Application No: MW.0011/12 District Ref: 12/00056/CM

OXFORDSHIRE COUNTY COUNCIL

County Planning Authority

TOWN AND COUNTRY PLANNING ACT 1990
LOCAL GOVERNMENT ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

To: Marshall Mono Ltd
Framptons
Oriel House
42, North Bar Street
Banbury
Oxfordshire
OX16 0TH

CONDITIONAL PLANNING PERMISSION

to vary Conditions 1, 2 and 5 of existing Planning Permission Ref: 06/01117/CM and Condition 80 of existing Planning Permission Ref: 06/01119/CM to allow the following;

- Replacement of existing substandard portable building with an improved timber panelled building for staff use;
- Extension of time for the retention of the stone cutting/dressing buildings and conservation yard from 31 December 2013 to 31 December 2023 with subsequent restoration of the site by 31 December 2024;
- Increase in the amount of stone imported to the site from 4,000 tonnes pa to 12000 tonnes pa

at Hornton Grounds, Horton, Nr Banbury, OX15 6HH

The OXFORDSHIRE COUNTY COUNCIL as County Planning Authority hereby GRANT PLANNING PERMISSION for this development SUBJECT TO the conditions set out in the attached Schedule 1.

The reasons for the imposition of the conditions are as set out in the attached Schedule 1.

The relevant Development Plan policies are set out in the attached Schedule 2.

The reasons for approval are set out in the attached Schedule 3.

Dated: 05 APR 2012

on behalf of Director for Environment & Economy

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

Notes

IMPORTANT

- This permission does not convey or imply any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

- Application for approval under the Building Regulations must be made to the Council for the district in which the land is situated.

- Except in the case of small domestic development, the Chief Fire Officer, Sterling Road, Kidlington, Oxford, OX5 2DU, Telephone: Kidlington 4211, should be consulted before work is commenced. This may save expensive alterations at a later stage.

- In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment, Transport and the Regions under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment, Transport and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Council of the District in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Schedule 1 - Conditions

Conditons

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved plans and particulars comprise planning application and supporting statement dated 23rd December 2011, Drawing no. 002/12/2011, TPB0100, Planning Statement and appendixes dated December 2011 and Drawing no. PJF/omjt/MAR04/PF/8824.01. The details approved under permissions 06/01116/CM, 06/01117/CM and 06/01119/CM are also approved except where modified by this consent.

   Reason: For the avoidance of doubt and to maintain planning control over the site.

2. No working on the site shall take place except in areas outlined in green on approved plans HORNT/W/RevC and ALK/MP/A and in red on approved plan 054/P/06.

   Reason: To limit working primarily to areas proposed for workings and to prevent reworking of areas now restored.

   Policy: OMWLP PE1

3. Notwithstanding conditions 1, 2, 59 and 60, working can take place in areas on approved plans GPP/PBL/WF/1/02, ALK/W, 054/P/01, 054/P/02, 054/P/04, 054/P/05 which are shown for working. No working shall take place on areas cross hatched black on those plans except in accordance with condition 4.

   Reason: To prevent working taking place close to villages or residential properties to the detriment of amenity of residents or the countryside.

   Policy: OMWLP PE1

4. (a) No mineral working or activity associated with mineral working shall take place within 350 metres of any dwelling in any phases, as approved under condition 61, that affects Balscote or Wroxton, except in accordance with a scheme to be approved by the Mineral Planning Authority that proves that no adverse environmental effects with respect to noise and dust will be experienced by people living in these dwellings. The Mineral Planning Authority will expect the scheme to be supported by an environmental assessment using facts and figures collected both on site and in the villages over a suitable period of time.

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

Reason: To prevent working taking place close to villages or residential properties to the detriment of the amenity of residents or the countryside and to ensure that the operators are aware of the need to establish that the residents will not suffer from environmental problems if quarrying within the 350 and 200 metres zone is to be allowed

Policy: OMWLP PE1

5. Planting on land between points A to K on approved plan 054/P/06 and L to M on approved plan ALK/W shall be maintained in accordance with the approved plans 090/CO2/250901/M2 and letters dated 19 October 2001 and 12 December 2001.

   Reason: To provide a natural screen for the site.

   Policy: OMWLP PE1

6. No more than an average of 350,000 tonnes per annum of mineral shall be exported from the site in any given three-year period.

   Reason: To protect the amenities of properties in Wroxton and Drayton.

   Policy: OMWLP PE1

7. No vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent material being deposited on the highway.

   Reason: In the interests of highway safety and to prevent mud and dust getting on the highway.

   Policy: OMWLP PE1, PE18

8. No mineral shall be exported from any phase (as defined under condition 61) until a wheelwash has been installed in the area or phase in accordance with details approved by the Mineral Planning Authority.

   Reason: In the interests of highway safety and to prevent mud and dust getting on the highway.

   Policy: OMWLP PE1, PE18

9. No mud, mineral or debris shall be deposited on the public highway.

   Reason: In the interests of highway safety.

Policy: OMWLP PE1, PE18

10. Temporary screening bunds shall not be other than 4 metres in height, 16 metres wide across the base and with sides of slope 1 metre high and 2 metres horizontal and at no time shall the bunds be more than 80 metres, measured from the apex of the bund, from the working face. The bunds shall be graded to give a smooth visual appearance and shall be kept weed-free and in dry weather shall be sprayed with water to reduce dust blow. Any bund that is in place for longer than six months shall be sown with grass seed in the Spring or Autumn.

