



Emma Bolster
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By email only to: emma.bolster@oxfordshire.gov.uk

20 December 2022

Dear Emma,

APPLICATION NO: MW.0152/22 and MW.0153/22

DESCRIPTION: Section 73 application to continue development permitted at Rollright Quarry, under permission 20/01964/CM (MW.0063/20) to vary conditions 1, 2, 3, 4, 9, 10, 28, 30, 31, 32 and 40 relating to completion dates for mineral extraction and restoration, scheme details for both mineral working and restoration, site layout, access and HGV movements (MW.0152/22) and Section 73 application to vary conditions 1 to 3 of permission 20/01693/CM (MW.0064/20) (for construction of a new entrance and access road on land adjacent to Phase 2 of Rollright Quarry) to extend the end date for the use of this access for the export of stone by 11 years from 31st December 2022 to 31st December 2033, with restoration of the haul road to be extended from 31st December 2023 to 31st December 2034 (MW.0153/22)

LOCATION: Rollright Quarry, Little Rollright, Chipping Norton Oxfordshire OX7 5QB

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape².

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.³ The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications⁴:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Type (LCT) 7 High Wold which the site is located within and 15 Farmed Slopes which the site is located in close proximity to;
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 7 ([link](#)), including Sections 7.5, 7.13 and 7.21 and LCT 15 ([link](#)), including Section 15.7;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)) particularly, in this instance, with regards to Tranquillity ([link](#)) and Renewable Energy ([link](#));
- Cotswolds Nature Recovery Plan ([link](#)); and
- Cotswolds National Landscape Climate Change Strategy ([link](#))

Cotswolds Conservation Board

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

cotswoldsaonb.org.uk

Chairman:
Brendan McCarthy

Vice Chair:
Rebecca Charley

For the reasons outlined at Annex 1, the Board **does not object** to these applications but would request that the Minerals Planning Authority and the applicant consider our comments in Annex 1.

Please don't hesitate to contact me if you would like to discuss this response further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Joyce', with a small dot at the end.

Simon Joyce

Planning Officer

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ANNEX 1. COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN RELATION TO PLANNING APPLICATION MW.0152/22 AND MW.0153/22

The Board understands that Rollright Quarry, initially operated by Hanson and mothballed in the early 2000s comprises two separate areas under different landownerships ('Phase 1' and 'Phase 2') with differing consents, extraction timescales and restoration plans. In the early 2010s Smiths of Bletchington secured a lease and planning consents to work Phase 2 area whilst Phase 1 remained dormant. In 2017, Johnston Quarry Group (now Oxfordshire Quarry Group) purchased the Phase 1 land and recommenced extraction. In early 2022, Smiths vacated Phase 2 and Oxfordshire Quarry Group agreed a lease with the landowner to work the remaining reserve in Phase 2, using the established Phase 2 access off the C70 road (which runs between the A3400 and A44 past the Rollright Stones) and in time, restore the Phase 2 area.

The current permission requires Phase 2 mineral working to cease by 31/12/2022 and restoration substantively complete by 31/12/2023. Applications MW.0152/22 and MW.0153/22 seek to vary a number of conditions pursuant to these current consents to allow the following:

- An 18-month extension of time to work the Phase 2 area until 30/06/2024 with restoration also extended by 18 months to be largely complete by 30/6/2025. The one part of the Phase 2 area which would not be restored by that time would be the haul road along the northeastern boundary to provide access to the Phase 1 area that will remain to be worked.
- However, the proposal as a whole and the quarry being worked by one operator means that the remaining Phase 1 extraction would be brought forward 8 years from 21/02/2042 to 31/12/2033 with Phase 1 restoration brought forward from 21/02/2043 to 31/12/2034.
- All quarry traffic including HGVs to use the established Phase 2 access direct onto the C70. Our understanding is that permitting this application would not result in a change in the overall number of daily HGV movements generated by the quarry, which would remain at 60, but would allow all quarry traffic to use the Phase 2 access, instead of the 54 two-way HGV movements allowed currently (so an increase of 6 two-way movements per day). This would allow the Phase 1 access to be stopped up and remove all quarry traffic from the C115 road which runs between the C70 and Little Compton.
- Retention of the Phase 2 access until 31/12/2034.
- A revised restoration scheme for the quarry to replace the separate restoration schemes consented for each phase. The applicant states that this will see greater biodiversity and habitat enhancement than the two currently consented schemes.

Having reviewed the application and its accompanying reports, we recognise that this proposal represents a more holistic approach to the working and restoration of the quarry. Whilst the proposal would prolong the period of mineral working at its current intensity by a further 18 months, it would bring forward the end date for the overall working and restoration of the quarry as a whole by 8 to 9 years.

