

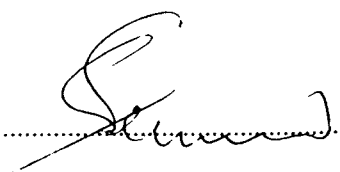
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THE SCHEDULE TO THE PERMISSION

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:		Letter Date: 10 th May 2001	
Location:	Moor Farm, Harestock, Whiteparish		
Proposed Development:	Use of an Alternative Access to Permitted Sand Extraction and Restoration Operations Modification of Condition 1 of Permission S.00.1630		
Conditions:			
1. 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.			
2. Unless otherwise approved in writing by the Mineral Planning Authority, the mineral working operations hereby permitted shall have ceased and the whole site shall have been restored in accordance with Drawing No. TRA/MFH/REST/01 within 10 years from the date of commencement of the development.			
3. The permission shall relate only to the extraction of sand and the subsequent restoration of the land to agricultural use, and the erection of on-site facilities and the formation of an access all within the area shown edged on Drawing No. TRA/MFH/APP/01 forming part of this permission.			
4. Unless otherwise approved by the Mineral Planning Authority or required by the conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the details contained in the submitted planning application No. S.91.0446 dated 3 rd April 1991 and the accompanying supporting statement, except as amended by details contained in submitted planning application No. S.00.1630 and accompanying Drawing Nos. TRA/MFH/APP/01, TRA/MFH/OP/01, TRA/MFH/SEC/01, TRA/MFH/SEC/02 and TRA/MFA/REST/01 inclusive.			
5. Unless otherwise approved in writing by the Mineral Planning Authority, no mineral except sand shall be extracted from the site.			
			cont'd ...

Dated this 3rd 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)

6. Unless otherwise approved in writing by the Mineral Planning Authority, no topsoil, subsoil or overburden shall be exported from the site.
7. Unless otherwise approved in writing by the Mineral Planning Authority, no mineral shall be brought onto the site for processing or manufacturing purposes.
8. Unless otherwise approved in writing by the Mineral Planning Authority, access to and from the site for any purpose in connection with the development hereby permitted shall only be gained via the junction approved under planning permission S.00.1519 at Brickworth Corner.
9. No mineral shall be removed from the site until details of the layout, construction and surfacing of the service facilities area have been agreed in writing with the Director of Environmental Services prior to the commencement of development hereby permitted.
10. No mineral shall be removed from the site until the haul road shown on Drawing No. TRA/MFH/OP/01 has been constructed in accordance with details to be agreed in writing by the Director of Environmental Services prior to commencement of construction. The submitted details shall include provision for the protection and the provision and maintenance of access to the oil pipeline which runs along the line of the proposed haul road.
11. No mineral shall be removed from the site until facilities for the cleaning of the wheels of vehicles leaving the site have been installed and made available for use in accordance with details that have previously been submitted to and approved in writing by the Director of Environmental Services. The wheel cleaning facilities shall thereafter be used as necessary by all vehicles leaving the site facilities area such as to ensure that no mud or other detritus is carried onto the access road or onto the public highway.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings, plant, structures or machinery (excluding mobile plant) shall be erected on any part of the site without the prior approval in writing of the Mineral Planning Authority.
13. Unless otherwise approved in writing by the Mineral Planning Authority, except in the case of emergency and for the maintenance and repair of plant and machinery, no mineral extraction, tipping or other working shall be carried out on the site except between the hours of 07.30 - 17.00 Monday to Friday and 07.30 - 12.00 noon on Saturdays, and no mineral extraction, tipping or other working shall be carried out at any time on any Sunday or Bank or Public Holiday.
14. Best practicable means must be used to ensure there is no noise nuisance from the site. All mechanical equipment used on site shall be fitted with appropriate and effective silencers.
15. The haul road and other areas within the service facilities area which are used by vehicles shall be watered and treated with an approved dust laying agent at such intervals as may be necessary to prevent the raising of dust from those areas.
16. Unless otherwise agreed in writing by the Mineral Planning Authority, within one year from the cessation of the infilling of the site, the site facilities area shall be cleared of all plant, buildings, structures and machinery, and the site restored in accordance with Drawing No. TRA/MFH/REST/01.
17. Unless otherwise approved in writing by the Mineral Planning Authority, the mineral extraction area shall be worked in the following sequence: Phase 1, Phase 2, Phase 3 and Phase 4.

