

**Town and Country Planning Act 1990 – Section 78 Town and County Planning
(Development Management Procedure) (England) Order 2015 Town and
Country Planning (Inquiries Procedure) (England) Rules 2002**

Appeal by London Rock Supplies Ltd

Land at White Cross Farm, Wallingford, Oxfordshire

**Against the refusal of planning permission by Oxfordshire County Council for
application MW.0115/21**

**“Extraction and processing of sand and gravel including the construction of new
site access roads, landscaping and screening bunds, minerals washing plant and
other associated infrastructure with restoration to agriculture and nature
conservation areas, using inert fill”**

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

Summary Proof of Evidence of Liam Toland BA

(Hons) MSc, MRTPI – Planning

June 2025

Qualifications

1. My name is Liam Toland. I hold a Bachelor of Arts degree in History and Geography having graduated in 2003 and a MSc in Regional and Urban Planning having graduated in 2006. I am a Member of the Royal Town Planning Institute (MRTPI) since 2008. I have over eighteen years' experience in planning obtained through employment in the private consultancy sector.

Appeal Proposal

2. The Appeal is in respect to the refusal by Oxfordshire County Council to grant planning permission for a proposed sand and gravel quarry with progressive restoration to agriculture and nature conservation areas, using inert fill. A total of 550,000 saleable tonnes will be extracted over a period of 5 years. The site would be restored using 280,000 cubic metres of imported inert fill material.
3. With regard to operational timings, extraction operations will be completed within 5 years. Within 3.5 years from commencement of development, Phase 1 shall be restored and placed into aftercare, followed by Phase 2 by the beginning of Year 4. Extraction and backfilling of Phase 3 will be complete by the end of Year 5, with the area restored and placed into aftercare in Year 6. The final backfilling and restoration activities will take place within the Plant Site area with restoration complete by end of Year 6. At this point, Phase 1 will have been restored and within aftercare for ~3.5 years.
4. The whole operation is therefore undertaken quickly, with the area of disturbed land being minimised at all times through the phased working and progressive restoration approach.

Scope of My Evidence

5. In my evidence, I have covered planning policy relating to minerals, mineral and waste need, consideration of issues raised by Rule 6 Party and other interested parties and the planning balance.
6. The analysis of planning policy has been set out in several documents, notably the Planning Statement, the Environmental Statement and the Officer's report to committee. I have considered the Officer's report in relation to relevant planning policies and the planning balance reached. I agree with the officer's balanced consideration and that planning permission should be granted.

The Need for Sand and Gravel

7. In terms of the need for sand and gravel as stated within the SoCG at paragraph 7.4, “... *in light of no new sand and gravel permissions being granted since the end of 2023, and with a current Annual Provision Rate (APR) of 0.986, it can be estimated that the sand and gravel landbank within Oxfordshire is currently below 7 years*”.
8. Furthermore, it is agreed in the SoCG that the Appeal site is located within the Thames & Lower Thames Valley – Oxford to Cholsey Strategic Resource Area (SRA) which is a principal location for sand and gravel extraction under Policy M3 of the OMWCS.
9. I conclude the following:
 - There is a shortfall in sand and gravel supply in Oxfordshire;
 - This appeal proposal meets that immediate need;
 - The appeal site is located within an SRA in south Oxfordshire and will contribute positively by supplying an additional 100,000+ tonnes per annum for the remainder of the plan period at a time of increasing demand and against a background of significant housing and infrastructure delivery;
 - In the absence of any specific site allocations the Council is reliant on maintaining adequate sharp sand and gravel supply through the determination of planning applications having regard to the strategy and requirements of policies M2, M3 and M5 of the OMWCS (and other related elements of this plan); and
 - The appeal site accords with the strategy contained in these policies and particularly in terms of contributing positively to the maintenance of supply (in the context of persistent undersupply) from an identified SRA in south Oxfordshire, thus contributing positively to the adopted strategy of shifting supply of sharp sand and gravel from north to south Oxfordshire.

The Need for Inert Waste Disposal

10. In terms of inert waste need, it is agreed in the SoCG that the proposed development provides for capacity to manage 280,000 cubic metres of inert waste (construction, demolition and excavation waste) within Oxfordshire. This would be policy compliant in aiding the county to becoming net self-sufficient in management of its principal waste streams, and in assisting the county in meeting its OMWCS 25% target through the Plan period for diverting construction, demolition and excavation waste to permanent deposit of inert waste other than for disposal to landfill.