It would not create additional HGV movements within the Cotswolds National Landscape, which had been a matter to which we had objected on previous applications and would merely alter the entry/exit point to the quarry for a relatively small proportion of them. We note the previous objections of both Warwickshire and Oxfordshire County Councils regarding the use of the Phase 1 access and the junction of the C115/C70 with the Phase 2 access being preferred for all quarry traffic.

This had also been a concern of ours. We also recognise that this proposal would reduce the impact of quarry traffic on the Shakespeare's Way long distance footpath which lies adjacent to the C115.

Our remaining comments relate to the restoration proposals. The Board considers that this location is potentially suitable for a small-scale solar PV array, particularly where these could be located on the gentler quarry slopes in a way that would not intrude into publicly accessible views. This need not preclude any of the habitat creation activity outlined within the restoration proposal and if carefully sited and managed, could avoid any adverse impacts on the natural beauty of the National Landscape. Policy CC7 of the Cotswolds AONB Management Plan advocates that *"climate change mitigation should be a key consideration in all new development, infrastructure and transport provision"* and that *"small-scale forms of renewable energy that are compatible with the purpose of AONB designation"* should be encouraged.

The Board is pleased to see that the proposed restoration scheme includes some species-rich (conservation) grassland. However, we are disappointed that a relatively small area of this habitat is being proposed.

Creating large areas of species-rich grassland (particularly lowland calcareous grassland), is an essential component of halting and reversing declines in biodiversity in the Cotswolds AONB. The flower-rich grasslands of the Cotswolds National Landscape, particularly its lowland calcareous grassland, are one of the AONB's 'special qualities'. In other words, they are one of the aspects of the AONB's natural beauty which make the distinctive and which are valuable, especially at a national scale. Quarry restoration provides a unique opportunity to help create this habitat at a landscape scale. This habitat can still be used for – and, indeed, requires – grazing.

For these reasons, we recommend that a much larger proportion of the site is restored to this species-rich grassland habitat. Ideally, this habitat would extend across whole of the site, apart from the native tree and shrub planting around the edge of the site.

The Board acknowledges that the current permissions for the site secure a restoration plan which was considered to provide a net gain in biodiversity in line with the requirements of current Oxfordshire Minerals and Waste Plan policy. However, the applicant has not provided any evidence for, or discussion of, the level of Biodiversity Net Gain that the new proposed restoration plan will deliver. The submitted Ecological Assessment and Restoration Plan (Dwg. Ref. 2642-4-1-1 DR-0004 v.S4-P1) does not mention net gain in relation to the site and no calculation of net gain has been provided.

We recommend that the restoration plan should provide for at least 20% Biodiversity Net Gain; further information on this can be found in Annex 2 below.

The applicant also has not provided a clear plan for the long-term management of any habitat that is created. Establishment of good quality, species-rich / lowland calcareous grassland is likely to take considerably longer than the obligatory five-year aftercare period. It is important to ensure that, by the end of the aftercare period, ongoing, long-term management is in place to ensure the successful establishment of this grassland habitat and to build on the investment made in creating this grassland.

Therefore, the Board would strongly encourage the applicant to consider amending their proposals and use the restoration of the quarry as an opportunity to increase local renewable energy production as well as provide a significant net gain in biodiversity.

ANNEX 2: WHY BIODIVERSITY AND NATURE RECOVERY ARE PARTICULARLY IMPORTANT CONSIDERATIONS IN THE COTSWOLDS NATIONAL LANDSCAPE¹

Statutory purposes, duties and powers

The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB). The statutory purpose of AONB designation is to conserve and enhance the natural beauty of these areas.² Local authorities and other ‘relevant authorities’ have a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of AONBs.³ Local authorities also have the statutory power to take action to accomplish this purpose.⁴

Link between natural beauty and biodiversity

Natural heritage (including biodiversity) is one of the factors that contributes to the natural beauty of AONBs.⁵ As such, the conservation and enhancement of biodiversity is an important consideration when having regard to the purpose of AONB designation.