    Reason: To protect residents in and near the site from noise intrusion and to limit visual and dust intrusion.

    Policy: OMWLP PE1, PE18

11. No loaded lorries shall leave the site unsheeted.

    Reason: To prevent dust being brought onto the highway for the safety of users of the highway.

    Policy: OMWLP PE1, PE18

12. No material shall be burnt on site.

    Reason: To prevent air pollution.

    Policy: OMWLP PE1, PE18

13. No blasting shall be carried out on site.

    Reason: To prevent noise intrusion and vibrations to local residents.

    Policy: OMWLP PE1, PE18

14. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no additional buildings, plant, machinery, or structure (whether a fixed or portable design) shall be erected or placed on site.

    Reason: To allow the Mineral Planning Authority to maintain control over potentially noisy or inappropriate development.

    Policy: OMWLP PE1, PE18

15. 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.

Reason: In the interests of the amenities of the area.

Policy: OMWLP PE1, PE18

16. Notwithstanding condition 14 no operations for the formation and subsequent removal of material from the bunds and soil storage areas shall be carried out at the site except between

    0800 and 1800 hours, Mondays to Fridays;
    0800 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.

    Reason: In the interests of the amenities of the area.

    Policy: OMWLP PE1, PE18

17. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.

    Reason: To reduce noise levels in the vicinity of the working area to acceptable levels.

    Policy: OMWLP PE1, PE18

18. No audible equipment warning of reversing vehicles shall be used on the mobile plant.

    Reason: To reduce noise intrusion in the area.

    Policy: OMWLP PE1, PE18

19. Soil stripping and respreading and construction and removal of bunds shall not take place for longer than six consecutive weeks in any year. Noise levels from these activities shall not exceed 65dB LAeq 1 hr freefield when measured 2.5 metres from any noise sensitive location in the vicinity of these areas. If these noise limits are exceeded the working will stop until measures have been agreed in writing with the Mineral Planning Authority to ensure that noise limits are not exceeded.

    Reason: To reduce noise levels in the vicinity of the working areas to acceptable levels.

Policy: OMWLP PE1, PE18

20. No working shall take place in any part of the site until permitted levels of dust at set locations adjacent to working phases have been approved in writing by the Mineral Planning Authority. In the Event that these levels are exceeded, working shall stop in the relevant phase until appropriate measures for limiting dust pollution have been agreed in writing by the Mineral Planning Authority.

    Reason: To ensure that dust pollution is not a problem for residents close to the site.

    Policy: OMWLP PE1, PE18

21. No floodlighting or speakers of a tannoy system shall be used on site, except in accordance with details approved in writing by the Mineral Planning Authority.

    Reason: To avoid light or noise pollution to nearby residential properties.

    Policy: OMWLP PE1, PE18

22. All fuel tanks shall be sited on a concrete base surrounded by bund walls capable of retaining at least 110% of the tank volume and any spillages from fill or draw pipes. Any water which accumulates in the bunded area shall be removed and disposed of in a manner appropriate to the quality of the water.

    Reason: To prevent pollution of the groundwater.

    Policy: OMWLP PE1, PE7

23. Soils and overburden to be stripped but not required for the construction of screening bunds shall be removed directly to the area of restoration for immediate respreading.

    Reason: To aid good restoration.

    Policy: OMWLP PE1, PE13, PE18

24. The development shall cease not later than 31 December 2042 and all the land worked shall be restored in accordance with conditions of this permission within one year of that date.

    Reason: To comply with Section 91 of the Town and Country Planning Act 1970.

Policy: OMWLP PE1, PE13, PE18

25. In the event of cessation of winning and working of minerals for two years or more prior to the end date set in Condition 23, which constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990 or any subsequent Act which revokes or re-enacts that Act, a revised scheme of aftercare and restoration shall be submitted, for those areas worked but not restored, to the Mineral Planning Authority within six months of the Mineral Planning Authority notifying the operator of the cessation. Any scheme that is approved shall be implemented within one year of that scheme's written approval.

    Reason: To ensure that restoration is carried out as early as possible following early cessation of working.

    Policy: OMWLP PE1, PE13, PE18

26. All fixed plant and machinery shall be removed from any phase and that phase restored, in accordance with agricultural restoration schemes approved by the Mineral Planning Authority, within one year of working ceasing in that phase.

    Reason: To ensure that restoration takes place as quickly as possible.

    Policy: OMWLP PE1, PE13, PE18

27. No pumping of water shall take place from the site except in accordance with a scheme to be agreed in writing by the Mineral Planning Authority.

    Reason: To ensure that any water pumping is carried out without detriment to amenities of local residents.

    Policy: OMWLP PE1, PE7

28. No topsoil, subsoil, or overburden shall be exported from the site.

    Reason: To ensure restoration to agriculture of the highest possible grade.

    Policy: OMWLP PE1, PE13, PE18

29. Topsoil, subsoil and overburden shall be separately stripped from one another, separately temporarily stored when necessary and separately respread.

    Reason: To ensure restoration to agriculture of the highest possible grade.

Policy: OMWLP PE1, PE13, PE18

30. No soil shall be stripped, handled or replaced except when the soil is in a dry and friable condition and the weather conditions are dry.

