

OXFORDSHIRE COUNTY COUNCIL

County Planning Authority

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

To: Hanson Quarry Products Europe Limited  
Hanson House  
14 Castle Hill  
Maidenhead  
Berkshire  
SL6 4JJ

CONDITIONAL PLANNING PERMISSION

Section 73A application to continue the development permitted by planning permission no. MW.0127/16 (P16/V2694/CM) for Small extension to Bridge Farm Quarry to extract sand and gravel and restoration to agriculture and lakes with reed fringes without complying with conditions 1, 3, 18, 19, 41 and 42 such that i) mineral would be removed from phase 7 via stockpile and haul road as permitted by planning permission no. MW.0093/18 (P18/V2145/CM); ii) mineral would be removed from phases 5 and 6 by road subject to separate grant of full planning permission, iii) amendments to order of phased working and restoration, iv) amendments to final restoration scheme to either a) restoration including importation of inert fill to phase 5 by road subject to separate grant of full planning permission or b) no mineral extraction from either phases 5 or 6 and replacement of stripped soils to original ground levels at Bridge Farm Quarry, Sutton Courtenay, Abingdon, OX14 4PP

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

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

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



Dated: 05/03/2020

Assistant Director for Strategic Infrastructure and Planning

**YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF**

## Notes

### IMPORTANT

- This permission does not convey or imply any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.
- Application for approval under the Building Regulations must be made to the Council for the district in which the land is situated.

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of the County Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, however if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the County Planning Authority's decision on your application then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

## **Purchase Notices**

- If either the County planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council of the District in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## Schedule 1 - Conditions

1. The development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained in the application except as modified by conditions of this permission. The approved details comprise:
  - Application form dated 01/05/2019
  - Covering letter dated 1<sup>st</sup> May 2019
  - Condition 19 - Lake Level control mechanism between Western and Eastern lakes in Phase 7 drawing no. S3/HAN/13/3/3 A dated 14/07/17.
  - Condition 19 - Location of Proposed Outfall Channels, drawing no. S3/HAN/13/11 A dated 07/08/18.
  - Condition 19 - Outfall from Existing site into Phase 7B Lake, drawing no. S3/HAN/13/3/2 B dated 14/07/17.
  - Condition 19 - Outfall from Phase 7B Lake into the River Thames drawing no. S3/HAN/13/3-4 A dated 07/08/19
  - Cross Sections -Sheet 1 drawing no. S3/HAN/14/27A dated 13.02.19
  - Cross Sections - Sheet 2 drawing no. S3/HAN/14/28A dated 13.02.19
  - Extent of Existing Arable Areas, Stand Offs and Buffers drawing no. S3/HAN/14/31 dated 19/03/19
  - Outline Restoration Scheme- Detail at Eastern End of Site drawing no. S3/HAN/14/29 dated 19/03/19.
  - Restoration Scheme, Showing Unworked Land Adjacent to Watercourse drawing no. S3/HAN/14/30 dated 19/03/19
  - Document titled 'Revised Landscaping and Outline Aftercare Scheme (Ref. Planning Conditions 41 & 42)' Ref S055/a dated April 2019
  - Revised Restoration Scheme, drawing no. S3/HAN/14/9 C dated 24/09/18
  - River Fields Revised Landscaping and Aftercare Scheme drawing no. S55m/179A dated April 2019
  - Scheme of Working and Restoration - Stage 1 drawing no. S3/HAN/14/21 A dated 11/02/19
  - Scheme of Working and Restoration - Stage 2 drawing no. S3/HAN/14/22 A dated 11/02/19
  - Scheme of Working and Restoration - Stage 3 drawing no. S3/HAN/14/23 A dated 12/02/19
  - Scheme of Working and Restoration - Stage 4 drawing no. S3/HAN/14/24 A dated 11/02/19
  - Scheme of Working and Restoration - Stage 5 drawing no. S3/HAN/14/25 B dated 11/02/19
  - Scheme of Working and Restoration - Stage 6 drawing no. S3/HAN/14/26 B dated 12/02/19
  - 'Details of Drainage Works for the Control of Water Levels and the Discharge from the Proposed Lakes at Bridge Farm Quarry into the River Thames and Sutton Courtenay Brook' Revision 2 dated April 2019.
  - Update Ecology Survey Report by Applied Ecology dated March 2019

