



Appeal Decision

Inquiry held on 15, 16, 17 and 22 July 2025

Site visit made on 18 July 2025

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18/05/2026

Appeal Ref: APP/U3100/W/25/3361505

White Cross Farm, Reading Road, Cholsey, OX10 9HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by London Rock Supplies Limited against the decision of Oxfordshire County Council.
 - The application Ref is MW.0115/21.
 - The development proposed is described as: The extraction and processing of sand and gravel including the construction of new site access roads, landscaping and screening bunds, minerals washing plant and other associated infrastructure, with restoration to agriculture and nature conservation areas using inert fill.
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Decision

1. The appeal is allowed and planning permission is granted for the extraction and processing of sand and gravel, including the construction of new site access roads, landscaping and screening bunds, minerals washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas using inert fill, at White Cross Farm, Cholsey, OX10 9HG in accordance with the terms of the application, Reference: MW.0115/21, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was accompanied by an Environmental Statement which was updated during the Council's consideration of the proposal. A consolidated version of the Environmental Statement was produced during the course of the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the landscape and visual appearance of the River Thames, the effect on the Thames Path National Trail, and on the setting of the Chilterns National Landscape.

Reasons

4. The appeal site comprises approximately 19 acres of land to the south of the town of Wallingford. The site lies between the A329 Reading Road and the River Thames and is bounded to the north by the A4130 Nosworthy Way and to the south by private land. It is primarily used as grazing land with one field used for crops.

5. The proposal involves the extraction of 550,000 tonnes of sand and gravel in 4 phases over a 5 year period with an estimated annual output of 140,000 tonnes. The site would be progressively restored using imported inert fill material to back fill the extraction voids to the original ground levels or just slightly below. A further year, following the completion of extraction, is proposed for completing the restoration of the site, giving the operation a 6 year timescale. The western part of the site would be restored to agriculture with hedgerows, and the eastern part of the site would be restored to nature conservation use, incorporating reedbeds, marshland and floodplain grazing marsh. The applicant has proposed long term habitat management of the restored site for 30 years.
6. The site offices, processing plant, and loading facilities would be located in the north west part of the site, together with a lagoon for holding water pumped from the excavations to allow dry working of the minerals. The site would be accessed from Reading Road with an exit being provided to Nosworthy Way. A one way system would be operated with vehicles entering from Reading Road through a left turn only junction and egressing to a left turn only junction on Nosworthy Way.
7. Stripped soils would be stored in bunds, primarily close to the western site boundary with Reading Road with a short section on the northern boundary adjacent to the roundabout junction of Reading Road with Nosworthy Way and Winterbrook. The topsoil bunds would be no higher than 3 metres and subsoil bunds no higher than 5 metres. Extracted material would be stored in a stockpile up to 10 metres high on the west side of the site to the south of the compound area.
8. The Thames Path National Trail runs adjacent to the river, and a 30 metre buffer zone would be retained between the extraction area and the river bank. Straw bales would be positioned in 4 metre high sections on the eastern site boundary to screen the workings from the Thames Path. The appeal site adjoins the boundary of the Chilterns National Landscape (hereinafter NL) which lies to the east of the site and includes the river.

Effects on the setting of the National Landscape, Thames Path and River Thames

9. The site is close to the boundary of the North Wessex Downs National Landscape. It is common ground between the main parties that the proposal would not have an adverse effect on the landscape and scenic beauty of the North Wessex Downs National Landscape.
10. The Chilterns NL covers a large area, approximately 833 square kilometres. The site is for the most part outside the boundary of the NL with the exception of a small area, of approximately 550m², where the boundary of the NL diverts from the river bank. However, although this is within the red line application site boundary, no operations are proposed within this area, and it is entirely within the 30 metre wide buffer zone proposed between the river bank and the working part of the site. The majority of the site is, nonetheless, clearly within the setting of the NL. Guidance issued by the Department for Environment, Food & Rural Affairs¹ states that natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a protected landscape.

¹ Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes DEFRA December 2024

11. Due to its proximity to the NL, the appeal site shares some of its characteristics. The special qualities of the NL are set out in the Chilterns Area of Outstanding Natural Beauty Management Plan 2019–2024 and summarised in the Chilterns Conservation Board – Position Statement on Development affecting the setting of the Chilterns AONB 2011². The Chilterns Conservation Board made representations in respect of the proposal on these special qualities, identifying, in particular, loss of tranquillity; blocking or interference with views into the NL; significant or abrupt changes to the landscape character; and a change of use that is of sufficient scale to cause harm to the landscape character.
12. South Oxfordshire Local Plan 2020, Policy ENV1 expects that the highest level of protection will be given to the landscape and scenic beauty of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (now National Landscapes). It goes on to state that Development in an NL or affecting the setting of an NL will only be permitted where it conserves, and where possible, enhances the character and natural beauty of the NL. It goes on to say that the landscape, countryside, and rural areas will be protected against harmful development.
13. Policy C8 of the Oxfordshire Minerals and Waste Local Plan – Core Strategy 2017 (hereinafter the OMWCS) expects proposals for minerals and waste development to demonstrate that they respect, and where possible, enhance local landscape character and include adequate and appropriate measures to mitigate adverse impacts on landscape. Proposals for minerals and waste development within an NL, or that would significantly affect an NL, shall demonstrate that they take this into account and that they have regard to the relevant NL Management Plan.
14. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (the CRoW Act) requires that those relevant authorities exercising or performing any functions in relation to, or so as to affect, land in an NL must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. Development in the setting of an NL may have an effect on the natural beauty and special qualities of the Chilterns NL such as loss of tranquillity, or the introduction of significant or abrupt changes to landscape character, particularly where the part of the setting affected is originally of a similar character to the NL³.
15. The proposal was accompanied by a Landscape and Visual Impact Assessment (LVIA) as part of the Environmental Statement. The appeal site is currently in agricultural use and largely screened from Reading Road by established tree planting on its western boundary.
16. The LVIA concludes that during the operational period of the quarry the proposal would have a moderate adverse effect on the landscape character. It further concludes that post-restoration the landscape character effect would be slight to moderate beneficial.
17. The Council's objections to the scheme are primarily related to adverse effects during the operational period of the site. Although there is some disagreement between the main parties in respect of how beneficial the restoration scheme

² Core Documents CD12.05 and CD12.06.

³ CD12.06 Chilterns Conservation Board: Position Statement - Development affecting the setting of the Chilterns AONB

would be and the time required for any visual benefits to become noticeable, it is not argued that the end result, post restoration, would be harmful.

18. The nature of the proposed development is such that, during the operation of the proposed quarry, there will inevitably be some adverse effect on the setting of the NL through the introduction of an industrial activity into an area where the landscape character and type is broadly similar and contiguous to that of the adjoining protected landscape. The proposed mitigation measures will go some way to reducing the effect but would, of themselves, have some effect for the duration of the works.
19. In terms of effects on the physical landscape, by its nature the development will cause the landscape to change during the operational period, through the removal of soil and vegetation, excavations to extract the minerals, and the creation of screening mounds from soils removed from the land. These are changes of some magnitude and would, by any metric, be considered harmful adjacent to a sensitive landscape area. Nevertheless, they are not permanent and would be effectively reversed once the proposed restoration scheme was completed. At 6 years, including site restoration, the duration of the works would be relatively short, and the land levels would be returned to essentially the same as at present. To all intents and purposes, the same land uses would be recreated.
20. I accept that the restoration scheme would take time to become established. However, the progressive restoration of the site would reduce the timescales for this and there is no evidence to suggest that with proper aftercare the restoration scheme would not be successful.
21. In terms of how the landscape and the setting of the NL is experienced, this is made up of interconnected elements encountered when moving through and around the area. The evidence at the Inquiry focussed on the visual elements and the effect on tranquillity, the latter being one of the identified characteristics of the NL. The area is experienced mainly from the river bank on the Thames Path National Trail or from on the river itself. It is experienced in a largely linear and progressive manner by the majority of users because there is only public access to the river and river bank, the remainder being private land.
22. Whilst there was some disagreement about the level of granular detail in which the tranquillity of the site is measured, it was clear from the site visit that the northern section of the site is noticeably less tranquil than the southern section with road traffic noise from Nosworthy Way, and the awareness of traffic moving on the road bridge, having a large influence on this by introducing a more frenetic element. By contrast, the southern section of the site is less susceptible to road traffic noise. The proposed mineral workings would alter this perception primarily by introducing additional noise and activity from the operation of plant and machinery within the site.
23. This effect would, however, vary and would move around as the development of the site progressed. It would be most noticeable to people passing through the area during workings in Phases 1 and 2 on the eastern side of the site, closest to the Thames Path and the river and less so in Phase A and Phase 3 when the workings are on the western side.
24. It would also be limited in duration for the period that the site was being worked and restored. There would not be a permanent change. Following the cessation

of mineral extraction and the completion of the restoration, the perceived tranquillity would return to the same levels as before, assuming that there are no other significant changes to the way the area around the site is used in the intervening period.

