

**JOINT SUBMISSION
BY CHOLSEY PARISH COUNCIL AND WALLINGFORD TOWN
COUNCIL**

**Joint consultation response to planning application MW.0094/16 for sand and
gravel extraction at
New Barn Farm
Cholsey, nr Wallingford**

MARCH 2017

Wallingford Town Council Offices
9 St Martin's Street
Wallingford
Oxfordshire OX10 0AL

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1. Introduction

This joint response has been prepared by Cholsey Parish Council and Wallingford Town Council (“Cholsey and Wallingford”) to the further consultation for this planning application for sand and gravel extraction at New Barn Farm. It follows on from the previous responses of Cholsey and Wallingford submitted in September 2016, which were done by endorsing the submission by CAGE (Communities Against Gravel Extraction). Cholsey and Wallingford continue to be active in CAGE, however on this occasion we are responding directly.

This joint response is not intended to replace our previous objections, rather it is intended to address the responses by the Applicant to the Regulation 22 Notice. However, it does refer back to those previous objections where appropriate as the original points raised remain valid.

In preparing this response, Cholsey and Wallingford have considered the updated and additional documents. We continue to object to this development on the grounds that the wide range of potential negative impacts arising from the proposed extraction and the back-filling of the void are unacceptable.

We should also like to draw your attention again to the original *Submission by CAGE relating to the inclusion of the area close to Cholsey & Wallingford as suitable for sand and gravel extraction SG33, SG57 & SG 60*, dated 28 October 2011, which highlighted many of these unacceptable negative impacts. At the time you advised CAGE that these matters would be properly addressed by OCC if and when a planning application was made. In our opinion this has clearly not been done.

2. Need for Mineral

Despite the findings of the Inspector at Enquiry, we continue to maintain that there is clear evidence that there is no requirement for the proposed extraction on the basis of local need. We continue to support the submissions by Gardner Planning Ltd on behalf of Oxfordshire Against Gravel Extraction (OXAGE) in response to the Oxfordshire Minerals and Waste Local Plan Core Strategy and subsequent Inspector’s Matters and Issues, including its most recent submission of 9th March 2017¹.

Those objections are endorsed but not repeated here, rather we seek to draw the attention of the Minerals Planning Authority to other indicators that show there will be an over-supply

¹ Consultation on Proposed Main Modifications to Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy and Sustainability Appraisal Report Update, February 2017

of sharp sand and gravel if OCC insists on using its methodology rather than using a 10 year rolling average.

Noting that sales of soft sand are plotted on the secondary axis on the right hand side of the chart, Figure 1 below clearly shows that there is a high degree of correlation between sales of crushed rock and soft sand. It also shows that prior to 2008, there was also a correlation between sales of sharp sand and gravel and sales of the other two materials.

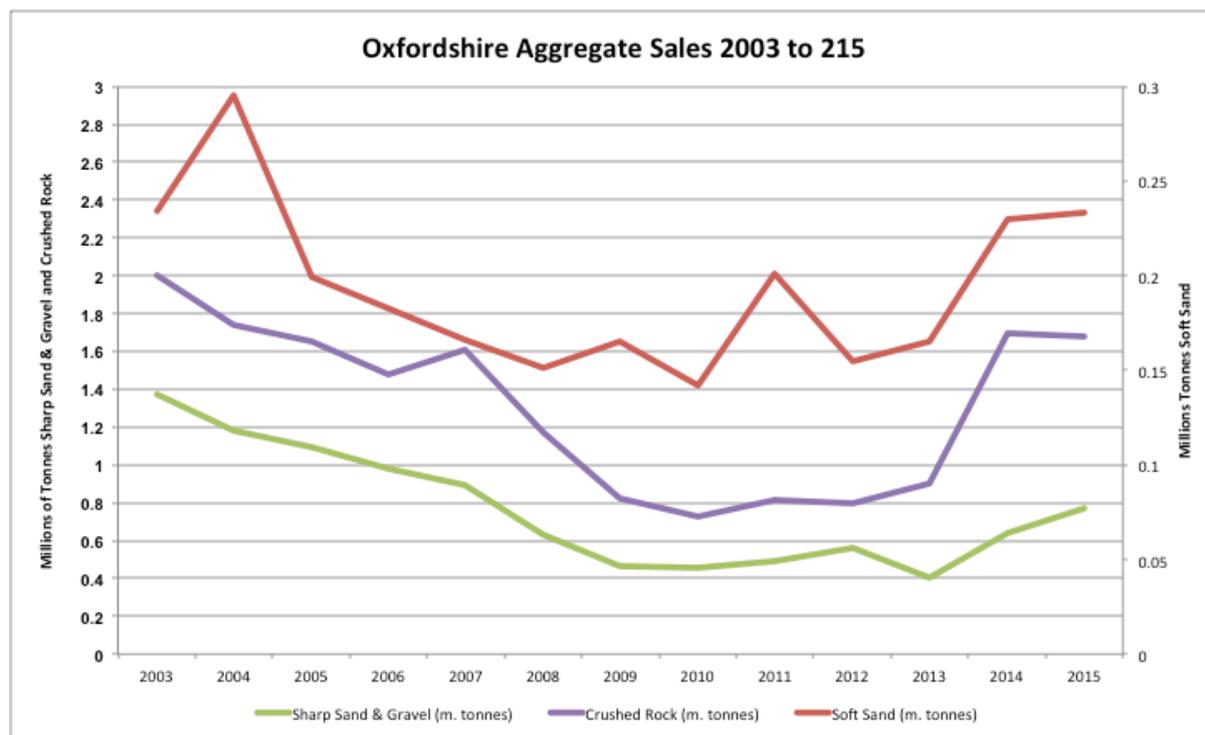


Figure 1 Aggregate Sales In Oxfordshire 2003 to 2015

The Site Waste Management Plan Regulations (SWMPR) came into force in 2008, resulting in a significant growth in the supply of secondary aggregates from demolition and construction waste. Secondary aggregates can be directly substituted for sharp sand and gravel and therefore it is no surprise that the correlation of sharp sand and gravel with the other two began to decrease from 2008. Initially this divergence was muted, as a result of weak construction activity in the period 2009 to 2011 (if there is limited construction activity, the production of secondary aggregates from demolition and construction waste is reduced). However, once construction activity began to pick up in 2011/12, the correlation decreased significantly. The SWMPR were repealed in December 2013 but they continue to be used. This is partially voluntary², partially in order to comply with BREEAM sustainability

² Increasing cost of landfill disposal, including landfill tax, creates an economic incentive to recover construction and demolition waste.

certification. DEFRA's figures show that in England in 2014, the first full year after the repeal of the SWMPR, the amount of this material that was recovered was 44.9 million tonnes³. This was an increase of 2.8 million tonnes on 2013.

