted with the application states that Phase 2b is served by a secondary access which is approximately 24m south of the main site access. However, it is not clear where this access is located from the drawings submitted. The applicant should update the plans provided to clearly identify where the location of the access to Phase 2b is, and also provide a separate detailed site access drawing so that the Local Highway Authority (LHA) can determine whether the access is safe and suitable to serve the proposed development.
- 64 The Planning Statement anticipates that Phase 2b will yield circa 340,000 tonnes of mineral, which is proposed to be excavated and transported in dump trucks to the processing plant on the main quarry site. Following extraction, Phase 2b will be restored using circa 170,000m<sup>3</sup> of imported inert materials, alongside site derived materials. It is proposed that circa 755,000m<sup>3</sup> of inert infill material will be required to restore Phases 5 and 6 in the main quarry site.
- 65 The TS states that the existing output from the site is approximately 120,000 - 150,000 tonnes per annum. All mineral is transported in HGVs via the existing

main site access and the A422 Stratford Road. Based on the higher 150,000 tonnes output, the 5.5 day permitted working week (07:00 – 18:00 Monday to Friday and 07:00 – 13:00 on Saturday), which equates to 275 working days per annum and the average 20 tonne payload per vehicle, the existing activity would generate in the region of 56 HGV movements (two-way) per day.

- 66 The proposed development seeks to continue the extraction of mineral from Wroxtton Quarry at the current rate of 120,000 – 150,000 tonnes per annum. The applicant has calculated that the additional activity proposed would result in an increase of up to 48 movements (two-way) per day for a period of up to 3 years. However, it is not clear from the TS how the additional vehicle movements have been derived, when comparing it to the quantities of material being imported and exported set out in the Planning Statement, and noted above. In order to fully assess the proposed development, the LHA needs to understand the amount of additional HGV movements the proposals will generate and how this has been calculated. It may be best to present this in a table form, as the LHA will also need to understand the amount of HGV movements each element will generate, e.g. the importation of 170,000m<sup>3</sup> of inert materials to infill Phase 2b. Once the proposed traffic generation is clear, the applicant can compare this with the existing activities on site and the extant planning consent to ascertain the net change in HGV movements as a result of the proposed development. I would suggest that the applicant clearly sets out the traffic generation of the site in three sections within the TS; existing, proposed, and net change in traffic generation.
- 67 In addition, the planning application seeks to regularise the use of a field access onto the North Newington Road to serve a small temporary staff car park. Having undertaken a recent site visit, this access remains unmade despite already being used to access the car park. If the applicant wishes to seek continued use of this access, the access will need to be constructed to appropriate standards under a S278 Agreement with OCC. As part of this process a Stage 1 Road Safety Audit (RSA) of the proposed access would need to be undertaken.
- 68 North Newington Road is subject to the national speed limit of 60mph, and therefore visibility splays of 2.4m x 215m are required to be achieved in both directions from the proposed access in accordance with current DMRB standards. Currently visibility is restricted by vegetation, and it is unclear what level of visibility could be achieved from the site access. The applicant will need to undertake a 7 day ATC speed survey to establish actual vehicle speeds in the vicinity of the site access, and demonstrate that adequate visibility splays can be achieved in accordance with the maximum recorded daily 85th percentile vehicle speeds.
- 69 Mindful of the above, the applicant is required to provide additional information to address the concerns raised. Once I am in receipt of this information, I will be able to provide further comments on the proposal.

## **OCC Rights of Way**

70 The commitment to continuing provision and maintenance of the temporarily diverted public rights of way is noted. Applicant needs to ensure continual monitoring of dust, fencing, surfaces and vegetation growth along PRow and ensure this is regularly managed/repared to ensure paths are easy and pleasant to use over the life of the scheme.

71 Path restoration proposals should bring forward high surface, landscape and amenity-quality routes that are wide and pleasant to use. These should be reinstated as soon as possible after working and restoration

## **OCC LLFA.**

### Second Regulation 25 Consultation (September 2025)

72 No objection

### First Regulation 25 Consultation (June 2025)

73 Provide drainage strategy drawing clearly illustrating the proposals and how the surface water will be picked up by SuDS features. Provide discharge rates on the drainage strategy plan

74 Provide drainage drawings and calculations for the restoration phase.

75 Provide surface water flood exceedance plan.

76 Provide surface water catchment plan showing the extent of the areas and where it will be draining. State the areas on the plan.

77 Calculations needs to be provided for proposed drainage network systems for all storm events up to and including the 1:100 year storm event plus 40% climate change.

