

## **Submission by Radley Parish Council in Response to the Minerals and Waste Framework (Spatial Strategy) consultation by Oxfordshire County Council**

Radley Parish Council wishes to express its deep concerns about the ongoing consultation on the Minerals and Waste Development Framework (Spatial Strategy). In preparing this document, Radley Parish Council has consulted with the directly affected neighbouring parish of Nuneham Courtenay.

Oxfordshire County Council is currently seeking comments from parishes and other groups on three proposed alternative options for the Minerals and Waste Development Framework (Spatial Strategy). The options for sand and gravel are Option 1 ('Existing') that exploitation of new mineral resources should be concentrated in 'areas' of existing extraction; Option 2 ('New') that exploitation of new mineral resources should be concentrated in new 'areas' not included in Option 1; and Option 3 (Dispersed Working) that extraction may take place in any area of potential resources. Various broad areas have been defined under the three options, with option 3 including all areas covered by options 1 and 2 plus a few more besides. Apart from identifying the areas in question, the strategy options amount to no more than this statement. There is no assessment of the requirement, no rationale for the various options or why these should be the only options; no criteria for the allocation of areas under the various options.

These deficiencies are addressed more specifically under the following headings:

**Strategy Rationale** - is there any?

**Quantity of Extraction** - how much sand and gravel is really needed?

**Options** - what do the various options mean?

**Appropriate Criteria** - what criteria should sites be assessed against?

**Conclusions** - how do we feel about this?

In line with this being a strategy consultation, most of our comments are general, and would apply to other areas. Where there are issues specific to Radley and its placing in the consultation, we deal with these under separate sub-headings.

# 1 Strategy Rationale

Radley Parish Council wishes to raise concerns relating to the following top-level issues:

- a) The consultation is being carried out in the absence of any estimates of, or bases for, the amounts of minerals that will be required and the quantity of reserves at existing sites. The spatial strategy, whether in 'new' or 'existing' areas, can only be developed in the light of a realistic assessment of the likely demand for new workings.
- b) The proposed spatial strategy options lack a rationale (which OCC appears to be asking the consultees to provide) and consequently there are no proper criteria for deciding which areas belong to which groups, or indeed why they should be grouped into areas at all. This is important as the option selection process and any rationale upon which it may be based require that assumptions need to be made about the advantages or disadvantages of any one option compared with another. The lack of proper stated criteria mean that such assumptions cannot be made and consequently selections are likely to be made inappropriately. This would negate the purpose of the strategy and detract from the validity of its outcome.
- c) It appears to us that *any* grouping of areas into a smaller list (option 1) and a bigger list (options 2 and 3) as appears to have been done, has the effect of introducing a predictable bias into the consultation process. In such circumstances, the weight of opinion will favour the interests of the majority grouping against the interests of the minority grouping. We find this unacceptable, particularly as the categorisation into the various groups has been made in the absence of proper criteria. Any suspicion that this may be a deliberate attempt to predetermine the outcome of the consultation certainly needs to be dispelled.

## 1.1 Specifics to Radley

Radley has been grouped into an area of existing area of sand and gravel extraction. In fact no significant amounts of sand/gravel have been extracted in Radley for at least 20 years, and none at all since 2004. Indeed the operators of the main quarry in Radley, Tuckwells, have claimed, in their recent CLEUD application, that they have extracted no gravel from their Thrupp Lane quarry since 1995. Whether or not this is entirely true, the fact is that the Radley area hardly meets the criteria of being one of current active minerals extraction.

## 2 Quantity of extraction

**The extent of gravel extraction needs to be clarified.** Previously quoted targets (even OCC's own level of 1.58 million tonnes pa) exceed current production levels by in excess of 50% (based on 2008 figures). Targets and the need for new resources need to have an evidence base that appropriately reflects:

- **Demand for production** in what is (and may well remain) a depressed construction sector.
- **Demand within the local area** within which delivery is assumed sustainable. Is a strategy whereby (some) minerals sites are worked *solely* to support nearby development(s) one that could be considered? This would include assessing the extent to which development sites might generate their own material. (Minerals policy objective M4.)
- **Availability of Secondary Aggregates** and the possibility of using targets as a means of appropriately increasing this (though with due regard for any adverse eg transportation impacts). (Minerals policy objective M3.)
- **Existing reserves** (unextracted gravel at existing active sites).
- **ROMP reserves** - it is likely that the **Reviews of Old Minerals Permissions** will be completed by the time the strategy framework comes into effect, and will impact the need for new reserves. It needs to be understood where ROMPs lie in respect of the current assessments and what the policy with regard to failed ROMPs will be.