Considering this further, crushed rock is a leading indicator as it is used in foundations and road building at the start of a development. Figure 1 shows that sales in 2015 dropped from 2014, suggesting that there were fewer roads and foundations being build. Soft sand is a lagging indicator, as it is used in mortar for brick-laying and in rendering of finished surfaces. Figure 1 shows that sales of soft sand continued to rise in 2015, which suggests that developments (for which the foundations and roads laid in previous years) were being finished out.

Taken together, these two indicators show that construction activity in Oxfordshire has strongly rebounded after the recession that followed financial crash of 2007/8 and is now levelling out. Sales of both materials are now at similar levels to those of 2003 – 2004. In contrast, sales of sharp sand and gravel have not recovered, with sales now running at approximately 65% of pre-recession levels. This is entirely consistent with the much greater use of demolition and construction waste than hitherto. As construction activity is levelling out, demand for sharp sand and gravel is likely to fall below the 768,000 tonnes sales in 2015, and be closer to the 628,000 tonnes annual requirement (derived from the 10 year rolling average) than the 1,015,000 tonnes annual requirement (derived from OCC's unusual methodology). Even if the 2015 tonnage is used (noting that this appears to be a peak), the county has a 16.3 year landbank.

The NPPF only requires Mineral Planning Authorities to maintain a landbank of 7 years when considering planning applications for proposed sand and gravel sites. Consequently Cholsey and Wallingford Councils **object** to the current planning application because the Applicant has failed to demonstrate there is a need for the minerals.

3. Working Method

The Applicant has proposed to employ a wet pit method of extraction. We continue to maintain that this may be considered a less conventional method of working as the operator would in effect be working blind and will result in a lower yield of mineral, reduced quality control and increased risk of instability at the site margins. The Applicant proposes to restore the site to agricultural land by placement of imported inert waste in the voids created by extraction (rather than restoration to an open body of water). The purpose of this is to avoid the creation of a bird strike hazard within the safeguarding zone for RAF Benson.

³ Source: UK Statistics on Waste, DEFRA 15th December 2016

The lower yield and the cost of importing and placing inert material will result in higher costs per tonne than would be the case if a conventional method of working was used. We consider that this is a pertinent issue that must be given due weight. We contend in Section 2 above that there is no need for this mineral as the county already has adequate permitted reserves. If this site is given planning permission, it is likely to be a higher cost producer than existing operations (or other deposits identified within the county) with deeper and better quality minerals. This means that, if permitted, this site would:

- probably be the marginal producer within Oxfordshire and therefore would be the first to be mothballed; and
- probably have a life far longer than the projected 18 years

if demand is lower than the 1,015,000 tonnes annual requirement estimated by OCC's unusual methodology. However, unlike a conventional sand and gravel operation, in a mothballed state it would represent one or two partially extracted strips in an otherwise agrarian landscape. These would be incongruous and with a visual impact far greater and for far longer than assessed in the revised Visual Impact Assessment.

4. Inert Fill

Previously (through our endorsement of the CAGE response to the scoping request), we specifically requested that the Applicant be required to provide details of the inert materials to be deposited. Amongst other concerns, we were alarmed by the Applicant's statement that the inert materials could be contaminated. We pointed out in our previous response to the planning application that the Applicant had failed to give any details in any of the documents supporting the application.

The Applicant has now responded, in its response to the Regulation 22 request, as follows:

2.42 The inert material will consist of uncontaminated naturally occurring materials which will primarily consist of subsoils. Such material is ideal for the restoration of a site to agriculture as they provide adequate drainage whilst avoiding droughtiness which can be an issue at New Barn Farm (see ES Appendix 3: Agricultural Land Classification and Soil Resources).

This indicates that the applicant does not intend to import any waste materials such as demolition and construction waste (as these are not naturally occurring). However, the Applicant also states:

2.45 While primary material could be used to restore the site, such an operation would represent an unsustainable use of resources

2.47 *Should a permit be granted for the operation, it will be monitored and enforced in the same manner as any other regulated site by the Environment Agency. A number of mechanisms are put in place to monitor to ensure compliance such as audits, site visits, data analysis and compliance checks are carried out by the regulator. Importation of material to be used for infilling will be undertaken in strict accordance with the terms of an environmental permit. The permit will set out clearly the types of material acceptable on site and volumes of material to be imported.*

2.49 *Contractors delivering material to be site will be required to be a registered waste carrier under the Control of Pollution (Amendment) Act 1989. Upon arrival at the site, all waste delivery vehicles must report to the ticket clerk. Drivers will provide documents detailing the source location and description of the waste.*

Cholsey and Wallingford consider that these three paragraphs contradict 2.42:

- 2.45 clearly envisages the use of secondary materials, i.e. not sub-soil (which is a primary material);
- 2.47 clearly envisages that other materials will be imported, otherwise it would reference the materials specified in 2.42; and
- 2.49 makes specific reference to waste, e.g. demolition and construction waste, rather than naturally occurring materials.

Clearly, we are no closer to knowing what materials the Applicant intends to use, or even if the Applicant has actually identified these materials.