18. Unless otherwise approved in writing by the Mineral Planning Authority, the working and restoration of the site shall be carried out in accordance with the details shown on Drawing No. TRA/MFH/OP/01. Extraction in Phase 3 shall not be commenced until the restoration of Phase 1 has been completed.
19. Best practicable means must be taken to ensure that all activities carried out at the site do not cause risk of groundwater pollution. Any above ground oil/chemical storage tank/container and associated pipework shall be sited and bunded in a manner so as to retain any spillage.
20. The site operator shall afford access to the site at all reasonable times to any persons nominated by the Director of Environmental Services for the purposes of observing oil stripping operations and recording any features or remains of archaeological interest that may be revealed.
21. At least 10 days prior notice of the commencement of soil stripping within any working phase shall be given in writing to the Director of Environmental Services to enable archaeological observation of the stripping to be arranged.
22. Prior to the commencement of extraction in Phases 1, 2 and 3 shown on Drawing No. TRA/MFH/OP/01, a 5m undeveloped margin shall be fenced around the perimeter of the site. Immediately following upon the extraction of sand from within the above Phases, the edge of the void shall be infilled to create a batter to prevent spillage and damage to tree and hedge roots.
23. No development shall take place until a Scheme of Landscaping for the Brickworth Corner Junction access has been submitted to and approved by the Director of Environmental Services. The approved Scheme of Landscaping shall be completed prior to the extraction of any minerals from Phases 1 to 4 as shown in Drawing No. TRA/MFH/OP/01.
24. Unless otherwise agreed in writing by the Director of Environmental Services, the extracted areas shall be progressively restored following mineral extraction in accordance with and to the levels shown on Drawing No. TRA/MCH/REST/01 submitted and forming part of the application.
25. Unless otherwise approved by the Mineral Planning Authority, this permission shall only relate to the deposit of dry commercial and industrial waste and other waste of an inert non-hazardous nature.
26. Best practicable means shall be used to ensure that the 12" high pressure gas main and 6" oil pipeline shown on Drawing No. TRA/MFH/OP/01 are protected during extraction, infilling and restoration of the site.
27. No movement of soil shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a suitably dry condition such that the topsoil can be separated from the subsoil without difficulty and so that it is not damaged by machinery passage over it.
28. Upon the completion of the tipping operations in each phase, the final layer of the fill shall consist of permeable and obstruction free material including subsoil to a depth of 1m and finished with a layer of not less than 0.25m of topsoil (for the avoidance of doubt, obstruction free means free of any object likely to damage or obstruct a plough or hinder the installation of field drainage). No soil movement shall take place during wet conditions.
29. Following the completion of the re-spreading and cultivation of the topsoil, the land shall be sown with a suitable grass seed mix or other vegetation or crop to be agreed with the Director of Environmental Services.

30. Not later than three months prior to the replacement of topsoil on Phase 1, a scheme of agricultural aftercare specifying such steps as may be necessary over a period of 5 years from the date of re-spreading of the topsoil, to bring the land to a standard suitable for long term agricultural use, shall be submitted to the Mineral Planning Authority for approval in consultation with the Ministry of Agriculture, Fisheries and Food. The submitted scheme shall specify the steps to be taken and state the five year period over which they are to be taken. The steps shall include planting, cultivating, fertilizing, watering, draining, fencing and other treating and managing the land. The same procedure shall be followed for the remaining three phases.
31. At least once each year during the five year aftercare period relating to each restoration phase, a formal review shall be held to consider the operations which have taken place on the site during the previous year and the programme of management to be adopted during the ensuing year. This review shall be attended, as appropriate, by representatives of the site operator, the landowner, the land occupier, the Mineral Planning Authority and the Ministry of Agriculture, Fisheries and Food. At least 4 weeks prior to the date of each annual review, the site operator shall provide the Mineral Planning Authority with a record of management and operations carried out on the restored land during the period covered by the review.
32. Upon completion of restoration of the site to agricultural use, the access to Brickworth Corner Junction shall be downgraded and laid out in accordance with plans to be submitted to and approved by the Mineral Planning Authority.
33. Unless otherwise agreed in writing, development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved by the Mineral Planning Authority.