    Reason: To ensure restoration to agriculture of the highest possible grade.

    Policy: OMWLP PE1, PE13, PE18

31. No access roads approved under Condition 61 shall be less than 5.5 metres wide and they shall be metalled for at least 20 metres from the public highway.

    Reason: In the interests of highway safety.

    Policy: OMWLP PE1, PE18

32. No working shall take place in any phase unless the metalled road from the access point to the A422 is at least 5.5 metres wide.

    Reason: In the interests of highway safety.

    Policy: OMWLP PE1, PE18

33. No vehicular accesses to the public highway, other than those approved under conditions of this permission, shall be formed or used.

    Reason: In the interests of highway safety.

    Policy: OMWLP PE1, PE18

34. No working shall take place within 10 metres of the public highway or other boundary of the site.

    Reason: To ensure that the boundaries of the site are maintained.

    Policy: OMWLP PE1, PE18

35. No restoration of the boundaries of the site shall take place that has slopes steeper than 1 metre vertical to 8 metres horizontal unless otherwise agreed in writing by the Mineral Planning Authority. Finished slopes shall be rolled so that no sharp changes of slope result. Plans shall be submitted for the approval of the Mineral Planning Authority showing cross-sections through the restored quarry edges to achieve the slope shape required by this condition.

    Reason: To achieve restoration levels that match with the surrounding landscape.

Policy: OMWLP PE1, PE13, PE18

36. No extraction or other operations shall take place within 1.5 times the spread of any tree at the boundary of the site.

    Reason: To protect existing mature trees.

    Policy: OMWLP PE1, PE18

37. No regrading or stockpiling of soils, minerals or mineral waste shall take place within 5 metres of any tree or hedgerow on the boundary of the site.

    Reason: To ensure trees and hedgerows are protected.

    Policy: OMWLP PE1, PE18

38. At least 14 days notice of commencement of a soil stripping programme shall be given to the Mineral Planning Authority and the operator shall afford access at all reasonable times to archaeologists nominated by the Mineral Planning Authority who shall be allowed to observe the excavations and record items of interest and finds.

    Reason: To ensure the recording of any archaeological finds.

    Policy: OMWLP PE1, PE9, PE18

39. No operations shall begin in any phase of the site or in areas outlined in green on approved plan ALK/MP/A until the working margins have been pegged out and the prior written approval of the Mineral Planning Authority has been received to the pegged out margins . The pegs shall be maintained in the approved positions for the duration of operations in each phase.

    Reason: To ensure that workings do not encroach beyond the permitted boundaries.

    Policy: OMWLP PE1, PE18

40. Restoration shall include removal of all haul roads, foundations, hardstandings, buildings, plant, structures and fences, excluding protective fencing for planted areas.

    Reason: To ensure the best possible agricultural restoration.

    Policy: OMWLP PE1, PE13, PE18

41. Finished levels following restoration shall not be other than as shown on approved plans.

Reason: To ensure the best possible restored landscape.

Policy: OMWLP PE1, PE13, PE18

42. Where soils are stripped or respread using tractor and box scraper the soil shall be ripped following respreading.

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

43. When the soil is respread it shall not be in layers thicker than 250 mm. Each respread layer shall be ripped to a depth of at least 150 mm and shall be stone picked.

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

44. The overburden shall be ripped prior to soil replacement and any objects over 200 mm in any dimension shall be removed from the site or buried at least 2 metres below final land levels.

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

45. Stones and other objects greater than 150 mm in any dimension shall be removed from subsoil following respreading

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

46. No restored land shall have slopes shallower than 1 vertical to 100 horizontal.

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

47. Land shall not be restored to levels below surrounding land levels such that surface and subsurface drainage is impeded and no drainage outfall is available.

Reason: To facilitate good agricultural restoration.

Policy: OMWLP PE1, PE13, PE18

48. The depth of respread soil on land to be restored shall not be less than 1.2 metres.

    Reason: To facilitate good agricultural restoration.

    Policy: OMWLP PE1, PE13, PE18

49. Stones and other objects greater than 100 mm in any dimension shall be removed from topsoil following respreading.

    Reason: To facilitate good agricultural restoration.

    Policy: OMWLP PE1, PE13, PE18

50. No development shall take place within 10 metres of any watercourse and that margin shall remain completely unobstructed.

    Reason: To retain access to the watercourse to allow the Environment Agency to carry out its functions.

    Policy: OMWLP PE1, PE7

51. There shall be no direct connection between the pits and any watercourse.

    Reason: To prevent pollution of the water environment.

    Policy: OMWLP PE1, PE7

52. Surface water drainage of any restored phases shall be in accordance with a scheme to be agreed by the Mineral Planning Authority before extraction begins in that phase.

    Reason: To prevent the risk of flooding and of pollution of the water environment.

    Policy: OMWLP PE1, PE7

53. No pumping from the excavations shall take place whilst the adjoining watercourses are running bank full.

    Reason: To prevent the risk of flooding.

    Policy: OMWLP PE1, PE7

54. No watercourse shall be incorporated into the workings.

    Reason: To prevent pollution of the water environment.

Policy: OMWLP PE1, PE7

55. No working shall take place that will derogate from any domestic and licensed groundwater sources in the area.

Reason: To prevent adverse effects on groundwater sources.