The Applicant indicates in paragraph 2.38 (in its response to permitting and whether or not the excavations should be lined or not before in-filling) that OCC has no authority to consider “*health and safety issues or emissions themselves where these are subject to approval under other regimes*”. However, as previously pointed out, Paragraph 144 of the NPPF states that “*Minerals Planning Authorities should:ensure that noise and dust are mitigated or controlled;*”. OCC is clearly obliged to consider the environmental impact of the proposed development in order to mitigate and control dust. As we have previously submitted, without the fill material being specified it is not possible to assess the impact of this material on the environment, particularly in respect of hydrological impact and dust emissions. In particular, we draw OCC’s attention to our previous representation (via our endorsement of the CAGE response) that the failure to provide detail of the inert fill material to be used renders the conclusions of the Air Quality and Dust Assessment invalid.

We note that the Applicant has attempted to address the issue of contamination within the inert fill in its response to the Regulation 22 request:

2.43 *All inert material proposed to be used for restoration will be tested at point of origin and checked to ensure it is suitable for use. Vehicles carrying unsuitable material will be turned away from the site. Should unsuitable material be found within a load, it will be removed and stored in a quarantine area before being removed off site to an approved disposal facility.*

2.48 *Materials to be deposited will be tested and inspected at source for suitability.*

2.51 *An inspection of the material will be carried out (on delivery) to ensure that:*

- *It is clean and corresponds to its description;*
- *It does not contain any malodorous substances;*
- *There is no unusual discolouration*

2.52 *If the load is rejected, the following actions will be taken:*

- *A Waste Rejection Form will be completed and held on-site for inspection by the relevant authorities;*
- *The waste supplier will be notified and importation from that source will cease until the incident has been fully investigated;*
- *Acceptance of material will only resume on receipt of satisfactory evidence and that the reason for non-compliance has been identified.*

2.53 *Should unsuitable material be found within a load following tipping, it will be removed and stored in a quarantine area before being removed off site to an approved disposal facility.*

2.54 *The Environment Agency will be informed of any issues and subsequent resolution.*

However, the Applicant has still not addressed the impacts (specifically dust and contamination of groundwater) arising from the tipping “unsuitable material” should this occur, either in the quarantine area or in an excavation void.

We therefore maintain our objection to this development on the grounds that the environmental impacts of the fill have not been adequately addressed (see also section 6 below regarding other deficiencies in assessing dust).

If Planning Permission is granted despite our objections, as a minimum we would expect to see a planning condition imposed that limited fill material to uncontaminated naturally occurring materials which will primarily consist of subsoils as per paragraph 2.42 of the Applicants response to the Regulation 22 Notice.

5. Traffic and Transport

5.1 Cumulative Impact

Cholsey and Wallingford note that the Applicant has failed to address the cumulative impact of site traffic on the A4130 Wallingford Bypass as previously pointed out by us (through our endorsement of the CAGE response), instead the Applicant simply relies on pre-application advice (that has not been seen by the public).

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 make it plain that cumulative impacts must be considered (Paragraph 024). Guidance on the Government website (<https://www.gov.uk/guidance/environmental-impact-assessment>) states:

Each application (or request for a screening opinion) should be considered on its own merits. There are occasions where other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development. There could also be circumstances where 2 or more applications for development should be considered together. For example, where the applications in question are not directly in competition with one another, so that both or all of them might be approved, and where the overall combined environmental impact of the proposals might be greater or have different effects than the sum of their separate parts.

Irrespective of what pre-application advice was given, clearly the Traffic Statement was not undertaken in accordance with national policy as the Applicant claims was the case in its response to representations.

Consideration of cumulative impact is more important now than it was in September 2016, as since then South Oxfordshire District Council has given outline planning permission for a new development of 555 dwellings whose sole ingress and egress will be via the A4130 between the Slade End and Hithercroft roundabouts. This is Planning Application P14/S2860/O-3, previously referred to in CAGE's response to the Scoping Request for New

Barn Farm and in its response last September. It was in connection with this latter application that OCCs Highways stated

“The County previously made comment on this full application in a consultee response dated 2nd October 2015, and whilst in the main found the proposals within the submission acceptable, raised objection to the issue of additional intensification of roundabout junctions on the A4130 Wallingford ring road with geometry mitigation being offered. It was found, and acknowledged, that the Portway⁴ and Crowmarsh Roundabouts and to a lesser extent the Winterbrook Roundabout, are presently at capacity, with RFC⁵s on some arms at or above 0.85. In the horizon year of 2024, baseline flows even without development, were predicted to rise further, with 1.0 RFCs and above on some arms.”

OCC went on to stipulate a number of conditions should be applied regarding transport and traffic matters including the Applicant providing

“suitable mitigation in the form of physical works at the affected roundabouts to resolve the [intensification of use] issues”.

As previously stated in our response, this proposal to work minerals and landfill with waste over a period of (at least) 18 years can only add to traffic impacts on what is already acknowledged to be a road system that is struggling to cope with existing traffic flows. The fact that the traffic generated by this proposal will comprise HGV's exacerbates the problem to an even greater degree.

In its response to representations, the Applicant once again states traffic impacts will be negligible and that *“Traffic impacts have been considered for key links on the Wallingford bypass, including the A4130 Bosley Way, A4130 Nosworthy Way and the A4074 Portway”*. Once again Cholsey and Wallingford point out that the Transport Statement (“TS”) only considered the increase in traffic in terms of the overall percentage impact, and specifically avoided any discussion of cumulative impact on the Required Flow Capacities at the Portway and Winterbrook roundabouts, particularly at peak times. We further restate that this omission is contrary to Policy M10 of the NPPF, which specifically requires mineral planning applications to take into account the capacity of the local transport network.

Together with the failure to comply with The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, Cholsey and Wallingford (with CAGE) consider this to be a significant omission that renders the Transport Statement invalid as it results in an

⁴ Referred to in the Transport Statement as the “Mongewell Roundabout”

⁵ Required Flow Capacity

underestimation of the traffic impact, particularly as the TS is based on the assumption that two thirds of the traffic from the site will use these two roundabouts.