25. In terms of visual effects, it is undeniable that during the period when the site would be in operation, there would be an adverse visual effect arising from the introduction of an industrial type of operation into an area which although located adjacent to the edge of Wallington, nonetheless, has a rural/agricultural character.
26. Due to its elevated position, there are some views into the site from Nosworthy Way to the north when traversing the bridge over the Thames. For motorists and passengers in vehicles these would, however, be fleeting and transient before becoming screened once more by tree planting on the road embankment. Toward the western end of Nosworthy Way the planting becomes less dense. At this point a screening bund would be created within the site and any views into the site would be limited to what could be glimpsed where the new site exit is proposed.
27. There is some visibility of the appeal site from the opposite side of the river, from within the NL, although views to the wider public are only really available from the environs of St John the Baptist Church and to a lesser extent from the Wet Boathouse on the former Carmel College campus which is located on the bank of the river. At the time of the site visit, the boathouse appeared to be in use. There is no substantive evidence regarding the nature or frequency of the use of the boathouse but, irrespective of this, it is a location where visual receptors are present at least some of the time.
28. The River Thames flows past the site and is used for recreational boating. Whilst the level of the river is below that of the appeal site, users of the river would be aware of the presence of the proposed mineral workings both from the visual presence of the straw bale barrier and perimeter fencing, but also from noise generated by the workings. This would be most obvious in Phase 1 of the workings as on the southern part of the site the banks of the river have significant tree and shrub growth that screens the site. The transit time past this part of the site would be relatively short when experienced as part of a linear experience of a longer stretch of the river.
29. Workings in Phase 1 and Phase 2 of the site would be the most apparent. As the working moves onto Phase 3, noise from the workings would be less apparent to users of the river and the workings themselves would be much less visible.
30. The largest and most immediate effect is likely to be on users of the Thames Path National Trail which runs through the 30 metre buffer zone adjacent to the proposed working area. I saw when I visited the site that the route of the Thames Path appears to be well used and I noted that users do linger in the section adjacent to the north end of the appeal site, where the river bank is more open. Due to the proximity of the site boundary the straw bale barrier proposed as mitigation and the site security fence would be prominent features to walkers using the route. Users of the route would also be aware of activity on the site due to noise from plant and vehicles being audible above the generally low background noise levels.
31. Whilst some users of the route do linger in the area, it is likely that more will be using the path as a through route or part of a longer walk. The proposed

development would generally be experienced sequentially by users of the path, and the transit time of the site would be approximately 8 to 10 minutes⁴.

32. As with users of the river, the effects on users of the Thames Path would be greater during phases 1 and 2 of the mineral extraction when the workings are closer to it.

Mitigation

33. OMWCS Policy C8 recognises that there will be effects from mineral workings and expects there to be appropriate measures incorporated to mitigate these. The principal area of disagreement is the efficacy of the mitigation measures proposed by the appellant.
34. It is proposed to plant a screen of fast growing Willow⁵ between the perimeter fence and where the straw bales would be located. This would provide an additional degree of screening and reduce the visual effect of the straw bales. The willow screening would also reduce views into the site towards the site compound and screening machinery once the straw bales were moved to track the progression of the working area and the voids as it moves south. This screening effect would be lessened over the late autumn/winter period because of the deciduous nature of the willow hedge but would, nonetheless, filter views of the site.
35. The Thames Path National Trail is a long route, approximately 298km (185 miles) in length. The presence of security fencing alongside the route of the Thames Path is unavoidable. It is an operational necessity. Security fencing is also, by its nature, somewhat unattractive.
36. The submitted drawings do not indicate that straw bales would be used to screen along the line of the ditch which crosses the north east corner of the site. There would, however, be temporary willow planting continuing that proposed on the eastern boundary. In the initial stages of the mineral extraction this would provide only limited screening but once established would be more effective. Views into the workings would only be available at this point for a short period of time to those transiting the Thames Path.
37. The proposals do not include any visual mitigation measures for the extreme south end of Phase 2 of the workings where the application site boundary is not contiguous with the riverbank. At this point there is an intervening landholding, and I saw when I visited the site that there is very little vegetation coverage on this land. There would be unobstructed views into the workings at this point for users of the Thames Path, although again for a short period of time and only for the duration of works within that part of Phase 2.
38. The proposed mitigation in this respect would provide screening for the majority of the site during the extraction period. Whilst there would be gaps in the screening provided, this would only effect users on the Thames Path that are most likely going to be passing through as part of a longer journey. In addition, views of the workings would only be visible for short periods of time whilst specific parts of certain phases were being worked.

⁴ The length of the path adjacent to the site is approximately 620m and assuming a walking speed of 4.8km per hour (3 miles per hour).

⁵ *Salix Viminalis* (Common Osier or basket willow)

39. The proposed mitigation works would of themselves have a visual effect, primarily the security fence and the straw bales. However, the security fence is a necessary requirement to prevent unauthorised access to the site for, among other things, safety. The use of straw bales would provide an effective visual screen using materials that are not uncommon in a countryside setting, albeit in a long linear configuration that is not usual. It is nevertheless readily reversible and would only be present for, at the longest, the six year duration of the works.
40. As a consequence, there would be a slight adverse effect on receptors of the Thames Path during the working period from partial views of the workings and from the visual effects of the screening and security measures.
41. It is not in dispute that the use of soil bunds on the western side of the site would provide effective mitigation.

Discussion and conclusions

42. In terms of intervisibility between the NL and the site, there are rights of way within the NL although these are generally set away from the river and there are no direct views from them. A Public Footpath does lead to the St John the Baptist Church from where there are some partial views through trees towards the site.
43. There are only limited views across the site from Reading Road towards the Chilterns National Landscape. These would be reduced during the working period when soil storage bunds would be present. From the Thames Path, views toward the NL would not be directly affected as the site does not intervene although the boundary treatments would be visible to one side in sequential views moving along the Thames Path.
44. There would be views of the site from the Wet Boathouse on the opposite side of the river from the appeal site. This building appears to be occupied at least some of the time, it was at the time of the site visit, although it is not clear how regularly this building is used and what exactly it is used for. There is no evidence to suggest that it has a residential use.
45. The appeal site would be clearly visible from this location and elements such as the straw bale screen would be features in views from this building for the duration of their presence on the site. As this is a static receptor, the effect on it would be greater than on the moving receptors on the river or using the Thames Path.
46. Nevertheless, the proposed development would be limited in duration to six years and the effects on the Wet Boathouse would vary over time as the works progress. The straw bales would be progressively moved along the eastern boundary as works progress through phases 1 and 2 and it is stated that these would remain in any location for a maximum of 18 months.
47. The stacking of bales of straw on agricultural land is not an uncommon sight in the countryside, and the proposed height of 3 to 4 metres is also not unusual. At the time of the site visit, a small section of straw bales had been positioned on the site in the approximate location suggested in the mitigation measures and it was thus possible to see the proposed height in context. This said, although the extraction phases would be subdivided into smaller cells, the linear extent of straw bales required to screen the mineral workings from both the users of the Thames Path

and the Wet Boathouse would be significantly longer than is typically seen in an agricultural setting. This would appear slightly incongruous as a result.

48. Once the straw bales are removed from opposite the Wet Boathouse, there would potentially be views across the site towards the soil storage bunds and processing plant in the north west area. This would also have a negative effect on views from this premises.
49. The willow screening would have become at least partially established by the time that the straw bales were moved and this would provide a degree of screening from the Wet Boathouse and the Thames Path during the summer months and lesser filtering of views when not in leaf. This would provide some mitigation of the visual effects. Due to the proximity to the site and the static nature of this receptor, the visual effects on the Wet Boathouse would be greater than on transient receptors, although this would also be tempered by its intermittent use.
50. There is some disagreement between the main parties with regard to the importance of the duration of the effects of the proposed mineral workings. I was provided with examples of permissions for mineral workings over a shorter duration. Nonetheless, the question that is before me is whether the effects of this scheme can be suitably mitigated during its specific period of operation.
51. The National Planning Policy Framework (the Framework) sets out that development within the setting of an NL should be sensitively designed to avoid or minimise adverse impacts on the designated area. Paragraph 189 of the Framework does not, however, seek to protect or enhance the landscape and scenic beauty of the setting of a NL for its own sake.
52. There is general acceptance by the main parties that it is inevitable that there will be some adverse impacts arising from mineral extraction. This is recognised in OMWCS Policy C8 which seeks to ensure that proposals contain adequate and appropriate measures to mitigate adverse impacts on the landscape.
53. Taken together, the requirements of OMWCS Policy C8 and South Oxfordshire Local Plan Policy ENV1 are that the effects during the operational period be adequately and appropriately mitigated, and that development within the setting of a national landscape will only be permitted where it conserves, and where possible, enhances the character and natural beauty of the national landscape.
54. The Council's argument boils down to the proposed mitigation measures being inadequate to address the visual effects during the operation of the proposed quarry. The mitigation measures would not screen the site entirely. However, this has to be considered in the context of what it is actually practical to achieve. Whilst the Council are critical about the effectiveness of the proposed restoration scheme, the policy requirement is that development conserves the character and natural beauty of the national landscape. The policy requirements do, however, have to be taken in the context of Section 85 of the CRoW Act which requires decision makers to seek to further the purpose of conserving and enhancing the natural beauty of the area.
55. The proposal would have a noticeable effect on the landscape of the site and the setting of the NL. However, this would only be for the six year period of the duration of the works. The submitted restoration scheme would return the site to essentially a similar condition to its current state with wetland meadow to the east

side of the site and arable farmland on the west part of the site. At present, part of the site, in its north east section where the site compound would be located, is slightly degraded and of low visual quality. The restoration scheme would return this area to a mix of agricultural use and ephemeral wetland. Although only a relatively minor improvement, this would, nonetheless, result in a small scale enhancement of the setting of the NL.