## **OCC Archaeology**

78 No objection, subject to conditions:

1) Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Mineral Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Mineral and Waste Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

- 2) Following the approval of the Written Scheme of Investigation referred to in condition 1, a programme of archaeological evaluation and mitigation shall be completed by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of archaeological evaluation and mitigation shall include all processing, research and analysis necessary to produce an accessible and useable archive. No

mineral extraction shall commence until the programme of archaeological evaluation and mitigation has been carried out in full and the details of it including the date of completion submitted to and approved in writing by the Mineral Planning Authority. A Post-Excavation Analysis (which secures the final publication archive and includes detail of the final publication report) shall be submitted to the Mineral Planning Authority within two years of completion of the programme of archaeological evaluation and mitigation.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024)

## **OCC Ecology/Biodiversity**

### Second Regulation 25 Consultation – (September 2025) No objection

- 79 No objection.
- 80 Details of a Habitat Management and Monitoring Plan (HMMP) should be secured through an appropriately worded planning obligation. The HMMP should secure both the BNG units identified to be associated with application MW.0063/24 and units identified as 'banked' through a 30 year period of management and include monitoring and reporting arrangements to demonstrate target habitat type and conditions are achieved, and to identify any remedial actions needed to achieve this.
- 81 It is recommended that a pre-commencement survey for badgers should be carried out including production of a survey report, this can be secured through an appropriately worded condition.
- 82 Details of a CEMP (construction environmental management plan) should be secured through an appropriately worded planning obligation. The CEMP should include lighting, noise, hydrological and air pollution mitigation details and ecological method statement with consideration of impacts to protected species, designated sites and priority habitats highlighted as potential receptors for impacts of the proposed development as outlined in the ecological appraisal.

### First Regulation 25 Consultation (June 2025)

- 83 Additional information required
- 84 It is noted that the submitted metrics have different baseline values. An explanation is therefore requested to explain why this is the case. Alternatively, the applicant may wish to amend the metrics so the baselines match.
- 85 It is requested that the habitats included in the 'partial restoration' are of the same type as those included in the full restoration. The habitats identified as required to meet the minimum 10% BNG and satisfy the trading rules included within the 'partial restoration' should be included as a sub set/fraction of the full set of habitats included in the full site restoration plan.

- 86 Multiple different figures have been included within the submitted BNG report with the same names. It is requested further detail is included to help distinguish what is displayed in each figure.
- 87 The symbology within the submitted figures is the same for species rich native hedgerow and species rich native hedgerow with trees. It is requested that different symbology is used for each of these habitats to help ensure effective habitat management and monitoring.
- 88 The habitat condition criteria of the proposed species rich native hedgerow with trees and the retained habitats are requested.
- 89 It is noted that lowland mixed deciduous woodland is proposed to be created. Page 16 of the BNG metric user guide (The Statutory Biodiversity Metric) states that if a woodland is being created and it is not replacing the loss of a high distinctiveness woodland, you should input it into the biodiversity metric tool as either:
- 90 • woodland and forest – other woodland, broadleaved
  - 91 • woodland and forest – other woodland, mixed
  - 92 • woodland and forest – other coniferous woodland
- 93 It is therefore requested that this is amended as appropriate.
- 94 Details of a Habitat Management and Monitoring Plan (HMMP) should be secured through an appropriately worded planning obligation. The HMMP should secure both the BNG units identified to be associated with application MW.0063/24 and units identified as 'banked' through a 30 year period of management and include monitoring and reporting arrangements to demonstrate target habitat type and conditions are achieved, and to identify any remedial actions needed to achieve this.
- 95 It is recommended that a pre-commencement survey for badgers should be carried out including production of a survey report, this can be secured through an appropriately worded condition.
- 96 Details of a CEMP (construction environmental management plan) should be secured through an appropriately worded planning obligation. The CEMP should include lighting, noise, hydrological and air pollution mitigation details and ecological method statement with consideration of impacts to protected species, designated sites and priority habitats highlighted as potential receptors for impacts of the proposed development as outlined in the ecological appraisal.

- 97 The most up to date metric spreadsheet is required to inform the biodiversity net gain calculation, at the time of writing this is the statutory version.
- 98 The biodiversity net gain (BNG) assessment should include an overall BNG plan followed by updated phased plans following the completion of each working phase of the development. Details of a Habitat Management and Monitoring Plan (HMMP) should be secured through a planning condition. The HMMP should cover a 30 year period of management and include monitoring and reporting arrangements to demonstrate target habitat type and conditions are achieved, and to identify any remedial actions needed to achieve this.
- 99 It is noted that habitat suitable to support reptiles is present on site. Reptile surveys are required to assess the population size present on site to avoid contravention of the Wildlife and Countryside Act 1981 and inform any subsequent additional mitigation measures as necessary.
- 100 It is recommended that a pre-commencement survey for badgers should be carried out including production of a survey report, this can be secured through an appropriately worded condition.
- 101 The specific habitat condition criteria of baseline habitats and proposed habitats to be created and enhanced should be provided.
- 102 It is noted that the minimum of 10% biodiversity net gain (BNG) is not proposed for hedgerows. The applicant should first look to address this through following the BNG hierarchy that first looks for BNG to be delivered on site, then through exploring offsite options should suitable justification for the unfeasibility of onsite options be provided.

