

Application No: 10/01929/CM	Ward: Yarnton, Gosford and Water Eaton	Date Valid: 23 December 2010
Applicant:	Hanson Aggregates	
Site Address:	Worton Rectory Farm, Cassington Road, Yarnton	

Proposal: The continuation of the winning and working of sand and gravel with restoration using suitable imported materials without complying with the requirements of condition 2 in order to extend the time period for extraction until December 2015 and the time period for restoration until December 2017 to allow sufficient time for the working of material from beneath the plant site (OCC ref. MW.0175/10)

1. Site Description and Proposal

- 1.1 The site forms part of Cassington Quarry at Worton Rectory Farm at Yarnton, to the south of the Cassington Road. The site is situated to the south of an access track, which leads to access to the A40. The area has been used for the extraction of sand and gravel and land to the south of this site has been restored to lakes. The site is situated within the Oxford Green Belt and has ecological potential. The site is also within the flood plain.
- 1.2 This application seeks planning permission to continue the existing operation of winning and working of sand and gravel and to eventually restore the land without complying with condition 2 of the original planning permission to allow the time period for extraction until December 2015 and for restoration until December 2017. Condition 2 currently reads:
2. Except with the express written consent of the Mineral Planning Authority:
- (a) no excavations shall be undertaken or continued after 31 December 2010;
- (b) all restoration shall be carried out and completed not later than 31 December 2012.

Reason: To ensure satisfactory and timely restoration.

- 1.3 **Planning History**
02/00602/CM Non compliance with condition 22 of Permission W1132/83C and CHS 458/83 to read No imported waste shall be deposited on the land apart from the area outlined in red on plan W92m/50a

2. Application Publicity

- 2.1 As this matter is a County Matter, all publicity has been undertaken by Oxfordshire

County Council.

3. Consultations

- 3.1 As this matter is a County Matter, all formal consultations have been undertaken by Oxfordshire County Council.
- CDC Anti Social Behaviour Manager – No objection or comments to make

4. Relevant Planning Policies

- 4.1 PPG2: Green Belts
- 4.2 The South East Plan: Policy CO4
- 4.3 Adopted Cherwell Local Plan: Policy GB1, C7

5. Appraisal

- 5.1 Firstly, in terms of the principle of the development, the site is situated within the Oxford Green Belt and therefore PPG2: Green Belts is relevant. This National guidance is reflected within regional and local level policy. PPG2 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts being their openness.
- 5.2 PPG2 advises that there is a presumption against inappropriate development within the Green Belt, which should not be approved, except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Development which is appropriate within the Green Belt is identified within PPG2.
- 5.3 PPG2 also provides advice on mining operations within the Green Belt stating that minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. It goes on to state the statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.
- 5.4 Visual amenity is also addressed within PPG2, with the following advice: the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.
- 5.5 Within the plant site area, it is estimated that around 380,000 tonnes of material is

available. This site is an accepted site for the winning and working of sand and gravel and therefore the continued use of the site for this purpose is considered largely acceptable. As explained above mineral extraction need not be inappropriate in the Green Belt as the material can only be extracted where it is found and that it is a temporary activity. This is providing high environmental standards are maintained and that the site is well restored. Although the continued use of the site for this purpose will result in a longer period, it is still a temporary activity and therefore the use for a further period of 5 years is not considered inappropriate. Proposals have been put forward showing that the site will be restored to an angling lake and given that other lakes are in proximity this is considered to be an appropriate restoration scheme.

- 5.6 It is considered that although the site represents a continued use in the Green Belt, the use is still a temporary activity and therefore given that the site will eventually be restored, the use is acceptable and the SDPHE considers that no objections should be raised as the reason for the imposition of the condition can still be complied with.

6. Recommendation

That Oxfordshire County Council be advised that Cherwell District Council raise no objections to the proposal.

Cherwell District Council considers the conditions attached to the original planning permission should be re-imposed where relevant to ensure the development continues in accordance with the planning permission.

Cherwell District Council request that they be advised of the decision once it has been made.

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