Documents originally approved under MW.0127/16:

- Application Form dated 15/09/2016
- Planning Supporting Statement - Bridge Farm quarry, Sutton Courtenay, Oxfordshire, Proposed extension Version 2 dated 12/10/2016
- Dust Control Scheme dated 10/07/07
- Further Information - Applied Ecology Ltd Technical Ecology Report Version 3 dated 25/01/2017
- Further Information - Soils and land quality Version 1 dated 23/01/2017

- Further Information - Flood Storage Capacity Volume Comparison Version 5 dated 03/01/2017
- Further Information to address feedback from EA Version 1 dated 16/01/2017
- Further Information to address feedback from EA regarding re-location of an overflow trench as required by Network Rail Version 1 dated 31/01/2017
- Further Information - Applied Ecology Ltd Otter Report Version 1 dated 30/03/2017
- Further Information - Letter from Corylus dated 30/03/2017
- Application Plan - Drawing No. S3/HAN/10/28 dated 12/08/2016
- Proposed extension area – Dwg. No. S3/HAN/10/18 dated 09/06/2016.

Documents originally approved under details pursuant submitted and approved under MW.0127/16:

- Method Statement for the protection of woodland, trees, hedgerows, the River Thames and Sutton Courtenay Brook (Revised 11/07/18) (condition 15)
- Buffer Zones to Watercourses, Trees Plan - Drawing no. S3/HAN/13/2 (condition 15)
- Specification for Boundary Fencing - Barbed Wire Plan Drawing no. FDS-6 (condition 15)
- Condition 16 Method Statement dated July 2017
- Drawing no. S3/HAN/13/4 Condition 19 - Outfall Ditch, Culvert and Sluice Layout
- Drawing no. S3/HAN/13/10 Condition 19 - Details of Outfall Channel from Phase 7B Lake to the River Thames
- Drawing no. S3/HAN/13/3/1 Condition 19 - Outfall from Phase 6 Lake to Sutton Courtenay Brook
- Approved Phases 6 & 7 Written Scheme of Investigation for an Archaeological Watching Brief (condition 22)
- Approved Phase 5 Written Scheme of Investigation Archaeological Excavation (condition 22)
- E-mail from Julia Edwards dated 26th July 2018 (conditions 41 and 42).

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

2. The development shall cease, all associated pumps, plant and machinery shall be removed and the site shall be restored in accordance with the details set out in section 2 of the approved Planning Statement and the approved Further Information - Soils and land quality Version 1 dated 23/01/2017 and on approved drawings nos. S3/HAN/14/9 C, S3/HAN/14/29, S3/HAN/14/27 A, S3/HAN/14/28 A, no later than 31<sup>st</sup> May 2021.

Reason: To minimise the duration of disturbance from the development hereby permitted and to ensure the site is restored (OMWCS policy M10).

### **Hours of working**

3. No operations authorised or required by this permission shall be carried out, and plant shall not be operated other than between 07.00- and 18.00-hours Mondays to Fridays and 07.00 to 12.00 hours on Saturdays;  
No operations shall take place on Sundays, Public or Bank Holidays or on Saturdays immediately following Bank Holiday Fridays.

Reason: To protect the amenities of local residents of Appleford and Sutton Courtenay and users of the River Thames (OMWCS policy C5).

## **Noise**

4. The noise levels arising from the development shall not exceed 50 dB(LAeq) (1 hour) at the closest dwelling.

Reason: To protect the amenities of local residents of Sutton Courtenay and Appleford. (OMWCS policy C5).

5. The noise levels arising from temporary operations for construction and removal of bunds shall not exceed 57 dB(LAeq) (1 hour free field) measured at the closest dwelling and the temporary operations shall not occur for more than 28 days at one time with a gap of at least 28 days between each such period of temporary operations.

