

AT CONTRACTING LTD.

Alkerton Quarry, Alkerton, Oxfordshire

**REQUEST FOR SCOPING OPINION UNDER THE
TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017**

Regarding a New Planning Application for the Modification of the
Approved Restoration Scheme Through Importation of Inert Soil
Material

March 2021

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DRAWINGS

Drawing AL1198-D4: Illustrative Restoration Masterplan

Drawing AL1198-D5: Site Location Plan

APPENDICES

Appendix 1: Screening Opinion Request and Pre Application Advice Request (January 2021)

Appendix 2: Oxfordshire County Council EIA Screening Opinion and Pre Application Advice Letter (February 2021)



1.1. INTRODUCTION

- 1.1.1. This Request for a Scoping Opinion has been prepared by Bright & Associates (B&A) (the Agent) on behalf of AT Contracting Ltd. (the Applicant) and concerns a Revised Restoration Scheme for Alkerton Quarry (via a new planning application process).
- 1.1.2. The full Site address is Alkerton Quarry, Alkerton with Shennington, Banbury, Oxon, OX15 6HY.
- 1.1.3. The Site (c.10.8ha) is located adjacent to the A422 (Stratford Road). The approximate Site centre is E438613/N243211.
- 1.1.4. In January 2021, B&A submitted a Screening Opinion Request and Pre Application Advice Request on behalf of the Applicant. (Appendix 1)
- 1.1.5. The Proposed Development concerns the modification of the Approved Restoration Scheme through the importation of approximately 450,000m³ of inert soil material from the HS2 project. In this case, part of Section 2 and all of Section 3C is relevant and the inert material is likely to be made available in the 4th quarter of 2021.
- 1.1.6. The Proposed Development will enable an improved landform and an overall enhanced restoration outcome by reinstating levels comparable to the original (pre quarry) ground levels, rather than at a low level as permitted through the Approved Restoration Scheme. Consequently, it will allow a future productive agricultural use for the Site. It will provide a phased scheme of infilling and restoration ensuring that remaining soils on site can be integrated into the final restoration of the Site. It will also offer improved biodiversity value through the creation of native broadleaf woodland and hedgerows, wetland and ephemeral wetland habitat.
- 1.1.7. In February 2021, Oxfordshire County Council (OCC) issued an EIA Screening Opinion (dated 9 February 2021) and Pre Application Advice Letter (dated 8 February 2021) (Reference PRE.0010/21). (Appendix 2)
- 1.1.8. The EIA Screening Opinion (2021) concluded that the proposals would have the potential to cause significant effects on the environment. This primarily concerned the transportation of waste soil materials to be used for restoration, the impact on the local highways network and surrounding environment together with detailed timescales for the Proposed Development.

1.2. CONTENTS OF THE REPORT

- 1.2.1. The purpose of this report is to outline the nature of the Proposed Development and to identify environmental issues which should be considered as part of an EIA. It sets out the approach of the technical reports and the scope and level of detail of information required to be provided in the Environmental Statement (ES).



1.2.2. This Request For Scoping Opinion has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Part 4, Regulation 15, specifies that it should include:

- ◆ *'(i) A plan sufficient to identify the land;*
- ◆ *(ii) a brief description of the nature and purpose of the development, including its location and technical capacity;*
- ◆ *(iii) an explanation of the likely significant effects of the development on the environment; and*
- ◆ *(iv) such other information or representations as the person making the request may wish to provide or make'.*

1.2.3. The proposed planning application boundary (denoted by the red line) is shown on Drawing AL1198-D5: Site Location Plan. It is referred to as the Site in this report and has been reproduced for ease of reference from the Screening Opinion Request (2021). The blue line identifies land under the ownership of the Applicant. This Drawing has been updated to show existing site access from Rattlecombe Road.

1.2.4. Drawing AL1198-D4: Illustrative Restoration Masterplan has also been reproduced for reference from the Screening Opinion Request (2021).

1.2.5. This remainder of this report consists of the following Sections:

- ◆ **Section 1.3 Definitions Used in the Report;**
- ◆ **Section 1.4 Recent Site Planning History** summarises relevant planning permissions;
- ◆ **Section 1.5 Current Site Situation** describes the Site and key aspects of the surrounding landscape;
- ◆ **Section 1.6 The Proposed Development** outlines the current baseline, proposals and the projected timeline;
- ◆ **Section 1.7 Environmental Issues** summarises the approach of the technical assessments to be submitted as part of the EIA;
- ◆ **Section 1.8 The Content of the Environmental Statement** based on information received to date; and
- ◆ **Section 1.9 Summary and Conclusions.**

1.3. DEFINITIONS USED IN THE REPORT

1.3.1. The **Site** is identified by the proposed planning application boundary (denoted by the red line) on Drawing AL1198-D5: Site Location Plan and refers to Alkerton Quarry.

1.3.2. The **Approved Restoration Scheme** is represented by approved plans and details permitted through OCC Reference No. MW.0020/19 (District Reference No. 19/00407/CM) (dated 21 November 2019) namely:

- ◆ Plan 160118/rest5: Proposed restoration 5 (Dated 20 January 2018). Prepared by Barton Plant Ltd. on behalf of Peter Bennie Ltd.;



- ◆ Plan KB-AQ/101c: Alkerton Quarry Revised Restoration Plan - March 2018 (Dated March 2018). Prepared by Katie Burfitt on behalf of Peter Bennie Ltd.; and
- ◆ Alkerton Quarry Restoration, Soil Placement and Aftercare Scheme, Revised March 2018 (R2 Jan 2019). Prepared by Katie Burfitt on behalf of Peter Bennie Ltd.

- 1.3.3. The **Proposed Development** concerns the modification of the Approved Restoration Scheme through the importation of approximately 450,000m³ of inert soil material from the HS2 project. The proposals are outlined in Section 1.6 of this report.
- 1.3.4. The **Revised Restoration Scheme** is illustrated by Drawing AL1198-D4: Illustrative Restoration Masterplan. It identifies Phases 1 to 3 and areas of new planting (e.g. native broadleaf woodland and hedgerows) together with a proposed wetland and ephemeral wetland habitat.
- 1.3.5. The **Regulations** refers to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.3.6. The **Screening Opinion Request (2021)** refers to the Screening Opinion Request submitted by B&A to OCC on behalf of the Applicant in January 2021.
- 1.3.7. The **EIA Screening Opinion (2021)** refers to the EIA Screening Opinion (dated 9 February 2021) issued by OCC.
- 1.3.8. The **Pre Application Advice Letter (2021)** refers to the Pre Application Advice Letter (dated 8 February 2021) (Reference PRE.0010/21) issued by OCC.

1.4. RECENT SITE PLANNING HISTORY

- 1.4.1. The Site forms part of a wider area of permitted ironstone extraction regulated under OCC Reference No. 97/00430/CM, Review of Old Mineral Permissions (ROMP) (dated 28 January 1999).
- 1.4.2. Table 1 below summarises the most recent planning permissions relevant to the Site.

Table 1: Summary of Site Planning Permissions

OCC REFERENCE NUMBER (DISTRICT REFERENCE NUMBER)	PROPOSAL	DECISION (DATE)
MW.0020/19 (District Reference No. 19/00407/CM)	Section 73 application to vary condition 99 of planning permission ref 12/01365/CM (MW.0113/12); to relocate the ephemeral pond at Alkerton Quarry	Approved (21 November 2019)
MW.0108/13 (District Reference No. 13/01257/CM)	Section 73 application to vary condition 109 of planning application 12/01365/CM to allow the implementation of an updated restoration	Refused (25 October 2013)



MW.0113/12 (District Reference No. 12/01365/CM)	Application to vary conditions 35, 40, 41, 98 & 99 of planning permission Ref 12/00056/CM; to create restoration contours the allow for effective drainage.	Approved (20 November 2012)
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1.5. CURRENT SITE SITUATION

- 1.5.1. The Site occupies a broadly triangular parcel of land (c.10.8ha) and borders the A422 (Stratford Road) and Rattlecombe Road to the south. Immediately adjacent to the west is the Alkerton Landfill Site which features a restored mounded landform in places. There is an established mature hedgerow with hedgerow trees to the east and south of the Site.
- 1.5.2. Rattlecombe Road provides access in the south-western corner of the Site (see Drawing AL1198-D5).
- 1.5.3. The Approved Restoration Scheme provides agricultural land (c.6.1ha), rough grassland with perimeter scrub (c.1.8ha) and native hedgerows (c.654m linear length). Site restoration was due to be completed in 2019/20.
- 1.5.4. The northern part of the Site was partially restored approximately 14 years ago and this area is in poor condition. The photographs provided in the Soil Placement and Aftercare Scheme report (which forms part of the Approved Restoration Scheme) show areas of rough grassland and gorse (see page 8). Paragraph 3 notes that this area was due to be re-worked to improve restoration quality and drainage. Following which, it would be re-restored in accordance with agricultural areas elsewhere but using the lower quality soils.
- 1.5.5. Also of relevance are the following:
- ◆ A definitive public footpath (reference 418/6) crosses east to west through the Site. A further route (reference 418/12) passes along the western edge of the Site;
 - ◆ The Site is located in Flood Zone 1 which applies to areas with a low probability of flooding;
 - ◆ Jenny's Sanctuary (a non denominational centre) and a residential property Heath Farm (also known as White Gables) are located immediately south-east of the Site;
 - ◆ The villages of Alkerton (c.800m) and Shenington (c.1.2km) are to the west of the Site;
 - ◆ No Priority Habitats apply to the Site or adjacent areas. South of Rattlecombe Road is an area of woodland categorised under the Priority Habitat Inventory as Deciduous Woodland (England).
 - ◆ Balscote Quarry Local Wildlife Site (Site Ref. 34U01) is south of the Site (c.220m);
 - ◆ There are no Scheduled Monuments and Listed Buildings within c.500m of the Site. The Cotswolds Area of Outstanding Natural Beauty (AONB) is c.1.2km north; and
 - ◆ The Site has good access onto the main road network given its proximity to the A422 and is near to HS2 construction locations in Oxfordshire and neighbouring counties.



1.6. THE PROPOSED DEVELOPMENT

- 1.6.1. The current baseline in terms of the Site and for the purpose of the EIA consists of the following:
- ◆ The **Approved Restoration Scheme**, namely the approved plans and details permitted through OCC Reference No. MW.0020/19 (District Reference No. 19/00407/CM) (dated 21 November 2019); and
 - ◆ The **context of the Site as active quarry until c.mid-2020** with the removal of the haul road and mineral beneath extracted by the Site's previous owners.
- 1.6.2. The current condition of the Site means that Approved Restoration Scheme cannot be executed which is acknowledged in the Pre Application Advice Letter (2021).
- 1.6.3. The Proposed Development would represent a sustainable use of material from the HS2 project given the ideal location of the Site with a beneficial afteruse and enhanced restoration scheme for the Site itself.
- 1.6.4. Site access will be gained from the current location onto Rattlecombe Road. The access point will be upgraded to Design Manual for Roads and Bridges (DRMB) standards.
- 1.6.5. Three HS2 project construction sites have been identified by the Applicant:
- ◆ Chipping Warden, Northamptonshire (to the north of Banbury);
 - ◆ Southam, Warwickshire (to the north of Banbury); and
 - ◆ Newton Purcell, Oxfordshire (to the south-east of Banbury).
- 1.6.6. Inert soil material will be transported to the Site by articulated or rigid lorries.
- 1.6.7. All vehicles will use the A422 through the villages of Wroxton and Drayton continuing through Banbury to link to the M40 or to gain access to HS2 project construction sites.
- 1.6.8. Due consideration will be given to the location of the project construction sites and the permitted construction lorry routes approved by relevant councils through Schedule 17 of the High Speed Rail (London-West Midlands) Act 2017.
- 1.6.9. The Pre Application Advice Letter (2021) drew attention to the routing of traffic and the status of the A422 west of the Southam Road in Banbury (paragraph 4). In this instance, the Proposed Development involves materials being transported to the Site from HS2 project construction sites rather than *vice versa*.
- 1.6.10. It is envisaged that operations will commence in late 2021 and take place over a three year period.
- 1.6.11. The Proposed Development will lead to approximately 2 to 4 direct employment opportunities.