## **OCC Landscape Advisor**

### First Regulation 25 Consultation (June 2025)

- 102 Commented that a number of conditions relating to landscape, management and lighting will be required should the development be approved.

### Initial Consultation (May 2024)

- 103 These comments should be read in conjunction with those of the biodiversity officer, public rights of way officer and arboricultural officer.

### Landscape & Visual Impact Assessment (LVIA)

- 104 The LVIA concludes in chapter 9 that the greatest landscape effects would generally be contained to within the site and along its perimeter, and that effects on landscape character of the site would *Moderate Beneficial* overall.
- 105 With regard to visual effects, it finds that proposed development would mostly be screened from view and the majority of the assessed viewpoints would experience no change. Only eight viewpoints along the site boundary will have

visibility of the development, one being the entrance to a residential property and seven by users of PRowS. The LVIA considers that only users of one public right of way (418/13/10; vp 10) will experience a *major adverse* effect during operation but that all viewpoints will experience beneficial effects in the long-term.

106 Whilst I agree that effects are likely to be localised and temporary I believe that some of the landscape and visual effects might have been underestimated.

107 The following information/clarification is requested:

- Visualisations comprise photographs from chosen viewpoints, but they are not annotated and don't indicate the extent of the site as required by LI TGN06/19 making it difficult to judge the accuracy of the assessment. This information should be provided.
- Images comprise summer views when vegetation is in full leaf and therefore screening is most effective. Visibility during winter months tends to be greater and needs to be considered as part 3 of the LVIA. Clarification is sought on whether and to what degree winter impacts have been considered.
- No type 3 visualisations, i.e. wireframe images or photomontages have been submitted to demonstrate the impact of the development in views. This level of imagery should be provided for most selected viewpoints such as vp4 and vp10
- The assessment appears to consider the impact of the development against the current situation, but some of the elements are unauthorised seeking permission retrospectively (eg the car park). It is not clear from the LVIA whether the visual baseline considers the status quo (i.e. with the unauthorised development in place) or whether the pre-development situation has been assumed as should be the case. Clarification sought.
- Some viewpoints might not experience any visual change but are already adversely affected by bunding (e.g. vp5 and vp8). It is not clear whether or to what degree the development will delay the restoration of the site for these affected viewpoints. I note that the Planning Statement states that the site as a whole will be restored by 2042 as previously permitted, but the timescales of restoration of the individual phases and how these compare to the current permission are less clear. Clarification sought.
- I have not been able to find information on the height and appearance of the bunds. Bunds can be distracting features in their own right (as apparent in images of vp5 & 8) and their height, gradient, treatment etc are important. Clarification sought.
- The landscape and visual effect is strongly influenced by the screening provided by the existing vegetation. I note a reference in the LVIA (table 5.1) to compensate for the loss of existing trees with replacement planting, but no arboricultural information has been submitted and it is not clear where tree loss will occur. This information should be provided. It is also important that existing vegetation is adequately protected. I note that the arboricultural officer has made similar comments and I support his requests.

108 The Illustrative Excavation Phasing Plan dwg (ELWROX2402-8 RevB) indicates line sections but I have not been able to find the referenced section drawings ELWROX2403-31A and 31B.

- 109 The Restoration Plan, whilst in keeping with the local landscape character could be improved e.g. by having a more biodiversity-led restoration and by providing larger areas of woodland (rather than woodland belts). Consideration should be given whether the restoration could be improved taking account of the requirements of the biodiversity officer.

## **OCC Tree Officer**

### Second Reg 25 Consultation –(September 2025)

- 110 Please see my previous comments dated 6 June 2025 as they still apply.
- 111 The submitted Arboricultural Impact Assessment and Arboricultural Method Statement have addressed my previous comments.
- 112 If planning permission is to be granted, please attach a condition requiring the implementation of the tree protection measures set out in the Arboricultural Method Statement Date March 2025 and shown on the Tree Protection Plans.
- 113 It is recommended that the Landscape Officer is consulted on the planting for the restoration and a condition to secure the landscaping.