11. It is further agreed that the proposed use of inert waste that cannot be recycled as infill material to achieve satisfactory restoration of quarries is policy compliant. The inert waste will be utilised to achieve appropriate restoration of best and most versatile land.
12. A review of the current supply and demand for inert waste capacity in Oxfordshire has demonstrated that as of the end of 2023, Oxfordshire's void capacity was at its lowest point since 2008 and with limited void space remaining at the other active sites, this productive capacity must be met elsewhere.

Landscape and Visual Planning Policy Considerations

13. In the case of the proposed development acceptability against the policies and principles of the development plan, there were two main policies of conflict identified through the single reason for refusal of the planning application – Policy C8 of the OMWCS and Policy ENV1 of the SOLP. Further to this, it is the Council's case that there are further policies which carry weight in the decision to be made on the appealed application, namely: Policies NH4, NH6 and NH7 of the emerging Joint Local Plan, Policies E1 and E3 of the Cholsey Neighbourhood Plan, and Policies DP3 and DP4 of the Chilterns AONB Management Plan.
14. These policies have been considered in detail both within my Proof of Evidence at Section 6, and within the Landscape Proof of Evidence produced by Mr Furber, which focused on the reason for refusal policies.
15. In his evidence, Mr Furber considers the potential impact of the proposed development on the landscape character and setting of the Chilterns National Landscape and the River Thames / Thames Path. In terms of the long term effects upon the landscape character of the Site, Mr Furber concludes that the measures which include the proposed restoration scheme, strengthening of the boundary planting, creation of enhanced watercourses and scrub clearance along the River Thames and permissive footpath access linking Reading Road and the Thams Path, collectively would represent a Moderate beneficial magnitude of change (not significant) and a Moderate beneficial effect, that would clearly outweigh the temporary adverse effects of the operational phase over a relatively short period of time.
16. In terms of effects upon the Special Qualities of the National Landscape Designations, Mr Furber sets out that following full restoration of the Site, there would be Moderate indirect benefits on the setting of the National Landscape as follows:

- Improvements to the River Thames corridor with increased views of the River Thames through scrub clearance and realignment of the path on its definitive route and the potential for wildflower meadow corridor along the Thames Path within the Site;
 - New woodland, tree and hedgerow planting around the perimeter of the Site and along an enhanced drainage corridor to reflect the landscape character within the setting of the National Landscape; and,
 - Creation of a new permissive path through the northern end of the Site connecting to the Thames Path.
17. Enhancement considerations in relation to the landscape character of the CNL are detailed at paragraph 9.4, 9.5 and 9.6 of Mr Furber's evidence.
18. I assign great weight to the enhancement measures incorporated in the Appeal scheme.

Consideration of Issues Raised by the Rule 6 Party and Other Interested Parties

19. A number of environmental matters have been raised by the Rule 6 party and members of the public. These have been fully addressed in the ES and the Officer's report. The specialist evidence provided in this appeal also makes clear that there are no adverse effects in terms of landscape and visual and flood risk and drainage which would not be appropriately controlled and mitigated.
20. In terms of potential harms to residential amenity and Elizabeth House, based on the findings of the ES, coupled with the evidence of Mr Neil Furber, there are no significant effects on the amenity of local residents as a result of visual impacts and dust or noise emissions. Either cumulatively or in isolation, these are limited and are considered to be within acceptable limits, noting that some degree of impact from mineral development is inevitable (and indeed accepted in policy – see NPPF paragraph 224). I therefore give slight weight to the potential harms.

Planning Balance

21. It has been agreed with the Council that the Appeal Scheme would not give rise to any significant effects to ecology, archaeology, soils and agricultural land and the water environment. This is corroborated by the findings of the ES.
22. In terms of heritage matters, I have had regard to the statutory duty to consider the effect of the proposal on such assets within the context of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As set out in the ES, at paragraph 16.3.1, the assessment has concluded that the proposed development and restoration scheme are

likely to result in no significant impact upon the heritage assets within the Wallingford area. Furthermore, at Appendix C of the LVIA an assessment of the proposed development on 'Historic Visual and Setting' is provided, focusing on the Grade II Listed Ruins of St John the Baptist Church, Grade II Listed Julius Gottlieb Gallery and Boathouse, (Non-Designated) Elizabeth House and (Non-Designated) Wet Boathouse within Mongewell Park. The assessment finds that none of the listing will receive a significant adverse impact, concluding that *"the proposed development will be a short-term temporary operation which will not physically alter the Cultural Value of historic assets or indirectly significantly adversely affect the Visual Setting of the identified historic assets."*

