

OXFORDSHIRE COUNTY COUNCIL

County Planning Authority

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(ENGLAND)
ORDER 2015

To: Martin Layer
Smith & Sons (Bletchingdon) Ltd
Enslow
Kidlington
OX5 3AY

CONDITIONAL PLANNING PERMISSION

Proposed northern and eastern extension to Duns Tew Quarry (East) to extract approximately 415,000 tonnes of saleable sand and the continuation of importation of aggregate for blending and merchanting/onward sale for 16/17 years with restoration to a mix of woodland, geo-diversity benefits and nature conservation at Duns Tew Quarry (East), Horsehay Farm, Duns Tew Road, Middle Barton, OX7 7DQ

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.



Dated: 5 May 2017

On behalf of the Director for Planning & Place

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.
- The submitted environmental information was taken into consideration in making this decision.
- Application for approval under the Building Regulations must be made to the Council for the district in which the land is situated.

Appeals to the Secretary of State

- If you are aggrieved by the decision of the County 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 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, however if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the County Planning Authority's decision on your application then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier using a form, which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN (Tel: 0303 444 5000) or online at: <https://www.gov.uk/planning-inspectorate>
- 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.

Purchase Notices

- If either the County planning authority or the Secretary of State 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

Conditions

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:

- Application form dated 18th March 2014
- Document titled 'Details of the Campaign Dig'
- Sustainability Statement dated March 2014
- Planning and Environmental Statement including appended Landscape and Visual Impact Assessment prepared by ESP Ltd dated November 2013; Biodiversity report prepared by Ecoconsult dated December 2013; Noise Assessment prepared by LFAcoustics dated January 2014; Dust Assessment prepared by DustScan Ltd dated March 2014; Air Quality Assessment prepared by Brook Cottage Consultants dated October 2013; Transport Assessment prepared by David Tucker Associates dated 04/03/14; Soil Resources and Agricultural Use and Quality Report Reference 785/1 dated 4th September 2012; Hydrogeological, Surface Water and Flood Risk Assessment prepared by Greenfield Associates dated February 2014; Archaeological Desk-Based Assessment prepared by John Moore Heritage Services dated July 2006; and Geological Investigation prepared by Greenfield Associates dated January 2013.
- Location Plan DNT_005 dated January 2013
- Site Plan DNT_006B dated October 2013
- Advance/Initial Planting Scheme Plan DNT_007B dated February 2016
- End Year 2 Extraction Plan DNT_008B dated February 2016
- End Year 8 Extraction Plan DNT_009B dated February 2016
- End Year 13 Extraction Plan DNT_010B dated February 2016
- End year 16 Extraction Plan DNT_0014 dated February 2016
- Restoration Proposals Plan DNT_011B dated February 2016
- Working Extents and Directions Plan DNT_012B dated February 2016
- Land Use Plan DNT_013 dated August 2013
- Duns Tew Quarry Proposed Highway Improvements Plan DTQ/1 Rev 1 dated May 2015
- Document titled 'Submission of Further Information under Regulation 22' dated October 2015
- Advance/Initial Planting Scheme Plan DNT_044B dated May 2016
- Noise Monitoring Locations Plan DNT_045 dated February 2016
- Dust Management Plan dated February 2014 (Appendix 2 to Dust Assessment prepared by DustScan Ltd dated March 2014)
- 'Proposed Overnight Lorry Parking Area' dated September 2009(DNT_004 dated September 2009)

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

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In accordance with Section 91 to 95 of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. Extraction of minerals shall cease by 31st December 2034. All buildings, plant and machinery to which this permission relates shall be removed and restoration in accordance with the Restoration Proposals Plan DNT_011B and the detailed plan to be submitted and approved pursuant to the requirements of condition 34 shall be completed by 31st December 2035, or within 24 months of the cessation of mineral extraction if sooner than 31st December 2034.

Reason: To ensure that appropriate restoration takes place within a reasonable timescale (OMWLP PE13).