### First Reg 25 Consultation – (June 2025)

- 114 The submitted Arboricultural Impact Assessment and Arboricultural Method Statement have addressed my previous comments.
- 115 If planning permission is to be granted, please attach a condition requiring the implementation of the tree protection measures set out in the Arboricultural Method Statement Date March 2025 and shown on the Tree Protection Plans.
- 116 It is recommended that the Landscape Officer is consulted on the planting for the restoration and a condition to secure the landscaping.

### Initial Consultation – (May 2024)

- 117 The applicant has submitted no arboricultural information with this application and therefore it has not been possible to make an accurate assessment of the impact of the works on the adjacent trees, woodlands and hedgerows. Phase 2b as shown on the Site layout and phase development areas plan has the potential to impact on trees, woodlands and hedgerows located to the North, East, South and West. Phase 6c and the temporary car park has the potential to impact on trees and the woodlands to the North and East.
- 118 A tree survey and arboricultural impact assessment (AIA) in accordance with BS 5837:2012 should therefore be submitted to support the application. The AIA should accurately evaluate the direct and indirect effects of the proposed design and where necessary recommend mitigation. The AIA should assess the

impact on trees, woodlands and hedgerows of all the works required for the project, including all drainage, level changes and the space required for the construction of the project. If necessary, the proposal should be redesigned to avoid impacts to trees, woodlands and hedgerows.

119 Specific details that must be addressed in the AIA:

- Trees, woodlands and hedgerows shown to be retained must be clearly identified (e.g. by number) and marked on a plan with a continuous outline.
- Trees, woodlands and hedgerows shown to be removed, also clearly identified (e.g. by number) and marked on a plan with a dashed outline or similar.
- Trees, woodlands and hedgerows shown to be pruned, including any access facilitation pruning, also clearly identified and labelled or listed as appropriate.
- Evaluation of impact of the proposed tree, woodland and hedgerow losses.
- Location and installation of services/utilities/drainage.
- Demolition within root protection area (RPA as defined in BS 5837:2012) of retained trees, woodlands and hedgerows, if applicable.
- Construction works within the RPA or that may impact on the retained trees, woodlands and hedgerows, if applicable.
- Level changes within the RPA or that may impact on the retained trees, woodlands and hedgerows if applicable.
- Potential incompatibilities between the layout and trees, woodlands and hedgerows proposed for retention.
- The working and access space needed for the construction of the proposed development.
- Infrastructure requirements in relation to trees, woodlands and hedgerows e.g. easements for underground or above-ground apparatus; highway safety and visibility splays; and other infrastructural provisions..
- Evaluation of tree constraints and draft tree protection plan.
- Issues to be addressed by an arboricultural method statement, where necessary in conjunction with input from other specialists.

120 An arboricultural method statement (AMS) and accompanying tree protection plan (TPP), also in accordance with BS 5837:2012, should be submitted to demonstrate how the adjacent trees, woodlands and hedgerows will be protected during the works.

121 Specific issues to be dealt with in the AMS and TPP must include:

- Location and installation of services/ utilities/ drainage.
- Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees, woodlands and hedgerows, if applicable.
- Details of construction within the RPA or that may impact on the retained trees, woodlands and hedgerows if applicable.
- A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification, where within RPA. Details shall include relevant sections through them.

- Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated without impacting on trees, woodlands and hedgerows.
- Details of level changes within the RPA or that may impact on the retained trees, woodlands and hedgerows.
- A specification for protective fencing to safeguard trees, woodlands and hedgerows during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- A specification for scaffolding and ground protection within tree protection zones.
- Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- Arboricultural supervision and inspection by a suitably qualified tree specialist.
- Reporting of inspection and supervision.
- Veteran and ancient tree protection and management.

122 In its current form I cannot support the proposal, as the applicant has failed to demonstrate the impact that the proposal will have on trees/woodlands and hedgerows.

## **OCC – Public Health Officer**

### Second Regulation 25 Consultation (September 2025)

28. No further response received.

### First Regulation 25 Consultation (May 2025)

29. Thank you for the opportunity for OCC Public Health to further comment on this application, following the submission of the Reg 25 request and relevant responses from the applicant. We acknowledge WBM's response to our concerns around receptor sensitivity and the exposure of users of public rights of way. The inclusion of the Primary School as a high sensitivity and vulnerable receptor is of particular importance from a public health perspective because of the body of evidence showing the impact of airborne pollutants on the developing lungs of children. On the basis that the Primary School is treated as high sensitivity to both noise and dust-related pollutants, and adequately mitigated from their effects, we have no further comments to make in respect of our original concerns. Considering the District Council's Environmental Health Officer's most recent consultation response, which declared no objections to the proposals in respect of noise, dust and land contamination, this further supports our view that no outstanding issues remain. Furthermore, OCC's Countryside Access team have stated no further comments are necessary with respect to public rights of way

