

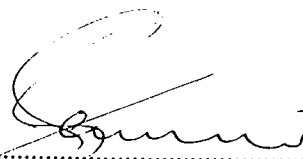
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THE SCHEDULE TO THE PERMISSION

Name of the Local Planning Authority:		WILTSHIRE COUNTY COUNCIL	
Name and address of applicant:		Name and address of agent:	
Trustees of the Viscount Folkestone 1963 Settlement The Estate Office Longford Castle Salisbury Wiltshire		Robert Long Consultancy Ltd Empress House 12 Empress Road Lyndhurst Hampshire S043 7AE	
Brief Details of the Application:		Application Date: 1 st August 2000	
Location:	Moor Farm, Harestock, Whiteparish		
Proposed Development:	Construction and use of a Private Access Road and New Access on to the A36(T) at the Brickworth Corner Junction to serve Sand Extraction and Restoration permitted under S.98.1159 together with Relocation of Weighbridge, Office, Car Parking, Wheel Wash, Fuel Storage and Workshop facilities		
Conditions:			
1. Unless otherwise agreed in writing by the Mineral Planning Authority or required by conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the submitted planning application S.00.1519 and Drawings Numbers TRA/MFH/LAY/02 and TRA/MFH/SEC/01.			
2. The development hereby permitted shall be commenced by 31 st October 2002. Written notification of the date of commencement shall be sent to the Director of Environmental Services within seven days of such commencement.			
3. (This condition is as directed by the Secretary of State for Transport) No development pursuant to planning application S.00.1519 shall commence on site unless and until details of the following highway works have been submitted to and approved in writing by the Mineral Planning Authority in consultation with the Secretary of State for Transport:-			
(a) Improvements to the A36/A27 traffic signal junction to include the provision of a fourth arm as a means of access to the development, as shown on the submitted plan reference L64.01 Revision E;			
(b) The stopping up of the private means of access immediately to the south-east of the junction;			
(c) The provision of the alternative private means of access via the new fourth arm.			
Furthermore, no part of the development hereby permitted shall be brought into use until the above improvements have been completed in accordance with the approved details.			
cont'd ...			

Dated this 1st day of August 2001

Signed.....



Authorised Officer

Town and Country Planning Act, 1990

PERMISSION FOR DEVELOPMENT

1. The Local Planning Authority **HEREBY GRANT PLANNING PERMISSION** subject to the scheduled conditions (if any) for the development proposed by the applicant in the application, which is hereby expressly incorporated herewith and of which brief details are, by way of identification only, set out in the Schedule (see overleaf).
2. The scheduled conditions (if any) have been imposed for the reasons set out in the Schedule.
3. "The Local Planning Authority", "the scheduled conditions", "the applicant" and "the application" referred to above are those described in the Schedule overleaf.

NOTES

- (1) **Time Limits on Planning Permissions.** By virtue of Sections 91 - 94 of the Town and Country Planning Act, 1990, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of this permission, then that condition must be observed. Otherwise, one or other of the following time limits (as appropriate) will apply:-

- (i) **Where planning permission is given in outline** subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun either within 5 years from the date of the grant of the outline permission or within 2 years from the final approval of all the matters reserved.
- (ii) **Where the planning permission is complete and is not in outline** then the development must be begun not later than the expiration of 5 years from the date on which permission was granted.

If the development has not been begun or application been made for approval of matters reserved within the time limits mentioned there is freedom to apply for a new planning permission.

- (2) **Other necessary consents.** This document only conveys permission for the proposed development under the Town and Country Planning Act 1990 and the applicant must also comply with all byelaws, regulations and statutory provisions in force in the district and secure such other approvals and permissions as may be necessary.

In particular the applicant is reminded of the following matters:-

- (a) the need in appropriate cases to obtain approval under Building Regulations;
- (b) the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public right of way;
- (c) the need to obtain consent under Sections 7 and 74 of the Planning (Listed Buildings & Conservation Areas) Act 1990 to the demolition, alteration or extension of any listed building of architectural or historic interest or any non-listed building in a Conservation Area.
- (d) the need to make any appropriate arrangements under the Highways Act, 1980, in respect of any works within the limits of a public highway.

(It is the responsibility of the applicant to ascertain whether the development affects any public right of way or listed building).

- (3) **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local 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 for the Environment under Section 78(1) 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, using a form which you can get from the Department of the Environment at Tollgate House, Houlton Street, Bristol BS2 9DJ.

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 an 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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

- (4) **Purchase Notices**

If either the local planning authority or the Secretary of State for the Environment 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 can he 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 (District Council, London Borough Council or Common Council of the City of London) 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.