4. Notwithstanding the provisions of part 17 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended or any Order amending, replacing or re-enacting that Order, no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To protect the amenities of local residents of Duns Tew and Middle Barton roads (OMWLP PE18).

5. No operations, including HGVs entering and leaving the site, other than water pumping or environmental monitoring, shall be carried out at the site except between the following times:-
07.00 to 18.00 Mondays to Fridays
07.00 to 13.00 Saturdays

No operations shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenities of local residents of Duns Tew and Middle Barton roads (OMWLP PE18).

Access and Traffic

6. Vehicular access to and from the site shall not be gained other than from the access point in the south west corner of the site marked as 'access' on approved Site Plan DNT_006B. The access shall be maintained in a good state of repair and free from pot holes until the completion of site restoration.

Reason: To reduce the impacts of noise and dust on local residents of Duns Tew and Middle Barton roads (OMWLP PE18).

7. No mineral extraction shall take place until signage has been erected on the access road advising drivers that the maximum speed on the access road is 10 mph. Signage shall thereafter be maintained for the duration of the development.

Reason: To minimise the dust generated by lorries (OMWLP PE18).

8. No more than four lorries per day, importing aggregate to the site, shall leave the site without a load of sand or aggregates obtained from the site and recorded at the weighbridge.

Reason: To minimise the number of lorry movements on the local roads in the interests of highway safety and amenity of local residents(OMWLP PE18).

9. No more than 60,000 tonnes of material shall be exported from the site in any calendar year. This limit shall include indigenous materials worked from the site and materials which have been imported to the site for merchanting.

Reason: To ensure that the scale of the development is as proposed, in the interests of highway safety and amenity (OMWLP PE18).

10. Over any period of 5 calendar years, no more than 250,000 tonnes of material (an average of 50,000 tonnes per annum) shall be exported from the site. This limit shall include indigenous materials worked from the site and materials which have been imported to the site for merchanting.

Reason: To ensure that the scale of the development is as proposed, in the interests of highway safety and amenity of local residents Duns Tew and Middle Barton roads and other road users (OMWLP PE18).

11. The operator shall maintain written records of all exports from the site and shall make these available to the Mineral Planning Authority within 14 days of such a request being made.

Reason: To ensure that conditions 9 and 11 can be monitored (OMWLP PE18).

12. No articulated lorries shall be used for the import of merchanting materials to the site, or for the export of indigenous sand from the site.

Reason: In the interests of highway safety and the amenity of local residents of Duns Tew and Middle Barton roads and other road users (OMWLP PE18).

13. No lorries shall park overnight at the site, other than as shown on approved plan 'Proposed Overnight Lorry Parking Area' dated September 2009.

Reason: To ensure that lorry parking is contained within the existing quarry site and is screened from view (OMWLP PE18).

14. No lorry shall leave the site unsheeted.

Reason: To reduce dust in the interests of the amenity of residents of Duns Tew and Middle Barton roads and other road users (OMWLP PE18).

15. The wheels and chassis of lorries leaving the site shall be cleaned such that no mud shall be deposited on the public highway

Reason: In the interests of highway safety (OMWLP PE18).

16. No development shall commence until details of signage to be erected to ensure that HGV drivers are aware of the permitted route to and from the site, has been submitted to and approved in writing by the Mineral Planning Authority. The approved details shall be implemented prior to the commencement of extraction and the approved signage shall be maintained for the duration of the development.

Reason: To ensure that the correct lorry routes are used to avoid unsuitable traffic in the local villages, in the interests of the amenity of local residents and highway safety (OMWLP PE18).

17. No development shall commence until the highway improvement works shown on approved Duns Tew Quarry Highways Improvement Plan DTQ/1 Rev 1 have been implemented in full.

Reason: To ensure that the local roads are suitable for the traffic generated by the development (OMWLP PE18).

Sand Extraction

18. No excavation shall take place below the deposit known as the Northampton Sands

Reason: To ensure that the approved restoration plan is achievable (OMWLP PE13).