Initial Consultation (May 2024)

30. No formal objection but concerns raised for consideration.

- a) Maintenance of temporarily diverted PRow should be upheld. Do not agree with the dust assessment conclusion re the closest points of the PRow being 'low sensitivity' as we consider that due to their exposed nature to any hazards close to the site boundary they are 'medium to high' sensitivity.
- b) Prevailing wind direction in dust assessment and the proximity of the primary school 230m from the eastern site boundary and children being vulnerable to site impacts noted. Inclusion as high sensitivity in dust assessment welcomed, mitigations acknowledged and request that these be upheld through the planning conditions.
- c) Noise Assessment – the nearest residential properties are listed as high sensitivity receptors but the primary school is not included. Noted that there are portions of the south and south western edges of the proposed site with no physical barrier to protect users of the PRow from noise impact and appropriate mitigation should be proposed.
- d) The Public Health team have reviewed the accompanying documentation for the application with a specific focus on human health. Despite our residual concerns around the exposure of the primary school and PRow to the effects of this proposal, we believe that the suite of mitigations proposed will prevent any significant impacts on local receptors.

**Active Travel England**

Second Reg 25 Consultation –(September 2025)

123 In relation to the above planning consultation and based on the information available, Active Travel England does not wish to make any comments at this time. The views of the local highway authority should be appropriately considered prior to determining this application.

First Reg 25 Consultation – (June 2025)

124 No comment.

Initial Consultation – (May 2024)

125 In relation to the above planning consultation and on the basis of the information available, Active Travel England is content with the development proposed.

## **Health and Safety Executive**

### Initial Consultation –(May 2024)

- 126 The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

## **National Gas**

### Second Reg 25 Consultation – (September 2025)

- 127 Regarding planning application MW.0063/24, there are no National Gas Transmission assets in this area

## **National Grid**

### First Reg 25 Consultation – (June 2025)

- 128 There are no National Grid Electricity Transmission assets affected by in the application area of this proposal – No objection from NGET.

## **Oxfordshire Geological Trust**

### First Reg 25 Consultation – (June 2025)

- 129 The surface geology of this area comprises Early Jurassic (Pleinsbachian) Middle Lias Marlstone rocks, including the Banbury Ironstone) extending to a depth of approximately 7-8 metres. The ironstone basin extends westwards to the escarpment at Edge Hill. The Oxford Geology Trust is familiar with other disused quarries nearby and would welcome new exposures. OGT has no objection to the development as proposed

## **Thames Water Utilities Ltd**

### First Reg 25 Consultation – (June 2025)

- 130 Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

## **The Gardens Trust**

### Second Reg 25 Consultation – (September 2025)

- 131 We have considered the information provided and liaised with our colleagues at The Oxfordshire Gardens Trust and, on the basis of this, we do not wish to

comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

First Reg 25 Consultation – (June 2025)

- 132 Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Wroxton Abbey, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II\*. We have considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

## Annex 4 – Representations

1. A total of 72 letters have been received from local residents. The points raised are summarised below. All of the letters were objections. 46 of these were received during the first consultation, a further 26 was received during the first and second consultation periods. Objectors were informed that they did not wish to write again if their views hadn't changed, and their original comments would still be taken into account.
2. The representations are reported anonymously, and the issues raised by objectors are summarised below.

### Impact on the Environment

- Impact of long term damage to the landscape and visual impact of the countryside
- Impact on the enjoyment of the PRow's that pass through and adjacent to the site
- Insufficient Biodiversity Net Gain proposed with too much set aside as a habitat landbank.
- Contrary to OMWCS policies C7, C8 and M10

*Officer response – There has been no objection from the OCC Ecology Officer/Biodiversity and sufficient net gain has been demonstrated utilising elements of on site and offsite BNG within the wider blue line ownership boundary of Wroxtton Quarry. Therefore, although there would be temporary disturbance to habitats, in the long term, the scheme would be beneficial for habitats and species. Conditions could be used to ensure that mitigation measures are implemented to protect wildlife.*

### Industrial development in countryside/ near residential properties/ proximity to the primary school

- Dust resulting in health issues carried on the prevailing wind to the school playground
- Existing dust issues resulting in coverage of cars and property
- Noise, including operational plant noise and HGV movements through the village
- The removal of the buffer zone will bring extraction too close to the village
- Property values adversely affected

*Officer response – The proposals are for a temporary development and the site would be restored after extraction was complete. There is the potential for visual, noise and dust impacts during the operational period, however, the application was supported by an Environmental Statement which sets out that these impacts can be mitigated to acceptable levels. There has been no objection from the Environmental Protection Officer and conditions could be attached to any consent granted to ensure that relevant mitigation measures are implemented.*

### Impact on Listed and Historic Village Properties and the Wroxton Conservation Area

- Vibration damage Close proximity to Grade II listed and historic village properties and impact of HGV's on village roads.
- Acidic compounds from diesel exhaust emissions – prolonged exposure can lead to ironstone corrosion.