Policy: OMWLP PE1, PE7

56. No working shall take place that will adversely affect flows or levels in any river, stream, ditch, spring, lake or pond in the vicinity.

Reason: To prevent adverse effects on surface water sources.

Policy: OMWLP PE1, PE7

57. Internal haul roads shall be kept free of mud at all times and shall be wetted in dry weather sufficient to prevent dust being formed by the passage of lorries.

Reason: To prevent dust pollution.

Policy: OMWLP PE1, PE18

58. All access roads and haul roads within the site shall be kept free of potholes.

Reason: To prevent noise intrusion.

Policy: OMWLP PE1, PE18

59. Notwithstanding condition 15, and expect with the prior arrangement of the Mineral Planning Authority in writing, no operations authorised or required by this permission shall be carried out and plant shall not be operated or lorries loaded or dispatched from any land within 350 metres of any dwelling in any phase as defined by condition 61, other than during the following hours:

Between 0730 and 1800 hours Mondays to Fridays
0730 and 1300 hours on Saturdays.

Reason: In the interests of the amenities of the area.

Policy: OMWLP PE1, PE18

60. No other working on the site shall take place until the area outlined in green on approved plan HORNT/W/RevC has been worked out except that minerals may be worked in the area outlined in green on approved plan no. ALK/MP/A.

Reason: To restrict the extent of working in order to limit environmental disturbance.

Policy: OMWLP PE1, PE18

61. No working shall take place outside the areas outlined in green on approved plans HORNT/W/RevC and ALK/MP/A except in accordance with the approved plan ref: GPP/PBL/WF/1/02. Working shall be limited to only one phase at any one time, although works for the preparation of extraction and restoration may take place in other phases in accordance with details approved in writing by the Mineral Planning Authority.

Reason: To restrict the extent of working in order to limit environmental disturbance.

Policy: OMWLP PE1, PE18

62. No mineral extraction shall take place on any land within the site outside the areas bounded by green lines on approved plans HORNT/W/RevC, ALK/MP/A and phase 1 until details of working, including phasing, method of soil stripping, mineral stockpiling and plant to be used, method of extraction and plant to be used, visual and dust control, access, restoration, landscaping and aftercare have been submitted to and approved by the Mineral Planning Authority in writing.

Reason: In order to properly control mineral working within the site.

Policy: OMWLP PE1, PE18

63. No development shall commence on any phase of the site, except that outlined in green on approved plans HORNT/W/RevC, ALK/MP/A and at Phase 1, until a scheme of noise monitoring and control for that part has been submitted to and approved by the Mineral Planning Authority in writing. The scheme shall include:

(i) measurement of ambient noise levels;
(ii) noise monitoring locations;
(iii) frequency of measurements;
(iv) limits of noise at any specified location; and
(v) cessation of working until noise reduction measures have been agreed in writing with the Mineral Planning Authority if noise levels have been exceeded.

No development shall take place except in accordance with an approved scheme.

Reason: To reduce noise levels in the vicinity of the working area to acceptable levels.

Policy: OMWLP PE1, PE18

64. The maximum area of the site, excluding land outlined in green on approved plan ALK/MP/A, which at any one time may be stripped of topsoil in advance of working, or under excavation or excavated but not restored, shall not exceed 12 hectares (excluding roadways, any conservation stone compound, office wheelwash and car parking area and other approved buildings).

Reason: To ensure that the maximum area is available for uses other than quarrying.

Policy: OMWLP PE1, PE18

65. Noise from the development shall not increase background noise levels by 5 dB LAeq 1 hour freefield, or more, when measured 2.5 metres from a noise sensitive area, except in those areas outlined in green on approved plans ALK/MP/A and HORNT/W/RevC and except in phases 1 and 2 as shown on plan GPP/PBL/WF/1/02.

Reason: To protect residents from noise intrusion.

Policy: OMWLP PE1, PE18

66. No extraction shall take place within any phase, as defined by condition 61, except in accordance with a scheme to be agreed by the Mineral Planning Authority in writing to ensure the stability of electricity pylons or poles or underground electricity cables.

Reason: To ensure the stability of electricity pylons, poles or cables.

Policy: OMWLP PE1, PE18

67. With the exception of Phase 1 no development shall take place in any phase of working except in accordance with a scheme of dust suppression approved by the Mineral Planning Authority in writing which shall include:-

(i) dust monitoring locations;
(ii) frequency of sampling;
(iii) suppression of dust from any operations in the site;
(iv) levels of dust that must not be exceeded when measured at the dust monitoring levels;
(v) mitigating measures that will be implemented in the event that dust levels are exceeded.

Reason: To control the level of dust from the workings to acceptable levels.

Policy: OMWLP PE1, PE18

68. Prior to the commencement of extraction operations within any phase except the areas outlined in green on approved plans HORNT/W/RevC, ALK/MP/A and Phase 1 - a detailed landform restoration scheme to include proposals for planting with trees, hedgerows and the progressive return of the land to agriculture or forestry, shall be submitted to the Mineral Planning Authority. The scheme shall also include details of:

(i) the nature of the intended after-use of the site;
(ii) the sequence and programming of reclamation showing clearly their relationship to the working scheme;
(iii) the respreading over the floor of the excavated area of mineral waste, overburden, subsoil and topsoil previously stripped from the site, in that order and the depths and placement of respreading materials;
(iv) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration; such ripping should normally take place before placing of the topsoil;
(v) the machinery to be used in soil respreading operations;
(vi) the final levels of the reclaimed land and the gradient of the restored slopes around the margins of the extraction;
(vii) drainage of the reclaimed land, including the formation of suitably graded contours to promote natural drainage where possible or, if not, artificial drainage;
(viii) the reinstatement of the site and access road by clearing plant, buildings, machinery, deep cultivation in both directions to remove rocks and other obstructions, replacing of subsoil and then topsoil previously stripped from the sites; and
(ix) the phased planting and seeding of the restored area.