1.6.12. Drawing AL1198-D4: Illustrative Restoration Masterplan demonstrates the revised restoration scheme. In summary, the Proposed Development will provide the following:

- ◆ **Enable an improved landform** by reinstating levels comparable to the original (pre quarry) ground levels, rather than at a low level as permitted through the Approved Restoration Scheme. Consequently, it will allow a future productive agricultural use for the Site. This will also provide visual benefits in terms immediate environs when considering the mounded landform of Alkerton Landfill Site and the Site in a wider context;
- ◆ Provide a **phased scheme** of infilling and restoration ensuring that all existing soils remaining on site can be integrated for final restoration of the Site. Phase 1 to 3 are identified on Drawing AL1198-D4;
- ◆ **Offer enhanced biodiversity** when compared to the Approved Restoration Scheme through the creation of native broadleaf woodland, native hedgerows, wetland and ephemeral wetland habitats as identified on Drawing AL1198-D4. Existing hedgerows along the eastern and southern Site boundaries will be strengthened by the proposed planting;
- ◆ **Removal of the remnant quarry face** shown adjacent to the ephemeral pond on Plan KB-AQ/101c: Alkerton Quarry Revised Restoration Plan - March 2018 (Dated March 2018). This represents a safer option;
- ◆ **Improved Site drainage** with infill to a greater depth and the treatment of soils; and
- ◆ **Public footpath (reference 418/6)** would be returned to its definitive route as opposed to the amended location defined by the Approved Restoration Scheme.

1.6.13. Any remaining residual mineral will be extracted within the Site to ensure a fully sustainable and policy compliant scheme. It will be taken on lorries bringing in infill as a return load.

1.6.14. There would be no change to the currently permitted hours of working on site.

1.6.15. Condition 15 of planning consent MW.0020/19 (District Reference No. 19/00407/CM) (dated 21 November 2019) states that *'No operations authorised or required by this permission shall be carried out and plant shall not be operated or lorries loaded or despatched, other than during the following hours: Between 0700 and 1800 hours, Mondays to Fridays; 0700 and 1300 hours on Saturdays. No such operations shall take place on Sundays or recognised public holidays or on Saturdays immediately following bank holiday Fridays'*.

1.6.16. The Proposed Development will be submitted as a stand alone planning application. Thus, an eventual permission would allow Site restoration to progress without being attached to current Conditions through the ROMP consent (OCC Reference No. 97/00430/CM) which affects the broader Wroxton sites.



1.6.17. The technical reports to be undertaken as part of the EIA will inform the Revised Restoration Scheme as it develops.

1.7. ENVIRONMENTAL ISSUES

1.7.1. The Site comprises of an existing quarry which has been partially restored in places. It is proposed that a Cultural Heritage/Archaeological assessment is not required in this instance. As part of the Landscape and Visual Appraisal, landscape and cultural heritage designations which contribute to a sense of place and/or signify an amenity value for receptors will be reviewed within an adopted study area.

1.7.2. It is proposed that the following environmental issues will be considered as part of the EIA.

Arboricultural (Trees and Hedgerows)

1.7.3. It is accepted that an Arboricultural Statement will be required of the Proposed Development.

1.7.4. This will be undertaken to assess existing vegetation on Site such as trees and hedgerows. The surveys will be carried out in accordance with the methodology set out in BS5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations. The report will identify whether vegetation will be required to be removed to facilitate the Proposed Development and necessary tree protection measures. Future tree and hedgerow planting opportunities will be identified.

1.7.5. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).

Ecology

1.7.6. It is accepted that an Ecological Assessment will be required of the Proposed Development.

1.7.7. It is expected that this will comprise a Phase 1 habitat survey, outline species surveys and consider existing information. It will assess any effects on statutory and nonstatutory wildlife sites due to the Proposed Development.

1.7.8. The assessment will be carried out in accordance with current guidance and best practice set out by the Institute of Ecology and Environmental Management (IEEM). The report will identify potential enhancement measures that can be incorporated into the Revised Restoration Scheme which will result in net biodiversity gain in line with current national planning policy.

1.7.9. Comments by the Ecology Officer in the Pre Application Advice Letter (2021) have been noted including:

- ◆ Data is available from the Thames Valley Environmental Records Centre (TVERC);
- ◆ Consider if the Proposed Development has the potential to impact on a European protected species and will result an offence under the Habitats Regulations 2019;



- ◆ Consider ephemeral ponds and wetland habitats as part of a proposed restoration scheme for the Site. Evaluate the agricultural runoff on their biodiversity. Potential impacts on the Balscote Quarry Local Wildlife Site should be considered;
- ◆ Provision should be made for the long-term management of the Site's habitats for 20 years after the 5-year standard aftercare period for nature conservation. Therefore an Ecological Management Plan (or similar) would be required covering this time period; and
- ◆ A revised restoration scheme should consider the Northern Valleys Conservation Target Area (CTA). Habitat enhancements must be in line with the broad objectives of the CTA. The northern-most sector of the Site falls within a Core Zone of the Draft Oxfordshire Nature Recovery Network¹ and enhancements in this specific area would be particularly valuable.

1.7.10. It is understood that the current Biodiversity Metric 2.0 (Natural England) should be used to demonstrate a measurable net gain in biodiversity according to national and local planning policy. This is due to be upgraded to Biodiversity Metric 3.0 in Spring 2021.²

1.7.11. Consideration of the time period for a management plan will be given and the effects evaluated prior to a firm commitment of time.

1.7.12. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).

Hydrology

1.7.13. It is accepted that a Hydrogeological Assessment will be required of the Proposed Development.

1.7.14. This will include an assessment of groundwater issues and will include consideration of flood risk and drainage issues.

1.7.15. The assessment will entail:

- ◆ Review of information relating to the geology, licensed abstractions, private water supplies, history of site working, water supported sites of ecological interest, etc.;
- ◆ Identification of potential impacts of importing restoration fill material;
- ◆ Identification of how the Site setting relates to the Environment Agency landfill location policy; and
- ◆ Development of mitigation measures, where necessary.

1.7.16. Flood risk and site drainage work items will include:

- ◆ Collation of data from the Environment Agency and Lead Local Flood Authority;
- ◆ Assessment of flood risk to the Site and from the Site to the surrounding area;

¹ Wild Oxfordshire, <https://www.wildoxfordshire.org.uk/biodiversity/draft-map-of-oxfordshires-nature-recovery-network/>, sourced February 2021

² Natural England, <http://publications.naturalengland.org.uk/>, sourced February 2021



- ◆ Assessment of mitigation measures to prevent any increase in flood risk;
- ◆ Consideration of the effects of climate change; and
- ◆ Assessment of surface water management/drainage provision after the completion of restoration. Sustainable Drainage Systems (SuDS) methods would be proposed where possible and comment made on the on-going maintenance of the SuDS system over time.

1.7.17. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).

Landscape and Visual

1.7.18. It is accepted that a Landscape and Visual Appraisal (LVA) will be required of the Proposed Development.

1.7.19. Guidance for the undertaking of the LVA will be sourced from Guidelines for Landscape and Visual Impact Assessment (Third Edition), published by the Landscape Institute and Institute of Environmental Management and Assessment (2013). Reference will also be made to:

- ◆ An Approach to Landscape Character Assessment, Natural England (2014); and
- ◆ An Approach to Landscape Sensitivity Assessment – to Inform Spatial Planning and Land Management, Natural England (2019).

1.7.20. It is noted that the Pre Application Advice Letter (2021) states that a Landscape and Visual Impact Assessment might be necessary. The LVA will be robust and will examine and assess separately, potential effects on landscape character and the visual amenity.

1.7.21. It will take into account the proximity of the Site to the Cotswolds AONB and its setting and CPRE tranquillity mapping will be referred to.

1.7.22. Reference will be made to current Landscape Character Assessments, taking into account applicable guidelines which could influence the Revised Restoration Masterplan as it evolves. This includes National Character Areas (Natural England) and the Oxfordshire Landscape and Wildlife Study (OWLS). Mitigation measures incorporated into the Proposed Development will be considered.

1.7.23. Visual figures will be prepared in line with the Visual Representation of Development Proposals, Technical Guidance Note 06/19 issued by the Landscape Institute in September 2019.

1.7.24. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).

Noise

1.7.25. It is accepted that a Noise Assessment will be required of the Proposed Development.

1.7.26. It is expected that it will address the following matters:

- ◆ Key sources of noise originating from the Proposed Development;



- ◆ Current monitoring regime and results;
- ◆ Describe the noise mitigation measures that are currently in place;
- ◆ Predict the noise levels arising from the Proposed Development and assess these against current standards and guidelines; and
- ◆ Propose additional mitigation measures if required.

1.7.27. The assessment will be undertaken in line with current guidance and best practice.

1.7.28. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).

Transport

1.7.29. It is accepted that a Transport Assessment will be required of the Proposed Development.

1.7.30. It is expected that the assessment will consider the likely traffic generation from the Proposed Development when compared to the extant uses of the Site. It will assess the environmental impact of traffic levels and whether there are any sensitive receptors along transport routes or areas of concern regarding highway safety.

1.7.31. The Transport Assessment will address the following matters in detail:

- ◆ Review highway accident records for the most recent 5-year period available and highway boundary data from the local highway authority;
- ◆ Consider preliminary access layout design and plot junction visibility splays. Undertake automatic traffic count(s) if required (due to a shortfall in the level of available visibility splays in relation to required standards);
- ◆ Review car parking provision against local authority standards and scheme requirements;
- ◆ Undertake the swept path of the largest service vehicle anticipated to visit the Site, turning within the Site and at the Site access;
- ◆ Calculate the number of peak hour trips likely to be generated by the Proposed Development. As noted in the Pre Application Advice Letter (2021) consideration should also be given to traffic impacts throughout the day (Transport Development Control Officer);
- ◆ Identify the likely routing of HGV trips; and
- ◆ Comment on the impact of the number of vehicle trips generated relative to the existing operations at the Site.

1.7.32. Relevant planning policies will be taken into account including those set out in the Pre Application Advice Letter (2021).



1.8. THE CONTENT OF THE ENVIRONMENTAL STATEMENT

- 1.8.1. The EIA will be undertaken following the advice on matters to be included in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.8.2. The ES will be co-ordinated on behalf of the Applicant by B&A. The company has previous experience undertaking similar projects and a good knowledge of Alkerton Quarry.
- 1.8.3. Based on information received to date, it is envisaged that the Environmental Statement (ES) will contain:
- ◆ A detailed description of the characteristics of the Site and surrounding area;
 - ◆ Summary of relevant Site planning permissions;
 - ◆ A description of the Proposed Development with accompanying plans. The Revised Restoration Scheme will be illustrated and described. It will also outline soil placement and aftercare. Guidance for the Aftercare/Restoration Scheme and Landscape Scheme is provided in the Validation of County Development and County Matters Planning Applications – Local List (March 2018) issued by OCC. A description of any mitigation measures will be included;
 - ◆ A comparison of the Approved Restoration Scheme and Revised Restoration Scheme;
 - ◆ A description of the reasonable alternatives considered by the Applicant with an indication of why the Proposed Development was chosen (e.g. design, technology, location, size and scale where relevant); and
 - ◆ A summary of the technical reports used to identify the main environmental impacts of the Proposed Development. Full technical reports (and Appendices) will be provided separately. The individual technical reports will each consider how the climate might be affected by the Proposed Development or how climate change might impact upon the proposals. The cumulative impact of the proposals will also be considered where applicable.
- 1.8.4. The ES will include a Statement of Community Involvement, Sustainability Statement and Climate Change Appraisal as outlined in the Validation of County Development and County Matters Planning Applications – Local List (March 2018).
- 1.8.5. A non-technical summary describing the method and findings of the EIA in a clear and concise way will be included as a separate document.
- 1.8.6. A Planning Supporting Statement will be submitted and bring together planning policy matters addressed in the technical assessment reports. The document will refer to relevant national, county and local planning policies and guidance including the initial list provided in Table 2 below.
- 1.8.7. The list has been informed by the Pre Application Advice Letter (2021). There are no Oxfordshire Minerals and Waste Local Plan (1996) Saved Policies applicable to the Site or general location.