*Officer response – The proposals are for a temporary development and the site would be restored after extraction was complete. There is the potential for visual, noise and dust impacts during the operational period, however, the application was supported by an Environmental Statement which sets out that these impacts can be mitigated to acceptable levels. There has been no objection from Historic England with regard to any potential adverse impact on neighbouring Grade II Listed Buildings or on the Wroxton Conservation Area. There has been no objection from the Environmental Protection Officer and conditions could be attached to any consent granted to ensure that relevant mitigation measures are implemented.*

### Landscape and Visual Impacts

- Would continue to destroy green fields which are pleasant to look over when using the PRow
- Visual impacts on people driving past
- Concerned visual impacts have been understated in the application

*Officer response – There would be temporary impacts on the landscape during the operational and restoration periods which are fully considered in the revised LVIA and no objection has been received from the OCC Landscape Officer. The proposal is for the site to be restored to agricultural use with woodland and hedgerows once extraction has been completed.*

### Need for mineral

- No need for further gravel extraction in Wroxton – another crushed rock site should be identified
- Other fields further away from the village should be examined for mineral
- Recycled aggregate should be used instead of digging new quarries

*Officer response – The need for the mineral is addressed in the report. The Oxfordshire Minerals and Waste Local Plan contains policy M1 stating that there is a preference for mineral to be supplied from recycled materials rather than primary aggregates, however, there is still a need for primary minerals. The Local Aggregates Assessment 2024 identifies a significant deficiency in the required 7 year landbank (approx. 3.5 years) for crushed rock mineral extraction in Oxfordshire to which this proposal would contribute.*

### Water Quality and Impact on Agricultural Crop Quality

- Destruction of grade 1 farmland

- Water pollution will affect waterways and runoff into neighbouring fields
- Quality of food produced reduced

*Officer response –Detailed assessment work has been submitted with the application and there has been no objection from the Environment Agency, or the Lead Local Flood Authority.*

#### Impacts from HGVs

- Congestion
- Noise
- Dust
- Air pollution, particularly with regard to vehicles travelling through Wroxton and Drayton
- Increased Danger for walkers and cyclists
- Even if mineral is used locally, HGVs will still be required to import inert fill from elsewhere for restoration
- Danger to children at nursery and parents collecting them
- 20 mph speed limit in the village exceeded
- Road and kerb damage resulting from increased HGV traffic through the village
- 

*Officer response – There has been no objection from Transport Development Control. The site would have direct access onto A-roads and it is considered that there is capacity on the network to accommodate the additional movements proposed.*

#### Increased Noise, Dust and Smell

- Original Dust Assessment dated 2021 when activities were farther from the village and the school
- The school should be identified as a specific sensitive receptor for noise impacts
- The noise pollution from the quarry and HGV's through the village will increase.
- The sound of the crushers is already causing a nuisance on weekdays and Saturdays
- The prevailing wind through Wroxton carries the smell and dust which evident on vehicles.
- If the quarry is brought closer the dust issues will increase.

*Officer response – The proposals are for a temporary development and the site would be restored after extraction was complete. There is the potential for visual, noise and dust impacts during the operational period, however, the application was supported by an Environmental Statement which sets out that these impacts can be mitigated to acceptable levels.. There has been no objection from the Environmental Protection Officer or OCC Public Health Officer and conditions could be attached to any consent granted to ensure that relevant mitigation measures are implemented.*

### Health Risks

- Potential significant health risks for residents closest to the site.
- Potential significant health risks for staff and pupils at the primary school

*Officer response – The proposals are for a temporary development and the site would be restored after extraction was complete. There is the potential for visual, noise and dust impacts during the operational period, however, the application was supported by an Environmental Statement which sets out that these impacts can be mitigated to acceptable levels. There has been no objection from the Environmental Protection Officer or OCC Public Health Officer and conditions could be attached to any consent granted to ensure that relevant mitigation measures are implemented.*

### Content of the Proposed Infill Material

- Who is checking the content of the material to be imported to the site
- Where will the inert material be coming from
- More certainty required to justify the restoration period and sustainability of the proposal.