Any scheme that is approved shall be implemented.

Reason: To ensure the most successful restoration possible.

Policy: OMWLP PE1, PE13, PE18

69. Within 12 months of the approval of the restoration scheme approved under condition 67, an aftercare scheme requiring that such steps as may be necessary to bring the land to the required standard for whatever restoration is approved, shall be submitted for the written approval of the Mineral Planning Authority. The aftercare steps for agricultural restoration shall include soil testing, the cropping pattern, cultivation practices, stonepicking, remedial treatments, fertilisation treatment, water supply for agricultural and woodland areas, the provision of an efficient field drainage system, seed mixes and shelter belts and hedges. Examination of the soil profile shall take place in the third year.

Reason: To ensure that the restored land is correctly husbanded.

Policy: OMWLP PE1, PE13, PE18

70. The aftercare of the land, restored under the provisions of condition 67, shall be carried out for a period of five years following the complete restoration of each phase, in accordance with the approved aftercare scheme or as may be subsequently amended with the approval in writing of the Mineral Planning Authority.

Reason: To ensure that the restored land is correctly husbanded.

Policy: OMWLP PE1, PE13, PE18

71. For land restored under the provisions of condition 67, for every year and before 31 August each year during the aftercare period, a report shall be submitted to the Mineral Planning Authority recording the operations carried out on the land during the previous 12 months and setting out the intended operations for the next 12 months.

Reason: To ensure that the restored land is correctly husbanded.

Policy: OMWLP PE1, PE13, PE18

72. For the land restored under the provisions of condition 67, every year during the aftercare period the developer shall arrange a site meeting to be held before 30 November to discuss the report prepared in accordance with condition 70 to which the following parties shall be invited:

(a) the Mineral Planning Authority,
(b) DEFRA,
(c) the owner of the land within the site, and
(d) all occupiers of land within the site.

Reason: To ensure that the restored land is correctly husbanded.

Policy: OMWLP PE1, PE13, PE18

73. No access shall be formed or used to any part of the site except that outlined in green on approved plans HORNT/W/RevC, ALK/MP/A or Phase 1 until the Mineral Planning Authority has agreed the position, design and construction details of that access.

Reason: For the safety of users of the highway.

Policy: OMWLP PE1, PE18

74. No working shall take place in any other phase except phase 1 until a plan showing landscaping has been submitted to and approved by the

Mineral Planning Authority. That plan shall include protection of all trees and shrubs on the boundaries, tree and shrub planting in woodland groups and on margins and new hedgerows once restoration has taken place. The plan shall show the species, sizes, spacing, position of all new planting and details of their protection, and any planting that fails in the aftercare period shall be replanted. Any landscaping plan that is approved shall be implemented before working takes place in a subsequent phase.

Reason: To enhance the landscape value of the restored land.

Policy: OMWLP PE1, PE18

75. Before work commences in any phase, after phase 1, a scheme showing the direction of working, the height and extent of mineral stockpiles, lagoon locations and dimensions, depths of excavation and haul roads in that phase shall be submitted to and approved by the Mineral Planning Authority in writing and any that is approved shall be implemented.

Reason: To ensure control of operations in the interests of the amenities of the area.

Policy: OMWLP PE1, PE18

76. In the area outlined in green on approved plan ALK/MP/A monitoring of dust shall be carried out in accordance with the approved dust monitoring protocol. This monitoring shall be undertaken continuously for a period of one month per quarter of a year, to include months when soil stripping or soil replacement is taking place.

Reason: To ensure that dust levels are monitored.

Policy: OMWLP PE1, PE18

77. In the areas outlined in green on approved plans HORNT/W/RevC and ALK/MP/A the land shall be progressively restored to agriculture in accordance with the approved restoration schemes for those areas.

Reason: To achieve restoration levels that match with the surrounding landscape.

Policy: OMWLP PE1, PE13, PE18

78. The aftercare of the land outlined in green on approved plans HORNT/W/RevC and ALK/MP/A shall be carried out in accordance with the respective approved aftercare schemes.

Reason: To ensure that the restored land is brought back to its full agricultural potential.

Policy: OMWLP PE1, PE13, PE18

79. All fixed plant and machinery shall be removed from the areas outlined in green on approved plans HORNT/MP/C and ALK/MP/A, with the exception of land outlined in red on approved plan ASC 06.096 B, once working has ceased in that area and the land shall be restored in accordance with agricultural restoration schemes approved by the Mineral Planning Authority.

    Reason: To ensure that restoration takes place as quickly as possible.

    Policy: OMWLP PE1, PE13, PE18

80. The area outlined in red on approved plan PJF/omjt/MAR04/PF/8824.01 shall not be used other than for a stone processing area as described by the applications 06/01116/CM, 06/01117/CM and 06/01119/CM.