1.8.8. It is understood that the Oxfordshire Minerals and Waste Local Plan: Part 2 – Site Allocations is currently being prepared. No Neighbourhood Plans or Parish Plans have been published to date relevant to the Site.

Table 2: Initial List Relevant Planning Policies

PLANNING POLICY DOCUMENT	POLICIES
County and Local Planning Policy	
The Oxfordshire Minerals and Waste Core Strategy, Part 1 Core Strategy (September 2017)	<i>Minerals Policies</i>
	Policy M10 Restoration of mineral workings
	<i>Waste Policies</i>
	Policy W6 Landfill and other permanent deposit of waste to land
	Common Core Policies
	Policy C1 Sustainable development
	Policy C2 Climate change
	Policy C3 Flooding
	Policy C4 Water environment
	Policy C5 Local environment, amenity and economy
	Policy C6 Agricultural land and soils
	Policy C7 Biodiversity and geodiversity
	Policy C8 Landscape
	Policy C9 Historic environment and archaeology
Policy C10 Transport	
Policy C11 Rights of way	
Adopted Cherwell Local Plan 2011 - 2031 Part 1 (July 2015)	Policy PSD1 Presumption in favour of sustainable development
	Policy ESD1 Mitigating and adapting to climate change
	Policy ESD6 Sustainable flood risk management
	Policy ESD7 Sustainable Drainage Systems (SuDS)
	Policy ESD10 Protection and Enhancement of Biodiversity and the Natural Environment
	Policy ESD12 Cotswolds Area of Outstanding Natural Beauty (AONB)
	Policy ESD13 Local Landscape Protection and Enhancement
Policy ESD17 Green Infrastructure	
Adopted Cherwell Local Plan (1996) Saved Policies	Policy C1 Protection of sites of nature conservation value
	Policy C2 Development affecting protected species
	Policy C7 Landscape conservation
	Policy ENV7 Development affecting water quality
Policy TR10 Heavy Goods vehicles	
Other Material Considerations	
National Planning Policy Framework (NPPF) (February 2019)	Including Section 2 Achieving sustainable development, Section 6 Building a strong, competitive economy, Section 9 Promoting sustainable transport, Section 11 Making effective use of land, Section 12 Achieving well-designed places, Section 15 Conserving and enhancing the natural environment and Section 17 Facilitating the sustainable use of minerals.
National Planning Practice Guidance (NPPG)	Including guidance provided in the following: Minerals (October 2014), Waste (October 2015), Noise (July 2019), Natural Environment (July 2019) and Environmental Impact Assessment (May 2020).
National Planning Policy for Waste (NPPW) (October 2014)	Sets out detailed waste planning policies including with regards to identifying suitable sites and areas for waste development.



1.9. COMMUNITY ENGAGEMENT

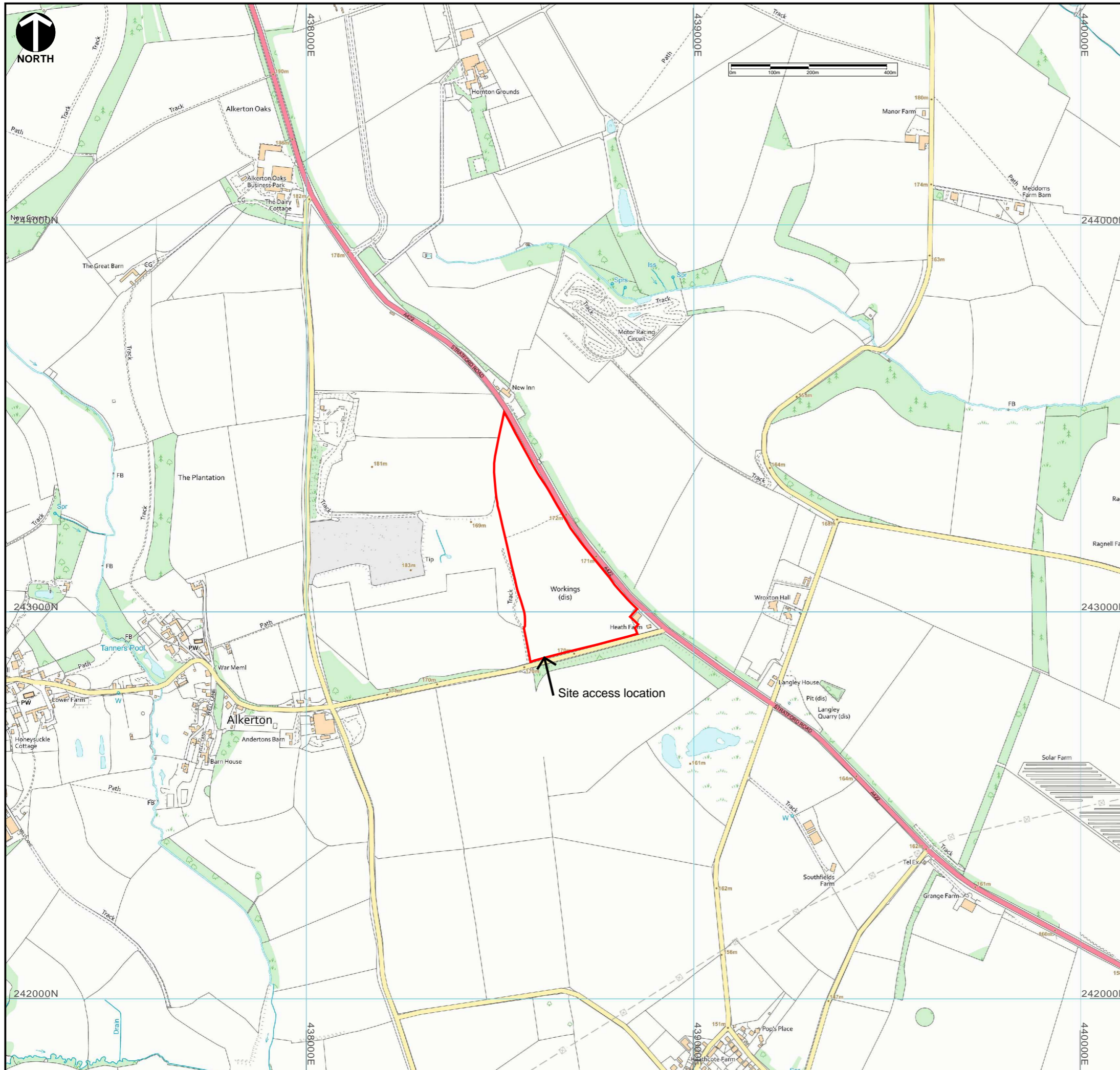
- 1.9.1. Further to considering representations made by statutory and non-statutory consultees in the Scoping Opinion and during the preparation of the planning application, the Applicant is proposing to undertake a public consultation process (in accordance with COVID-19 restrictions).
- 1.9.2. This will include a web based public consultation explaining the Proposed Development which will allow for comments to be made and collated, a Q&A with local parish councils including Wroxton & Balscote Parish Council, Shenington with Alkerton Parish Council and other councils that may be affected. Plans for the public consultation process will evolve dependent on COVID-19 restrictions at the time.

1.10. SUMMARY AND CONCLUSIONS

- 1.10.1. The current condition of the Site means that Approved Restoration Scheme cannot be executed which is acknowledged in the Pre Application Advice Letter (2021).
- 1.10.2. Waste material from the HS2 project construction process will be available in the near future. The Proposed Development will utilise inert soil material to a positive purpose, resulting in an improved landform and overall enhanced restoration outcome for the Site.
- 1.10.3. It is envisaged that operations will commence in late 2021 and take place over a three year period.
- 1.10.4. The Proposed Development represents a deliverable restoration design for the Site. It will provide a phased scheme of infilling and restoration ensuring that remaining soils on site can be integrated into the final restoration of the Site. It will also offer improved biodiversity value through the creation of native broadleaf woodland and hedgerows, wetland and ephemeral wetland habitat.
- 1.10.5. The findings of the EIA will be used to refine the Proposed Development and will form the basis of the ES that will be submitted with the planning application.
- 1.10.6. The planning application will be submitted according to the requirements of OCC set out in the Validation of County Development and County Matters Planning Applications – Local List (March 2018). It is understood that this document is currently being reviewed.
- 1.10.7. Based on information received to date, it is proposed to assess the following matters: Arboricultural (Trees and Hedgerows), Ecology, Hydrology, Landscape and Visual, Noise and Transport.
- 1.10.8. A formal Scoping Opinion is requested from OCC on the scope of the EIA within the time period of 5 weeks as required by the Regulations.

DRAWING LIST

DRAWING NO.	TITLE
AL1198-D4	Illustrative Restoration Masterplan
AL1198-D5	Site Location Plan



Key

— Site boundary


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Client:
AT Contracting Ltd.

Project:
Alkerton Quarry

Title:
Site Location Plan


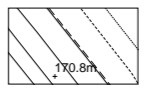
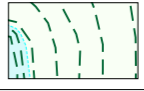

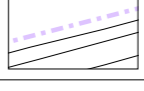
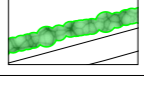
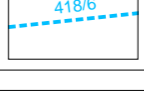
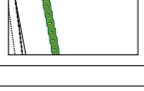
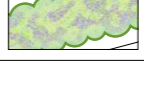
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 01691 652 773 www.bright-associates.co.uk
 Registered Practice

Drawing:
AL1198-D5
 Landscape Institute



Key

-  Site boundary
-  Ordnance Survey Mastermap data
-  Proposed infill restoration contours (blue dashed line = water level and ephemeral wetland habitat)
-  Areas restored to agricultural afteruse
-  Phase boundaries for infilling/restoration
-  Retained boundary hederows
-  Definitive footpath routes
-  Proposed native hedgerow planting
-  Proposed native broadleaved woodland planting

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Client:
AT Contracting Ltd.

Project:
Alkerton Quarry

Title:
Illustrative Restoration Masterplan

CAD Ref: AL1198-D4v3	Version: 3	Drawn by: RB	Scale @ A3: Plan 1:2500	Origin Date: Jan. 2021
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Registered Practice

Drawing:
AL1198-D4
Landscape Institute

APPENDIX 1

Screening Opinion Request and Pre Application Advice Request (January 2021)

AT CONTRACTING LTD.

Alkerton Quarry, Alkerton, Oxfordshire

Screening Opinion Request

Regarding a New Planning Application for the Modification of the
Approved Restoration Scheme Through Importation of Inert Soil
Material

January 2021

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DRAWINGS

Drawing AL1198-D4: Illustrative Restoration Masterplan

Drawing AL1198-D5: Site Location Plan



1.1. INTRODUCTION

- 1.1.1. This Screening Opinion Request has been prepared by Bright & Associates (B&A) on behalf of AT Contracting Ltd (the Applicant) and concerns a Revised Restoration Scheme for Alkerton Quarry (via a new planning application process).
- 1.1.2. The proposed planning application boundary (denoted by the red line) is shown on Drawing AL1198-D5: Site Location Plan. It is referred to as the Site in this report. The blue line identifies land under the ownership of the Applicant.
- 1.1.3. The Site (c.10.8ha) is located adjacent to the A422 (Stratford Road).
- 1.1.4. The full Site address is Alkerton Quarry, Alkerton with Shennington, Banbury, Oxon, OX15 6HY. The approximate Site centre is E438613/N243211.
- 1.1.5. Oxfordshire County Council (OCC) is the Minerals Planning Authority in this instance. At a local level, the Site falls within the administrative boundary of Cherwell District Council.
- 1.1.6. The Site forms part of a wider area of permitted ironstone extraction regulated under **OCC Reference No. 97/00430/CM**, Review of Old Mineral Permissions (dated 28 January 1999).
- 1.1.7. In November 2019, permission was granted to relocate an ephemeral pond as part of restoration proposals (**OCC Reference No. MW.0020/19**).¹ This Approved Restoration Scheme restores the Site to a low level with an agricultural afteruse, hedgerows and areas of rough grassland, scrub and natural regeneration. It does not involve the importation of waste materials.
- 1.1.8. Since permission was granted for the above, the UK Government approved HS2 in February 2020.² Phase 1 provides a high-speed railway from London to Birmingham. A high level of materials and waste will be generated during construction. Currently, the Applicant is in the process of securing contracts to accept inert soil material. There is an established transportation route between the construction areas in the county and neighbouring counties with the Site via the existing road network.
- 1.1.9. The Proposed Development concerns the modification of the Approved Restoration Scheme through the importation of approximately 450,000m³ of inert soil material from the HS2 project. Consequently, this will enable an improved landform by reinstating levels comparable to the original (pre quarry) ground levels which will allow future productive agricultural use rather than a low level as permitted through the Approved Restoration Scheme. It will provide a phased scheme of infilling and restoration ensuring that remaining soils on site can be integrated into the final restoration of the Site. It will also offer improved biodiversity value through the creation of

¹ OCC Reference No. MW.0020/19 (District Reference No. 19/00407/CM): Section 73 application to vary condition 99 of planning permission ref 12/01365/CM (MW.0113/12); to relocate the ephemeral pond at Alkerton Quarry, Rattlecombe Road (Heading East To Stratford Road), Alkerton, Oxon, OX15 6HY, Oxfordshire County Council, Dated 21 November 2019

² <https://www.gov.uk/>, sourced January 2021



native broadleaf woodland and hedgerows, wetland and ephemeral wetland habitat.