23. Similarly, based on the findings of the ES, there are no significant effects arising through the movement of HGVs associated with the development.
24. Overall therefore, whilst the proposals would result in some harm, I consider the harm to be minor and so acceptable and within "appropriate limits". Accordingly, policies in the Development Plan aimed at protecting the environment are complied with.
25. With this in mind, the Appeal Scheme benefits from the presumption in favour of sustainable development, whereby paragraph 11 of the NPPF indicates that development proposals that accord with an up-to-date development plan should be approved without delay.
26. There is "great weight" to be attached to mineral developments. I also attach substantial weight to the need to release new reserves as the landbank is below the minimum of 7 years for sand and gravel, which demonstrates that there is a shortfall in supply. I consider that there is a clear mineral need for the development which carries significant weight in favour of the scheme.
27. In terms of the need for inert waste disposal, the importation of inert materials as part of the restoration of the site will create a high quality environment establishing a net gain in biodiversity and delivering priority habitats, whilst allowing land to return to agricultural purposes.
28. It has been established that Oxfordshire has a high demand for inert waste management annually, requiring a large number of sites to maintain sufficient productive capacity. Furthermore, the level of void space capacity demonstrated by the most recent Environment Agency data for the calendar year of 2023 identified the lowest capacity level since 2008. I consider there is a clear inert waste capacity need for the development which carries significant weight in favour of the scheme.

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29. Furthermore, there is an anticipated increase in inert waste likely to be generated from large infrastructure projects in Oxfordshire over the next 5 years.
30. Having regard to employment, the proposed development is expected to directly employ some 10 persons at the site during the majority of the year. In addition to direct employment the proposals will also create a demand for road haulage to deliver products, which may include up to 15 drivers that may be employed on a regular daily basis depending upon site output. The operation will also give rise to further employment in the use of local services to supply the needs of the quarry and administration facilities together with occasional contracts for hired in plant and equipment.
31. I consider that 'great weight' should be attached in line with NPPF paragraph 224.
32. The restored quarry offers enhanced habitat diversity with generally noticeable and local biodiversity benefits. It should also be noted that minerals extraction is a temporary land-use and that restoration of the site provides an opportunity to create a more diverse landscape feature.
33. It can be concluded that the benefits resulting from this proposed development are substantial and wide reaching. From an ecological / biodiversity perspective it is clear that this proposal provides betterment. There is an expectation to restore to high standards, but the scheme has sought to offer biodiversity benefits and enhanced access, the latter would be phased in line with the workings. I consider the restoration and biodiversity benefits of the scheme to be a benefit of the appeal proposal.
34. I consider that each of these factors add significant weight in favour of the Appeal Scheme.
35. Accordingly, it is my conclusion that the planning balance weighs heavily in favour of the Appeal Scheme.

Conclusion

36. In summary therefore and based on the evidence that I have presented, I conclude the following:
- Great weight is to be given to the benefits of mineral development;
 - There is an urgent need for the release of mineral reserves in Oxfordshire which the Appeal Scheme would provide;
 - The appeal site accords with the strategy contained in Policies M2, M3 and M5 of the OMWCS and particularly in terms of contributing positively to the

maintenance of supply (in the context of persistent undersupply) from an identified SRA in south Oxfordshire, thus contributing positively to the adopted strategy of shifting supply of sharp sand and gravel from north to south Oxfordshire;

- The appeal site is located within an SRA in south Oxfordshire and will contribute positively by supplying an additional 100,000+ tonnes per annum for the remainder of the plan period at a time of increasing demand and against a background of significant housing and infrastructure delivery.
- The site is in a sustainable location to serve mineral and waste needs;
- There is a need for additional void space for inert materials within Oxfordshire, with the Appeal site being ideally located within close proximity to a number of settlements with planned growth;
- It is demonstrated both within my evidence, and that produced by Mr Furber, that the Appeal scheme successfully mitigates from adverse impact in relation to landscape and visual matters (inclusive of the Chilterns National Landscape and River Thames) and provides for a series of enhancement measures.

37. On this basis, I respectfully invite the Inspector to allow the appeal.