    Reason: To ensure the development is carried out as proposed.

    Policy: OMWLP PE1

81. The development shown outlined in red on approved plans ASC.06.096, ASC.06.096A and ASC.06.096B, and as modified by plans 002/12/2011 and TPB0100 hereby permitted shall be for a limited period expiring on 31 December 2023 and the site shall be restored by 31 December 2024.

    Reason: To ensure development is removed at a reasonable time to enable the land to be restored.

    Policy: OMWLP PE13

82. Within 2 years of the date of this permission, a scheme of restoration for the land shown outlined in red on approved plans ASC.06.096, ASC.06.096A and ASC.06.096B be submitted to and approved by the Mineral Planning Authority.

    Reason: To ensure satisfactory restoration of the site.

    Policy: OMWLP PE13

83. The land shown outlined in red on plan ASC.06.096 (permission 06/01116/CM) shall not be used except for the storage of mineral associated with the stone processing area that is the subject of this application.

    Reason: To restrict the development to that proposed.

Policy: OMWLP PE18

84. Within 6 months of the date of this permission, details of a scheme of landscaping shall be submitted to and approved by the Mineral Planning Authority; such details shall incorporate the general principles indicated in the application and shall include:
a. the position, species and sizes of all existing trees, shrubs and hedgerows to be retained, and the proposals for their protection throughout the operations; and
b. the positions, species, density/ planting distances and initial sizes of all new trees and shrubs.

Upon approval such scheme shall be implemented within the first available planting season.

Reason: To comply with Section 197 of the Town and Country Planning Act 1990, to improve the appearance of the site in the interests of visual amenity, to screen the workings, and to assist in absorbing the site back into the local landscape.

Policy: OMWLP PE18

85. The existing trees and hedgerows around the boundaries of the area outlined in red on approved plan PJF/omjt/MAR04/PF/8824.01 shall not be lopped, topped, felled or uprooted insofar as they are within the applicant's control without the prior approval of the mineral planning authority. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased as a result of operations permitted by this permission shall be replaced with specimens of such size and species as may be specified by the mineral planning authority in the planting season immediately following such occurrences.

Reason: In the interests of visual amenity.

Policy: OMWLP W3

86. Notwithstanding condition 23, no soil shall be removed from the site.

Reason: To retain material for site restoration.

Policy: OMWLP PE13

87. Noise from the development in the areas outlined in red on approved plans ASC.06.096, ASC.06.096A and ASC.06.096B shall not increase background noise levels by 5dBLAeq 1 hour free field, or more, when measured 2.5 metres from a noise sensitive area. In the event that it is established by the Mineral Planning Authority that this noise limitation has been breached, then development shall cease until a scheme for noise reduction has been approved by the Mineral Planning Authority

in writing and has been implemented.

Reason: To protect residents from noise intrusion.

Policy: OMWLP PE13

88. The import of stone brought into the site as shown outlined in red on approved plans ASC.06.096, ASC.06.096A and ASC.06.096B to be processed shall not exceed 12,000 tonnes per annum for the duration of the workings for which planning permission is granted.

Reason: To enable the level of traffic flow to the site to be controlled in the interests of the amenity of the residents on and near to the approaches to the site.

Policy: OMWLP PE13

89. No operations authorised or required by this permission and outlined in red on approved plan PJF/omjt/MAR04/PF/8824.01, 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;
Between 0700 and 1300 hours on Saturdays.

No such operations shall take place on Sundays or recognised public and bank holidays or on Saturdays immediately following bank holiday Fridays.

Reason: In the interests of the amenities of the area.

Policy: OMWLP PE13

90. The sole vehicular access for the working of the area edged in green on approved plan HORNT/W/RevC shall be by the existing tarmacadamed road shown coloured in green on that approved plan accessing onto the A422. No other access shall be used.

Reason: To prevent lorries using unsuitable roads.

Policy: OMWLP PE1, PE18

91. The wheel cleaning facilities shown on approved plan HORNT/E/B shall be maintained in the positions shown on the approved plan during the working of stone in the areas outlined in green on approved plan ALK/MP/A and for the period of operation of the conservation stone compound as shown on approved plan HORNT/E/B.

Reason: To prevent mud being brought onto the highway for the safety of users of the highway.

Policy: OMWLP PE1, PE18

92. The access road to the area bounded in green on approved plan HORNT/W/RevC shall be kept sufficiently free of mud to prevent mud being deposited on the highway.

Reason: To prevent mud being brought onto the highway for the safety of users of the highway.

Policy: OMWLP PE1, PE18

93. The existing conservation stone workings in the area outlined in green on approved plan HORNT/E/B shall be contained within the compound shown on that approved plan and its operations shall be only as set out in the approved 'Working Plan for Hornton Grounds'.

Reason: To ensure that the conservation stone compound is properly controlled.

Policy: OMWLP PE1, PE18

94. Between the hours of 0700 and 1800 on Mondays to Fridays and 0700 and 1300 on Saturdays, the noise levels arising from the operations shall not exceed the following freefield LAeq 1 hr noise levels at the following positions shown on approved plan HORNT/N/A, 53 dB at positions 1, 48 dB at position 2, 47 dB at position 3, 48 dB at position 4 and 46 dB at Manor Farm.