*Officer response – The importation of inert restoration material will be carried out in accordance with a Waste Permit issued by the Environment Agency and the site will be monitored by the Environment Agency for compliance purposes. All material imported will be recorded and tested prior to infilling and any inappropriate material removed from the site in accordance with the requirements of the Waste Permit. The Application outlines the proposed method of importation and timescales for completion of restoration work and no objection to these proposal has been raised by any of the technical consultees.*

### Contrary to Policy

- The proposal is contrary to OMWLP policy PE1 4 (a)

*Officer response – The OMWLP has been superseded by the OMWCS Part 1 with only 16 policies from the Local Plan having been ‘saved’ which does not include policy PE1. OMWLP Policy PE1 did not in any event have a section 4 (a) relating to buffer zone distances. This was a condition number 4 part a that was attached to the earlier Review of Old Mineral Permissions (ROMP) decision for this site. No objection has been raised with regard to the proposed development in respect of compliance with adopted National or Local Planning Policy.*

### Inadequacies in application/ES

- The baseline data for traffic was from 2020. HGV traffic has increased and excavations are closer to the village
- The Applicant has not carried out a 7 day speed survey
- Radon Gase potential exceeds 30% this needs to be addressed

*Officer response – Following the first period of consultation, a request for further information was made and further information was submitted. Following a consultation, there were no objections amongst technical consultees.*

#### Conservation Area Impact

- Wroxton is an historic predominantly Ironstone village set in a Conservation Area
- There are numerous ironstone listed properties positioned along Stratford Road and Silver Street some only metres from the carriageway.
- Wroxton is unique and described as one of Britain's most thatched villages

*Officer response – The NPPF acknowledges that mineral can only be extracted where it occurs and that temporary impacts on the visual amenity of an area may result which must be appropriately mitigated through screening and the use of temporary bunds. The proposed extraction area lies within the approved red line boundary of the existing Wroxton Quarry and whilst the proposal is to carry out extraction in closer proximity to the village boundary, mature screen planting exists around the existing site boundaries which will minimise the visual impact of the extraction and restoration operations. All processing of mineral will continue to be carried out in the current location on Phase 4 and will not therefore result in any increased noise or dust emissions from the site. These impacts are fully considered in the LVIA submitted as part of the ES. The restoration proposals demonstrate that the site will be restored to agriculture with significant Biodiversity Net Gain Improvements. No objection to the proposals on grounds of the proximity of the proposal to the Wroxton Conservation Area have been received from any technical consultees.*

#### Process

- Inadequate consultation with the community
- Waste use for infill should be monitored
- Stringent conditions should be imposed if development is approved

*Officer response – The correct planning process has been followed in determining this application. Conditions would be used to control the timeframe of the development. Waste fill imported to the site would be subject to an Environment Agency permit. OCC would monitor compliance with conditions on the planning consent.*

## **Annex 5 – Environmental Impact Assessment**

1. An Environmental Statement has been submitted with this application, setting out the findings of the Environmental Impact Assessment. This is summarised below.
2. Section 1 introduces the development and the site including consideration of planning policy, alternative scenarios, restoration proposals and phasing, cumulative impacts, socio and economic effects of the proposal sites and climate change effects. This concludes that if the mineral was not worked the site would remain agricultural and not contribute towards the rebalancing of supply towards the south of Oxfordshire. It considers continuing to work the site for crushed rock extraction by removing the historic buffer zone limitations and concluding extraction from partially extracted and restored phases and concludes that this would not result in unacceptable adverse impacts in terms of noise, dust or traffic impacts or impacts on neighbouring residential amenity.
3. Section 2 covers hydrology and hydrogeology. The HIA concludes that groundwater will not be affected and that there will be no negative surface water runoff or flood risk impacts during the mineral extraction phase. Groundwater levels and quality will continue to be monitored during excavation and restoration to ensure the development does not have a detrimental impact on the local groundwater environment. The quality of the water from Padsdon Spring will be monitored during the mineral excavation phase and following restoration to ensure the development does not have a detrimental impact on the local surface water environment or any surface water receptors. In summary, it is considered that there will be no flooding risks and that potential groundwater level changes can be adequately reduced by mitigation measures that have been designed into the scheme. Therefore, there will be no remaining significant detrimental effects on the water environment as a result of the proposed development.
4. Section 3 covers Landscape and Visual Impact. It concludes that the assessment concludes that the greatest landscape and visual effects will be contained within the Site and along its perimeter due to the screening effect of existing mature woodland. The footpaths across the Site will experience temporary change in the short-term and will be later realigned, enhanced and a benefit in the long-term. The assessment further concludes that the proposed development will return the Site to pre-extraction land uses with enriched biodiverse and complex habitats. This is in accordance with National and Local planning policies.
5. Section 4 covers ecology and concludes that the residual ecological effect of the proposed quarry extensions and revised restoration is positive in a Local context, which complies with national and Oxfordshire planning policies to maintain and enhance biodiversity. The proposed quarry will not contribute to or compound any adverse ecological impacts, and may provide an opportunity

to off-set future adverse effects in the local landscape. It is considered that significant ecological and biodiversity enhancement can be achieved through the restoration of the quarry to include target habitats of the CTA such as calcareous grassland, ponds and waterbodies and habitats for great crested newts