1.1.10. It is maintained that the Proposed Development will not result in significant (adverse) environmental effects in part due to the nature and scale of the proposals outlined above.

1.1.11. This report is divided into the following Sections:

- ◆ **Section 1.1 Introduction** explains the background to the Screening Opinion Request;
- ◆ **Section 1.2 Definitions Used In The Report;**
- ◆ **Section 1.3 Recent Site Planning History** summarises relevant planning permissions;
- ◆ **Section 1.4 Current Site Situation** describes the Site and key aspects of the surrounding landscape;
- ◆ **Section 1.5 The Proposed Development** outlines the proposals;
- ◆ **Section 1.6 Current EIA Regulations** sets out the reasons why the Proposed Development does not fall within Schedule 1 or 2 development of the 2017 Regulations;
- ◆ **Section 1.7 Environmental Issues** summarises the approach of the technical assessments to be submitted as part of a planning application;
- ◆ **Section 1.8 Planning Supporting Statement** outlines the main planning policy documents to be reviewed as part of a planning application; and
- ◆ **Section 1.9 Summary and Conclusions.**

1.1.12. Reference is made to Drawing AL1198-D4: Illustrative Restoration Masterplan and Drawing AL1198-D5: Site Location Plan in this report. Distance and direction is provided from the nearest Site boundary. Footnotes identify reference sources.

1.1.13. B&A carried out a Site visit in November 2020. A virtual meeting has been held with an OCC Planning Officer in January 2021.

1.2. DEFINITIONS USED IN THE REPORT

1.2.1. The **Site** is identified by the proposed planning application boundary (denoted by the red line) on Drawing AL1198-D5: Site Location Plan and refers to Alkerton Quarry.

1.2.2. The **Approved Restoration Scheme** is represented by approved plans and details permitted through OCC Reference No. MW.0020/19 (District Reference No. 19/00407/CM) (dated 21 November 2019) namely:

- ◆ Plan 160118/rest5: Proposed restoration 5 (Dated 20 January 2018). Prepared by Barton Plant Ltd. on behalf of Peter Bennie Ltd.;
- ◆ Plan KB-AQ/101c: Alkerton Quarry Revised Restoration Plan - March 2018 (Dated March 2018). Prepared by Katie Burfitt on behalf of Peter Bennie Ltd.; and



- ◆ Alkerton Quarry Restoration, Soil Placement and Aftercare Scheme, Revised March 2018 (R2 Jan 2019). Prepared by Katie Burfitt on behalf of Peter Bennie Ltd.

- 1.2.3. The **Proposed Development** concerns the modification of the Approved Restoration Scheme through the importation of approximately 450,000m³ of inert soil material from the HS2 project. The proposals are outlined in Section 1.5 of this report.
- 1.2.4. The **Revised Restoration Scheme** is illustrated by Drawing AL1198-D4: Illustrative Restoration Masterplan. It identifies Phases 1 to 3 and areas of proposed planting (e.g. native broadleaf woodland and hedgerows).
- 1.2.5. The **2017 Regulations** refers to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

1.3. RECENT SITE PLANNING HISTORY

- 1.3.1. As noted previously, the Site forms part of a wider area of permitted ironstone extraction regulated under OCC Reference No. 97/00430/CM, Review of Old Mineral Permissions (ROMP) (dated 28 January 1999).
- 1.3.2. Table 1 below summarises the most recent planning permissions relevant to the Site.

Table 1: Summary of Site Planning Permissions

OCC REFERENCE NUMBER (DISTRICT REFERENCE NUMBER)	PROPOSAL	DECISION (DATE)
MW.0020/19 (District Reference No. 19/00407/CM)	Section 73 application to vary condition 99 of planning permission ref 12/01365/CM (MW.0113/12); to relocate the ephemeral pond at Alkerton Quarry	Approved (21 November 2019)
MW.0108/13 (District Reference No. 13/01257/CM)	Section 73 application to vary condition 109 of planning application 12/01365/CM to allow the implementation of an updated restoration	Approved (4 September 2013)
MW.0113/12 (District Reference No. 12/01365/CM)	Application to vary conditions 35, 40, 41, 98 & 99 of planning permission Ref 12/00056/CM; to create restoration contours the allow for effective drainage.	Approved (20 November 2012)



1.4. CURRENT SITE SITUATION

- 1.4.1. The Site occupies a triangular parcel of land (c.10.8ha) and borders the A422 (Stratford Road) and Rattlecombe Road to the south. Immediately adjacent to the west is the Alkerton Landfill Site.
- 1.4.2. There is an established mature hedgerow with hedgerow trees to the east and south of the Site.
- 1.4.3. The Approved Restoration Scheme provides agricultural land (c.6.1ha), rough grassland with perimeter scrub (c.1.8 ha) and native hedgerows (c.654m linear length). Site restoration was due to be completed in 2019/20. The northern part of the Site was partially restored approximately 14 years ago and this area is in poor condition. The photographs provided in the Soil Placement and Aftercare Scheme report (which forms part of the Approved Restoration Scheme) show areas of rough grassland and gorse (see page 8). Paragraph 3 notes that this area was due to be re-worked to improve restoration quality and drainage. Following which, it would be re-restored in accordance with agricultural areas elsewhere but using the lower quality soils.
- 1.4.4. The following is of relevance to the Site:
- ◆ A definitive public footpath (reference 418/6) crosses east to west through the Site. A further route (reference 418/12) passes along the western edge of the Site;
 - ◆ The Site is located in Flood Zone 1 which applies to areas with a low probability of flooding³;
 - ◆ Jenny's Sanctuary (a non denominational centre) and a residential property Heath Farm (also known as White Gables) are located immediately south-east of the Site;
 - ◆ The villages of Alkerton (c.800m) and Shenington (c.1.2km) are to the west of the Site;
 - ◆ No Priority Habitats apply to the Site or adjacent areas. South of Rattlecombe Road is an area of woodland categorised under the Priority Habitat Inventory as Deciduous Woodland (England).⁴ Balscote Quarry Local Wildlife Site (Site Ref. 34U01) is south of the Site (c.220m)⁵;
 - ◆ There are no Scheduled Monuments and Listed Buildings within c.500m of the Site. The Cotswolds Area of Outstanding Natural Beauty (AONB) is c.1.2km north; and
 - ◆ The Site has good access onto the main road network given its proximity to the A422 and is near to HS2 construction locations.

³ <https://flood-map-for-planning.service.gov.uk/>, sourced January 2021

⁴ <https://magic.defra.gov.uk/>, sourced January 2021

⁵ <http://www.tverc.org/>, sourced January 2021



1.5. THE PROPOSED DEVELOPMENT

- 1.5.1. The Proposed Development would represent a sustainable use of material from the HS2 project given the ideal location of the Site and beneficial afteruse for the Site itself.
- 1.5.2. Drawing AL1198-D4: Illustrative Restoration Masterplan demonstrates the revised restoration scheme.
- 1.5.3. In summary, the Proposed Development will provide the following:
- ◆ **Enable an improved landform** by reinstating levels comparable to the original (pre quarry) ground levels which will allow future productive agricultural use rather than a low level as permitted through the Approved Restoration Scheme;
 - ◆ Provide a **phased scheme of infilling and restoration** ensuring that all existing soils remaining on site can be integrated for final restoration of the Site. Phase 1 to 3 are identified on Drawing AL1198-D4;
 - ◆ **Offer enhanced biodiversity** when compared to the Approved Restoration Scheme through the creation of native broadleaf woodland, native hedgerows, wetland and ephemeral wetland habitat as identified on Drawing AL1198-D4. Existing hedgerows along the eastern and southern Site boundaries will be strengthened by the proposed planting; and
 - ◆ **Public footpath (reference 418/6)** would be returned to its definitive route as opposed to the amended location defined by the Approved Restoration Scheme.
- 1.5.4. Further to the above, any remaining volumes of mineral will be extracted within the Site to ensure a fully sustainable and policy compliant scheme.
- 1.5.5. There would be no change to the hours of working on site.
- 1.5.6. The Proposed Development will be submitted as a stand alone planning application. Thus, an eventual permission would allow Site restoration to progress without being attached to current Conditions through the ROMP consent (OCC Reference No. 97/00430/CM) which affects the broader Wroxton sites.

1.6. CURRENT EIA REGULATIONS

- 1.6.1. Current EIA regulations are set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Hereafter referred to as the 2017 Regulations.
- 1.6.2. The proposals previously outlined in Section 1.5 would not fall under the development activities listed as Schedule 1 Development. Item 19 refers to quarries where the surface of a site exceeds 25ha. The Site in this instance is 10ha.



1.6.3. When considering Schedule 2 Development, the nature of the restoration excludes the proposals from the following:

- ◆ **Category 1 Agriculture and aquaculture (a) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes:** The Site is neither uncultivated land nor a semi-natural area. It has an existing consent for restoration to an agricultural afteruse (OCC Reference No. MW.0020/19); and
- ◆ **Category 2 Extractive industry (a) Quarries, open cast mining and peat extraction (unless included in Schedule 1):** This would not apply given that the proposals will simply update and address current mineral extraction at the Site that might otherwise be applied under a Section 73 application.

1.6.4. When taking into account Schedule 3 Selection Criteria for Screening Schedule 2 Development. With regards to (1) the characteristics of development, the proposals will carry weight with regards to:

- ◆ **(a) the size and design of the whole development:** The Proposed Development is contained within the Site (i.e. Alkerton Quarry) and is limited in overall extent;
- ◆ **(b) cumulation with other existing development and/or approved development:** It can take place with no wider or interlinked effects and can be separate to the existing ROMP consent (OCC Reference No. 97/00430/CM);
- ◆ **(c) the use of natural resources, in particular land, soil, water and biodiversity:** It provides for a sustainable use of natural resources, namely material from the HS2 project;
- ◆ **(d) the production of waste:** As noted above it provides an opportunity to use material from the HS2 project;
- ◆ **(e) pollution and nuisances;** There will be no pollution, rather it will offer an enhanced afteruse compared to the existing situation;
- ◆ **(f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge:** Would not apply in this case;
- ◆ **(g) the risks to human health (for example, due to water contamination or air pollution):** Any risk of adverse effects to human health will be considered through the technical assessments submitted as part of a planning application (e.g. noise, traffic and hydrology).

1.6.5. With respect to the **location of development**, the Site is not situated in an environmentally sensitive geographical area listed under Paragraph 2. With respect to (1a) the existing and approved land use, the Site constitutes an existing quarry and has current consent for restoration to an agricultural afteruse (OCC Reference No. MW.0020/19).

1.6.6. When considering **types and characteristics of the potential impact** (3), it is maintained that the Proposed Development will not result in likely significant effects on the environment.



1.6.7. In conclusion, having reviewed the above, the Proposed Development would not fall within the remit of the 2017 Regulations. Instead, it is proposed to submit a planning application supported by detailed technical assessments which will consider potential impacts, effects and whether additional mitigation measures are required.