Reason: To reduce noise intrusion in the Hornton area.

Policy: OMWLP PE1, PE18

95. Between the hours of 0700 and 1800 on Mondays to Fridays and 0700 and 1300 hours on Saturdays, the noise levels arising from the operations in the area edged green on approved plan ALK/MP/A shall not exceed 55 dB LAeq 1 hr freefield when measured 2.5 metres from any noise sensitive location at Heath Farm or any other residential property in the vicinity of this area. If these noise limits are exceeded the working will stop until measures have been agreed in writing with the Mineral Planning Authority to ensure that noise limits are not exceeded.

Reason: To reduce noise levels in the vicinity of the working area to acceptable levels.

Policy: OMWLP PE1, PE13, PE18

96. When workings come within 200 metres of Heath Farm, noise monitoring shall be carried out once every two months. The results

shall be kept at the site office and shall be made available to the Mineral Planning Authority on request at all times that the quarry is in operation. If the noise levels exceed 55 dB LAeq 1 hr freefield when measured 2.5 metres from any noise sensitive location at Heath Farm, then working will stop until measures have been agreed in writing with the Mineral Planning Authority to ensure that noise levels are not exceeded.

Reason: To reduce noise levels in the vicinity of Heath Farm to tolerable levels.

Policy: OMWLP PE1, PE13, PE18

97. The maximum area of that part of the site outlined in green on approved plan ALK/MP/A which at any time may be stripped of topsoil in advance of working, or under excavation, or excavated but not restored, shall not exceed 4.0 ha (excluding roadways, office and wheelwash, that shall not exceed 1.5 ha in area).

Reason: To ensure that the maximum area is available for uses other than quarrying.

Policy: OMWLP PE1, PE18

98. On the area outlined in green on approved plan ALK/MP/A, soil stripping, excavation of minerals and restoration shall take place progressively from the western boundary and in accordance with the direction and phasing of working shown on approved plan ALK/W.

Reason: To ensure proper working and restoration of the site.

Policy: OMWLP PE1, PE13, PE18

99. Mineral waste arising from quarrying in the area outlined in green on approved plan ALK/MP/A shall be levelled and graded in accordance with the restoration contours shown on approved plan ALK/PDR and ALK/PDR/X except that on the western side of the working the final contours shall be levelled and graded in accordance with approved plan ALK/PDR Rev 1 and letter dated 11.06.01. No unworked mineral shall be left in situ on or near the western boundary. A plan showing revised contour levels for this area shall be submitted to and approved by the Mineral Planning Authority to achieve the shape required by this condition. Any plan that is approved shall be implemented.

Reason: To achieve restoration levels that match with the surrounding landscape.

Policy: OMWLP PE1, PE13, PE18

100. A screening bund, 3 metres in height, 13 metres wide across the base and 1 metre wide at the top with sides of slopes of 1 in 2 shall be constructed in the location as shown in green on approved plan ALK/W and marked as 'permanent bund' before further working takes place in accordance with this permission. The bund shall be seeded with grass seed within six months of its construction and shall be kept weed-free. The screen bund shall be removed and used in restoration on completion of working in the area.

Reason: To screen Heath Farm from noise, dust and visual intrusions.

Policy: OMWLP PE1, PE18

101. The sole vehicular access for the working of the area outlined in green on approved plan ALK/MP/A shall be in the location marked 'ramp to temp facilities' on approved plan ALK/W.

Reason: To secure a safe access to the quarry.

Policy: OMWLP PE1, PE18

102. The layout and access of the area outlined in green on approved plan ALK/MP/A shall be maintained as per the approved plans.

Reason: To maintain a safe access to the quarry.

Policy: OMWLP PE1, PE18

103. Working of land outlined in green on approved plan ALK/MP/A shall only take place in accordance with the approved plan ALK/W.

Reason: To ensure that the working is carried out as proposed.

Policy: OMWLP PE1, PE18

104. Pegs showing the working margins in the areas outlined in green on approved plan ALK/MP/A shall be maintained in the positions shown on the approved plan (ref: SRL/1-15 (wm)) for the duration of operations in this phase.

Reason: To ensure that workings do not encroach beyond the permitted boundaries.

Policy: OMWLP PE1, PE18

105. No vehicular access direct onto the Horley road, or other local roads, shall be obtained from areas, 3, 4 and 6 as shown on approved plans 054/P/02 and 054/P/03. No extraction shall take place in these areas until proposals for an internal haul road to the site access shown on approved plan 054/P/01 has been agreed by the Mineral Planning

Authority in writing.

Reason: For the safety of users of local roads in the Wroxton area.

Policy: OMWLP PE1, PE18

106. All workings at Phase 1 shall be undertaken in accordance with the approved plans and documents: 'Discharge of Conditions Planning Permission 97/00430/CM Wroxton Fields Quarry' dated April 2002, including document titled 'Working Plan Restoration and Aftercare Schemes for Wroxton Fields Quarry' dated July 2002, document titled 'Wroxton Fields Quarry Dust Management Scheme' dated April 2002: Abingdon Consulting Engineers' drawing No. 01037/600 and Edge and Pritchard drawings 081204/1 and 081204/2 and Mark Pritchard Limited Drawing WFQ/PBL/2a.

Reason: In order to properly control mineral working within the site.