- (5) **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Conditions (cont'd)

4. Prior to commencement of the development hereby permitted, a scheme detailing on-site signing requirements relating to the routeing of lorries entering and leaving the site via the A27 shall be submitted for the written approval of the Mineral Planning Authority. Any or all signs required pursuant to this condition shall be erected and maintained to the satisfaction of the Mineral Planning Authority throughout the duration of the development.
5. The development hereby permitted shall not commence until revised detailed drawings have been submitted to and approved in writing by the Mineral Planning Authority in consultation with the Highways Agency; such drawings shall incorporate:-
 - (i) a left turn lane from Road A36 to A27 with a minimum width of 2.7 metres, and through lane widths on Road A36 of width 3.65 metres,
 - (ii) a right turn lane to serve Brickworth Park of minimum width 3 metres,
 - (iii) all other lane widths, turning lane lengths, markings, signs, lighting and drainage in accordance with requirements that meet or exceed minimum Highways Agency standards.
6. No works within the development hereby permitted (except those contained in the public highway) and no extraction of minerals from the development site (reference S.00.1630) shall be commenced until the works in the public highway are completed. The works in the public highway shall be completed within four months of their commencement.
7. Within eleven years of the date of commencement of the development permitted under reference S.00.1630 the access hereby approved shall be taken out of use in accordance with details to be submitted to and approved by the Mineral Planning Authority. Such details shall include alterations to the traffic signals facilities, kerbing, lighting, road markings, and verge, fence and hedge reinstatement that effectively remove any indication of the access. Details of new access arrangements, from Moor Lane, to serve the restored site shall be submitted for approval and undertaken contemporaneously with the closure of the signal controlled access.
8. No vehicle shall leave the site unless it is sufficiently clean so as to prevent the transfer of mud or detritus onto the public highway.
9. Within one month of the date of this permission, a scheme detailing dust suppression measures shall be submitted to and agreed in writing by the Mineral Planning Authority. The scheme shall be implemented for the duration of the development.
10. No vehicle shall enter or leave the site except between the hours of 07.30 to 17.00 Mondays to Fridays, and 07.30 to 12.00 Saturdays. No vehicle shall enter or leave the site on Sundays, Bank and Public Holidays.
11. Unless otherwise agreed in writing by the Mineral Planning Authority, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

12. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.
13. Any below ground petrol/oil/chemical storage tank shall be constructed to incorporate appropriate anti pollution measures.
14. Any above ground oil/chemical storage tank/container and associated pipework shall be bunded in a manner so as to retain at least 110% volume of the tank capacity. All filling points, vents, gauges and sight glasses must be located within the bund which shall be sealed so as to retain any spillages.
15. Within one month of the date of this permission, a scheme of landscaping shall be submitted to and agreed in writing by the Mineral Planning Authority. The scheme shall include details of:-
 - (a) The positions, species and sizes of all existing trees, shrubs and hedgerows to be retained;
 - (b) The positions, species, density and initial sizes of all new trees and/or shrubs;
 - (c) The hard landscaping/earth moulding proposed;
 - (d) The programme of implementation of the scheme;
 - (e) The arrangements for subsequent maintenance.
16. The agreed scheme of landscaping under Condition No. 15 shall be carried out in the first available planting/seeding season coinciding with, or immediately following agreement, whichever is the sooner, and shall be so maintained thereafter. Within five years of planting, any trees, shrubs or other plants which die, become diseased, are removed or damaged shall be replaced in the first available planting season with others of a similar size and species.
17. Topsoil and subsoil shall only be handled under sufficiently dry conditions when topsoil is in a dry and friable state (soil dryer than its lower plastic limit).
18. No skips or containers shall be stored on site without the prior written approval of the Mineral Planning Authority.

Reasons:

1. To enable the Mineral Planning Authority (MPA) to adequately control the development and for the avoidance of doubt.
2. To comply with Section 91 of the Town and Country Planning Act 1990.
3. As directed by the Secretary of State for Transport.
4. To ensure all vehicles entering and leaving the site are suitably informed of the agreed routeing arrangements in the interests of local amenities and for the avoidance of doubt.
5. To ensure the works hereby permitted in the public highway are carried out to the specification and satisfaction of the Highways Agency and the MPA.
6. For the avoidance of doubt and to ensure the permitted access arrangements are completed prior to the commencement of sand extraction from the development site permitted under the reference S.00.1630.
7. For the avoidance of doubt and to minimise the duration of disturbance from the development hereby permitted on the amenities of the local area.

8. In the interests of highway safety.
9. To protect the amenities of the surrounding area and local residents.
10. To protect the amenities of the local residents and for the avoidance of doubt.
11. 12. 13 and 14. To minimise the risk of pollution to groundwater.
15. and 16. In the interests of the amenity of the local area and to ensure the development is adequately screened.
17. To prevent damage to soil resources and enable the MPA to adequately control the development.
18. For the avoidance of doubt and to enable the MPA to adequately control the development.

Planning Informative

The discharge of trade effluent comprising site drainage to a watercourse or into the ground will require the consent of the Environment Agency under the terms of the Water Resources Act 1991.

Notes to Applicant

The Applicant is advised to contact:-

- (i) The Water Quality Consenting Team of the Environment Agency to discuss site drainage and Consent issues further.
- (ii) The Environment Protection Department of the Environment Agency to discuss pollution prevention measures on the site.

(Telephone No. 01962 713267)