56. Overall, the Chilterns NL and its setting cover a substantial area, and the main parties agree that the effects of the proposed development would be limited to the near vicinity of the site.
57. The appeal proposal would have a short term and localised adverse effect on a small part of the setting. It is not argued that any of the identified harm would be permanent and the Council's landscape evidence sets out that after full restoration of the site, whilst initially there would be a slight adverse effect in the first year following full restoration, that ultimately there would be either a neutral or slight beneficial effect on the landscape and visual character.
58. There is a comprehensive restoration scheme for the site, and conditions have been proposed for arrangements to be put in place for a 5 year aftercare period, a Landscape Monitoring and Management Plan, and a Habitat Management and Monitoring Plan with a 30 year period.
59. There is some dispute regarding how long it might take for the restoration of the site to reach its full potential. Nevertheless, the principal components of the scheme are restoration to agricultural use and to damp meadow habitat. These elements are likely to establish relatively quickly. I accept that the hedgerow planting along the line of the existing access track and the ephemeral lagoon, reedbed, and damp woodland area may take longer to become established. Nevertheless, I have no reason to believe that these latter areas would not become established during the aftercare period. I saw when I visited the site that the part of the site where the ephemeral lagoon would be sited is presently rough grassland and scrub. In its current condition this part of the site does not make a significant contribution to the setting of the NL. As such, even in its newly restored state the effect would be much the same as at present. In this context, the Council's suggestion that it would take 30 to 50 years for the full effects to be realised is unduly pessimistic. Subject to the proposed conditions there is no reason to believe that the restoration scheme would not successfully become established. It is to be expected that a newly completed restoration scheme would not have the same landscape and visual qualities as the site did prior to the extraction of the sand and gravel. However, there would be a year on year improvement as the scheme becomes established and matures.
60. During the operational period, there would inevitably be some changes to the landscape and visual appearance of the River Thames, an effect on the Thames Path National Trail, and on the setting of the Chilterns National Landscape. However, the proposed mitigation measures would limit these effects to an acceptable level. Considering the scheme as a whole, including its temporary nature, I conclude that the proposal would not cause harm to the landscape and visual appearance of the River Thames, the effect on the Thames Path National Trail, and on the setting of the Chilterns National Landscape. It would comply with the relevant requirements of Policy C8 of the OMWCS and Policy ENV1 of the

South Oxfordshire Local Plan 2035. It would also comply with the requirements of the Framework and Section 85(A1) of the CRoW Act.

Other Matters

61. In addition to the above, a number of other points were raised by the Rule 6 party and interested parties, and several general points have to be considered.

The need for mineral extraction

62. The appeal site is not an allocated site for mineral extraction. However, the Council does not currently have a plan that makes such allocations. The site is located in an identified strategic resource area as set out in Policy M3 of the OMWCS.
63. The Framework advises that minerals planning authorities should plan for a steady and adequate supply of aggregates by, among other things, maintaining landbanks of at least 7 years for sand and gravel. It is common ground between all three parties that the Council's sand and gravel landbank is currently below 7 years and that the mineral within the appeal site would increase the sand and gravel landbank. It is also common ground that the housing targets in the South Oxfordshire area (where the site is located) and neighbouring authorities have increased, which will in turn increase the demand for minerals. The Council and the appellant both recognise that great weight should be given to the benefits of mineral extraction as is expected by the Framework.
64. It is also common ground between the main parties that the restoration proposals would provide capacity for 280,000 cubic metres of inert waste which would assist the County towards becoming net self-sufficient in management of its principal waste streams, and to meeting its target for diverting construction, demolition, and excavation waste to permanent deposit of inert waste for recovery purposes as opposed to disposal to landfill.
65. Although the Rule 6 party and others have raised concerns about potential contamination, the control of the waste types deposited is a matter which is properly covered by the Environmental Permit which would be required for the deposit for recovery operation.

Flood risk

66. The appeal site lies within Flood Zones 2 and 3 identified on the Environment Agency flood maps. The Rule 6 Party contends that the proposal should have been subject to a sequential test to determine whether there are alternative sites at a lower risk of flooding.
67. A sequential test is required for major and non-major development if any proposed building, access and escape route, land-raising or other vulnerable element will be in Flood Zone 2 or 3. Much of the site is within the functional floodplain, Flood Zone 3b, with the site compound including the office and welfare facilities, processing plant, and weighbridge being located in Flood Zone 2.
68. Although the application was supported by a Flood Risk Assessment, a sequential test was not undertaken by the appellant. The appellant contends that the proposal is exempt from the requirement for a sequential test by virtue of Paragraph 175 of the Framework.

69. Paragraph 175 of the Framework provides an exemption from the sequential test in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source. The Planning Practice Guidance (PPG) on Flood Risk and Coastal Change sets out that where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere, then the sequential test need not be applied⁶. However, the exception in the PPG specifically addresses surface water flood risk. It effectively explains how the strict avoidance rule in Paragraph 175 of the Framework should be applied proportionately in cases where the only risk is surface water that can be safely managed on-site.
70. That is not the case here. The flood risk at the site is primarily fluvial. The exemption in Paragraph 175 applies where a flood risk assessment demonstrates that no built development would be located on an area that would be at risk of flooding from any source. The proposed new egress from the site to Nosworthy Way, the processing plant and the site offices and welfare buildings would be located within Flood Zone 2. Although it is indicated that the site offices and welfare building would be portacabin type buildings, no party has argued that either these, or the new egress route, are not built development for the purposes of flood risk assessment. Because these elements of the proposal are objectively located in Flood Zone 2, and this is acknowledged in the Flood Risk Assessment, the exemption set out in Paragraph 175 is not applicable and a sequential test would therefore be required to be carried out.
71. With specific reference to the application of the sequential test to minerals developments, the PPG acknowledges that mineral deposits have to be worked where there is no scope for relocation and that mineral deposits are often in flood risk areas.⁷ It goes on to say that there may be opportunities for applying the sequential approach at the site level and that it may be possible to locate ancillary facilities such as processing plant and offices in areas at lowest flood risk. This is the case here, where although the majority of the extraction area is within Flood Zone 3, the ancillary facilities are located on the part of the site which is at a lower risk of flooding.
72. Neither the Framework nor the PPG set out who should undertake the sequential test. As part of its assessment of the planning application, the Council undertook a sequential test which is incorporated as Annex 8 to the Planning Officer's Report⁸. The conclusion of the sequential test undertaken by the Council was that the appeal site failed the sequential test as there was another potential alternative site in an area of lesser flood risk, comprising an extension to Gill Mill Quarry, which is also subject to a current planning application that is yet to be determined.
73. The sequential search undertaken by the Council identified some 15 alternative sites with broadly equivalent or higher output potential than the appeal site. Whilst some of these sites have a lower risk of flooding than the appeal site, the Council considered that there was no certainty that they could be delivered. The majority

⁶ Planning Practice Guidance Flood Risk and Coastal Change Paragraph: 027 Reference ID: 7-027-20220825

⁷ *ibid* Paragraph: 030 Reference ID: 7-030-20220825

⁸ CD11.02

of these sites have not been through the planning application process and could only be provided on a much longer timescale than the appeal site if permission were to be granted. Only one of these 15 sites is subject to a planning application. That site has a higher proportion of the site within Flood Zone 3 than the appeal site, which led the Council to eliminate it from consideration as an alternative.

74. The site at Gill Mill Quarry was not included in the sequential search because it had been previously excluded from applications at Gill Mill due to the proximity to an SSSI which is sensitive to changes to the hydrological regime. Nor had it been nominated as a potential site as part of the local plan process.
75. The Planning Officer's report does, however, note that there is an outstanding objection to that site from Natural England, due to its proximity to a Site of Special Scientific Interest, and it is not clear whether the site is suitable for extraction.
76. The sequential test was undertaken by the Council based on its evidence base of potential minerals sites identified as part of its development planning process. The Council also has detailed knowledge of the planning status and potential constraints on these sites. I have no reason to believe that the Council's assessment is incorrect, nor has the conclusion of the Council's sequential test been disputed by the Rule 6 Party. I am, therefore, satisfied that an appropriate sequential test has been carried out.
77. Whilst the appeal site did not pass the sequential test, this is but one factor in the consideration of the proposal. The Officers report goes on to add that even if permission was granted for the extension to Gill Mill Quarry, there would still be a need for additional permissions for sand and gravel extraction over the plan period in order to maintain the Council's sand and gravel landbank.
78. It is common ground between all three parties that the County has less than 7 years landbank of sand and gravel and whilst there may be a site at lower risk of flooding, the evidence indicates that in order to maintain the landbank, there is a need for both sites. No substantiated evidence was put to me that, other than Gill Mill Quarry, there are any alternative sites in an area of lower flood risk that are capable of coming forward within the timescales necessary to maintain the sand and gravel landbank.
79. The Flood Risk Assessment and hydraulic modelling submitted with the planning application show that the compound and processing area are within Flood Zone 2 and that the proposal would not result in a net loss of floodplain storage, impede water flows, or increase flood risk elsewhere. There is no requirement for the site to remain operational in times of flooding.
80. This was not disproven by other technical evidence at the Inquiry. The current substrate is saturated during times of flooding, and the imported fill would likewise be saturated leading to no change in flood water storage at the site. The restoration of the site would be to the same or lower level than existing which would not increase the risk of flooding elsewhere. Whilst it was accepted that the proposed infill material would be less permeable and have a lower hydraulic conductivity than the current underlying sand and gravel, the adjacent new Barn Farm Quarry a short distance to the west of the appeal site is also being infilled with inert waste material. As this is located up-hydraulic gradient of the appeal site this would deflect groundwater flows to the north and south, around the appeal site. As a consequence, ground water velocities in the intervening land directly up-

gradient would be low, and changes to the appeal site would have a minimal effect. I am also mindful that neither the Environment Agency, nor the Lead Local Flood Authority have raised any in principle objections to the proposal.