Reason: To protect the amenities of local residents of Sutton Courtenay and Appleford. (OMWCS policy C5).

6. Noise from typical site operations shall be monitored every 3 months throughout the life of the development. A monitoring report shall be submitted to the Minerals Planning Authority in writing within 2 weeks of each set of monitoring. Should the results of monitoring show that noise levels are exceeding the levels set out in condition 5, a scheme shall be submitted to and approved in writing by the Mineral Planning Authority setting out the measures to be taken to further mitigate noise to the permitted levels. The approved scheme shall be implemented thereafter.

Reason: To protect residents of Appleford and Sutton Courtenay and users of the River Thames from noise intrusion (OMWCS policy C5).

7. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on any vehicles, plant and machinery, other than those which use white noise.

Reason: To protect residents of Appleford and Sutton Courtenay and users of the River Thames from noise intrusion (OMWCS policy C5).

## **Dust**

8. No vehicle shall exceed a speed of 25 kilometres per hour on site.

Reason: To minimise the dust generated by lorries and consequent impact to nearby residents and users of the River Thames (OMWCS policy C5).

9. No development shall take place other than in accordance with the approved scheme for the minimisation of the emission of dust 'Sutton Courtenay Quarry Bridge Farm – Dust Control Scheme' dated 10/07/07. The approved scheme shall be implemented in full and the suppression equipment thereafter maintained in accordance with the manufacturer's instructions for the duration of the permission.

Reason: To protect nearby residents and users of the River Thames from nuisance dust (OMWCS policy C5).

10. Material shall not be handled and moved if conditions are such that this creates a visible dust cloud.

Reason: To protect nearby residents and users of the River Thames from nuisance dust (OMWCS policy C5).

### **Biodiversity**

11. A stand-off distance of 30 metres from the two badger setts on the western boundary should be maintained during excavation work in order to prevent disturbance to badgers on site. Soil shall not be stored in this area.

Reason: To ensure the protection of badgers [and other mammals] and to ensure the development is in accordance with OMWCS policy C7 and NPPF paragraphs 9, 109 and 118 and The Protection of Badgers Act 1992.

12. All deep excavations shall be suitably ramped and any pipe-work associated with the development covered overnight to minimise the risk of badgers and other mammals, such as hedgehog being inadvertently killed and injured within the active quarry after dark.

Reason: to ensure the protection of badgers [and other mammals] and to ensure the development is in accordance with OMWCS policy C7 and NPPF paragraphs 9, 109 and 118 and The Protection of Badgers Act 1992.

13. No operations are to take place within 50 metres of OS ref 4518 1945 (red kite nest site in the centre north of the site) during the nesting season (1st March to 31st August) unless the nest has been checked for occupancy by a suitably qualified ecologist. If the nest is occupied operations must be withdrawn from the area specified until young have fledged.

Reason: To ensure that protected species are not disturbed by the effects of development in accordance with Schedule 1 of the Wildlife and Countryside Act 1981 and OMWCS policy C5 and to ensure the development does not result in a loss of biodiversity in accordance with Oxfordshire OMWCS policy C7 and NPPF paragraphs 9, 109 and 118.

14. No works of site clearance, demolition or development shall take place other than in complete accordance with the approved details for the protection of woodland, trees hedgerows, the River Thames and Sutton Courtney Brook. The approved details comprise:

- Method Statement for the protection of woodland, trees, hedgerows, the River Thames and Sutton Courtenay Brook (Revised 11/07/18)
- Buffer Zones to Watercourses, Trees Plan - Drawing no. S3/HAN/13/2
- Specification for Boundary Fencing - Barbed Wire Plan Drawing no. FDS-6 .

Reason: To ensure that flora is protected, and that protected species are not disturbed by the effects of development in accordance with OMWCS policy C5 and to ensure the development does not result in a loss of biodiversity in accordance with Oxfordshire OMWCS policy C7 and NPPF paragraphs 9, 109 and 118.