5.2 Worst Case Modelling

As we have previously pointed out (in our endorsement of the CAGE response), the OCC Scoping Opinion required the TS to include modelling of the traffic impact on the operations of all roundabouts on the Wallingford By-pass and adjacent junctions. We pointed out that the modelling assumed that one third of the HGV traffic related to the proposed quarry site will be to or from each of Oxford, Didcot or Reading. We therefore also pointed out that:

- the method used by the Applicant did not reflect a worst case scenario in terms of likely impacts on the Wallingford Bypass;
- given the relative population levels for these towns, a more realistic scenario would be an assessment based on the potential that much greater than one third of the HGV traffic may be travelling between any one of these three major market places at any time;
- the normal ebb and flow of traffic will to a significant extent be driven by construction led activity. For example the UK government identified the 'Didcot Growth Accelerator' as one of the new Local Enterprise Partnership zones in November 2015 and as such it can be expected to attract a higher proportion of construction activity led traffic flows to and from the site.

We therefore recommended that a full Traffic Impact Assessment (TIA) should be undertaken that included modelling the 'worst case scenario' for each marketplace.

In its response to representations, the Applicant has not responded to the need for a full TIA, or worst case modelling. Instead it has simply responded that "*It would be unrealistic to expect all traffic to only go to one town based on new build assumptions*". Wallingford and Cholsey contend that this failure to model the worst case is a significant omission and therefore renders the TS invalid.

5.3 Danger to Pedestrians and cyclists

Wallingford and Cholsey pointed out (in our endorsement of the CAGE response) that an additional reason for carrying out a full TIA was to assess the full impact of traffic generated by the site on movements to and from the Hithercroft road, in particular cyclists. This was because the Hithercroft Road is one of two main cycle routes in and out of Wallingford. We gave details of why it is so important, and pointed out that 100% of the site traffic would cross it at the Hithercroft Roundabout. We further pointed out that the TS, in failing to look properly at the impact on cyclists, had completely failed to consider the impact on child

cyclists going to Hithercroft Sports Park in the afternoons and on Saturday mornings. The Applicant has requested working hours until 18h00 on weekdays, and from 07h00 until 13h00 on Saturdays. These are precisely the times that the Sports Park is used by children, especially on Saturdays.

In its Response to the Regulation 22 Request, the Applicant completely failed to address this issue, and only chose to address cyclists at the Winterbrook roundabout (which it termed the A4130 Bosley Way/ Wallingford Roundabout and A4130 Bosley Way/ Wallingford Road Roundabout). We consider this a significant omission that renders the TS invalid, and can only be addressed by a full TIA.

6. Air Quality and Noise

6.1 Invalidity of Reliance on RAF Benson Wind Rose

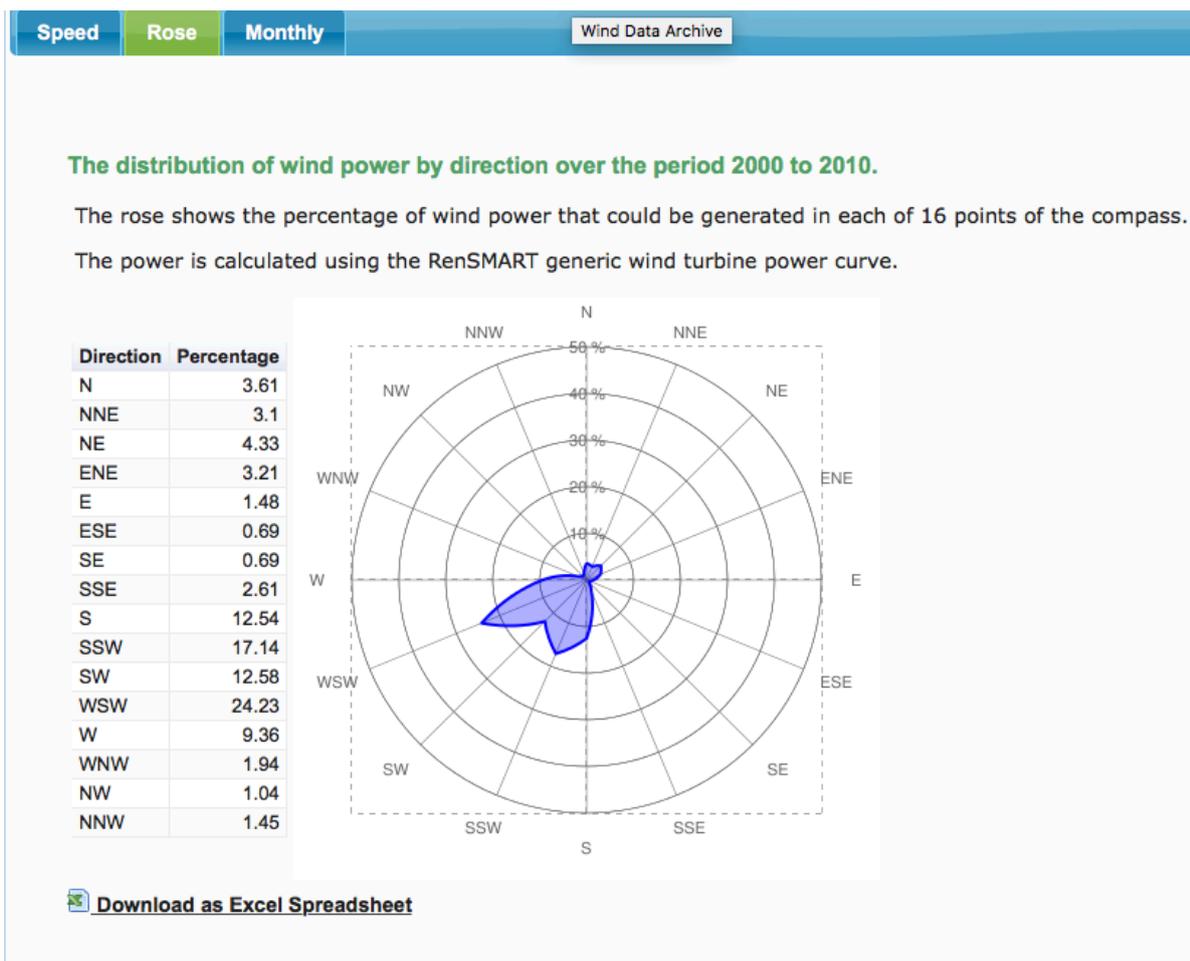
We consider that the applicant has not adequately addressed our contention that the air quality and noise assessments are inaccurate. In our original objection we stated that:

In carrying out the AQDA and noise assessments, the Applicant has relied on the RAF Benson wind rose (to predict the effects of dust and noise down wind of the site) without correlating it to actual site conditions. The Applicant has ignored the wind channelling effect of the Chiltern escarpment (underneath which Benson sits), and the fact that the Application Site is in open farmland exposed to the regional prevailing south-westerly wind 5km to the south-west of the RAF Benson anemometer station. This renders the conclusions of the noise assessment and the AQDA invalid.