81. Policy C3 of the OMWCS expects minerals development to take place, wherever possible, in areas with the lowest probability of flooding. Development in an area of identified flood risk should only be where alternative locations in areas of lower flood risk have been explored and discounted and where a flood risk assessment has demonstrated that the risk of flooding would not be increased.
82. The appeal site did not pass the sequential test insofar as there is a site located in a lower flood risk area that has a comparable potential yield and, consequently, does not wholly comply with Policy C3. Nevertheless, the Council acknowledges that both this alternative site and the appeal site would be required to maintain the Council's sand and gravel landbank. The submitted Flood Risk Assessment and other evidence submitted indicates that the proposal would not increase the risk of flooding. Nor should Policy C3 be read in isolation. It has to be taken alongside Policies M2 and M5 of the OMWCS, which respectively set targets for sand and gravel supply and the maintenance of a 7 year landbank, and set out that prior to the adoption of the Minerals & Waste Local Plan: Part 2 – Site Allocations Document, permission will be granted for the working of aggregate minerals where this would contribute towards meeting the requirement for provision in policy M2. At this time, a Site Allocations Document has not been produced.
83. The Framework sets out that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding⁹. However, it also stresses that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs, and that great weight should be given to the benefits of mineral extraction¹⁰. In addition, it seeks to ensure a steady and adequate supply of minerals by maintaining a landbank of at least 7 years for sand and gravel¹¹. Although there is a slight tension between the requirements of the Framework in this case, the Framework, like the development plan, has to be considered as a whole.
84. Within this context, together with the need for the mineral requiring the combined output from both the appeal site and the sequentially preferable site; the absence of any other sequentially preferable sites that could come forward in a reasonable timeframe; and the evidence indicating that the adverse effects in terms of flooding that Policy C3 seeks to prevent would not occur as a result of the development, although the strict wording of the policy is not met, and the proposal would not comply with it, the weight that can be given to the conflict with the policy is greatly diminished.

Dust

85. Mineral extraction has the potential to create fugitive dust that might affect sensitive receptors near the site. This is dependent on there being dry, windy days, where the wind is blowing in the direction of the receptor.

⁹ National Planning Policy Framework Paragraph 174.

¹⁰ *ibid* Paragraphs 222 and 224.

¹¹ *ibid* Paragraph 226.

86. It is common ground between the appellant and the Council that subject to the implementation of a comprehensive dust management plan with details of air quality monitoring and mitigation measures the proposal is acceptable.
87. The air quality assessment included in the Environmental Statement identified that there may be a small impact on sensitive receptors from operations on the site. The assessment concludes that the risk of dust impacting on nearby receptors ranges from negligible to low risk and the magnitude of the effect would also range from negligible to slight adverse. The low risk of a slight adverse effect is anticipated at Meadow Farm, Elizabeth House, Waterside Court and Whitecross House. Due to the prevailing wind directions, primarily from the west and south west, which occur more often than not on dry windy days, fugitive dust would be blown away from the sensitive receptors. The assessment also concluded that as a result of the proposed workings any increase in the annual mean concentration of PM₁₀ and PM_{2.5} respirable dust would not exceed the national Air Quality Objectives.
88. Although concerns were raised by the Rule 6 Party and other interested parties, particularly in respect of Elizabeth House which operates as a day nursery, no competing technical evidence was submitted which would gainsay the conclusions of the Environmental Statement air quality assessment. I am satisfied that, subject to a suitable planning condition, appropriate dust management can be put in place.

Noise

89. The PPG Minerals chapter identifies noise limits for minerals working. These are that at noise-sensitive properties, noise does not exceed the background noise level by more than 10dB(A) during normal working hours, unless this would be difficult to achieve without imposing unreasonable burdens on the operator, and that in any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). The PPG also allows for a higher noise limit of up to 70dB(A) LAeq 1h (free field) for a temporary period to facilitate essential site preparation and restoration work and construction of baffle mounds.
90. The appellant's noise evidence indicates that existing background noise levels at the nearest noise sensitive properties are relatively high, mainly due to the presence of Reading Road. Background noise levels at properties in the grounds of Carmel College are slightly lower. The predicted worst case noise levels at all of the identified sensitive receptors would not exceed 10dB above the existing background noise level and none would exceed 55dB. The largest changes would be at the properties at Carmel College to the east of the appeal site and Windward House/Mead Furlong to the south of the site. At all other receptors, including Elizabeth House, the increase above background noise levels would be 3dB or less. In a practical, real world, setting a change of 3dB is the minimum clearly audible difference. During short term operations, such as the construction of screening mounds, soil stripping and restoration, elevated noise levels would be experienced. However, these would not exceed the 70dB limit set out in the PPG.
91. The noise assessment also considered cumulative noise impacts with the existing quarry at New Barn Farm and concluded that the 55dB limit would not be exceeded. At Elizabeth House, which is located between the two sites, the cumulative increase would not exceed 10dB above the existing background noise level.

92. No technical evidence was put to me which would contradict the findings of the noise assessment. Appropriate noise limits and site working times can, consequently, be secured by way of planning conditions.

Ecology/biodiversity

93. The appeal site contains an area of floodplain grazing marsh which is a habitat of principal importance for the conservation of biodiversity. This would be lost if the minerals are extracted from the site. The proposed restoration scheme includes the creation of at least an equivalent amount of floodplain grazing marsh.
94. Concerns were raised concerning the establishment of this due to changes to the substrate and changes to the soil structure arising from stripping and replacement. No substantive evidence was submitted that demonstrated that the replacement habitat would not become established. The proposal includes provision for long term maintenance and management of the new habitat areas to be created beyond the normal five year aftercare period for restoration schemes.
95. On this basis, I am satisfied that there would not be any net loss of habitat of principal importance. The evidence also indicates that there would be an overall increase in biodiversity value post development.

The effect on heritage assets

96. The Archaeological Assessment contained in the Environmental Statement sets out that there are no designated archaeological assets within the site. A geophysical survey of the site did not identify any prehistoric or roman/medieval activity. The Archaeological Assessment does, however, conclude that there is potential for low level prehistoric remains to be present, but it is anticipated that should archaeological deposits be present within the site, they would not be of such significance to preclude extraction. This assessment is not disputed. In these circumstances archaeological evaluation and any required mitigation can be addressed through a planning condition.
97. Within the grounds of Carmel College, on the opposite side of the river from the appeal site, there are a number of listed buildings. Of these, there are two, the Grade II Former Church of St John the Baptist [List Entry No. 1059580] and the Grade II* Julius Gottlieb Gallery and Boathouse [List Entry No. 1379942] whose wider settings might be affected by the proposed development at White Cross Farm.
98. The Glossary to the Framework defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. It also notes that the extent of the setting is not fixed and may change as the asset, and its surroundings evolve. It further notes that elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.
99. In this case it is the contribution that the setting makes to the understanding of the significance of the listed building that has to be considered, together with the effect that the proposed development may have on that.
100. The Church of St John the Baptist likely dates from the twelfth century and was remodelled in the late eighteenth century as a Gothic folly and then restored in the late nineteenth century. It is now largely a ruin with only the chancel remaining

roofed and weather tight. From the evidence before me, its significance is derived primarily from its architectural and aesthetic value as a consciously designed romantic ruin¹². No evidence has been adduced that would indicate that there has been a functional or ownership connection between the appeal site and the church. It is nonetheless part of the broader rural setting of the church.

101. The church is set back from the river bank among trees that largely screen it in views from the Thames Path, although there will be a greater degree of visibility during the period when these trees are not in leaf. The wider setting of the church has been previously altered by the development of the campus of Carmel College in the twentieth century.
102. The appeal proposal would have a minor adverse visual effect on the setting of the church and its aesthetic values through the introduction of industrial operations into its wider setting, together with the security fencing and straw bales associated with this. There would also be slight increases in noise levels experienced at the church from the workings. These changes to the setting would be reversed once the mineral workings cease and the site is restored. Although there would be a small degree of harm to the setting during the operational period of the site, in the longer term the overall effect on the setting would be neutral.
103. The Julius Gottlieb Gallery and Boathouse, dating from 1970, is a modernist brick structure forming the ground level boathouse which is topped with a concrete pyramid intended as a gallery space. It was presented to Carmel College by one of its governors, Lieutenant Commander E J Gottlieb, as a memorial to his father. From the evidence, the significance of this building is primarily derived from its architectural value as an example of the later work of Sir Basil Spence.
104. As with the Church of St John the Baptist, there is no evidence that would indicate any historical connection with the appeal site and the relationship is purely a visual one with the appeal site forming part of the wider rural/agricultural setting of the Carmel College campus which more closely defines the setting of the boathouse. Again, there is limited intervisibility between the boathouse and the appeal site due to intervening trees and vegetation.
105. Nonetheless, similarly to the Church of St John the Baptist the appeal proposal would have a slight adverse visual effect on the setting of the boathouse through the introduction of industrial operations and associated mitigation and security measures into its wider setting, together with slight changes to the noise environment.
106. The effects of the proposal on the settings of the Church of St John the Baptist and the Julius Gottlieb Boathouse would be time limited to the 6 year period during which the quarry works would be operational, and the subsequent restoration works undertaken. As a result of the restoration of the site, its appearance would change slightly. Nevertheless, change does not necessarily equate to either harm or loss of significance. The proposed restoration scheme would return the site to a rural/agricultural appearance. Overall, this would not diminish the ability to understand or appreciate the significance of the buildings and, in the longer term once the mineral extraction had occurred and the site was restored, would have a neutral effect on their settings.