15. No development shall take place (including any demolition, ground works, site clearance) other than in complete accordance with the approved details for the protection of the river corridor and locations utilised by otters. The approved details comprise:

- Condition 16 Method Statement dated July 2017

Reason: To ensure protected species are not disturbed by the effects of development in accordance with Habitats Directive Annex II, Schedule 5 of the Wildlife and Countryside Act 1981 and OMWCS policy C5 and to ensure the development does not result in a loss of biodiversity in accordance with Oxfordshire OMWCS policy C7 and NPPF paragraphs 9, 109 and 118.

16. No development, demolition or earth moving shall take place or material or machinery brought onto the site until protective fencing and warning signs have been erected on site in accordance with the approved otter method statement and watercourse buffer zones. All protective fencing and warning signs shall be maintained during the construction period in accordance with the approved details.

Reason: To ensure protected species are not disturbed by the effects of development in accordance with Habitats Directive Annex II, Schedule 5 of the Wildlife and Countryside Act 1981 and OMWCS policy C5 and to ensure the development does not result in a loss of biodiversity in accordance with Oxfordshire OMWCS policy C7 and NPPF paragraphs 9, 109 and 118.

### **Drainage**

17. No development shall be carried out other than in accordance with the approved document: 'Details of Drainage Works for the Control of Water Levels and the Discharge from the Proposed Lakes at Bridge Farm Quarry into the River Thames and Sutton Courtenay Brook' Revision 2 dated April 2019.

Reason: To ensure that the drainage from the site does not adversely affect the surrounding land and the natural environment and ecology of the River Thames (OMWCS policies C4 and C5).

18. The development hereby permitted shall be carried out in accordance with the Response to the Environment Agency letter, dated 30 March 2017, prepared by Corylus Planning and Environment Ltd and the following mitigation measures detailed within the Flood Risk Assessment:  
That compensatory flood plain storage shall be provided as shown in the approved Flood Storage capacity volume comparison v5 03/01/2017.

The mitigation measures shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be submitted to and approved in writing by the Mineral Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that sufficient compensatory storage of flood water is provided (OMWCS policy C3 and paragraph 103 of the NPPF).

### **Lighting**

19. No floodlighting shall be erected on site.

Reason: To protect the amenities of local residents of Appleford and Sutton Courtenay and users of the River Thames (OMWCS policy C5).



## **Archaeology**

20. No development shall take place other than in complete accordance with the approved details for archaeological investigation. The approved details comprise:
- Approved Phases 6 & 7 Written Scheme of Investigation for an Archaeological Watching Brief (condition 22)
  - Approved Phase 5 Written Scheme of Investigation Archaeological Excavation (condition 22)

Reason: To safeguard the recording of archaeological matters within the site (OMWCS policy C9 & NPPF chapter 12).

21. Prior to the commencement of extraction in phase 5 or 6 and following the approval of the Written Scheme of Investigation, a staged programme of archaeological investigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Minerals Planning Authority no later than six months from the date of completion of restoration.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence (OMWCS policy C9 and NPPF chapter 12).

## **Soil handling**

22. All work of soil stripping, stockpiling and reinstatement shall be carried out when the material is in a dry and friable condition.

Reason: To minimise structural damage and compaction of the soil and to aid the final restoration of the site (OMWCS policy C5).

23. Stockpiled materials shall be sited such that they do not exceed the heights of the boundary soil storage screening.

Reason: To protect users of the River Thames from visual intrusion (OMWCS policy C5).

24. Plant or vehicle movements shall be confined to clearly defined haul routes or to the overburden/infill surface and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations.

Reason: To minimise structural damage and compaction of the soil and to aid the final restoration of the site (OMWCS Policy C5).