### 2.1 Specifics to Radley

Radley has an active ROMP application site in the SW of the parish. If this proceeds, the local infrastructure would not cope well with extraction occurring simultaneously elsewhere in the parish. This ROMP site does not feature in any of the proposals under the strategy, so where exactly does it fit in?

## 3 Options

**Does identifying three broad options satisfy the inspector's demand for a spatial strategy?** The spatial strategy can only be developed by a detailed and realistic assessment of the exploitation capabilities of each site. The current options 1 and 2 are simplistic. Which sites are included within an option appears somewhat arbitrary. If these options are to appear in the strategy documents then: **There is a need for clarity over the definitions and attribution of areas into 'new' and 'existing'**. eg. Radley and Nuneham Courtenay are areas of existing extraction only in terms of the existence of previous workings and general proximity thereto. They are not areas that have existing active workings and have a significant infrastructure to exploit. Old infrastructure from previous workings may no longer be suitable or adequate, and much of it may have been subsumed into other uses.

To the extent that exploitation of new sites in these areas would create significant new impositions on communities and infrastructure they must be considered 'new'. For this reason, the current division of areas into "new" and "existing" is inappropriate. The term "existing" should only be applied to currently active *sites* from which new resources can be made available by lateral extension. It is then, and only then, that a reasonable presumption can be made that the required infrastructure is in place and that there would be likely merit in prolonging the activity in preference to creating new sites elsewhere. *All other sites* should be considered as "new" and should be assessed accordingly. The fact that a possible new site may be in the same general area as existing site(s) of extraction should not in itself be prejudicial in favour of that site being selected. Every new site should be assessed on its own merits.

While Option 3 (dispersed working) appears more acceptable, there is the implication that the list of possible sites would remain more or less as it is and be carried forward into the strategy. This would be unacceptable because of the planning blight it would impose on all of the affected areas. The list of submissions must be assessed as part of developing the strategy with only those meeting the Appropriate Criteria retained. The remaining submissions should be permanently rejected.

### **3.1 Specifics to Radley**

We find it strange that, in the light of its recent planning history, the Thrupp Lane Quarry is listed as a submission as a potential site of *future* gravel extraction (submission SG-56). The amount of gravel remaining in this quarry is small (50,000 tonnes) and the reason that it has not already been extracted (despite a series of planning permissions granted for this purpose) is that this reserve lies underneath various buildings and plant on the site, which Tuckwells, the quarry owner, have indicated that they wish to retain. The only conceivable circumstances under which this gravel would become available would be if Tuckwells were to agree to vacate the site and are allowed to extract the remaining gravel in the process of so doing.

Tuckwells have also nominated themselves as an existing site for secondary/recycled aggregate facility (SR-29). In what sense is this existing? Tuckwells currently do not have planning permission for anything other than a small concrete batching plant. This raises the question of how many other submissions on the list are not quite what they seem. It seems that the list of submissions needs to be reviewed to determine which are speculative, which have or do not have planning permission for the proposed activity, and which represent a genuine potential new resource. A meaningful strategy can only be based upon submitted proposals that are genuinely exploitable.

In any case, it would appear that submissions SG-56 and SR-29 are mutually exclusive.

## 4 Appropriate criteria

The workshops identified that the current starting list of criteria for sites was limited and generally overlooked issues that took 'human' impact into account other than very simplistically. A useful number of criteria have been added to the list. These are some of the criteria that we would expect to feature highly in the assessment:

### 4.1.1 Economic viability to develop

- Quality of sand and gravel
- Quantity of sand and gravel
- Accessibility
- Infrastructure investment required (including that for transportation by most appropriate mode, services, etc.)
- Other economic opportunity lost (e.g. tourism, agriculture)
- Beneficial re-use, both commercial and non-commercial. Would the locality benefit?
- Proximity to end-use, taking care to account for available transport routes and modes, and co-proximity of all intermediate processing stages (eg washing, grading, concrete mixing). 'End-use' needs to be clearly defined.
- Services crossing the site (gas and electricity.)
- Desire to develop (Are some sites only identified opportunistically, with the intention of raising land values, without serious plans to extract?)