¹² CD2.05 Historic England Consultation Response 4 October 2021

107. The appeal proposal would, nonetheless, result in mineral workings taking place within the setting of the listed buildings. Based on the evidence before me, this would result in harm to the significance of these buildings due to development within their settings. However, that harm would be restricted to slight changes to the acoustic environment, and the change from a rural to an industrial character in views towards the appeal site from the listed buildings. These effects would only occur in the operational phase and would be temporary during the duration of the extraction and restoration works, disappearing once the works were completed. The effects would also be restricted to a relatively small part of the wider rural/agricultural setting of the listed buildings, in their near vicinity, which makes only a minor contribution to understanding the significance of the listed buildings.
108. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Framework notes that the more important the asset, the greater the weight that is required to be given to its conservation. Paragraph 213 advises that any harm to the significance of a designated heritage asset should have a clear and convincing justification. Given the above, I find the harm to be less than substantial in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
109. The appellant is of the opinion that the proposal would be beneficial because it would secure an adequate local supply of minerals to support the construction of housing within the southern part of the County and provide a means for productively using inert waste as a backfill material for the extraction voids. It would also have some economic benefits in terms of providing employment for site operatives, drivers and purchasing in the local supply chain. Provision of a new permissive path is a public benefit as it would provide a further point of access to and from the Thames Path, increasing its accessibility. There would be some longer term biodiversity benefits resulting from the restoration of part of the site to a wetland meadow and an ephemeral pond.
110. Although the proposal would result in less than substantial harm to the setting of the listed buildings, this harm would only occur during the time that the mineral extraction and restoration would take to complete and would be limited to only a part of their wider settings. Following the completion of the development, this harm would entirely disappear. No party has suggested that the proposal would result in permanent harm to the setting of the listed buildings. Great weight has to be given to the conservation of heritage assets. However, this has to be taken in the context that the harm would only occur for a limited period of time.
111. Great weight has to be given to the benefits of mineral extraction. I also consider that moderate weight can be given to the re-use of waste material to backfill the extraction void. Moderate weight can be given to the provision of employment, the improvement of public access to the Thames Path, and longer term biodiversity gains. Collectively, these benefits would outweigh the harm that would be caused and provide a clear justification for the temporary harm to the setting of the listed buildings.
112. Given the above, on balance and taking the development as a whole, the proposal would preserve the settings of the Church of St John the Baptist and the Julius

Gottfried Gallery and Boathouse. This would satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 210 of the Framework.

Highways

113. It is not in dispute between the parties that subject to the detailed design of the junctions, including measures to prevent site traffic making right turns into, or out of, the site, and the approval and implementation of a Construction Traffic Management Plan, the proposal would neither cause a hazard to road safety, nor have a harmful effect on the operation of the highways in the vicinity of the site. From what I have read and what I saw when I visited the site, I have no reason to find differently.
114. Concerns were raised by an interested party in respect of the stability of the embankment to Nosworthy Way where it is proposed to create a new egress from the site for the duration of the works. There is, however, no substantiated evidence which would indicate that the proposed site egress could not be satisfactorily constructed, or that it would compromise the stability of the road embankment.

Planning Obligation

115. Although a signed copy of a planning obligation in respect of a monitoring fee for the Habitat Management and Monitoring Plan was provided during the Inquiry, this is not dated and so is not complete. The principal question is whether the planning obligation is necessary to make the development acceptable in planning terms. Biodiversity gain and the subsequent management of the created habitats are necessary to make the scheme policy compliant, and these are addressed through suggested planning conditions.
116. Whilst this obligation is not signed and cannot be given weight in making this decision, the planning condition requires a Habitat Management and Monitoring Plan (HMMP) to be submitted to, and approved by, the Mineral Planning Authority. The suggested, and agreed, condition requires details of the long-term ecological and landscape management of the finally restored site to be submitted and approved. The monitoring arrangements would be one of these details. The absence of an agreed monitoring fee at this stage does not preclude the inclusion of a mechanism for paying this from being included in the details submitted to discharge the condition. A planning condition cannot positively require a payment of money or other consideration. However, a negatively worded condition can be used to prohibit development until a specified action has been taken. The suggested condition is such a condition. Mineral extraction could not occur until the required details have been approved. In the event that appropriate monitoring arrangements are not submitted, it would be open to the Council to not discharge the condition. The absence of a fully completed planning obligation is not fatal to the proposal in this instance as the precise arrangements for the monitoring of the implementation of the HMMP are to be resolved as part of the submission and approval process for the relevant conditions. I have amended the wording of the suggested condition slightly to make it clear that a mechanism for securing the monitoring if the Habitat Management and Monitoring Plan is included.

Conditions

117. I have had regard to the list of conditions suggested by the parties.
118. The appeal scheme proposed the extraction of minerals followed by the restoration of the site. To ensure that this is carried out in a timely manner, it is necessary to impose a condition that limits the duration of the permission and requires that the restoration be carried out within that time limit. It is also necessary to add to the standard condition relating to commencement, a requirement that the developer notifies the Minerals Planning Authority of the date of commencement. This would trigger the condition restricting the duration of the permitted operations.
119. To provide certainty regarding what has been permitted, it is necessary to include a condition setting out the approved drawings. The suggested condition included a number of documents along with the Environmental Statement. Notwithstanding that these are not drawings or plans, the inclusion of documents in their entirety fails the test of precision and introduces uncertainty with regard to what is required to comply with the terms of the planning permission. The relevant requirements of some of these various documents are included in other suggested conditions, and I have therefore omitted these documents from the list of approved drawings.
120. Whilst a concept of a restoration scheme for the site has been submitted, it is not a fully developed, or detailed, proposal and does not include the restored ground levels. These are necessary to ensure both the proper restoration of the site to the proposed after uses following mineral extraction but also to ensure that there are no detrimental impacts to flood storage or flood flow routes.
121. The site is close to the residential area of Wallingford and crossed by a public path. To protect the amenities of local residents and visitors to the area, it is necessary to impose a condition that restricts the working hours of the site.
122. Because soils from the site will need to be preserved for use in the restoration of the site, it is necessary to impose conditions regarding their handling and storage and to restrict vehicle and plant movements to haul roads and overburden areas to prevent degradation or loss of the soils.
123. In order to ensure that the restoration is carried out to a high standard, it is necessary to include conditions requiring large stones and other foreign bodies that may hinder cultivation to be removed from the site and the notification of the Council of the final placement of subsoil on each phase to allow the site to be inspected.
124. As full details of the buildings to be provided for offices and staff welfare were not included in the submission, it is necessary in the interests of the visual appearance of the area to require details of these to be provided and to ensure that all buildings and structures are removed following the cessation of works.
125. To limit the visual impact of the mineral workings and achieve progressive restoration of the site, it is necessary to attach a condition requiring that the site be worked in accordance with the submitted phasing plan.
126. To prevent flooding elsewhere, it is necessary to require the site be developed in accordance with the details set out in the submitted Flood Risk Assessment. In order to protect the ground water environment and private water supplies, it is also necessary to impose a condition requiring the submission and implementation of a

ground and surface water monitoring and maintenance plan. To prevent any potential contamination of the water environment from the backfill material it is necessary to require a monitoring plan in respect of the deposition of waste at the site.

127. In order to prevent surface water from the site from entering any drainage systems beyond the site boundary it is necessary that details of the drainage system for the site including any sustainable drainage systems is submitted for approval and implemented. To ensure that the drainage is properly installed and maintained it is also necessary to provide the Council with as built plans, photographs and contact details for the entity responsible for maintaining the drainage system.
128. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site, it is necessary to impose a condition requiring the submission and implementation of a Construction Environment Management Plan. To conserve and enhance the natural features and character of the site and to both offset the impact on wildlife experienced during the working of the minerals and to maximise the opportunity for securing positive benefits for nature conservation once mineral workings cease, it is necessary to require the submission and implementation of a Habitat Monitoring and Management Plan. In order to protect the landscape within and surrounding the site, it is necessary to require the submission and implementation of a Landscape Management and Monitoring Plan.
129. There is the potential for archaeological evidence to be present within the site which would be lost as a result of the development. It is, therefore, necessary to impose conditions requiring the site to be investigated in accordance with an approved scheme.
130. In order to safeguard the amenity of the area and of local residents, it is necessary to attach conditions imposing noise limits on site operations including pumping of water from the workings, restricting the use of audible reversing warnings on vehicles to white noise, requiring proper maintenance of vehicles, plant and machinery, and the submission and implementation of a noise management plan.
131. Also to safeguard the amenity of the area and of local residents, it is necessary to impose conditions requiring the submission and implementation of a dust management scheme and to control lighting at the site.
132. In order to mitigate the visual effects of the quarry workings on users of the Thames Path National Trail and the Wet Boathouse at Carmel College, it is necessary to impose a condition requiring the provision of the straw bale barrier proposed as mitigation and the details of how it will be maintained and managed.
133. In order to protect the amenity of users of the Thames Path National Trail, it is necessary that details of the site security fencing and its maintenance be submitted for approval.
134. To protect the amenity of local residents and visitors to the area, it is necessary to include a condition limiting the height of material stockpiles on the site.
135. Because the ecological surveys were carried out some time ago and there is potential for otters and water voles to be present in the area, it is necessary to resurvey for these before the development commences to either verify the original

survey results, or identify any new mitigation required from changed circumstances. It is also necessary to impose a condition requiring that any protected species survey which is more than two years old prior to the commencement of any phase of the works is renewed.

136. To ensure that the development does not result in any loss of biodiversity it is necessary to require submission of a scheme for the location of bat and bird boxes and its subsequent implementation.
137. To ensure the protection of reptiles and of bats, it is necessary to impose conditions requiring the submission and implementation of a reptile mitigation strategy and for the felling of a tree that has potential to accommodate a bat roost.
138. Because there are trees within the site which are to be retained, it is necessary to ensure that these trees are protected from accidental damage or harm during the proposed works which necessitates the submission of details of tree protection measures and their subsequent implementation.
139. In the interests of highway safety and to minimise disruption to the highway network in the area, it is necessary to impose conditions requiring the provision of wheel cleaning facilities; that the loads of vehicles leaving the site are covered; that the access and egress points are provided with suitable visibility splays which are unobstructed for the duration of site working; that the site gates are set back from the highway boundary to allow a vehicle to wait without obstructing the carriageway; and to restrict the number of daily heavy goods vehicle movements to and from the site. It is also necessary to impose a condition requiring the submission and subsequent implementation of a scheme to prevent right-turn movements into the site from the A329 Reading Road and right-turn movements out of the site onto the A4130 Nosworthy Way.
140. As the proposed mineral extraction lasts for a number of years and unforeseen or unexpected matters with variable effects can arise that affect local amenity. Liaison Committees assist in integrating mineral extraction operations with local communities and provide residents with a formal, predictable, and accountable channel to influence how the quarry is managed and to address any complaints. It is therefore necessary to attach a condition requiring the establishment of a liaison committee for this site.
141. To ensure that the restoration of the site becomes properly established and is of a high standard it is necessary to impose a condition requiring the submission of, and implementation of, an aftercare scheme.
142. In order to screen views into the site whilst it is operational, to prevent loss of soil, and to protect restoration materials it is necessary to impose a condition requiring the design, construction, and maintenance of screening and soil storage bunds to be approved.
143. Due to the proximity of the site to RAF Benson and the potential for the site to attract birds, it is necessary to require the submission and implementation of an updated bird management plan to avoid conflict between birds and aircraft in the interests of safety.