Paragraph 176 of the National Planning Policy Framework (NPPF) states that ‘*the conservation and enhancement of wildlife and cultural heritage are also important considerations in [AONBs]*’.⁶

Landscapes Review, Government response and ‘30 by 30’

The Government-commissioned Landscapes Review Final Report⁷ proposes that:

- national landscapes⁸ should form the backbone of Nature Recovery Networks - joining things up within and beyond their boundaries;⁹
- national landscapes should have a renewed mission to recover and enhance nature;¹⁰
- there should be stronger purposes in law for our national landscapes, including ‘recover, conserve and enhance ... biodiversity’;
- strengthened [AONB] Management Plans should set clear priorities and actions for nature recovery.¹¹

The Government’s response¹² to the Landscapes Review Final Report states that:

- Working with ... AONBs in the coming years, we will ensure our protected landscapes boost biodiversity.¹³

¹ Including why a higher biodiversity net gain requirement would be appropriate in the Cotswolds National Landscape, compared to neighbouring, non-designated areas.

² Section 82 of the Countryside and Rights of Way (CROW) Act 2000 ([link](#)).

³ Section 85 of the CROW Act 2000 ([link](#)). Further information on the ‘duty of regard’ is provided in Appendix 4 of the Cotswolds AONB Management Plan 2018-2023 ([link](#)) and in guidance published by Defra ([link](#)) and Natural England ([link](#)).

⁴ Section 84 of the CROW Act 2000 ([link](#)).

⁵ Natural England (2011) *Guidance for assessing landscapes for designations as National Park or AONB in England* ([link](#)). Table 3, page 13, and Appendix 1, page 25.

⁶ Ministry of Housing, Communities and Local Government (2021) *National Planning Policy Framework* ([link](#)). Paragraph 176, page 50.

⁷ Defra (2019) *Landscapes Review Final Report* ([link](#)).

⁸ The phrase ‘national landscapes’ relates to AONBs and national parks.

⁹ Proposal 4, page 52.

¹⁰ Proposal 1, page 36.

¹¹ Proposal 3, page 43.

¹² <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>

¹³ Landscapes review: government response ([link](#)). Foreword.

- Our vision for protected landscapes is a coherent national network of ... nature-rich spaces ... Protected landscapes will drive forward nature recovery.¹⁴
- The Prime Minister has committed to protect 30% of UK land for nature by 2030 (30 by 30)¹⁵ ... Achieving 30 by 30 will rely on improvements in how these areas are protected and managed for nature recovery.¹⁶
- We will put our protected landscapes at the heart of delivering our nature recovery ... policies.¹⁷
- Given their spatial scale, and track records in planning and delivering landscape-scale restoration projects, protected landscapes could play a particularly important role in the delivery of the Nature Recovery Network.¹⁸
- We will explore ways for protected landscapes to support responsible authorities in preparing [Local Nature Recovery Strategies].¹⁹
- By strengthening the first purpose [of protected landscape designation] for nature ... we will ensure these areas can contribute to this ambitious commitment for biodiversity and our wider nature recovery ambitions.²⁰
- We will strengthen this purpose [to 'conserve and enhance'], making it clear that we need to actively recover nature in these areas, rather than simply conserve what remains.²¹
- A core function of protected landscapes should be to drive nature recovery.²²

The British Ecological Society (BES)²³ and Wildlife and Countryside Link (WCL)²⁴ has both published reports on the Government's '30 by 30' aspiration. Both reports recognise the important role that protected landscapes should play in achieving this. However, they state that, until significant reform is delivered, protected landscapes should not automatically be included in the 30 by 30 target. Both reports make similar recommendations to the Landscape Review in this regard.

The executive summary of the BES report²⁵ sets out the following criteria that should be used to determine and inform what a site (or protected landscape) must achieve to be counted towards 30 by 30:

1. Long term biodiversity protection against internal and external pressures.
2. Improves ecological resilience.
3. Effective management and monitoring.
4. Effective governance and engagement of local communities.

¹⁴ Landscapes review: government response ([link](#)). Introduction.

¹⁵ <https://www.gov.uk/government/news/pm-commits-to-protect-30-of-uk-land-in-boost-for-biodiversity>.

This press release implies that the 30% figure includes the entirety of AONBs: *'Existing National Parks, Areas of Outstanding Natural Beauty and other protected areas already comprise approximately 26% of land in England. An additional 4% ... will be protected to support the recovery of nature'*. However, the Government's response to the Landscapes Review states that *'at present, under their current statutory purposes, level of protection and management, protected landscapes cannot be said to contribute towards 30 by 30 in their entirety'*.

¹⁶ Landscapes review: government response ([link](#)). Since the publication of the review - nature and climate.

¹⁷ Landscapes review: government response ([link](#)). Chapter 2: Nature and climate.

¹⁸ Landscapes review: government response ([link](#)). The Nature Recovery Network and 30 by 30.

¹⁹ Landscapes review: government response ([link](#)). The Nature Recovery Network and 30 by 30.