19. No sand extraction shall take place, other than within a period of a maximum of 10 weeks in any calendar year. No extraction shall take place between 1st October and 31st March inclusive in any year. The Mineral Planning Authority shall receive a minimum of two weeks prior notice of mineral extraction operations from the site.

Reason: To ensure that the development is carried out as proposed and to minimise the impact on neighbouring residents (OMWLP PE18).

20. No sand extraction shall take place until a topsoil bund has been constructed on the eastern boundary, in accordance with the approved End Year 2 Extraction Plan DNT_008B. Once in place this bund shall be maintained at a height of at least 3 metres and kept grassed and weed free, for the duration of extraction. The noise bund shall be extended along the northern boundary of the site as mineral extraction progresses as shown on the approved End Year 8 Extraction Plan DNT_009B and End Year 13 Extraction Plan DNT_010B.

Reason: To protect residential properties to the east and north of the site from disturbance caused by noise, dust and visual impact (OMWLP PE18).

21. No sand extraction shall take place in the area shown as 'No sand extraction in this area' on the approved Working Extents and Directions Plan DNT_012B.

Reason: To protect the amenity of residential properties to the east of the quarry (OMWLP PE18).

22. No development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority detailing the retention of the exposed geological faces in the Horsehay Sand and overburden (Sharp's Hill and Taynton Limestone Formations). Any scheme that is approved shall be implemented in full.

Reason: To ensure that there is no loss in geodiversity as a result of the development (OMWCS C7).

Noise

23. Noise levels during working hours shall not exceed the maximum levels below in the locations listed below as shown on the approved Noise Monitoring Plan DNT_045).

Blue Barn Farm	49 dB LAeq, 1 hour
Glebe Farm	52 dB LAeq, 1 hour

Horsehay Farm 49 dB LAeq, 1 hour

Noise levels outside approved working hours shall not exceed 42 dB LAeq, 1 hour at any of the locations listed above.

Reason: To protect the amenities of local residents of Blue Barn Farm, Glebe Farm and Horsehay Farm. (OMWLP PE18).

24. Notwithstanding condition 23, noise levels for temporary working, such as bund formation and initial soil stripping, shall not exceed 70 dB LAeq, 1 hour at any of the locations listed below as shown on the approved Noise Monitoring Plan DNT_045.

Blue Barn Farm
Glebe Farm
Horsehay Farm

Temporary working shall not be carried out for more than a total of 8 weeks in any calendar year. Records of the dates of temporary working operations shall be kept and made available for inspection by the Mineral Planning Authority within 7 days of such a request being made.

Reason: To protect the amenities of local residents of Blue Barn Farm, Glebe Farm and Horsehay Farm (OMWLP PE18).

25. No development shall commence until a scheme for monitoring noise levels arising from the site has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide for monitoring to take place within 3 months of the commencement of development and thereafter at least annually and following the receipt of a justified complaint. Any scheme approved shall be implemented in full for the duration of the permission. Monitoring results shall be forwarded to the Mineral Planning Authority within 14 days of measurement along with details of any additional mitigation measures to be implemented to ensure compliance with condition 23 and 24.

Reason: To enable the noise impacts of the development to be adequately monitored during the course of the operations (OMWLP PE18).

26. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on any mobile plant except those that use white noise, or in accordance with details as agreed in writing by the Mineral Planning Authority.

Reason: To protect local residents from noise intrusion (OMWLP PE18).

Dust

27. No development shall commence until a detailed Dust Management Plan has been submitted to the Mineral Planning Authority and approved in writing. This shall incorporate the recommendations set out in the approved Dust Management Plan. It shall also include details of monitoring during extraction campaigns, the location of the sand surge stockpile and screening equipment (NB mitigation for dust arising from sand extraction in the eastern part of the site is provided for through the provisions of condition 21). No development shall take place other than in accordance with the approved detailed Dust Management Plan.

Reason: To protect nearby residents from nuisance dust (OMWLP PE18).