25. All soil and soil forming materials shall be handled in accordance with Defra's Good Practice Guide for Handling Soils.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

26. Within 3 months of the formation of storage bunds the operator shall submit a plan to be approved in writing by the Mineral Planning Authority showing the location, contours and volumes of the bunds, and identifying the soil types and units contained therein.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

27. Soil shall only be moved when in a dry and friable condition. For cohesive soil this may be assessed in accordance with the "Worm Test" for field situations described by Annex AP 8 Para 1 (g) of the Defra Guidance for Successful Restoration of Mineral and Waste Sites to determine if the moisture content is drier than the lower plastic limit and therefore, less prone to damage if handled.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

28. For all soil types no soil handling shall proceed during and shortly after significant rainfall, and / or when there are any puddles on the soil surface.

Reason: To ensure the effective restoration of the site (OMWCS policy M10).

29. Soil handling and movement shall not be carried out between the months of October to March inclusive, unless otherwise approved in writing by the Mineral Planning Authority.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

30. All available topsoil and subsoil shall be stripped before any part of the site is excavated, built upon or otherwise traversed by heavy machinery except for the purpose of stripping or stacking soil on those parts.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

31. Written notification shall be made giving the Mineral Planning Authority five clear working days' notice of the intention to start stripping any soils.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

32. Bunds for the storage of agricultural 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 with the Mineral Planning Authority;
  - c) Topsoil bunds shall not exceed 3 metres in height and subsoil bunds shall not exceed 5 metres in height; and
  - d) Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

33. All storage bunds intended to remain in situ for more than 6 months or over the winter period shall be seeded with a standard agricultural pollen-rich legume mix to be submitted to and approved in writing by the Mineral Planning Authority no less than one month before it is expected to complete the formation of the storage bunds.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

34. All topsoil, subsoil, and soil forming material shall be retained on the site.

Reason: To ensure the maintenance of the soil resource effective restoration of the site (OMWCS policy M10).

35. Restored soil depths shall accord with the proposals set out in section 2 of the approved Planning Statement and the approved Further Information - Soils and land quality Version 1 dated 23/01/2017 .

Reason: To ensure the effective restoration of the site (OMWCS policy M10).

36. 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.

Reason: To ensure the effective restoration of the site (OMWCS policy M10).

37. 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.

Reason: To ensure the effective restoration of the site (OMWCS policy M10).

### **Aftercare**

38. In any part of the site where differential settlement occurs during the restoration and Aftercare period, the applicant, where required by the Mineral Planning Authority, shall fill the depression to the final settlement contours specified with suitable imported soils, to a specification to be submitted to and approved in writing by the Mineral Planning Authority.

Reason: To ensure the effective restoration of the site (OMWCS policy M10).

39. Aftercare shall be carried out in accordance with the approved scheme 'Landscaping and Outline Aftercare Scheme (Ref Planning conditions 41 and 42) File ref S055/a dated April 2019' and approved plan 'River Fields Revised Landscaping and Aftercare Scheme drawing no. S55m/179A' dated April 2019. The approved scheme shall be implemented for the duration of the seven year aftercare period, following the satisfactory completion of restoration in each phase.

Reason: To comply with the requirements of Schedule 5 of the Town & Country Planning Act 1990 and to ensure that the reclaimed land is correctly husbanded and brought to the standard required for agriculture and nature conservation (OMWCS policy C10).

40. Before 1st August of every year during the aftercare periods for each of phases 5, 6

& 7, a site meeting shall be arranged by the developer, to which the Mineral Planning Authority and the landowners shall be invited to monitor the management over the previous year and to discuss and agree future aftercare proposals. The meeting shall also be attended by any other person(s) responsible for undertaking the aftercare steps. Any proposals that are agreed shall be set out in writing and shall be implemented in the timescales agreed.

Reason: In accordance with the requirements of OMWCS policy C10 and to comply with the requirements of Schedule 5 of the Town & Country Planning Act 1990 and to ensure that the reclaimed land is correctly husbanded and to bring the land to the standard required for agriculture and nature conservation.

41. No mineral shall be exported from the site other than by road via the new access shown on plan S3/HAN/14/19 B (Appleford Road (B4016) Proposed Road Crossing) approved under consent MW.0048/19.

Reason: To ensure that the development is carried out as proposed and the impacts are as assessed (OMWCS policy C5).