Conclusion

144. There is always an inherent tension with proposals for the winning and working of mineral resources. On the one hand, it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs, and mineral resources can only be worked where they are found. The Framework also recognises that in determining planning applications, and by extension appeals, great weight should be given to the benefits of mineral extraction, including to the economy. In this case, it is common ground between the main parties that the sand and gravel landbank within Oxfordshire is currently below 7 years and that there is a need for additional sand and gravel extraction to maintain the landbank. It is also not in dispute between the main parties that increase in housing targets for South Oxfordshire and its neighbouring authorities that in turn will result in an increase to the mineral requirement, particularly in the south of the County, where this site is located. Other benefits of the proposal are the provision of waste fill capacity allowing a productive re-use of waste, improvements to biodiversity, increased accessibility to the Thames Path National Trail, and the provision of a small number of jobs.
145. On the other hand, because of the nature of mineral extraction, particularly surface extraction, there are inevitably environmental effects from such projects during the working period. In this case the effects of dust and noise are minor and could be effectively managed. The visual effects of minerals developments are undeniable, primarily from the changes wrought on the landform by surface working of minerals. Recognising this, Policy C8 requires that proposals for mineral extraction include adequate and appropriate measures to mitigate adverse impacts on the landscape, including careful siting, design and landscaping. The principal point in dispute in this appeal is the efficacy and adequacy of the mitigation measures proposed. The purpose of mitigation is to reduce the severity of the effects, not to eliminate them altogether.
146. In the case of this proposal, although there is some disagreement over how beneficial the restoration scheme would be there is no dispute that, once the mineral extraction is completed and the site is restored, it would be returned to at least the same condition and appearance that it had before the works.
147. Ultimately there would be no irrevocable harm to the setting of the NL, nor to the landscape and visual appearance of the River Thames or users of the Thames Path. There would be a period of time when there would be changes to the appearance of the area and the degree of tranquillity experienced by users of the Thames Path and recreational users of the river. However, these changes would be evanescent, being at their height during the working period and diminishing shortly thereafter. Similarly, whilst there would be less than substantial harm to the setting of two nearby listed buildings during the working period, this would be justified by the benefits of the proposal. Once the works were complete, there would be no permanent, residual, harm to their settings. These short lived harms are not so great that they would outweigh the benefits of the proposal.
148. Although the appeal site did not pass the sequential test carried out by the Council, as set out above whilst there is a sequentially preferable site, even if this alternative site were to be granted planning permission, the output from the appeal site would still be required to maintain the sand and gravel landbank. I am satisfied that the proposal would not lead to increased risk of flooding elsewhere and that the site layout has been designed in such a way that the screening plant, offices and welfare building would be located in the area at the lowest risk of

flooding. In these circumstances, there are material considerations which indicate planning permission can be granted for a development that does not wholly comply with MWLP Policy C3.

149. I have found that the appeal proposal would not conflict with the requirements of OMWCS Policy C8 and Policy ENV1 of the South Oxfordshire Local Plan. From what I have read and from what I heard at the Inquiry, I have no reason to conclude that the proposal offends any other relevant policies in the development plan. Consequently, I find that the proposal would comply with the relevant requirements of the development plan for the area.

150. For the above reasons, I therefore conclude that the appeal should be allowed.

John Dowsett

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Richard Kimblim KC	Counsel for the appellant
Liam Toland	Planning Consultant
Neil Furber	Landscape Consultant
John Young	Flood Risk Consultant

FOR THE LOCAL PLANNING AUTHORITY:

Doctor Alex Williams	Counsel for the Council
David Perriam	Planning Development Manager Oxfordshire CC
Graham Woodward	Landscape Consultant

INTERESTED PARTIES:

Rule 6 Party

Beryl Guiver	Cholsey Parish Council
Wendy Tobitt	Landscape and Biodiversity witness

Other Interested parties

Judy Collins	Local resident
Doctor Linda Rolfe	Local resident
Doctor Gillian Davies	Local resident
Elizabeth Gordon	Local resident
Councillor Johnny Hope-Smith	Oxfordshire County Council
Doctor Duncan Reed	Local resident
Cressida Munnery	Local resident
Mark Lawson	Local resident
Professor Jenny Taylor	Local resident

DOCUMENTS

- ID1** Annotated extract from South Oxfordshire & Vale of White Horse Tranquillity Assessment 2024 P133
- ID2** Annotated extract from South Oxfordshire & Vale of White Horse Tranquillity Assessment 2024 P129
- ID3** Appellant's Zone of Relative Tranquillity Plan
- ID4** Screenshot from South Oxfordshire & Vale of White Horse interactive version of the Joint Local Plan Emerging Policies Map
- ID5** Appellant's Opening Statement
- ID6** Oxfordshire County Council Opening Statement
- ID7** CCW Opening Statement
- ID8** *Number omitted*
- ID9** Statement of Judy Collins
- ID10** Statement of Dr Linda Rolfe
- ID11** Statement of Doctor Gillian Davies
- ID12** Statement of Elizabeth Gordon
- ID13** Statement of Cllr Johnny Hope-Smith
- ID14** Evidence Summary of Beryl Guiver
- ID15** Evidence Summary of Wendy Tobitt
- ID16** Planning Application Form: Application Ref: MW.0070/23 Land off Green Lane, Great Tew
- ID17** Decision Notice: Ref: MW.0070/23 Land off Green Lane, Great Tew
- ID18** Location Plan: Ref: MW.0070/23 Land off Green Lane, Great Tew
- ID19** Officer's Report: Ref: MW.0070/23 Land off Green Lane, Great Tew
- ID20** Planning Application Form: Application Refs: MW.0100/21 & MW.0102/21 Land at Quarry Farm North of Green Lane, Great Tew
- ID21** Decision Notice: Ref: MW.0100/21 Land at Quarry Farm North of Green Lane, Great Tew
- ID22** Location Plan: Ref: MW.0100/21 Land at Quarry Farm North of Green Lane, Great Tew
- ID23** Officer's Report: Ref: MW.0100/21 Land at Quarry Farm North of Green Lane, Great Tew
- ID24** Signed and engrossed version of Planning Obligation

- ID25** Closing submissions by the Council
- ID26** Closing submissions by the Rule 6 Party
- ID27** Closing submissions by the Appellant

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision. The Mineral Planning Authority shall be notified in writing of the date of the commencement within 7 working days of that date.
- 2) 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 comprise:
 - Plan ES 25-1 Site Location Plan
 - Plan ES 25-2 Site Plan dated 9th June 2025
 - Proposed Soil Storage/Screening Bunds and Straw Bales – drawing no. KD.WLF.D.013 dated February 2022
 - Plan LMP22-1 Landscape Masterplan v1
 - RPZ Cross-sections – drawing dated 01/07/2022
 - Drawing no. ES 25-8 Proposed Root Protection Zones and Extraction dated 9th June 2025
 - Plan R25-7 Proposed Phasing Plan v4 dated 20th February 2024
 - Working and EA Sub-Phases – Drawing no. ES 25-7
 - Plan 25-7 Proposed Soil Strip Phasing Plan v6 dated 31st July 2024
 - Plan R25-8 Proposed Quarry Road Access Design v2 - General Arrangement – drawing no. 17309-07-GA Rev A dated 10/03/2022
 - Plan ES25-5 v2 Site Layout and Phasing dated 9th June 2025
 - Conceptual Restoration Plan v3 - Plan R25-9 v3
- 3) Prior to the commencement of mineral extraction, a detailed restoration scheme based on the approved drawing Conceptual Restoration Plan v3 - Plan R25-9 v3 (April 2024) shall be submitted to, and approved in writing by, the Mineral Planning Authority. This shall include a topographical survey of the baseline, and the restoration scheme shall show restored ground levels to ordnance datum. The scheme shall include no raising of ground levels above the baseline level.
- 4) Extraction of minerals shall be completed no later than five years from the date of commencement as notified pursuant to condition 1, and all buildings, plant, and machinery to which this permission relates shall be removed and restoration including the site contours in accordance with the scheme approved pursuant to condition 3 shall be completed no later than one year from the date of the completion of mineral extraction.
- 5) Other than water pumping, no operations authorised by this permission, including vehicles entering or leaving the site, shall take place except between the following times:
 - 07.00 to 18.00 Monday to Friday
 - 07.00 to 13.00 on SaturdaysNo operations shall take place on Sundays, or on Bank or Public holidays.
- 6) All soil handling operations shall be carried out in accordance with Defra's Good Practice Guide for Handling Soils, Sheets 1 to 4 (handling soil using 360°