6. Section 5 covers Cultural Heritage. It concludes that the Heritage Impact Assessment found that the potential effects of the proposed development on the historic environment have been minimised by the development design and any archaeological impacts could be mitigated by a programme of archaeological works secured via planning condition. It therefore also concludes that the proposed development would accord with local and national planning policies.
7. Section 6 covers Highways and Traffic. This concludes that the proposed development would not have an unacceptable impact on highway safety or a severe residual cumulative impact on the road network, national policy confirms planning permission should not be prevented or refused on highways grounds.
8. Section 7 covers Noise. A Noise Assessment has been undertaken to evaluate the potential adverse effect associated with the proposed development. It concludes that it has been demonstrated that mineral extraction, processing, recycling and infilling operations on the site can take place whilst keeping site noise levels at the nearest properties to the site within environmentally acceptable levels, thus compliant with the requirements of the National and Local Planning Policy.
9. Section 8 covers Air Quality and Dust. This states that an Air Quality and Dust Assessment is provided focusing on potential air quality and dust impacts from the proposed developments. It concludes that the proposed workings can be operated in a manner unlikely to cause significantly adverse air quality or dust impacts in their vicinity, and with reference to best practice guidance the overall impact of the development is considered to be not significant.
10. Section 9 covers Soils and Agricultural Land. This explains that the proposed workings in Phase 2b and Phase 6c would require the temporary use of approximately 10ha of agricultural land which is mainly of Subgrade 3b quality. Prior to working, Phases 5 and 6 comprised 8.5ha of Subgrade 3a and 5.7ha of Subgrade 3b land. It concludes that the sensitivity of the agricultural land in Phase 2b and Phase 6c is low, and the magnitude of change is minor, resulting in a temporary minor adverse effect on agricultural land. This is not significant and that the magnitude of change on the soil resources following mitigation measures is anticipated to be negligible as the soil will continue its primary function of food and biomass production. The residual effect is minor adverse which is not significant. The proposal to restore Phases 5 and 6 to original ground levels will result in a minor beneficial effect on agricultural land quality due to the improved drainage status of the restored soils.

## **Regulation 25 Information**

11. Further environmental information was requested and provided, following the first period of consultation.
12. Section 1 contains information on the Ecology to assess the impacts of the proposed development on biodiversity. The required BNG metric spreadsheet was submitted to inform the BNG calculation. It concluded that there was sufficient on site and offsite provision of BNG to meet the required trading standards for the site.
13. Section 2 contains further information on Highways to assess the impacts of the proposed development on the public highway and its users including the provision of a 7 day automatic traffic count speed survey to establish actual vehicle speeds in the vicinity of the site access and to demonstrate that adequate visibility splays can be achieved in accordance with the maximum recorded daily 85<sup>th</sup> percentile vehicle speeds. This confirmed that the vehicle speeds and provision of adequate visibility splays were acceptable and that the proposed development is compliant with policy and there are no existing highway issues.
14. Section 3 contains further information on Arboriculture in the form of a tree survey and Arboricultural Impact Assessment which addressed the concerns raised by the Councils Arboricultural Officer and confirmed that the proposed development was acceptable and that the proposal is compliant with policy and no arboricultural issues remain.
15. Section 4 contains additional Landscape and Visual Impact Assessment information including additional visualisations and images including winter views, which confirmed that the development is acceptable in LVI terms.
16. Section 5 contains further information on Noise. Further information was submitted with regard to the mitigation measures to reduce noise from the development on users of the Wroxton Primary School and users of the Public Rights of Way crossing through and around the application site. The conclusions of this report addressed the concerns of the Environmental Health Officer and confirmed that the proposal is compliant with policy and no public health issues remained.

## **Second Regulation 25 Request**

17. Further documentation with regard to the provision of Biodiversity Net Gain was provided, addressing the need to provide some hedgerow BNG off-site, however, on land within the ownership of the applicant.

## **Annex 6 - European Protected Species**

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 (as amended) 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.

The habitat on and around the proposed development site and ecological survey results indicate that there is a low likelihood of European Protected Species (bats and otter) to be present.

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