42. If permission is not granted to planning application no. P19/V1271/CM (MW.0048/19) and implemented and Phases 5 and 6 cannot be worked and restored as shown on the revised sequence of plans, any soils stripped from Phase 5 or 6 shall be replaced in those Phases to effect restoration back to original ground levels for agricultural use no later than 31<sup>st</sup> May 2021.

Reason: To ensure that any stripped soil is replaced and Phases 5 and 6 are restored should planning permission not be granted to planning application no. P19/V1271/CM (MW.0048/19) and implemented (OMWCS policy M10).

### Informatives

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible. We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of

their application and where possible suggesting solutions. For example, in this case objections raised by the Environment Agency and Transport Development Control were overcome through liaison with the applicant.

### **Environmental Permit**

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and

guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-riskactivities-environmental-permits>.

## **Biodiversity**

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

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

### *Otter survey licence requirements*

For further information and guidance on UK protected species and licensing can be found under the DEFRA web pages for the Wildlife and Countryside Act 1981.

## **Network Rail**

### *DRAINAGE*

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways/attenuation tanks should not be constructed within 20 metres of Network Rail's boundary. Any surface water run-off from the site must drain away from the railway boundary and must NOT drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail land.

### *FENCING*

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

### *SAFETY*

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact

Richard Selwood at Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) before works begin.

## *EXCAVATIONS/EARTHWORKS*

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

## *PLANT, SCAFFOLDING AND CRANES*

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

## *SECURITY OF MUTUAL BOUNDARY*

Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Engineer  
Southern Gas Networks

## **Southern Gas Networks**

NB Please reference the plans and safety information provided in consultation on the application.

There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of the plans provided, and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to Southern Gas Networks plant and potential direct or consequential costs to the developer.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to Southern Gas Network pipes can be extremely dangerous. The cost to repair our pipelines following direct or consequential damage will be charged to the developer.

Please ensure Southern Gas Networks' employees and agents are able to gain access to the pipeline throughout the duration of operations.

If you require any further information please contact SGN - Plant Location Team Telephone: 0800 912 1722

## National Grid

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset.
- National Grid requires 3D drawings to be provided at the earliest opportunity (DWG, DGN or DXF)
- Statutory electrical safety clearances must be maintained at all times. National Grid recommends that no permanent structures are built directly beneath our overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004) To view EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004).  
[http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl\\_final/appendi xIII/applIII-part2](http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appendi xIII/applIII-part2)
- The statutory minimum safety clearance is 7.6 metres to ground and 8.1 metres to a normal road surface. Further detailed information can be obtained from the Energy Networks Association's ([www.energynetworks.org.uk](http://www.energynetworks.org.uk)) Technical Specification E-43-8 for “Overhead Line Clearances”, Issue 3 (2004)
- Any changes in ground levels which are proposed either beneath or in close proximity to our existing overhead lines would serve to reduce safety clearances. Safety clearances to existing overhead lines must be maintained in all circumstances.
- To view the Development Near Overhead Lines Document.  
<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=23713>
- To view the National Grid Policy's for our Sense of Place Document.  
<http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/>
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines.”
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors at the point where the conductors are under their maximum ‘sag’ or ‘swing’ conditions. Overhead Line profile drawings should be obtained using the above contact details.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of our towers. These foundations extend beyond the base of the tower. Pillar of Support drawings should be obtained using the contact details above.
- Due to the scale, bulk and cost of the transmission equipment required to operate at 275kV or 400kV we only support proposals for the relocation of existing high voltage

overhead lines where such proposals directly facilitate a major development or infrastructure project of national importance which has been identified as such by government.

- To promote the successful development of sites crossed by existing overhead lines, and the creation of well-designed places, National Grid has produced 'A Sense of Place' guidelines, which look at how to create high quality development near overhead lines and offer practical solutions which can assist in avoiding the unnecessary sterilisation of land in the vicinity of high voltage overhead lines.

Further information regarding our undergrounding policy and development near transmission overhead lines is available on our website at:

<http://www.nationalgrid.com/uk/LandandDevelopment>