The applicant has ignored this and simply responded (Response to Representations):

RAF Benson is the nearest available reporting station to New Barn Farm. The site and surrounding area was examined for features (or lack of) which would give rise to different conditions than those experienced at RAF Benson, located approximately 4 km to the north-east of the site.

To illustrate our point, we show below the wind-roses for RAF Fairford, RAF Brize Norton, Heathrow and RAF Benson (from www.rensmart.com):



Select a reporting station

Figure 2 RAF Fairford Wind Rose

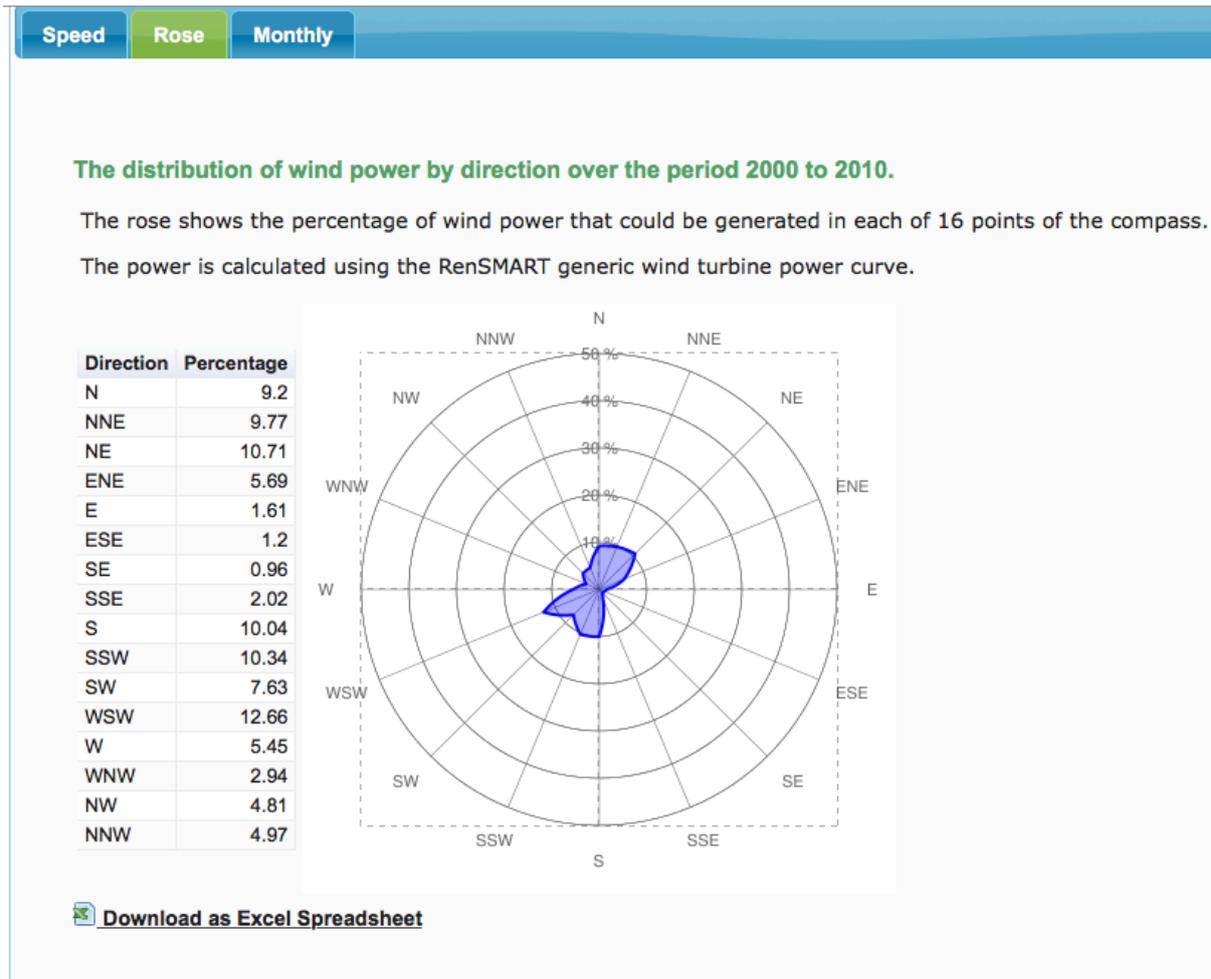
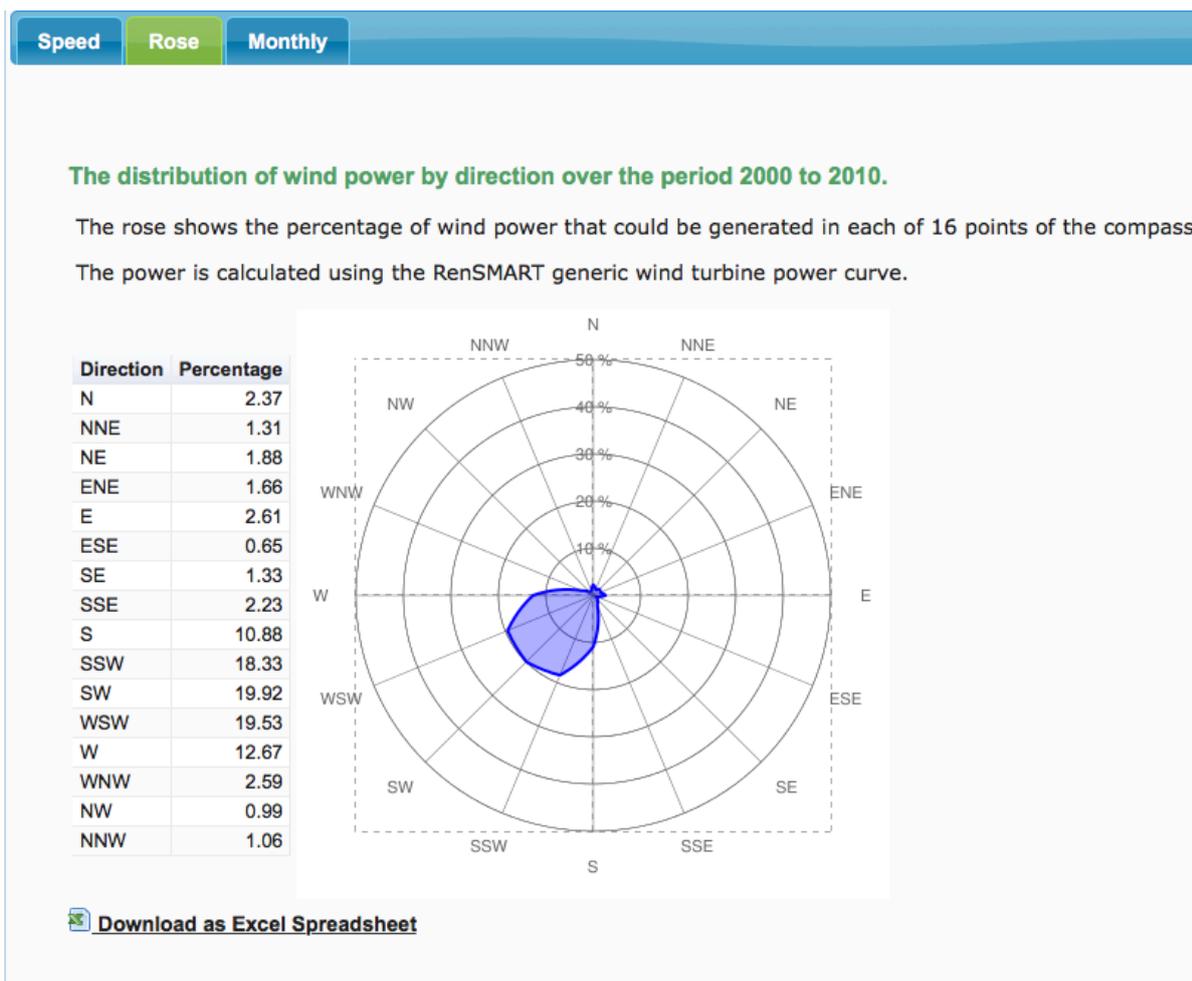
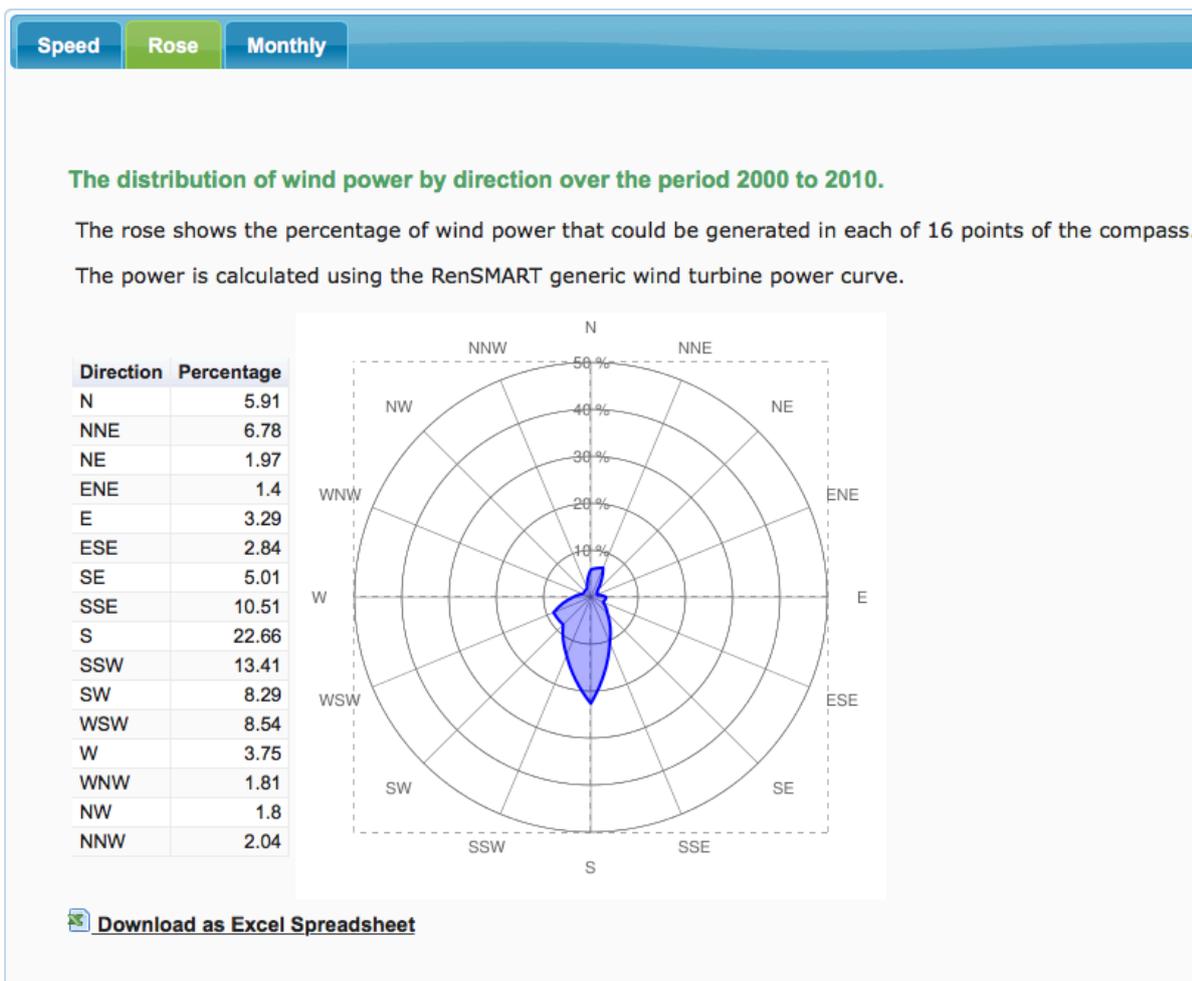