28. The approved detailed Dust Management Plan shall be reviewed six months after the commencement of operations on site and revised as required. The revised document shall be submitted to the Mineral Planning Authority for approval in writing. Thereafter the detailed Dust Management Plan shall be modified when requested by the Mineral Planning Authority following a justified complaint. Any amended Dust Management Plan shall be submitted to the Mineral Planning Authority for approval in writing and any amended detailed Dust Management Plan which is approved shall be fully implemented.

Reason: To protect nearby residents from nuisance dust (OMWLP PE18).

29. No extraction shall commence until the woodland planting labelled 'Advanced works (pre-commencement)' shown on the approved Advance/Initial Planting Scheme Plan DNT 044B has been planted in accordance with the details of that plan. No extraction shall commence until a management plan for woodland in this area has been submitted to and approved in writing by the Mineral Planning Authority. Woodland in this area shall be maintained for the duration of the development in accordance with the approved plan. Any such woodland vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Mineral Planning Authority, in the planting season immediately following any such occurrences.

Reason: To protect nearby residents from nuisance dust (OMWLP PE18).

Biodiversity

30. No works of site clearance, demolition or development shall take place unless or until an Ecological Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. This shall be in line with Tables 5 and 6 of the Biodiversity report (Ecoconsult, December 2013) and Section 3 (Biodiversity) of the Regulation 22 Information to include details on how the ecological features will be managed during the development and restoration for the benefit of species, including birds and invertebrates. The Ecological Management Plan shall include details of precautionary methods of working for reptiles and amphibians. Any plan that is approved must be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: to ensure the protection of flora and fauna and to ensure that the development does not result in the loss of biodiversity (OMWLP PE14 and NPPF paragraphs 9, 109 and 118).

31. No works of site clearance or development shall take place unless or until a scheme for the protection of trees, hedgerows and watercourses has been submitted to and approved in writing by the Mineral Planning Authority. The protection measures shall be erected, retained and maintained throughout the development, from site clearance until all plant, equipment and surplus materials have been removed from the site, in accordance with the British Standard 'Trees in relation to Construction – Recommendation' (B.S. 5837 2012). Nothing shall be stored or placed in the area protected and the ground levels within these areas shall not be altered. There shall be no use of plant or heavy earth moving equipment within the protected areas.

Upon completion of restoration the protection measures shall be removed off site. No work shall take place other than in accordance with the approved scheme.

Reason: To ensure that flora is protected from the effects of development and does not result in a loss of biodiversity (OMWLP PE3, PE10 & PE14 and NPPF paragraphs 9, 109 and 118).

32. The existing trees, bushes and hedgerows within the site, as shown on the approved Restoration Proposals plan DNT_011B shall be retained and shall not be felled, lopped, topped or removed in areas outside the current or succeeding phase of development. Any such vegetation removed without consent, dying, being severely damaged or seriously diseased shall be replaced with trees or bushes of the same size and species, in the planting season immediately following such occurrences.

Reason: To ensure that flora is protected from the effects of development and does not result in a loss of biodiversity (OMWLP PE3, PE10 & PE14 and NPPF paragraphs 9, 109 and 118).

33. No works of site clearance or extraction shall be carried out in any campaign unless or until an ecological walkover is carried out prior to that particular campaign of works to check for badgers and other species. A report on the findings of the ecological walkover shall be produced and submitted to and approved in writing by the Mineral Planning Authority. If badgers are present a report shall be submitted to the Minerals Planning Authority to include details of species & population present, potential impacts and how impacts will be avoided and mitigated, compensation and enhancement measures. No works shall be carried out other than in accordance with the approved scheme.

Reason: To ensure the protection of badgers and other species (OMWLP PE14 and NPPF paragraphs 9, 109 and 118).

34. No works of site clearance, demolition or development shall take place in Phase 3 shown on the approved Working Extents and Directions Plan DNT_012B unless or until a detailed restoration plan based on the approved Restoration Proposals plan DNT_011B and an aftercare scheme (to include monitoring and management details of geological features, limestone (lowland calcareous) grassland, lowland mixed deciduous woodland, ephemeral/short perennial vegetation, quarry faces, hedgerows & individual trees, and bats, badgers, reptiles, amphibians, breeding birds, over-wintering birds and invertebrate species) has been submitted to and approved in writing by the Mineral Planning Authority.