### 4.1.2 'Human' factors

- Impact on current environment quality for people (including additional noise and/or pollution in areas already suffering through extraction or other activities. It should never be assumed that, just because people appear to be tolerating an adverse state of affairs, they will be prepared to do so at an increased level or for a longer duration.)
- Destruction or damage to communities (impact on quality of life, impact on other businesses, making homes uninhabitable, planning blight).
- Loss of amenity (anything in the area that people enjoy, whether by right or not).
- Overloading infrastructure (roads, etc.)
- Safety – traffic impact on villages, routes past schools etc
- Flood risk
- Pollution risks
- Compensation. Government should consider how communities and individuals who are adversely affected by minerals extraction might be compensated. This is one of the cost factors that, in the past, has not been properly accounted for. Including this as an economic factor might be an appropriate way of ensuring some degree of self selection of sites with a lower impact on people.
- Impact on community of reuse of the site. Post extraction uses that are beneficial to the local community should be preferred and need to be

distinguished from others that might not be (eg waste disposal). Such adverse uses need to be identified at the outset.

#### **4.1.3 Other Planning and Environmental considerations**

- Prevailing planning policy.
- Visual amenity –impact on areas of significant environmental quality e.g. scheduled landscapes, AONBs, conservation areas.
- Protection of the Oxford Green Belt in line with OSP policy G4.
- Impact on footpaths and other routes.
- Biodiversity, including, but not limited to, impact on nature reserves and identified wildlife sites, SSSIs etc.
- Archaeology.
- Transport (Where will the material go? How will it get there? Is there good access to suitable modes and routes?)
- Sustainability (Is a 15 year horizon too short, given that the need for extraction and the impacts of it extend well beyond that?)
- Hydrology (Effect on surface- and ground-water flows during and post extraction.)
- Economics. (Should take account of all economic factors, local as well as regional/national ones.)
- Consequential development. (Can lead to serious legacy problems if not properly controlled.)

Many, but not all, of these are addressed by minerals policy aims and wider planning policy. The cost of meeting these aims needs to be factored into the economic costs of extraction. As part of the strategy, the planning authority needs to develop ways of systematically applying these criteria in a manner that is transparent.

#### **4.2 Specifics to Radley**

Any attempt to assess the Radley submissions against these criteria is beyond the scope of this submission, and probably not appropriate at this time. However we should point out that Radley is still suffering under the legacy, dating back nearly 70 years, of previous gravel extraction and the consequences of inadequate planning control applied to it, which has led to:

- The destruction of around 2 sq.km of agricultural land (about 15% of the parish.)
- Uncontrolled and largely unmonitored industrial development and activity squatting on Oxford Green Belt land under the terms of old minerals permissions granted in the 1940s.
- The "inadvertent" granting of a permanent planning permission for what should have been temporary plant.

- Three CLEUD applications (of which, so far, one has been successful and one rejected. The outstanding CLEUD is a reapplication and is still under consideration.)
- An active ROMP application in the SW corner of the parish, which seems likely to prolong this general state of affairs.
- Outstanding restoration issues following the extensive infilling of gravel pits with fuel ash.
- The disappearance of topsoil set aside for restoration from a large area of the S Radley site.
- The creation of an environment where there is a general prevalence of or tendency towards lawlessness.

Radley Parish Council proposes that, at least until all of these matters are satisfactorily resolved or concluded, there should be no prospect of any new mineral working in Radley.

## 5 Conclusions

Radley Parish Council does not regard any of the proposed three options as amounting to a meaningful strategy, nor indeed any hybrid of them. It seems to us that OCC is abdicating its responsibilities and passing the buck, on this admittedly difficult issue, entirely to the consultees and the public in a way that will, indeed is, putting different parts of the county into conflict with one another. Instead of a rational debate, we are seeing the emergence of organised groups with vested interests in mining "anywhere but here". The weight of argument will now be determined by the degree of political organisation, rather than by any kind of rationality.

The grouping of extraction sites into broad areas was a mistake. It has put whole swathes of Oxfordshire countryside under ostensibly equal threat of mineral extraction and its dire consequences. It is no wonder that people are worried.

A minerals strategy needs to be sustainable, and that means not just for the next 15 years. Minerals are a finite resource and it is becoming more difficult to access it without damaging people's lives, the environment or both. The days when mining companies could descend upon a community and ravage the countryside around it with impunity ought to be long gone. If there were proper redress, people might welcome it, but all they get is noise, dust, traffic, damaged roads and buildings, destroyed countryside, and the possibility of worse to come in the form of landfill with waste. Only if they are very very lucky might they end up with a nice lake or two for people and wildlife to enjoy!