1.6.8. The initial list is based upon a thorough understanding of the various environmental issues due to previously consented development at the Site, the nature of the restoration changes and earlier discussions with OCC Planning Officers.

1.6.9. It is proposed that the environmental issues to be examined comprise ecology, hydrology, landscape and visual, noise and traffic and are outlined in the following Section.

1.7. ENVIRONMENTAL ISSUES

1.7.1. The approach of the assessments are summarised below.

Ecology

1.7.2. An Ecological Assessment will be carried out. It is expected that this will comprise a Phase 1 habitat survey, outline species surveys and consider existing information. It will assess any effects on statutory and nonstatutory wildlife sites due to the Proposed Development.

1.7.3. The assessment will be carried out in accordance with current guidance and best practice set out by the Institute of Ecology and Environmental Management (IEEM). Relevant planning policies will be taken into account. The report will identify potential enhancement measures that can be incorporated into the Revised Restoration Scheme which will result in net biodiversity gain in line with current national planning policy.

Hydrology

1.7.4. Hydrology matters relating to the Proposed Development will be evaluated. This will include an assessment of groundwater issues through a Hydrogeological Assessment and will include consideration of flood risk and drainage issues.

1.7.5. The assessment will entail:

- ◆ Review of information relating to the geology, licensed abstractions, private water supplies, history of site working, water-supported sites of ecological interest, etc.;
- ◆ Identification of potential impacts of importing restoration fill material;
- ◆ Identification of how the Site setting relates to the Environment Agency landfill location policy; and
- ◆ Development of mitigation measures, where necessary.

1.7.6. Flood risk and site drainage work items will include:

- ◆ Collation of data from the Environment Agency and Lead Local Flood Authority;



- ◆ Assessment of flood risk to the Site and from the Site to the surrounding area;
- ◆ Assessment of mitigation measures to prevent any increase in flood risk;
- ◆ Consideration of the effects of climate change; and
- ◆ Assessment of surface water management/drainage provision after the completion of restoration. Sustainable Drainage Systems (SuDS) methods would be proposed where possible and comment made on the on-going maintenance of the SuDS system over time.

Landscape and Visual

1.7.7. A Landscape and Visual Appraisal (LVA) will be carried out regarding the Proposed Development.

1.7.8. Guidance for the undertaking of the LVA will be sourced from Guidelines for Landscape and Visual Impact Assessment (Third Edition), published by the Landscape Institute and Institute of Environmental Management and Assessment (2013).⁶ Reference will also be made to:

- ◆ An Approach to Landscape Character Assessment, Natural England (2014)⁷; and
- ◆ An Approach to Landscape Sensitivity Assessment – to Inform Spatial Planning and Land Management, Natural England (2019).⁸

1.7.9. The LVA will examine and assess separately, potential effects on landscape character and the visual amenity. Relevant national, county and local landscape policies and design guidance will be taken into account. Mitigation measures incorporated into the Proposed Development will be considered.

Noise

1.7.10. A Noise Assessment of the Proposed Development will be undertaken and it is expected that it will address the following matters:

- ◆ Key sources of noise originating from the Proposed Development;
- ◆ Current monitoring regime and results;
- ◆ Describe the noise mitigation measures that are currently in place;
- ◆ Predict the noise levels arising from the Proposed Development and assess these against current standards and guidelines; and
- ◆ Propose additional mitigation measures if required.

1.7.11. The assessment will be undertaken in line with current guidance and best practice. Relevant planning policies will be taken into account.

⁶ Guidelines for Landscape and Visual Impact Assessment (Third Edition), Landscape Institute and Institute of Environmental Management and Assessment, 2013

⁷ An Approach to Landscape Character Assessment, Natural England, October 2014

⁸ An Approach to Landscape Sensitivity Assessment – to Inform Spatial Planning and Land Management, Natural England, June 2019



Traffic

1.7.12.A Transport Assessment will be carried out relating to the Proposed Development. It is expected that the assessment will consider the likely traffic generation from the Proposed Development when compared to the extant uses of the Site. It will assess the environmental impact of traffic levels and whether there are any sensitive receptors along transport routes or areas of concern regarding highway safety. Relevant planning policies will be considered.

1.8. PLANNING SUPPORTING STATEMENT

1.8.1. The planning application will be accompanied by a Planning Supporting Statement which will describe the Proposed Development in detail. The Revised Restoration Scheme will be illustrated and described. It will also outline soil placement and aftercare.

1.8.2. The Planning Supporting Statement will bring together planning policy matters addressed in the technical assessment reports.

1.8.3. The document will address relevant national, county and local planning policies and guidance including:

- ◆ **National level:** The National Planning Policy Framework (NPPF) (2019)⁹ and Planning Practice Guidance (PPG)¹⁰;
- ◆ **County level:** The Oxfordshire Minerals and Waste Core Strategy, Part 1 Core Strategy (September 2017) and Oxfordshire County Council's Minerals and Waste Local Plan 1996 Saved Policies will be reviewed. It is understood that the Oxfordshire Minerals and Waste Local Plan: Part 2 – Site Allocations is currently being prepared; and
- ◆ **Local level (Cherwell District Council):** The Adopted Cherwell Local Plan 2011 - 2031 Part 1 (July 2015) and Adopted Cherwell Local Plan 1996 Saved Retained Policies are relevant.

1.8.4. No Neighbourhood Plans or Parish Plans have been published to date relevant to the Site.

1.9. SUMMARY AND CONCLUSIONS

1.9.1. The Site occupies a triangular parcel of land (c.10.8ha) and borders the A422 (Stratford Road) and Rattlecombe Road to the south. Immediately adjacent to the west is the Alkerton Landfill Site.

1.9.2. The Site forms part of a wider area of permitted ironstone extraction.

1.9.3. The Proposed Development concerns the modification of the Approved Restoration Scheme. This would involve the importation of approximately 450,000m³ of inert soil material from the HS2 project.

⁹ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, February 2019

¹⁰ <https://www.gov.uk/government/collections/planning-practice-guidance>, sourced January 2021




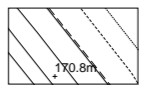
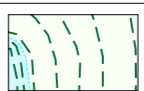

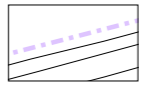
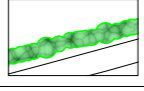


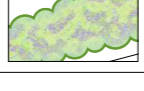
- 1.9.4. The Proposed Development will not result in significant (adverse) environmental effects in part due to the nature and scale of the proposals. Furthermore, it does not represent EIA development.
- 1.9.5. This report has set out the approach of the planning application and environmental issues to be examined further, namely ecology, hydrology, landscape and visual, noise and traffic.
- 1.9.6. In conclusion, the Proposed Development would represent sustainable development in accordance with the economic, social and environmental objectives of the NPPF (2019). It would represent a sustainable option given the ideal location of the Site. Furthermore, it would offer a beneficial afteruse for the Site itself, namely that it would ensure that it could be restored to comparable natural levels (and not to a low level as permitted), offer an enhanced restoration and afteruse as well as improved biodiversity value when compared to the Approved Restoration Scheme. It would also permit remaining volumes of mineral will be extracted within the Site to ensure a fully sustainable and policy compliant scheme. Should permission be granted, this would allow Site restoration to progress without being attached to current Conditions through the ROMP consent (OCC Reference No. 97/00430/CM) which affects the broader Wroxton sites.

DRAWING LIST

DRAWING NO.	TITLE
Drawing AL1198-D4	Illustrative Restoration Masterplan
Drawing AL1198-D5	Site Location Plan



Key

-  Site boundary
-  Ordnance Survey Mastermap data
-  Proposed infill restoration contours (blue dashed line = water level and ephemeral wetland habitat)
-  Areas restored to agricultural afteruse
-  Phase boundaries for infilling/restoration
-  Retained boundary hedges
-  Definitive footpath routes
-  Proposed native hedgerow planting
-  Proposed native broadleaved woodland planting

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Client:
AT Contracting Ltd.

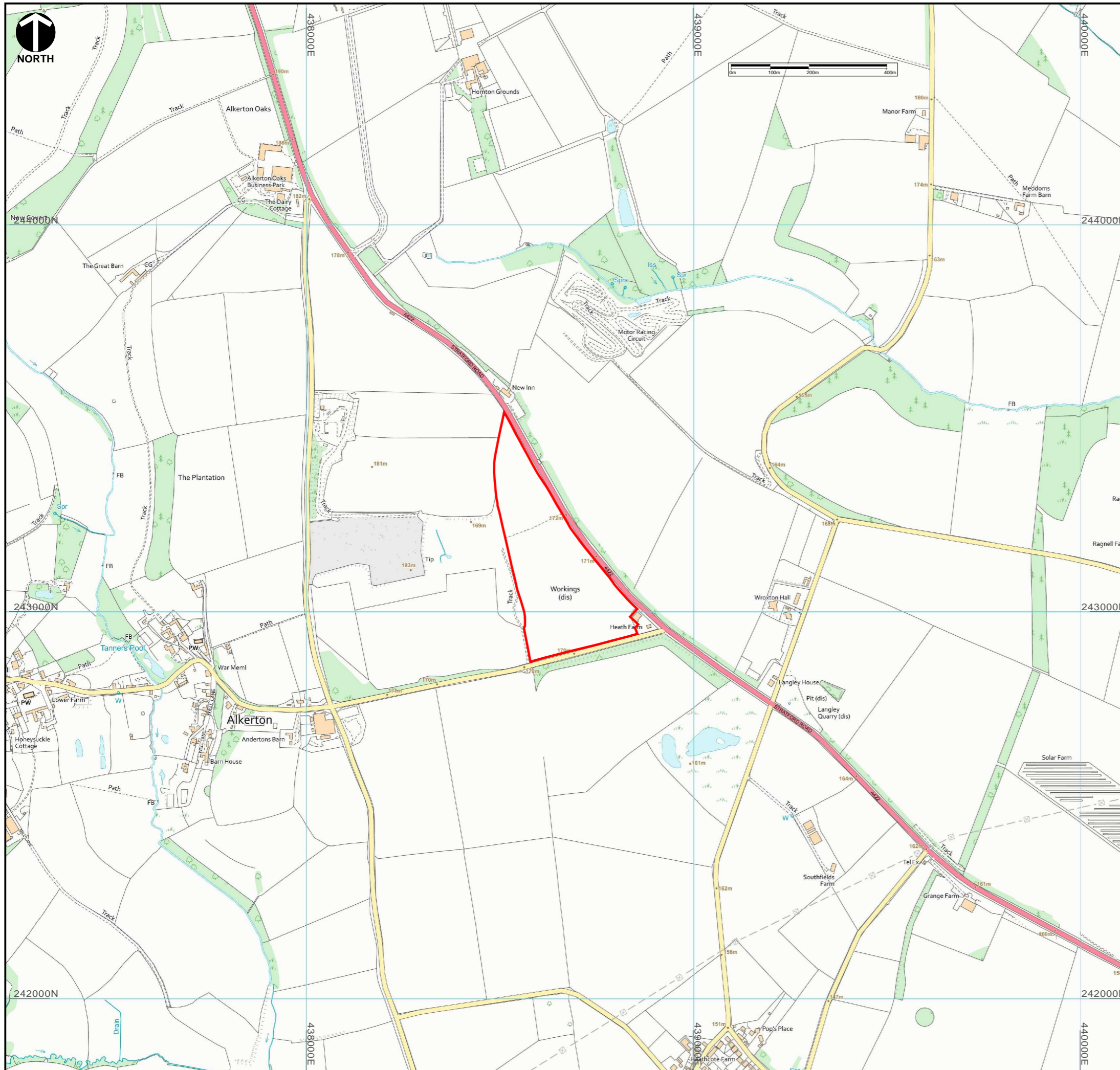
Project:
Alkerton Quarry

Title:
Illustrative Restoration Masterplan

CAD Ref: AL1198-D4v3	Version: 3	Drawn by: RB	Scale @ A3: Plan 1:2500	Origin Date: Jan. 2021
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 **bright & associates**
landscape and environmental consultants
Fair Tree House, Dovaston, Oswestry, Shropshire, SY10 8DP
01691 652 773 www.bright-associates.co.uk
Registered Practice

Drawing:
AL1198-D4
Landscape Institute



Key

— Site boundary


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Client:
AT Contracting Ltd.