Figure 3 RAF Brize Norton Wind Rose



Select a reporting station

Figure 4 Heathrow Airport Wind Rose



Select a reporting station

Figure 4 RAF Benson Wind Rose

Fairford, Brize Norton and Heathrow all illustrate that the prevailing wind is from the south-west, as is usual across southern Britain. The wind rose for RAF Benson however demonstrates a strong southern orientation, thereby demonstrating the wind channelling effect that the Chilterns have on RAF Benson. We therefore reiterate our contention that the Air Quality and Noise assessments are invalid, and add that the Addendum to the Air Quality and Dust Assessment is also invalid, as they have failed to take into account the wind channelling effect at Benson.

Once again, we state that the Applicant should be required to carry out site based anemometry for a period sufficient to allow site data to be correlated with RAF Benson and develop a site specific wind rose against which the assessments should be re-performed before the application is heard by the council.

6.2 Wash Plant

Wallingford and Cholsey continue to object to the location of the wash plant so close to the boundary, which guarantees that noise and dust from the plant will have the greatest impact on the nearest sensitive receptors, particularly when the air quality and noise assessments are re-done using a site specific wind rose. We consider that the applicant's response to representations demonstrates a commitment to minimising costs and maximise profits, at the expense of our inhabitants. The applicant has responded:

The wash plant is located close to the site entrance to avoid HGVs generating dust by having to drive further into the site. The processing of sand and gravel is a wet process which helps to be keep dust at a minimum. Stockpiling is limited and roadways will be damped down in dry weather.

The applicant has clearly not considered moving the wash plant further into the site and laying a tarmac surfaced road between it and the site entrance. Such an arrangement would be easier to keep clean and damp, particularly if the wheel wash is located close to the wash plant, minimising the overall dust generated.

We continue to maintain that, in the event that planning permission is granted, despite the lack of need and against our wishes, as a minimum the wash plant should be enclosed within a building.

6.3 Stopping Work on Windy Days

We note the applicant's response that this "is not enforceable". We interpret this to mean that the applicant intends to carry on working regardless of weather conditions and the greater amount of dust that will be generated and spread further in high winds. We consider that this alone is grounds for refusal, as it demonstrates that the applicant will operate the site as a bad neighbour with no regard for the health and wellbeing of nearby inhabitants and persons using the Agatha Christie Trail, the railway and Wallingford Road.

We do not consider it enough that complaints will simply be logged and investigated.

6.4 Prevailing Winds Towards Winterbrook and Elizabeth House

We have demonstrated above that the RAF Benson wind rose is not the correct wind rose to assess this site and that site specific anemometry is required. This will show that the prevailing wind direction is from the south west. We therefore consider that the applicant's air quality assessment is invalid, and that its response to representations regarding Winterbrook and Elizabeth House is inadequate.

6.5 Impact of Dust on Cyclists and Pedestrians

In its responses (including the Addendum to the Air Quality and Dust Assessment), the applicant has completely failed to address our concerns regarding the impact of dust on pedestrians and cyclists, including persons walking the Agatha Christie Trail. The Applicant has simply chosen to write “as above” in the response to representations. The Applicant has proposed no changes to the operational dust management and mitigation measures to address this issue.

Once again, Cholsey and Wallingford point out that PRow 167/24/30, 197/24/20 and the foot path and cycleway along Wallingford Road all run alongside the site boundary and are **within the 0 to 50 m Receptor Distance range in which severe dust impacts** occur as shown in Section 6.4.1 of the AQDA. This is a severe and glaring omission and on these grounds Cholsey and Wallingford ask for this application to be refused.

6.6 Noise impacts

We note the updated noise assessment, but as with dust point out it is not valid as it has relied on the RAF Benson wind rose. The Applicant has not adequately assessed the impact of noise or persons walking the Agatha Christie Trail, particularly when they are on parts of the paths that are not screened by bunds (please also see section 10 below)

7. Visual Impact

Please see section 10 Impact on Heritage and Tourism below.

8. Impact on Water Environment

Please see our comments in section 4 Inert Fill above. The Applicant has made it clear that it has no intention of using an appropriate geological barrier between the fill and the groundwater. It is also clear from the Applicant’s responses that the fill material has not been positively identified or, if it has been identified, the applicant is not declaring this despite being requested repeatedly to do so.

We therefore continue to maintain that the Applicant has not produced a robust assessment of the environmental impact of the proposed inert fill on the water environment. In consequence, we maintain our objection to this proposal on these grounds.

9. Impact on Historic Environment and Archaeology

We note the applicant’s response to the Section 22 request. We do not consider that the Applicant has adequately addressed our previous objections (via our endorsement of the

CAGE response of October last year) to the Applicant's assessment of the impact that this development will have on the historical context of the flat open farmland that separates Cholsey and Wallingford. This is dealt with in more detail in section 10 below.

10. Impact on Heritage and Tourism Industry

In our previous representation (via our endorsement of the CAGE representation), Cholsey and Wallingford specifically asked that OCC should not consider the planning application for this site until the combined visual, noise and dust impact on persons:

- using the Agatha Christie trail and other PRoWs and Wallingford Road
- the Cholsey and Wallingford Railway ("CWR")

had been assessed.