Policy: OMWLP PE1, PE18

107. Noise monitoring and control at Phase 1 shall be undertaken in accordance with the approved plans and details: Annex C of document titled 'Draft Noise Assessment Ironstone Extractions at Wroxton, Peter Bennie Ltd', dated July 2002.

Reason: To ensure noise levels in the vicinity of the working area are acceptable.

Policy: OMWLP PE1, PE18

108. At phase 1 all working shall take place in accordance the approved dust management scheme, ref: 'Wroxton Fields Quarry Dust Management Scheme for Peter Bennie Ltd – R502-R01a/final' dated July 2002 and 'Wroxton Fields Quarry Baseline Dust Monitoring' for Peter Bennie Ltd – R502-R02/final, dated Oct 2002, specifically:

(i) dust monitoring locations are those that are shown on drawing 001 – Dust Monitoring Locations (which forms part of R502-R01/final);

(ii) frequency of sampling – dust sampling and analysis shall be undertaken on a monthly basis. The frequency of sampling shall be subject to review by the Mineral Planning Authority depending on the consistency and magnitude of the results obtained;

(iii) dust suppression measures from operations on site – dust suppression measures shall be undertaken in accordance with section 5, R502-R01a/final;

(iv) dust levels that must not be exceeded at the dust monitoring locations:

- the dust deposition rate per day must not exceed 2.5 times the average daily background dust deposition rate (the average dust deposition rate will be taken as that shown in table 4.1 of R502-R02/final); and
- effective area coverage shall not exceed 0.5% at the dust monitoring locations (see table 4.1 of R502-R02/final); and

(v) mitigation measures – if any operations are identified as causing or likely to cause visible emissions across the site boundary or if abnormal emissions are observed within the site, then those operations will be immediately suspended until either effective remedial action can be taken or the weather conditions giving rise to the emissions have moderated.

Reason: To ensure that dust pollution is not a problem for residents close to the site.

Policy: OMWLP PE1, PE18

109. In phase 1 all restoration shall be undertaken in accordance with the approved landform restoration scheme ref: 'Discharge of Conditions Planning Permission 97/00430/CM Wroxton Fields Quarry', dated April 2002, including document titled 'Working Plan, Restoration and Aftercare Schemes for Wroxton Fields Quarry for Peter Bennie Ltd' dated July 2002, and Edge and Pritchard drawing No. 4, and letter dated 22.07.02.

Reason: To ensure the most successful restoration possible.

Policy: OMWLP PE1, PE13, PE18

110. Access to Phase 1 shall be formed and used in accordance with the approved plans, ref: Abingdon Consulting Engineers' drawing no. 01037/600.

Reason: For the safety of users of the highway.

Policy: OMWLP PE1, PE18

111. Landscaping at phase 1 shall be completed in accordance with approved plans an details ref: 'Discharge of Conditions, Planning Permission 97/0043/CM Wroxton Fields Quarry' dated April 2002, Edge and Pritchard drawing No. 4 and Mark Pritchard drawing No. WFQ/PBL/2a.

Reason: To ensure the land is appropriately landscaped.

Policy: OMWLP PE1, PE18

112. In phase 1 development shall not be completed other than in accordance with the approved plans and details ref: 'Discharge of Conditions Planning Permission 97/00430/CM, Wroxton Fields Quarry', dated April 2002, Edge and Pritchard drawing No. 4 and Mark Pritchard drawing No. WFQ/PBL/2a.

Reason: To ensure control of operations in the interests of the amenities of the area.

Policy: OMWLP PE1, PE18

113. Noise levels from quarrying, at phases 1 and 2, shall not exceed:

47 dB LAeq 3.5m from any dwelling in the village of Wroxton;
45 dB LAeq 3.5m from any other dwelling;
averaged over a period of 5 minutes between 0700-0800; and averaged over a period of 1 hour for all other times when quarrying is permitted.

Reason: To protect residents from noise intrusion.

Policy: OMWLP PE1, PE18

114. Before any development commences in Phase 1 and 2, a scheme of noise monitoring shall be agreed by the Local Planning Authority, which will include provision for monitoring, in particular, between 0700 and 0800 weekdays, and on Saturday mornings.

Reason: To reduce noise intrusion in the area.

Policy: OMWLP PE1, PE18

Informative

Please note the attached document entitled 'Oxfordshire Lorry Routes' which has been designed by OCC Highways as an aid to operators and drivers in selecting the most appropriate route for HGV traffic (avoiding unnecessary movement on less suitable roads).

Schedule 2 - Relevant Development Plan Policies

Oxfordshire Minerals and Waste Local Plan 1996
PB 2, PE1, PE13, PE18

Cherwell Local Plan (Adopted November 1996)
ENV1, EMP4, TR7, C7, C8, C13

Cherwell Local Plan 2011 (Non-Statutory)
EN1, EN3, EN6, TR4

Schedule 3 - Reasons for Approval

Hornton Grounds Quarry forms part of a wider planning permission for ironstone extraction that expires in 2042. Retaining the facilities associated with the stone processing at Hornton Grounds Quarry are related to the ironstone extraction and, therefore, accord with MWLP PB2. Harm to the landscape would be mitigated by the landscape conditions, the temporary nature of the development and the requirement for restoration. The proposal is therefore in accordance with CLP C13. As such the development is considered to be acceptable on its planning merits.