Project:
Alkerton Quarry

Title:
Site Location Plan

CAD Ref: AL1198-D5v1	Version: 1	Drawn by: RB	Scale @ A3: Plan 1:10,000	Origin Date: Jan. 2021
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 Drawing:
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A Registered Practice of the Landscape Institute



Pre-application Advice Request Form

Please complete all sections of the form and return to: planning@oxfordshire.gov.uk or Development Management, Planning Regulation, 4th Floor, County Hall, New Road, Oxford, OX1 1ND

1. Agent Details

Name	Mr Rick bright
Address	Bright & Associates, Pear Tree House, Dovaston, Oswestry,
Postcode	SY10 8DP
Telephone	01691 682773 or [REDACTED]
Email	rick@bright-associates.co.uk

2. Applicant Details

Name	AT Contracting Ltd.
Address	Ate Farm, Moorbarns Lane, Lutterworth
Postcode	LE17 4JD
Telephone	
Email	

3. Site Details

Address (with postcode)	Alkerton Quarry, Alkerton with Shennington, Banbury, Oxon, OX15 6HY
Grid Reference (8 figure)	3861,4321

4. Description of Proposed Development

Please provide a brief description, full details should be attached.

Proposed revision to approved restoration scheme using imported inert soil material to return landform akin to original ground levels and return to agricultural use.

5. Type of Pre-application Advice Sought

- Written advice only
 Meeting with written advice

6. Attached Documents

- Full explanation of proposed development
- Site Plan
- Fee

6. Additional Information – Please list any relevant additional information about the site or the development that you have provided

See Screening Request as submitted

7. Signature:

Date: 22/01/21



APPENDIX 2

Oxfordshire County Council EIA Screening Opinion and Pre Application Advice
Letter (February 2021)

Development Management
4th Floor, County Hall
New Road
Oxford
OX1 1ND

08 February 2021

My ref:
PRE.0010/21

Direct line: 07775 824954

e-mail: emma.bolster@oxfordshire.gov.uk

Dear Rick

Site details: Alkerton Quarry, Alkerton with Shennington, Banbury, Oxon, OX15 6HY

Description of proposed development: Proposed revision to approved restoration scheme using imported inert soil material to return landform akin to original ground levels and return to agricultural use.

Planning Officer dealing with your request: Emma Bolster

Thank you for your pre-application advice request and for the virtual meeting held on 7th January 2021, along with Mark Devito, in lieu of the arranged site meeting due to current COVID-19 restrictions.

It was helpful to gain an insight into the new owner's plans for the restoration of Alkerton Quarry, which covers approximately 10.8 hectares. The existing restoration after use for low-level agriculture with hedgerows, areas of rough grassland, scrub and natural regeneration cannot be implemented as approved. The haul road has been removed and the mineral beneath extracted by the previous owners. The revised restoration scheme is to import approximately 450,000 m³ of inert soil materials, sourced from the HS2 project. Infilling of the existing void would bring the landform up to close to pre-mineral extraction levels. The biodiversity gain for the site could be potentially increased from the existing scheme by allowing productive agricultural after use and the creation of a native broadleaf woodland and hedgerows, wetland and ephemeral wetland habitats primarily to the northern, western and southern boundaries of the site.

The comments below are offered without prejudice to the determination of a future planning application for this site. Such an application would be assessed on its merits against the development plan and other material considerations at the time of submission.

1. Planning history of the site (only planning applications dealt with by Oxfordshire County Council):

Application 97/00430/CM (MW.003/99b) was submitted January 1997. The application was part of a Review of Old Mineral Permission (ROMP) to consider the conditions attached to the extant permissions for the quarries at Balscote-Hornton-Wroxton and Alkerton. These were all for areas under the same applicant's control, with Alkerton Quarry identified as south of Area 5. This permission was issued January 1999. This specified that mineral extraction is to cease by 21 December 2042, restoration to be completed by 21 December 2043 and aftercare to be completed by 21 December 2048. This application has now been superseded.

Application 01/01478/CM (MW.023/01) was submitted July 2001. This application was for non-compliance with condition 98, to allow an area greater than 0.5 ha for operational land (excluding roadways, offices and wheel wash) and variation of working plan approved under condition 105 of planning permission referenced 1899/9/3, 1899/9/9, 1899/40009/11 and 1899/40009/12 at Alkerton Quarry, Banbury. This permission was issued January 2002 and has now been superseded.

Application 12/01365/CM (MW.0113/12) was submitted July 2012. This was to vary conditions 35, 40, 41, 98 and 99 of 12/00056/12 (MW. 0011/12), relating to the restoration and direction of working (condition 98) and to allow for effective drainage. The permission was issued November 2012 and has now been superseded.

Application 13/01257/CM (MW.0108/13) was submitted August 2013. This application was to allow for the implementation of an updated restoration scheme, by varying condition 109 of 12/01365/CM (MW.0113/12). This application was refused October 2013, as it was considered that it was not a variation of the original condition as it was an application to import waste, which is not part of the original application. There was also insufficient information to demonstrate there would be no harm from the development to the environment or local amenity.

Application 19/00407/CM (MW.0020/19) was submitted February 2019. This application was a Section 73 application to vary condition 99 of planning permission ref 12/01365/CM (MW.0113/12); to relocate the ephemeral pond. This permission was issued November 2019 and is the current planning permission.

2. Is planning permission or any other consent required for the proposed development:

A full planning application would be required for the importation of soil material to infill the current void at Alkerton Quarry, allow for associated HGV movements and revise the approved restoration scheme by raising the land profile to close to the original pre-extraction levels. In addition, to remove any remaining mineral and export from a different haul route than is currently approved, this would require a section 73 to be submitted, as this would be operations under the existing planning consent. The revised haul road route would be required as this has been removed and the underlying mineral extracted by the previous owner/ operator.

Alternatively, should infilling of the current void at Alkerton not be an option, then a section 73 planning application would still be required, as the approved restoration scheme cannot be implemented as approved. This application should seek to vary the restoration conditions which relate to Alkerton of planning permission 19/00407/CM (MW.0020/19), and should also address the approved levels and site access.

3. Designations and/or constraints affecting the development site:

The application area is approximately 1.2 km (0.8 miles) south of the Cotswolds Area of Outstanding Natural Beauty (AONB), which is contiguous with the county boundary with Warwickshire and the western edge of the A422/ Stratford Road at that point. Balscote Quarry, a Local Wildlife Site, lies approximately 260 metres south of the application area, but there are no designated wildlife sites adjacent. There is an adjacent old landfill to the western edge of the site, which may need to be taken into consideration as regards to final landform/ landscape.

The site area is bisected by a footpath (418/6/10), which crosses the northern half of the unrestored area, approximately 20 to 50 metres south of and parallel to the previously restored triangle of former mineral working within the red-line area. This footpath merges with the public right of way which runs along the western boundary of the site. Footpath (418/12/30) runs south from footpath (418/6/10), while footpath (418/12/10) runs north. A further right of way, footpath (339/7/10) runs west from the western boundary of the application site, accessed via footpath (418/12/10). The d'Arcy Dalton Way, a long distance footpath, is approximately 500 metres north of the application site, running along bridleway (255/5/10) at that point.

The application site lies entirely within Flood Zone 1, which is the lowest of flood risk areas. The closest residential properties are approximately 10m to the south-east of the application site, with the villages of Alkerton and Shennington approximately 800m and approximately 1.3km (1 mile) west of the application site respectively.

4. Advice from consultees:

Transport Development Control Officer

- I have reviewed the Screening Opinion Request submitted with this preapplication enquiry. At 1.7.2 it says that a Transport Assessment will be provided, which I would agree is required. This must consider traffic impacts throughout the day, not just peak hours. It isn't clear from the screening opinion request how many lorry movements over what period are required – this should be clarified.
- Regarding the routing of traffic between the site and HS2 work sites, it should be noted that HS2 worksites are restricted by the HS2 Act to specific construction routes, and the A422 west of the Southam Road in Banbury is not, to my knowledge, one of those routes. Therefore OCC would not approve a lorry route to this site for the purpose of transporting material to HS2 compounds. The exception would be if the material was being transported here from the strategic road network, i.e. having first come from the HS2 work site to the SRN and then leaving the SRN to travel to the site, because HS2 construction routes approval only covers the journey from the SRN to the work site.

- As it is unlikely Warwickshire CC would approve a route via the A422 through Warwickshire, it is assumed that the intended route would be from the M40 J10 through Banbury and the villages of Drayton and Wroxton. OCC would not support any additional lorry movements on this route, and they would be considered contrary to Policy TR10 of the Cherwell Local Plan, which states: *“Development that would generate frequent HGV movements through residential areas or on unsuitable urban or rural roads will not be permitted. The Council will resist proposals for the establishment of HGV operating centres where they would create traffic problems or adversely affect the amenity of residential areas or villages”*.
- It is also not clear where the site would be accessed. Clarification is required as to whether it is proposed to take a new junction off the A422 or use an existing field access or another new junction off the minor road leading from the A422 to Alkerton. If the latter, this would not be acceptable without improvement to the junction and the road. A new junction on the A422 would need to meet DMRB standards.

Rights of Way Officer

- The proposal to restore the footpath on the definitive line as a result of this change is supported.

Ecology Officer

- Oxfordshire Minerals and Waste Core Strategy 2017 - 2031, Policy C7: Biodiversity and geodiversity states that:
“Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.
...
In all other cases, development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity (or geodiversity)...”
- National Planning Policy Framework, Paragraph 174b:
“Planning policies and decisions should identify and pursue opportunities for securing measurable net gains for biodiversity”.
- National Planning Policy Framework, Paragraph 175b:
“Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.
- As noted in the Screening Opinion Request report, the application submitted will need to be supported by up to date ecological information, including a Preliminary Ecological Appraisal and any required phase 2 surveys. The PEA will be accompanied by a data search from Thames Valley Environmental Records Centre (TVERC). A list of ecological consultants is available on the CIEEM website (www.cieem.net). Some protected species surveys are only valid for 12 months so if works are planned to occur more than 12 months after the date of the initial survey then the surveys may need to be updated.

- Survey reports should state whether the proposed scheme has the potential to impact on a European protected species and result an offence under the Habitats Regulations 2019. If an offence is likely, the applicant will need a licence from Natural England and OCC must consider whether a licence from Natural England is likely to be given before granting planning permission.
- The overall project must demonstrate a measurable net gain in biodiversity according to local and national policy. The best way to demonstrate this would be through use of an approved metric; at the time of writing, the recommended calculator is the Defra 2.0 metric.
- The ephemeral pond that has been previously proposed on site has been relocated and decreased in size. To improve its value, the size of the pond could be increased, or a complex of ponds could be created. Details of the proposed levels of the waterbody, and any ephemeral wetland planting will be required. The ecological assessment should also evaluate the impact of agricultural runoff on the biodiversity of site's proposed wetland habitat and waterbody, and measures should be included to mitigate against any future negative impacts caused by the runoff where possible. Any potential impacts on the nearby Balscote Quarry Local Wildlife Site should also be considered.
- Provision should be made for the long-term management of the site's habitats for 20 years after the 5-year standard aftercare period for nature conservation (therefore an Ecological Management Plan (or similar) would be required covering this time period). Although the site does not sit directly within a Conservation Target Area (CTA), it lies close to the Northern Valleys CTA. CTAs are areas within Oxfordshire where targeted conservation action may have the greatest benefits for biodiversity. Therefore, the proposed restoration scheme must take this into account and any habitat enhancements must be in line with the broad objectives of the CTA. It is also noted that the northern triangle of the site appears to form part of the core zone of the draft Nature Recovery Network, so enhancements in the area would be particularly valuable.

Landscape Officer

- The site is not located within an Area of Outstanding Natural Beauty (AONB) but might be visible from the Cotswolds AONB, which is only a short distance away.
- 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.
- NPPF para 172 gives great weight to conserving the landscape and scenic beauty of AONBs, and requires that highest status of protection is given to AONBs in relation to these issues.