- excavators and dump trucks) and sheet 15 where low ground pressure bulldozers are to be used during restoration.
- 7) No movement of topsoil, subsoil, and other soil-forming materials shall be moved other than by loading shovel, hydraulic excavator, and dump truck.
 - 8) All topsoil and subsoil stripped from the site shall be stored separately in soil bunds retained on site. Bunds for the storage of soils shall conform to the following criteria:
 - a. Topsoils, subsoils, and subsoil substitutes shall be stored separately.
 - b. Where continuous bunds are used, dissimilar soils shall be separated by a third material, previously approved in writing by the Mineral Planning Authority.
 - c. Topsoil bunds shall not exceed 3m in height and subsoil (or subsoil substitute) bunds shall not exceed 5m in height.
 - d. Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.
 - 9) Soil handling and movement shall take place in accordance with the 'Agricultural Land Classification and Soils Resource Report', dated May 2018, and the Institute of Quarrying publication 'Good Practice Guide for Handling Soils in Minerals Workings' (July 2021), and only when the soils are dry and friable, and in dry ground conditions.
 - 10) Plant or vehicle movements shall be confined to clearly defined haul routes, or to the overburden surface and shall not cross areas of topsoil and subsoil.
 - 11) All storage bunds intended to remain in situ for more than 6 months shall be grassed over and weed control and other necessary maintenance carried out. Details of the seed mixture, application rates and maintenance shall be submitted to, and approved in writing by, the Mineral Planning Authority no later than one month before it is expected to complete the formation of the storage bunds. The grass cover and weed control shall be maintained in accordance with the approved details until such time as the bunds are required to be removed and used in the restoration of the site as required by condition 4 of this planning permission.
 - 12) All stones and other materials in excess of 100 mm in any dimension which are likely to obstruct cultivation in the agricultural afteruse shall be picked and removed from the site.
 - 13) The applicant shall notify the Mineral Planning Authority at least 5 working days in advance of the commencement of the final subsoil placement on each phase, or part phase, to allow a site inspection to take place.
 - 14) Prior to their erection, full details of all buildings and structures to be erected within the plant site shall be submitted to and approved in writing by the Mineral Planning Authority. No buildings or structures shall be erected other than in accordance with the approved details. All buildings and structures shall be removed as required by condition 4 of this planning permission.
 - 15) Progressive mineral extraction, filling with no materials other than wholly inert waste as a recovery operation and final restoration shall be carried out as shown on approved drawings no. Plan R25-7 Proposed Phasing Plan v4 dated 20th February 2024 and the details approved pursuant to condition 3.

- 16) The development shall be carried out in accordance with the Edenvale Young Flood Risk Assessment Wallingford Mineral Workings Revision D dated 14th November 2023, and the following mitigation measures it details:
 - Stockpiles, earth bunds, offices, welfare facilities, and a weighbridge will be located Flood Zone 2.
 - 30 metres standoff from the River Thames. No works to take place within 30 metres of the River Thames other than the placing of straw bales, willow planting, and fencing.
 - Excavation to be undertaken in ten stages and phased sequentially. The works will proceed systematically with areas excavated and then backfilled in sequence. These mitigation measures shall be fully implemented in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- 17) Prior to the commencement of mineral extraction, a monitoring and maintenance plan in respect of groundwater and surface water, including a timetable of monitoring and submission of reports to the Mineral Planning Authority shall be submitted to, and approved in writing by, the Mineral Planning Authority. The submission shall include the following details:
 - i) Weekly monitoring of the piezometers along the southern site boundary will be during dewatering of the southern phases 2 and 3 as set out in section 5.1.1 of the Hafrenwater Hydrogeological and Hydrological Assessment for a Proposed Sand and Gravel Quarry at White Cross Farm, Wallingford. Report Reference: 3174/HIA Final F1 August 2021 and Hafrenwater White Cross Farm Quarry; Comment on potential for impact on private water supply borehole at Windward House, Wallingford dated 24th January 2022;
 - ii) Either a monitoring borehole between the private well at Windward House unless it can be demonstrated that boreholes BM16/6 and BM16/7 can be used for this purpose;
 - iii) Definition of Trigger levels and Protection Mitigation Measures.

The approved plan shall be implemented thereafter for the duration of the development. The reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Mineral Planning Authority and implemented thereafter.
- 18) Prior to the commencement of mineral extraction, a monitoring plan in respect of the deposition of waste, including a timetable of monitoring and submission of reports to the Mineral Planning Authority shall be submitted to and approved in writing by the Mineral Planning Authority. The submission shall include groundwater monitoring (including baseline monitoring) along the perimeters of the site including multiple monitoring positions to the eastern edge with the River Thames. The approved plan shall be implemented thereafter for the duration of the development. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Mineral Planning Authority and implemented thereafter.

- 19) Prior to commencement of the development, details of the Sustainable Drainage System (SuDS) and site wide drainage system shall be submitted to, and approved in writing by, the Mineral Planning Authority and implemented thereafter.
- 20) A record of the installed SuDS and site wide drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
 - (a) As built plans in both .pdf and .shp file format;
 - (b) Photographs to document each key stage of the drainage system when installed on site;
 - (c) Photographs to document the completed installation of the drainage structures on site;
 - (d) The name and contact details of any appointed management company information.
- 21) Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) for the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works in accordance with the approach outlined in the approved Environmental Statement, shall be submitted to, and approved in writing by, the Mineral Planning Authority. The CEMP shall include details of the following:
 - The timing of each phase of the works;
 - The measures to be used during mineral extraction and restoration in order to minimise environmental impact of the works including potential disturbance of semi-natural habitats and protected species;
 - The measures to be used during the development in order to minimise pollution of the River Thames and the wet ditches and other wetland habitats/features on the site, for example from surface water run-off;
 - Details of the lighting scheme that should include measures to minimise light spill into the 30m buffer to the River Thames and the semi-natural habitats, as recommended in the Ecological Appraisal;
 - A map or plan showing habitat areas to be specifically protected during the works and how they will be protected, for example through temporary fencing;
 - Any necessary mitigation for protected species. This shall include additional protected species surveys as recommended in the approved Ecological Appraisal;
 - Extraction and construction methods; and
 - Information on the persons/bodies responsible for particular activities associated with the CEMP that demonstrate they are qualified for the activity they are undertaking.

The development shall be carried out thereafter in accordance with the approved CEMP.
- 22) Prior to the commencement of mineral extraction, a Habitat Monitoring and Management Plan (HMMP) to deliver at least 10% biodiversity net gain to be

managed and monitored over a period of at least 30 years shall be submitted to, and approved in writing by, the Mineral Planning Authority. This shall set out the long-term design objectives, management responsibilities and maintenance schedules. The following details shall be included:

- Details of the soils used for the restoration of each phase including the sole use of subsoils for the new semi-natural habitats, including the marshy grassland/floodplain grazing marsh;
- Details of the planting/seeding plan for each of the newly created semi-natural habitats and the semi-natural habitats that will be retained and enhanced, e.g. the marshy grassland at the north east corner of the site. These shall have a greater variety of forb/herb species and a larger percentage than proposed in the approved application documents. They shall be native species of provenance appropriate to this location.
- Details of the design of the proposed wetland features such as the scrapes, ditches and ponds, including cross-sections.
- Details of the appropriate management/maintenance schedules for the new semi-natural habitats during the establishment phase (generally 1-2 years for grasslands) and for the longer-term, to retain their diversity.
- Details of the methods used to enhance the botanical diversity of the retained marshy grassland such that the additional species to be introduced will be able to compete with the existing plants species, especially the coarse grasses.
- Details of the long-term ecological and landscape management of the finally restored site, including maintenance schedules for the semi-natural habitats.
- The named person(s) or organisation(s) responsible for the long-term management of the semi-natural habitats.
- Details of the monitoring arrangements to be put in place to ensure compliance, including, but not limited to, the number and frequency of monitoring visits/inspections and a mechanism to secure these for the full duration of the HMMP.

The approved HMMP shall be implemented thereafter.

- 23) Prior to the commencement of mineral extraction, a Landscape Management and Monitoring Plan (LMMP), including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to, and approved in writing by, the Mineral Planning Authority. The LMMP shall be carried out as approved, and any subsequent variations shall be agreed in writing by the Mineral Planning Authority. The scheme shall include the following elements:

- Detailed extent and type of new planting including replacement tree planting which shall be native species of UK provenance;
- Details of maintenance regimes;
- Details of treatment of site boundaries and/or buffers around water bodies;
- Details of management responsibilities.

The approved LMMP shall be implemented thereafter.

- 24) No development shall commence until a Written Scheme of Archaeological Investigation has been submitted to, and approved in writing by, the Minerals Planning Authority. This shall detail the professional archaeological organisation that will carry out the investigation. The approved scheme shall be implemented in full.
- 25) Prior to the commencement of the development and following the approval of the Written Scheme of Investigation required pursuant to condition 24, a staged programme of archaeological investigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Archaeological 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 Minerals Planning Authority within 2 years of the completion of the on-site archaeological investigations.
- 26) Except for temporary operations, the free field Equivalent Continuous Noise Level LAeq, T, at the noise sensitive premises nearest to the extraction site, due to operations in the site during the hours of operation set out in condition 5 shall not exceed the relevant criterion limit specified below at each nominated dwelling. The relevant criterion levels are as follows:

Location	Noise Limit from Site Operations (dB LAeq,1h (freefield))
1 Meadow Farm	55
Elizabeth House	55
Waterside Court	55
Whitecross House	55
Founders House, Carmel College	54
Mansion House, Carmel College	54
Windward House / Mead Furlong	55

- 27) For temporary operations of soil stripping, bund formation and restoration, the free field noise level due to work at the nearest point to each dwelling listed in condition 26 shall not exceed 70 dB LAeq 1 hour (freefield). Temporary

operations which exceed the normal day to day criterion shall be limited to a total of eight weeks in any twelve month period. Prior notice shall be given to residents and to the Mineral Planning Authority before temporary operations commence.

- 28) Noise levels from water pumping during the night-time period (22:00 – 07:00 hours) shall not exceed 42 dB LAeq 1 hour (freefield).
- 29) Prior to the commencement of the development, a Noise Management Plan shall be submitted to, and approved in writing by, the Mineral Planning Authority. The plan shall include details of:

- A programme of noise monitoring including provisions for the submission of noise monitoring data to the Mineral Planning Authority for inspection;
- mitigation measures;
- details of weather conditions during which specified noisy activities will stop.