We contended that the total negative impact of this development on them will be severe, resulting in a sharp drop in the use of the Agatha Christie trail and the CWR by both local residents and visitors, and that this would damage tourism, contrary to both SODC saved policy (South Oxfordshire Local Plan 2011) and the emerging local plan.

In the response to representations, the Applicant stated that:

- *All Public Rights of Way and leisure routes would remain accessible throughout the duration of the works.*
- *The visual impact on the Dame Agatha Christie Trail was taken into consideration in the LVIA. It concludes that the works would have a medium magnitude of change on the Trail as the proposed hedgerow would be a significant landscape element but would affect only part of the trail.*
- *The visual impact on the Cholsey and Wallingford Railway was taken into consideration in the LVIA. It concluded that, as views from the train would be brief and in passing and given that much of the Cholsey Wallingford Railway is separated from the application site by vegetation and intervening landform it is considered that the proposed extraction and restoration works would have a low magnitude of change.*

In the LVIA addendum, the Applicant (in paragraphs 4.3, 4.4 and 4.4) conceded that it had underestimated the visual impact of the development on the Agatha Christie Trail, but promptly discounted these in the long term on the grounds of "enhanced ecological value" arising from the hedges.

The Applicant has chosen to ignore our request and therefore it has not properly assessed the impact of the development on visitors to the Trail and the CWR through the combined

effects of noise, dust and loss of views. On these grounds we contend that the environmental impact assessment is incomplete and therefore the application should be rejected.

We therefore maintain our objection to this proposal on the grounds that it will have a significant negative impact on tourism. This application is contrary to the 2012 South Oxfordshire District Council Local Plan and emerging Local Plan as detailed in our previous responses (via endorsement of the CAGE responses). We refer OCC to the evidence previously presented regarding the use of the trail and CWR by visitors and the requirements of policy to “encourage tourism by protecting our built and natural assets”.

We note that the Applicant has updated the overall LVIA in relation to the Oxfordshire Wildlife and Landscape Study and SODC Landscape Character Assessment. However, the Applicant has not updated the LVIA and remains silent on the context of the separation of our two ancient settlements by the open flat farmland of the application site. As previously stated, this is particularly important as it is the past use of this land (as opposed to the open rolling downs and flood plain pasture that surround it) that resulted in the separation. If the LVIA had properly linked to the Cultural Heritage Assessment (which shows the Rocques Map of Oxfordshire 1761 and the 184 tithe map), this could have been assessed. We therefore continue to maintain that this is a significant omission in the LVIA. We also continue to maintain that the Applicant has failed to follow the requirement of Section 3.15 of LVA IEMA/LI guidance to consider why a landscape may be valued, specifically:

- typical character - the Application Site is in the centre of what remains of the open farmland between Wallingford and Cholsey and will destroy its integrity.
- representativeness – the site does contain a particular character, in that it was the open farmland that created the separation between Wallingford, the best preserved Saxon town of its type, and Cholsey (also an ancient settlement). This character is unique.
- conservation interests – the historical interest (of the separation) is self-evident, as is the cultural association with Dame Agatha Christie.

The Applicant has still not assessed the impact of the site on sport and tourism events at the Hithercroft, in particular the impact of Saturday working. We consider this a significant omission, given that the constituent clubs of the sports trust have 1,600 members and up to 2,500 persons use the site per week⁶. The Applicant has not assessed the impact of noise

⁶ Sports Trust chairman John Atkins as quoted in the Wallingford Herald 14th March 2017. http://www.heraldseries.co.uk/news/hswallingfordnews/15160728.More_investment_planned_at_Wallingford_Sports_Park/

(through both operations and transport) on persons using the Hithercroft Sports Park during festivals, in particular the impact on campers during Bunkfest.

Cholsey and Wallingford consider that the overall impact on Tourism, which supports more employment than the six jobs that will be created at the proposed site, is severe enough to be grounds for refusal and object on these grounds.

11. Working Hours

In its response to representations, the Applicant has simply stated that:

- *The hours proposed are considered to be acceptable and not outside normal working hours.*
- *Saturday working (half day) is necessary in order to supply market demand and is standard at most mineral sites.*

As noted above, the Applicant has chosen to ignore and not assess the impact that the proposed development will have on persons using the Hithercroft, including children using it on Saturday mornings and after school, and on both adults and persons cycling to it via Hithercroft Road from Cholsey, the Mortons and Didcot.

Cholsey and Wallingford dispute that the “need to supply market demand” over-rides the rights of citizens to participate in sports on Saturdays without having to put up with the impact of sand and gravel working, washing and transport from this development. In our opinion this is a clear case where the rights of the many to peaceful enjoyment over-ride the desire of a private company to enhance its profits. Accordingly, we reiterate our view that should this application be granted, despite our objections, there should be no Saturday working.

12. Socio-economic Considerations

As previously pointed out, our response to the Scoping Request noted that the Applicant stated they would produce a Socio-Economic Impact Assessment (SEIA) and we also noted in the OCC’s Scoping Opinion that the SEIA should cover the potential impacts on local heritage, tourism and recreational sites. We do not consider that the amended and updated documents supplied in response to the Regulation 22 notice in anyway constitute a valid SEIA, or describe all of the likely adverse impacts; as has already demonstrated, if approved the Application Site would have high negative impact on tourism and leisure, contrary to saved and emerging policy. Accordingly the Applicant should be required to provide a comprehensive SEIA before any planning determination can be made of this proposal.

13. Conclusion

The additional documents supplied in response to the Regulation 22 notice do not address all of the major weaknesses that we have previously identified. Cholsey and Wallingford therefore continue to regard this application as being incapable of overcoming these weaknesses and accordingly, should be rejected.

If, despite our reasoned objections (and the possibility of legal challenge), the Minerals Planning Authority grants planning permission for the Application Site, we consider the planning conditions attached to our previous submissions and the condition set out in section 4 above (regarding the fill material) would be necessary as a minimum to help mitigate the negative impacts of this development.