²⁰ Landscapes review: government response ([link](#)). The Nature Recovery Network and 30 by 30.

²¹ Landscapes review: government response ([link](#)). A stronger mission for nature recovery.

²² Landscapes review: government response ([link](#)). A stronger mission for nature recovery.

²³ British Ecological Society (2022) *Protected Landscapes and Nature Recovery*. ([Link](#)).

²⁴ Wildlife & Countryside Link (2021) *Achieving 30x30 in England on land and at sea*. ([Link](#)).

²⁵ British Ecological Society (2022). *Protected Landscapes and Nature Recovery – Executive Summary*. ([Link](#)).

Colchester Declaration

The 'Colchester Declaration' is a formal commitment by the family of AONBs, under the umbrella of the National Association of AONBs (NAAONB), to redress declines in species and habitats within the context of a wider response to climate change.

The commitments include that, by 2030:

- At least 200,000ha of Sites of Special Scientific Interest (SSSIs) in AONBs will be in favourable condition.
- At least 100,000ha of wildlife-rich habitat outside of protected sites will have been created / restored in AONBs.
- At least 36,000ha of new woodland will have been planted or allowed to regenerate in AONBs following the principle of the right tree in the right place.

Considerations specific to the Cotswolds National Landscape

Two of the 'special qualities' of the Cotswolds National Landscape (CNL)²⁶ are the:

- internationally important flower-rich grasslands, particularly limestone grasslands;
- internationally important ancient broadleaved woodland, particularly along the crest of the escarpment.

The special qualities of the CNL are those aspects of the area's natural beauty which make the area distinctive and which are valuable, especially at a national scale. They are the key attributes on which the priorities for the area's conservation, enhancement and management should be based.

Although the two special qualities, above, focus on internationally important sites, the nationally and locally important sites and other, relevant, non-designated priority habitat are also important considerations in this regard.

In the 1930s, 40% of the CNL was covered in wildflower-rich grasslands. Sadly, agricultural intensification and changing land management practices have led to the loss of almost all of this wildflower grassland ... less than 1.5% remains.²⁷

Policy CE7 (Biodiversity) of the Cotswolds AONB Management Plan 2018-2023²⁸ states that:

1. Biodiversity in the Cotswolds AONB should be conserved and enhanced by establishing a coherent and resilient ecological network across the Cotswolds AONB and in its setting.
2. Proposals that are likely to impact on the biodiversity of the Cotswolds AONB should provide a significant net-gain in biodiversity.

Appendix 8 of the draft AONB Management Plan 2023-2025 identifies the habitat and species that are a priority for the CNL.

In 2019, the CNL Board published the Cotswolds Nature Recovery Plan (CNRP)²⁹ which identifies that, in order to form a robust nature recovery network, the extent of wildlife rich habitats within the CNL

²⁶ Chapter 2 of the Cotswolds AONB Management Plan 2018-2023 provides a full list of the area's special qualities.

²⁷ <https://www.cotswoldsaonb.org.uk/looking-after/our-grasslands-projects/glorious-cotswolds-grasslands/#:~:text=Sadly%2C%20agricultural%20intensification%20and%20changing,be%20managed%20to%20be%20maintained.>

²⁸ Cotswolds Conservation Board (2018) *Cotswolds AONB Management Plan 2018-2023* ([link](#)).

²⁹ Cotswolds Conservation Board (2021) *Cotswolds Nature Recovery Plan* ([link](#)).

needs to expand from 48,000ha (23% of the CNL area) to 82,000ha³⁰ (40% of the CNL area), with the target being to achieve this by 2050. The highest priority habitats in the CNRP are:

- veteran trees;
- ancient woodland;
- ancient, unimproved, limestone grassland.

The CNRP states that achieving this target will require a farmer and land manager led approach to nature recovery, for example, through Environmental Land Management Schemes and Payment for Ecosystems. Biodiversity Net Gain mechanisms will also play an important role. It is also intended that the CNRP will feed into the forthcoming Local Nature Recovery Strategies.

³⁰ The figure rises to over 103,000ha if arable fields containing environmental measures are included.

NOTES:

- 1) The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
- 2) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 3) Section 85 of the Countryside and Rights of Way Act 2000.
www.legislation.gov.uk/ukpga/2000/37/section/85
- 4) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
 - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023
www.cotswoldsaonb.org.uk/management-plan
 - b. Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
 - c. Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
 - d. Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
 - e. Cotswolds Conservation Board Position Statements
www.cotswoldsaonb.org.uk/ps1
www.cotswoldsaonb.org.uk/ps2