- Cherwell Local Plan 2011 – 2031, Policy ESD 13 (Local Landscape Protection and Enhancement): the policy requires development to respect and enhance the local landscape character.
- Oxfordshire Minerals and Waste Core Strategy 2017 – 2031, 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. It further states that great weight is given to the conserving of the landscape and scenic beauty of AONBs, and that proposals within an AONB, or that would significantly affect the AONB shall demonstrate that they have taken this into account and have regard to the AONB Management Plan.
- The development seeks to import inert soil material from the HS2 project, which in turn will require a revision of the site's approved contours and restoration scheme. I note that the Screening Opinion Request document also states that the development offers an opportunity to "*extract the remaining volumes of material*" (paras 1.5.4 and 1.9.6) but no detail is given to this regard. More information will be required should the development not only comprise the import of inert materials and revised restoration but also further extraction.
- A Landscape and Visual Impact Assessment (LVIA) or Landscape and Visual Appraisal (LVA) as proposed will be required to assess the impacts of the proposals on landscape character and views. This should be in line with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3) and assess both landscape and visual effects including any potential impacts on the Cotswolds AONB or its setting.
- The assessment should not only consider the landscape and visual effects of extraction, infilling and restoration of the site itself but also take account of the potential impact of HGV traffic on landscape character and landscape quality (eg tranquillity), especially should the Cotswolds AONB be affected.
- In line with best practice guidance the assessment should be used to inform the proposal with regard to the most appropriate landform and landscape treatment. In addition, local landscape character assessments and ecological requirements should be used to inform the restoration of the site. In this context consideration should also be given to how the proposal could best compliment the restoration on the adjacent landfill with a view to maximise landscape, ecological and green infrastructure benefits.
- In addition, consideration will need to be given to the impact of the proposals on the affected Public Rights of Way (PRoW) and I recommend that the Council's Public Rights of Way Officer is consulted on the proposal.
- Whilst I cannot see a principle issue with the proposed development, its acceptability will depend on further detail, its impact on landscape character and views, and the restoration of the site for the benefit of landscape, biodiversity and green infrastructure.

Planning Policy Officer

- The main policy consideration is policy W6 of the OMWCS. It states that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. Permission will not otherwise be granted for development that involves the permanent deposit or disposal of inert waste on land unless there would be overall environmental benefit.
- The site currently has planning permission for low level restoration that was due to be completed 2019/2020, whereas condition 24 of planning permission MW.0020/19 requires restoration until 31/12/2042. The site has a planning permission for restoration that is acceptable, and so it is either a site that should have been restored in accordance with its planning permission, or it is a site that has yet to be restored in accordance with its planning permission. Paragraph 5.63 recognises that the county might be seen as a suitable location for the disposal of surplus inert waste from large scale projects such as HS2, particularly where there is potential for moving the waste by rail.
- This site is not one that requires an import of waste to achieve its permitted restoration, although it is as yet not completely restored. It is also not accessible by rail.
- The applicant should include in their application:
 - Details of the source of the material including any recycling that has taken place;
 - Details of the means of transportation to the site;
 - The environmental benefits of the proposed development over the permitted restoration.
 - The timescales for the current restoration, and the proposed restoration.

The Environment Agency (EA) should also be consulted regarding the intention to revise the current restoration by land-raising, as this may have impacts on any main or secondary aquifers in the area.

5. Relevant planning policies that apply to this development:

Planning applications should be decided in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises:

- Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy (OMWCS)
 - Cherwell Local Plan 1996 (CLP) saved policies)
 - Cherwell Local Plan 2011 – 2031 Part 1 (CLP1)
 - Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP) saved policies.
- None of the saved policies applies to this site or general location.

Other Material Considerations:

National Planning Policy Framework (NPPF)

Particularly sections **6** on building a strong, competitive economy, **9** on promoting sustainable transport, **11** on effective use of land and **15** on conserving and enhancing the natural environment:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Policy for Waste (NPPW)

This includes policies on identifying suitable sites and areas for waste development

National Planning Practice Guidance (NPPG)

Particularly paragraphs on Natural Environment and Waste

6. Discussion of planning policies and other material planning considerations (other material considerations may become apparent as and when a planning application is submitted):

Mineral Restoration

Oxfordshire Minerals and Waste Core Strategy Policy M10: This policy states that minerals workings will be restored to a high standard and in a timely, phased manner to an after-use which is appropriate to the location and delivers a net gain in biodiversity. The restoration and after-use of the minerals workings needs to take into account various factors. This includes a site's characteristics, landscape, local amenity, water-quality, biodiversity, geodiversity and historic environment.

The quarry has largely been worked out with minimal if any commercial mineral reserves noted from recent monitoring visits. The northern tip of the workings was partially restored 14 years ago, although this may not be considered to be high quality, and it would be re-restored under the proposed revised restoration. The land that has had restoration carried out consists of mainly rough grassland and gorse and covers an area of approximately 2.9 ha. The remainder of the quarry, approximately 7.9 ha remains unrestored, despite an approved restoration plan.

The approved restoration scheme is to a low-level agricultural after use, with rough grassland with perimeter scrub and native hedgerows. The revised restoration, which was approved 21 November 2019, was due to be carried out 2019/ 2020, as set out in the supporting documentation by the previous owner/ operator. This has not eventuated and the open extraction area, which was last worked mid-2020, remains unrestored. The proposed restoration would retain an agricultural after use and improved biodiversity through the creation of native broadleaf woodland and hedgerows, wetland and an ephemeral wetland habitat, by the importation of 450,000 m³ of inert soil material, not currently permitted under the extant planning permission, originating from the construction of the HS2 project. The overall restoration date for the ROMP area, which includes Alkerton, does not require final restoration until 31 December 2042. However, sites should comply with policy M10 by being restored in a timely manner, following mineral extraction. This has already occurred at Hornton, which has already been restored and passed through after care. Therefore, as Alkerton has essentially been worked out of available mineral, a revised restoration scheme needs to be submitted as it is now impossible to implement the low-level restoration approved in 2019, regardless of whether a scheme to raise the landform would be deemed suitable.

Waste Policy

Oxfordshire Minerals and Waste Core Strategy Policy W6: This policy states that priority will be given to the use of inert waste that cannot be recycled as infill material to achieve the satisfactory restoration and after use of active or unrestored quarries. Permission will not otherwise be granted for development that involves the

permanent deposit or disposal of inert waste on land unless there would be overall environmental benefit. Proposals shall meet the requirements of policies C1 – C12 and be restored in accordance with the requirements of policy M10 for restoration of mineral workings.

Alkerton Quarry was active until mid-2020, when mineral below the approved haul road was removed, which then prevented the restoration scheme, approved in November 2019 being implemented. The northern part of the quarry was poorly restored 14 years ago, with the remainder of the site remaining unrestored. The proposal for importation of inert soils, arising from the HS2 project, would need to demonstrate that the material is not recyclable, the location/s from where the inert soil material arises and how Alkerton Quarry would be a suitable location to allow for the disposal of HS2 project waste. The proposed restoration with land-raising would also need to demonstrate an increased biodiversity benefit over the existing, low-level scheme.

Transport

Oxfordshire Minerals and Waste Core Strategy policy C10 states that waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Map. The A422/Stratford Road is not identified on the Lorry Route Map on page 116 of the plan. Travelling east, the A422 does join with the A361 and A423, which are identified as a link to smaller towns and larger towns, respectively. Other roads in the area are not shown on this map and therefore any application which is submitted needs to demonstrate that safe and suitable access can be made onto those routes.

OMWCS policy C10 also states that access should be provided in ways that maintain and, if possible, lead to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network; and
- residential and environmental amenity, including air quality.

Similarly, Cherwell Local Plan 1996 saved policy TR10 states that development that would generate frequent heavy-goods vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted. The council will resist proposals for the establishment of heavy-goods-vehicle operating centres where they would create traffic problems or adversely affect the amenity of residential areas or villages.

As the proposed revised restoration scheme would likely increase HGV movements, traffic impacts throughout the day and routing would need to be addressed in any planning application. HS2 worksites are restricted by the HS2 Act. Both Oxfordshire Highways and Warwickshire Highways have routes where it may not be suitable to increase HGV movements on those routes, and those which are not designated under the Oxfordshire Lorry Route map within Oxfordshire. Any increase in HGV traffic would also need to be assessed against relevant policy.

Landscape

Oxfordshire Minerals and Waste Core Strategy policy C8 states that waste development shall demonstrate respect of and possible enhancement to the local

landscape. This should be informed by a landscape character assessment and include adequate and appropriate measures to mitigate any adverse impacts. If this is not possible, then compensatory environmental enhancements need to be made of offset landscape and visual impacts.

Similarly, Cherwell Local Plan 2011 – 2031: Part 1, policy ESD13 states that opportunities would be sought to secure the enhancement and character of the local landscape and development will be expected to respect and enhance local landscape character.

In addition, Cherwell Local Plan 2011 – 2031: Part 1, policy ESD17 states that the district's green infrastructure network will be maintained and enhanced through measures including protecting and enhancing existing sites and features forming part of the green infrastructure network and proposals should maximise the opportunity to maintain and extend green infrastructure links.

The proposal is to revise the approved restoration by raising the land profile to close to the pre-extraction levels, retaining agricultural after use and increasing biodiversity by woodland planting and wetland creation. The impact of proposed HGV traffic generation to enable a revised landform would need to be considered in landscape terms as there could be impacts on the local landscape and amenity impacts as well as potentially impacting on the immediate vicinity of the Cotswolds AONB.

Ecology

Oxfordshire Minerals and Waste Core Strategy policy C7 states that waste developments should conserve biodiversity and where possible, provide a net gain. If development would result in significant harm, development will not be permitted if ecological harm cannot be avoided, adequately mitigated or, as a last resort, compensated.

Cherwell Local Plan 2011 – 2031: Part 1, policy ESD10 states that in considering development proposals, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources.

There is an established mature hedgerow and trees to the south of the application site and also the eastern boundary, along the Stratford Road/ A422. Any amendments to the restoration scheme would need to demonstrate a net gain of biodiversity. The ephemeral pond implemented on the site under the extant application would be relocated and resized, and the proposed levels of the waterbody would need to be provided.

Development would need to demonstrate that there would be no potential impacts on European protected species under the Habitat Regulations and if so, a licence would be required from Natural England prior to any approved schemes.

Core Policies within the OMWCS which may also be relevant to the proposals include:

- C1 Sustainable development
- C2 Climate change

- C3 Flooding
- C4 Water environment
- C5 Local environment, amenity and economy
- C6 Agricultural land and soils
- C9 Historic environment and archaeology
- C11 Rights of way

Oxfordshire Minerals and Waste Local Plan 1996 (saved policies)

The saved policies following the adoption of the OMWCS in September 2017 all relate to specific areas within Oxfordshire. Alkerton Quarry is not located within any of these specified areas, therefore there are no relevant policies in the OMWLP.

Cherwell Local Plan 1996 (saved policies)

A number of policies contained in this plan may be relevant to this proposal, including:

- C1: Protection of sites of nature conservation value
- C2: Development affecting protected species
- C7: Landscape conservation
- ENV7: Development affecting water quality

Cherwell Local Plan 2011 – 2031 (Part 1)

A number of policies contained in this plan may be relevant to this proposal, including:

- Policy PSD 1: Presumption in favour of sustainable development
- Policy ESD 1: Mitigating and adapting to climate change
- Policy ESD 6: Sustainable flood risk management
- Policy ESD 12: Cotswold Area of Outstanding Natural Beauty (AONB)

7. Advice on whether community consultation should be carried out:

It is recommended that you engage with neighbours and the local communities prior to submitting a formal application, as this could help inform the proposed changes to the restoration scheme.

8. Requirements for submitting a full planning application:

The County Council will decide whether an application is valid (i.e. it contains all the necessary information) based on its Validation Checklists. These checklists are (a) the list of national statutory requirements and (b) the list of local requirements, which is currently being reviewed so should be seen as guidance at the present time.

These checklists are available on our website at

<https://www.oxfordshire.gov.uk/residents/environment-and-planning/planning/make-planning-application/making-planning-application>. In the first instance you should

refer to the list of national statutory requirements for submitting planning applications, secondly the local list of requirements should be examined and consideration given as to which of the specified information will be required.