The approved Noise Management Plan shall be implemented thereafter for the duration of the development.

- 30) No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to or used on any vehicle operating on the site, other than those which use white noise.
- 31) All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery they shall be installed and retained in use.
- 32) Prior to the commencement of the development a detailed scheme for the monitoring and management of dust emanating from the site shall be submitted to, and approved in writing by, the Mineral Planning Authority. The scheme shall include:

- Details of how dust will be monitored at all stages of the operations including both during operating hours and outside of operating hours;
- Details of dust monitoring information gathered prior to the commencement of operations;
- Procedures for recording information gathered during dust monitoring and provision of this information to the Mineral Planning Authority on request;
- Dust suppression measures, including in relation to moving and storage of soil, overburden and other materials on site;
- Prevention of dust from exposed surfaces such as bunds, including how it will be managed outside of working hours;
- Dust control measures;
- Dust suppression measures for haul roads;
- Provision for monitoring and review of the scheme; and
- Details of weather conditions which would cause working to stop.

The approved Dust Management Scheme shall be implemented thereafter for the duration of the development.

- 33) No lighting shall be erected at the site other than in accordance with details which have been first submitted to, and approved in writing by, the Mineral Planning Authority. The lighting scheme shall be kept to a minimum. The submitted details shall outline the impact of the proposed lighting on amenity and biodiversity and shall include details of the location, height, design, shields, sensors, colour temperature ($\leq 3000\text{K}$), timing and direction of all light sources, including intensity of illumination. No lighting shall be erected and operated thereafter for the duration of the development other than for routine maintenance.
- 34) Prior to the commencement of mineral extraction, details of a straw bale barrier to screen views from the Thames Path National Trail the footpath shall be submitted to, and approved in writing by, the Mineral Planning Authority. The scheme shall include the following details:
- i) Dimensions of the straw bales;
 - ii) The height of the straw bale barrier;
 - iii) Regular inspection and replacement of straw bales so as to maintain the barrier to the approved height;
 - iv) Relocation of the straw bale barrier to ensure that the mineral extraction and filling area always remains screened;
 - v) Replacement of all straw bales at least once a year; and
 - vi) Removal of the straw bale barrier at the cessation of works.
- The straw bale barrier shall be constructed and maintained in accordance with the approved details thereafter for the duration of the development.
- 35) Prior to the commencement of the development and in addition to the details of the straw barrier required pursuant to condition 34, details of the boundary treatment to the site's eastern boundary with the Thames Path National Trail, including details of the type and height fencing and its maintenance shall be submitted to, and approved in writing by, the Mineral Planning Authority. The approved details shall be implemented thereafter for the duration of the development.
- 36) Mineral stockpiles shall not exceed a height of ten metres.
- 37) No development shall commence until water vole and otter surveys have been submitted to, and approved in writing by, the Mineral Planning Authority. The surveys shall:
- i) Establish if there have been any changes in the presence and/or abundance of otter or water vole; and
 - ii) Identify any likely new ecological impacts that may arise from any changes.
- Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, a revised ecological mitigation scheme shall be submitted to, and approved in writing by, the Mineral Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details for the duration of the development.
- 38) In the event that a period of two years passes from the date of any protected species survey submitted with the application documents and prior to the development commencing in any phase, up-to-date surveys shall be submitted

to, and approved in writing by, the Mineral Planning Authority. The up-to-date surveys shall:

- i) Establish if there have been any changes in the presence and/or abundance of protected species; and
- ii) Identify any likely new ecological impacts that may arise from any changes.

Where the surveys indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, a revised ecological mitigation scheme shall be submitted to, and approved in writing by, the Mineral Planning Authority including a timetable for the implementation of mitigation measures. The scheme shall thereafter be implemented in accordance with the approved details.

- 39) No development shall commence unless or until a scheme detailing the location and design of bird and bat boxes, including those suitable for kestrel and/or barn owl, has been submitted to, and approved in writing by, the Mineral Planning Authority. This shall include details on how works will proceed in order to avoid harm to nesting kestrels or other species using the barn owl box and provision of alternative nesting sites. Any works shall be carried out in accordance with the approved scheme thereafter for the duration of the development.
- 40) No development shall commence until a reptile mitigation strategy has been submitted to, and approved in writing by, the Mineral Planning Authority. No work shall take place other than in accordance with the approved scheme thereafter for the duration of the development.
- 41) No development shall commence until an appropriate method for felling of the Silver Birch with low bat roost potential has been submitted to, and in approved in writing by, the Mineral Planning Authority. No work shall take place other than in accordance with the approved scheme thereafter for the duration of the development.
- 42) Prior to the commencement of the development (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to, and approved in writing by, the Mineral Planning Authority. The scheme shall contain the following details:
 - a) Location and installation of services/ utilities/ drainage;
 - b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees;
 - c) Details of construction within the RPA or that may impact on the retained trees;
 - d) A full specification for the installation of boundary treatment works;
 - e) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing, soil storage bunds and the limit of extraction;
 - f) A specification for scaffolding and ground protection within tree protection zones;

- g) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area;
- h) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
- i) Boundary treatments within the RPA;
- j) Arboricultural supervision and inspection by a suitably qualified tree specialist;
- k) Reporting of inspection and supervision; and
- l) Methods to improve the rooting environment for retained and proposed trees and landscaping.

The development thereafter shall be implemented in accordance with the approved details for the duration of the development.

- 43) No mud, dust or debris shall be deposited on the highway. Prior to the commencement of the development, details of wheel cleaning facilities shall be submitted to, and approved in writing by, the Mineral Planning Authority. No Heavy Goods Vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried on to the highway.
- 44) No loaded vehicles shall leave the site with the load unsheeted.
- 45) No other part of the development shall commence until works to provide the site access and egress and the visibility splays have been carried out in accordance with the approved drawing Plan R25-8 Proposed Quarry Road Access Design v2 Revised March 2022 - General Arrangement – drawing no. 17309-07-GA Rev A dated 10/03/2022.
- 46) The visibility splays shown on the approved Plan R25-8 Proposed Quarry Road Access Design v2 Revised March 2022 - General Arrangement – drawing no. 17309-07-GA Rev A dated 10/03/2022 shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.
- 47) Any gates shall be set back a minimum of 18 metres from the highway carriageway and shall only open inwards.
- 48) The number of Heavy Goods Vehicle (HGV) movements associated with the development hereby permitted shall not exceed a maximum of 100 movements (50 in, 50 out) movements per day. The applicant shall maintain a log of all HGV movements to and from the site; such records shall contain the vehicles registration number along with the name of the company to which the vehicle belongs and the time and date of the movement. These records shall be made available for inspection by the Mineral Planning Authority upon request.
- 49) Prior to the commencement of the development, details of a Local Liaison Group including the local county councillor, and representatives of Cholsey Town Council, Crowmarsh Parish Council and Wallingford Parish Council shall be submitted to, and approved in writing by, the Mineral Planning Authority. The Local Liaison Group shall meet at least biennially for the duration of the development unless a lesser frequency is agreed at any meeting of the Local Liaison Group.

- 50) An Aftercare Scheme requiring that such steps as may be necessary to bring the land to the required standard for the use of agriculture shall be submitted for the approval of the Mineral Planning Authority not later than 3 months prior to the date on which it is first expected that the replacement of topsoil shall take place. The submitted Scheme shall:
- a. Provide an outline strategy for the five-year Aftercare period in accordance with Paragraph: 057 of Minerals Planning Practice Guidance. This shall specify the steps to be taken and phasing in the management of the land to promote its rehabilitation to the target after uses; including where appropriate:
 - A map identifying clearly all areas with phasing, subject to aftercare management,
 - An annual meeting between the developer, the Mineral Planning Authority and other interested parties,
 - Timing and pattern of vegetation establishment, with cultivation practices and secondary treatments,
 - Management of livestock, soil, fertility, weeds and pests etc,
 - Establishment of hedgerows, trees and other surface features,
 - Remedial surface and piped drainage systems, irrigation and watering, and
 - A pre-release report to demonstrate that the land has been reclaimed to the required standard.
 - b. Provide for a detailed annual programme, in accordance with Paragraph: 058 of Minerals Planning Practice Guidance, to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.
- 51) Prior to any topsoil stripping and prior to the commencement of mineral extraction in each phase, detailed plans of the construction and maintenance of screening and soil storage bunds shall be submitted to and approved in writing by the Mineral Planning Authority. The bunds shall be constructed and maintained in accordance with the approved details until such time as they are required to be removed and used in the restoration of the site as required by condition 4 of this planning permission.
- 52) Mineral extraction shall not be commenced until such time as a scheme for the prohibition of right-turn movements into the site from the A329 Reading Road and right-turn movements out of the site onto the A4130 Nosworthy Way has been submitted to and approved in writing by the Mineral Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details. No minerals shall be exported from the site until the scheme has been implemented in accordance with the approved details and shall be retained thereafter.
- 53) The development shall not be commenced until an updated bird management plan based on the approved Greenfield Enviro Revised Bird Management Plan – Ref no. LRS/WAL/110 dated February 2022 has been submitted to and approved in writing by the Mineral Planning Authority. The updates to the approved plan shall include the following:

- i) The erection of a goose-proof fence including height, materials and a programme for its erection between the River Thames and the site and its maintenance until such time as restoration has been completed;
- ii) The erection of livestock-proof fencing including height, materials and a programme for its erection to the areas of the site to be restored to ephemeral lagoon, damp woodland and reedbed habitat and its maintenance thereafter.

The fencing shall be erected and maintained in accordance with the approved updated bird management plan.