The submitted aftercare scheme shall provide for:

- (i) An annual assessment of tree losses, during the establishment period and arrangements for replacements to be provided.
- (ii) Continuing and effective weed control, throughout the establishment period, management and removal of tree shelters, stakes tree ties and fencing, all in accordance with current best practice.
- (iii) Ongoing protection measures from deer, rabbits, hares, grey squirrel populations, insects and other pest species.
- (iv) A fire assessment risk in young conifer plantation areas including fire break

provision.

(v) The implementation of formative pruning measures during the establishment period and subsequently, as may be necessary to ensure the woodland develops in a way so that the objectives of planting will be realised.

(vi) A programme for thinning the woodland, as may be necessary to ensure that it develops in a way so that the objectives of planting will be realised.

Any scheme that is approved must be fully implemented for the duration of the aftercare period.

Reason: to ensure that the site is managed appropriately in accordance and that the development results in biodiversity enhancement (OMWLP PE13 & PE18 and NPPF paragraphs 9, 109 and 118).

35. Before 1st August of every year during the aftercare period, a site meeting shall be arranged by the occupier of the land, to which the Mineral Planning Authority and the landowners shall be invited to monitor the management over the previous year and to discuss and agree future aftercare proposals. The meeting shall also be attended by the person(s) responsible for undertaking the aftercare steps. Any proposals that are agreed shall be set out in writing and shall be implemented in the timescales agreed.

Reason: To ensure the effective restoration of the site to nature conservation (biodiversity) after use (OMWLP PE18 and PE13 and NPPF paragraphs 9, 109 and 118).

36. Before 1st June every year during the aftercare period, a detailed annual aftercare review and programme shall be submitted in writing to the Mineral Planning Authority for approval: This shall include:

Proposals (for the forthcoming 12 months) for managing the land in accordance with the biodiversity management objectives for the site;

A record of aftercare operations carried out on the land during the previous 12 months.

Any scheme that is approved in writing by the Mineral Planning Authority shall be implemented for the duration of the time period to which it relates.

Reason: To ensure the effective restoration of the site to nature conservation (biodiversity) after use (OMWLP PE18 and PE13 and NPPF paragraphs 9, 109 and 118).

37. A suitable means of escape for mammals must be present at all times for all excavations allowing access to ground level. Any excavations within or outside the main extraction area (e.g. trial pits or similar small excavations) shall be suitably profiled or ramped, or covered or backfilled overnight to minimise the risk of badgers or other mammals being inadvertently killed and injured within the active quarry after dark.

Reason: To ensure the protection of badgers and other mammals (OMWLP PE14

and NPPF paragraphs 9, 109 and 118).

Soil Handling

38. No soils shall be handled other than in complete accordance with Sections 4.6 – 4.8 'Soil Resources and their Use' of the approved Soil Resources and Agricultural Use and Quality Report.

Reason: To ensure the effective restoration of the site (OMWLP PE13).

Archaeology

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

Reason: To safeguard the recording of archaeological matters within the site (OMWLP PE8, PE9 & PE18).

40. Following the approval of the Written Scheme of Investigation required by condition 39 and prior to the commencement of the development, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned professional archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Mineral Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence(OMWLP PE8, PE9 & PE18).

Oil Tanks

41. Any fuel, oil or chemicals stored on the site shall be in suitable tanks and containers and shall be sited on an impermeable base and surrounded by an impermeable bund capable of holding at least 110% of the volume of the tank or containers. All filling points, vents, gauges and sight glasses shall be located within the bund and all filling points and overflow pipes shall discharge into the bund. Rainwater shall not be allowed to accumulate within the bund walls. The bund walls shall be built and subsequently maintained in an effective condition.

Reason: To prevent pollution of watercourses and ground water (OMWLP PE4 & PE18).

Lighting

42. No external lighting shall be erected or used on site other than in complete accordance with a Lighting Scheme that has first been submitted to and approved in writing by the Mineral Planning Authority. The Lighting Scheme shall include details of luminance levels, levels of light spill and hours of illumination.