In this instance I would consider that the following local requirements *should* be provided for a planning application for any options put forward:

- Aftercare/ Restoration Scheme
- Biodiversity and Geodiversity Assessment
- Landscaping Scheme

- Rights of Way
- Supporting Planning Statement
- Transport Statement
- Tree/ Hedgerow Survey (Arboricultural Statement)

I would also consider that the following local requirements *may* be necessary dependent on the final option chosen, discussions with consultees, and the finer details of the development:

- Bird Strike Risk Management Plan
- Landscape and Visual Impact Assessment

Applicants are strongly encouraged to submit a draft application for checking prior to the full submission. We also encourage all applicants to submit their final application through the Planning Portal www.planningportal.gov.uk. One hard copy of the application is also required.

Please note – the advice on the list of local requirements may change once further detailed information of any preferred option is put forward as a planning application. For a full planning application, the relevant fee is £234 per 0.1 hectare, for a site below 15 hectares. For a Section 73 application, the fee is £234.

9. Environmental Impact Assessment (EIA):

The development would fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Therefore, the development would need to be screened to establish whether a formal Environmental Statement is necessary. This has already been requested by the applicant. As there is a formal statutory procedure, the County Council cannot indicate the likely outcome of this ahead of the screening opinion being completed.

10. The process for determining an application (including likely timescales):

The County Council has a target to determine all applications it receives within 13 weeks of the date of validation. Applications are subject of a statutory 21 day public consultation period prior to any decision being taken.

Planning applications are determined by the County Council's Planning and Regulation Committee unless the decision can be delegated to the Planning Officer. If no objections are received a decision can usually be made and issued in a shorter period than 13 weeks. The timescale for dealing with applications that are reported to Committee are dependent on dates of the Committee cycle. The timetabled dates for this year are:

08 March 2021
 19 April 2021
 07 June 2021
 19 July 2021
 06 September 2021
 18 October 2021
 29 November 2021

If you have any questions regarding this response please contact me.

Yours sincerely



Emma Bolster
Planning Officer

Disclaimer

Any advice given in relation to the planning history of the site, planning constraints or statutory designations does not constitute a formal response of the Council under the provisions of the Land Charges Act 1975.

Any pre-application advice given by Council Officers does not constitute a formal response or decision of the Council with regards to future planning consents.

Any views or opinions expressed are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application, which will be subject to public consultation and ultimately decided by the Council. The Council cannot guarantee that new issues will not be raised following submission of a planning application and consultation upon it.

You should be aware that Officers cannot give guarantees about the final formal decision that will be made on your planning or related applications.

Town and Country Planning (Environmental Impact Assessment)
Regulations 2017

IS AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) NECESSARY?

Description of development: Regarding a New Planning Application for the Modification of the Approved Restoration Scheme through Importation of Inert Soil Material.

Name of site: Alkerton Quarry, Alkerton with Shennington, Banbury, Oxon, OX15 6HY.

- 1 Form to be used where a Screening Opinion is requested, or an application is submitted without an accompanying EIA. If EIA is submitted the form does not need to be completed.
- 2 If not:
 - a) Is the development listed in Schedule 1 **No**
 - b) Is the development listed in Schedule 2 **Yes**
 - c) If the answer to (b) is YES does it exceed any of the applicable thresholds and criteria in Schedule 2 or lie within a Sensitive Area? **Yes**
- 3 Is there a Secretary of State Screening Direction or any pre-application screening opinion for the development? If **yes** then no further consideration is required. NB – if the development proposed differs in any way from that previously screened then further consideration will be required.
- 4 If the answer to 2 b) is **no** or the answer to 2 b) is **yes** and the answer to 2 c) is **no** then conclude that no Screening Opinion is required including, where relevant, why the applicable thresholds and criteria are not met. **No**
- 5 If the answer to 2 a) is **yes** then a Screening Opinion is required but it only needs to set out why this is the case by reference to the relevant paragraph in Schedule 1. If the answers to 2 b) and c) are **yes** and the answer to 3 is **no** then for any Schedule 2 development prepare a Screening Opinion as follows:-
 - a) Work through the sections as set out in Schedule 3 of the EIA Regulations 2017 (*Selection Criteria for Screening Schedule 2 Development*). Deal with each point under the following headings:
 - Characteristics of development
 - Location of development
 - Characteristics of the potential impact
 - b) State why the characteristics of the development, the environmental sensitivity of the location and the characteristics of the potential impact does or does not mean that an ES necessary. Refer to national Planning Practice Guidance - Screening Schedule 2 projects for advice – indicative thresholds and criteria:

Assessment

All quarry development which is not listed in Schedule 1 falls under Schedule 2, category 2(a), except the construction of buildings providing less than 1000m² new floorspace. The proposal to revise the approved restoration for Alkerton Quarry by land raising with inert soils would also cause the development to fall under Schedule 2, category 11 (b), for the disposal of waste, unless included in Schedule 1 and the area of development exceeds 0.5 hectares. The proposed development is considered to fall within Schedule 2 paragraph 13 (b) of the EIA regulations as it is a change to a quarry as described in paragraph 2 of the same. The relevant thresholds are (i) whether the development as changed may have significant adverse effects on the environment or (ii) whether the thresholds and criteria are met or exceeded with regard to the proposed change.

Whilst it was considered that the proposed development as modified would not have the potential to cause significant adverse impacts on the environment, the specified threshold for quarries is “*all development*” and the threshold for waste development is if the area exceeds 0.5 hectare. Therefore, as development at a quarry and the site area for waste soil material landfill is approximately 7.9 hectares of an approximately 10.8 hectare site, in consideration of both the development falls within Schedule 2 and a screening opinion is required.

Screening Opinion

Characteristics of development

1. The characteristics of development must be considered with particular regard to—

- (a) the size and design of the whole development;
- (b) cumulation with other existing development and/or approved development;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters relevant to the development concerned,

including those caused by climate change, in accordance with scientific knowledge;

- (g) the risks to human health (for example, due to water contamination or air pollution).

The proposal relates to an existing quarry development with an approved low-level agricultural restoration. The proposed revision would involve the reinstatement of the quarry void to close to pre-extraction land levels by importing waste soil material generated from the HS2 project. The after use would remain as largely agriculture with biodiversity gain.

The existing Alkerton quarry covers an area of approximately 10.8 ha and is within a wider ROMP permission which also includes restored and active mineral operations at Hornton and Wroxton, respectively. The quarry has been largely exhausted of ironstone mineral. The quarry, together with the separate operations at Wroxton are

permitted to export 350,000 tonnes of mineral per annum, in any given three-year period.

The cumulation with other nearby developments or within the ROMP area is not considered to be significant.

The proposal involves the importation of approximately 450,000 m³ of inert soil material from the HS2 project. No generation of waste is anticipated at the site itself.

Implementation of the proposed restoration to include land-raising will result in the need for additional HGV movements. These may give rise to dust pollution, noise, and increased HGV traffic nuisance above what is currently experienced for operations. There would also be a potential increase of HGV movements above that which is permitted for the extant operations, where HGV movements are regulated by the rolling, three-year tonnage permitted from the ROMP area, across two active sites, being Alkerton Quarry and Wroxton Quarry, which is approximately 1.8 km (1 mile) to the south and also uses the A422/ Stratford Road, which forms the eastern boundary of the Alkerton Quarry and is accessed from Wroxton Quarry. The potential pollution and other environmental impacts are therefore considered to be significant. Impacts would be largely limited to the confines of the existing quarry site and the local road network, although there could be intensification on wider routes, depending on from which part of the HS2 project the soil material is sourced. The closest Oxfordshire site would be towards Finmere, approximately 26 km (16 miles) from the proposed development site.

No unusual substances or technologies would be required. Consequently, the risk of accidents is considered to be low. The risk to human health as a result of this development is also considered to be low.

Location of development

2. The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

The approved restoration is to a low-level agriculture after use, with hedgerows, areas of rough grassland, scrub and natural regeneration. There is no change to the proposed land use, but to ensure the agricultural after use at pre-extraction levels rather than at low-level. The proposed restoration would enable future productive agricultural use by phased infilling and restoration and integrating with the soils available on site. There would also be a biodiversity net gain through the creation of hedgerows and broadleaf woodland, wetland and ephemeral wetland habitat.

There are no Sites of Special Scientific Interest (SSSI) that would be impacted by development at the quarry, nor any Priority Habitats within or adjacent to the site. Balscote Quarry Local Wildlife Site (LWS – ref. 34U01) is approximately 260 metres south of the application area.

The site is located 1,160 metres south of the Cotswolds Area of Outstanding Natural Beauty (AONB). Whilst a revised development would not immediately impact on the AONB, the site's location does have the potential to impact on the AONB due to proximity to the boundary. There would be short term negative effects associated with an increase in HGV movements. However, the proposed development is likely to have a positive overall impact on the landscape that borders the designated AONB. The proposed revised restoration works would return the site to its original, pre-extraction landform. The proposal also includes additional broadleaf woodland and wetland planting.

There are no scheduled monuments, listed buildings or heritage landscapes within the immediate landscape to be impacted by a revised restoration scheme at Alkerton Quarry. The closest listed buildings are within the village of Alkerton and include, among others, the Church of St Michael, which is Grade I listed (1300845) and approximately 830m from the application site and Alkerton House, which is Grade II listed (1200287) and approximately 850m from the site.

The nearest residential property is located approximately 26 metres from the site boundary, which is adjacent to a non-denominational centre known as Jenny's Sanctuary and located approximately 2 metres from the application site's boundary. The closest residential properties within the village of Alkerton are approximately 595 metres from the site.

The natural resources of the site have been partially restored to a northern section of the quarry. The restoration scheme approved in November 2019 details that this area is to be re-worked to improve the quality of the partial restoration and drainage. The remainder of the quarry area would be restored to a low-level agricultural after use. The revised restoration scheme would make use of waste soil material sourced from the HS2 project, but the exact origin of the soil material has not been confirmed.

The application site is not located within a wetland, coastal zone, mountain area, forest area, nature reserve or park.

Types and characteristics of the potential impact

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to

the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

There would be greater localised impacts of the revised development, but there is no potential for transboundary impacts for the importation of waste soil material. The soil materials would be sourced from the HS2 project construction sites at various locations and therefore distances from the application site. The closest within Oxfordshire being located near Finmere. Although the proposal is not considered to be particularly intense or complex, the location of where the soil materials are being sourced from and the routes that could be used would intensify the number of HGVs in the immediate area of the application site above what is currently permitted. The impact of the revised restoration development would potentially be no greater than what is permitted and could benefit the immediate area. There would be a possibly shorter-term negative impact associated with the HGV movements, but the revised restoration could have a positive overall benefit and increase the existing biodiversity gains of the approved restoration on the application site and surrounding area.

Conclusion

The National Planning Practice Guidance on Indicative Screening Thresholds for EIA development advises that an EIA is more likely to be required for new quarries if they would cover more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year. The same guidance states that for waste sites, to include landfill, an EIA is more likely to be required where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more.

Neither of the thresholds for the revised quarry restoration are exceeded, in that the application site has an area of approximately 10.8 hectares and any remaining minerals that could be extracted would not realistically be expected to exceed the limit of 30,000 tonnes of ironstone per year, as the quarry is largely worked out. However, the site's area and the proposals to restore by land-raising, involving the importation of approximately 450,000 m³ (approximately 675,000 tonnes) of soil materials, with no proposed timescales for that importation of material does exceed the EIA threshold for a waste landfilling development.

The revision of the restoration proposals for Alkerton Quarry to raise the landform for an agricultural after use would be no more than of localised importance, overall. However, given the possible distances for the transport of waste soil materials to be used for that restoration, impact on the local highways network and surrounding

environment and the current lack of timescales for the proposed development, it is considered that the development as modified by the proposed changes to include land-raising for the quarry restoration would have the potential to cause significant effects on the environment.

Summary

An EIA is needed **Yes**

Signed: *ECBolster*

(Case Officer)

Date ...09 February 2021.....

Report approved by ...*David Periam*..... (David Periam,
Development Management Team Leader)

On behalf of the Assistant Director for Strategic Infrastructure and Planning

Date10th February 2021.....

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