Reason: To safeguard the character and landscape of the area and to protect local amenity (OMWLP PE18).

Groundwater Monitoring

43. No development shall take place until a scheme for monitoring and responding to impacts on groundwater levels, flows and water quality during extraction has been submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall include the following:

- location of groundwater monitoring boreholes;
- submission of monitoring data on a 6 monthly basis;
- submission of an annual monitoring report with an analysis of trends; and
- mitigation measures if the analysis of trends shows they are necessary.

The approved scheme shall be implemented for the duration of the permission.

Reason: To confirm that the depth of working will not intercept groundwater and to prevent water pollution (OMWLP PE4 & PE18 and NPPF paragraph 109).

Informatives

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case, issues arising with regard to the control of noise and dust were addressed through amendments to the application including the identification of an area on the eastern side of the site from which no sand will be extracted.

Biodiversity

Protected Species

If any protected species (e.g. badgers, reptiles, amphibians, bats, dormice, otters, water voles, breeding birds) are found at any point, all work should cease immediately. Killing, injuring or disturbing any of these species could constitute a criminal offence. Before any further work takes place a suitably qualified ecological consultant should be consulted for advice on how to proceed. Work should not recommence until a full survey has been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

Breeding Birds

All bird nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. Therefore, no removal of vegetation should take place between 1st March and 31st August inclusive to prevent committing an offence under the Wildlife & Countryside Act 1981 (as amended).

Wild Mammals

All wild mammals are protected from unnecessary suffering, including suffocation in burrows. Where common mammals such as hedgehogs, rabbits, foxes, voles and mice are encountered during works, they should be allowed to safely escape the working area to avoid unnecessary cruelty. Should any burrows be located in the vicinity of earthworks, ecological advice should be sought to determine which species is present and what measures can be taken to avoid any unnecessary suffering to mammals. Note the information above regarding badgers.

Sharing Data

You are advised that you should send the biodiversity information/ecological assessment provided as part of this application to Thames Valley Environmental Records Centre. This will assist in a key principle of the National Planning Policy Framework that planning policies and decisions should be based on up-to date information about the natural environment and other characteristics of the area by building up the data base of up-to-date ecological information and this will help in future decision making. Ideally data should be provided in ESRI shape file format.

Schedule 2 - Relevant Development Plan Policies

Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP)

- SD1 – Landbanks for soft sand which accord with current government advice.
- PE2 – Permission for mineral extraction outside areas identified will not be permitted unless demand cannot be met from those identified areas.
- PE3 – Appropriate buffer zones to be safeguarded to protect against unacceptable losses of residential or natural amenity.
- PE4 – Proposals for mineral extraction will not be permitted if they would have a harmful effect on groundwater.
- PE8 - Archaeological evaluation and mitigation.
- PE11 – The rights of way network should be maintained and improvements encouraged.
- PE12 – Public access to restored mineral sites
- PE13 – Mineral sites should be restored appropriately and within a reasonable timeframe.
- PE14 – Sites of nature conservation importance should not be damaged.
- PE18 – Use of planning conditions and planning obligations to regulate and control development. Code of Practice.
- PB1- Design and siting of mineral processing plants to minimise environmental disturbance.
- PB2 – Removal of processing plant

West Oxfordshire Local Plan 2011

- Policy BE19 - Noise
- Policy NE1 – Development in the Countryside
- Policy NE3 - Local Landscape Character
- Policy NE7 - The Water Environment
- Policy NE13 - Biodiversity Conservation
- Policy NE14 - Sites of Nature Conservation or Geological Importance
- Policy NE15 - Protected Species
- Policy T1 – Traffic Generation
- Policy TLC8 - Public Rights of Way

Cherwell Local Plan 2011-2031

ESD10 – Protection and Enhancement of Biodiversity

ESD13 – Local Landscape Protection and Enhancement

Cherwell Local Plan 1996 retained policy

TR7 – Development attracting traffic on minor roads