Reasons:

1. and 2. To ensure that there is no undue delay in the carrying out of the development and the restoration of the site in the interests of the amenities of the area.
3. 4. 5. 7. 8 and 17. For the avoidance of doubt and to ensure that the development is carried out in a satisfactory manner in the interests of the amenities of the area.
6. and 18. In the interests of the satisfactory restoration of the site and the amenities of the area.
9. 10. 11. and 26. In the interests of highway safety and to safeguard the services crossing the site.
12. 13. 14. and 15. In the interests of the amenities of the area.
16. In the interests of the satisfactory restoration of the site.
19. To avoid causing pollution.
20. and 21. To afford the opportunity for archaeological study of the site prior to being excavated.
22. and 23. In the interests of safeguarding and enhancing the ecological interest of the site and the visual amenity of the area.
24. To ensure that no surcharging of the site is undertaken.
25. For the avoidance of doubt.
27. 28. and 29. In the interests of the satisfactory restoration of the site to agricultural use.

30. and 31. To ensure that the land is brought back to a good state of agricultural fertility and capability following restoration.
32. In the interests of the amenity of the area and highway safety.
33. In the interests of ensuring the proper drainage of the site.

Notes to Applicant

1. You are advised to contact British Gas - Southern to ascertain the precise position of all British Gas (Southern) apparatus in the road (A36T). Contact Mr. S. Curtis (01489 775294), British Gas Plc, Southern Distribution Department, Botley Road, Hedge End, Southampton, Hants. SO3 4NF.
2. You are advised to contact the Public Rights of Way Officer with regard to any requirements for the crossing of Footpath No. 2. Contact Mr. P. Gerrard (01225 713392).
3. You are advised to take into account the contents of letters from the Environment Agency of the 28th June and 11th August 2000.

Our ref: HA\2000\001721\001
Your ref: GGW/SH/S99.00016

Date: 11th August 2000



**ENVIRONMENT
AGENCY**

Minerals, Waste And Development Control Planning Officer
Wiltshire County Council
County Hall
Trowbridge,
Wiltshire
BA14 8JD

Dear Sir/Madam

**APPLICATION UNDER SECTION 73 FOR MODIFICATION OF CONDITIONS TO
ALLOW USE OF AN ALTERNATIVE ACCESS
MOOR FARM SANDPIT, HARESTOCK, NEAR WHITEPARISH**

Thank you for your consultation regarding the above which was received on 5 August 2000. I can confirm the Agency has no objection in principle to the proposal but would, however, wish the following to be taken into consideration:

I have no further comments to add to my previous letter dated 28 June 2000 regarding your consultation reference GGW/SH/S99.00009, copy enclosed.

A copy of the subsequent decision notice would be appreciated.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Jason Owen'.

Jason Owen
Planning Liaison Officer
Encs.

Our ref: HA\2000\001438\001
Your ref: GGW/SH/S99.00009



**ENVIRONMENT
AGENCY**

Date: 28th June 2000

Minerals, Waste And Development Control Planning Officer
Wiltshire County Council
County Hall
Trowbridge,
Wiltshire
BA14 8JD

Dear Sir/Madam

**CONSTRUCTION AND USE OF A PRIVATE ACCESS ROAD AND NEW ACCESS
ONTO THE A36
LAND FORMING PART OF MOOR FARM, HARESTOCK, NORTH
WHITEPARISH**

Thank you for your consultation regarding the above which was received on 1 June 2000. I can confirm the Agency has no objection in principle to the proposal but would, however, wish the following to be taken into consideration:

Planning Condition(s)

In order to prevent pollution of controlled waters, the Environment Agency would request that the following conditions of planning be applied in accordance with the details to be submitted to and approved by the Local Planning Authority (on which the Environment Agency would wish to comment):

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 trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.

Planning Informative(s)

The following planning informatives should be attached to any planning permission granted:

If it is proposed to fill, divert, obstruct or culvert a watercourse the Applicant requires prior written approval of the Agency under Section 23 of the Land Drainage Act 1991. The Agency has a presumption against the culverting of watercourses and would not normally consent such works except for access crossings of minimum width.


The applicant will be sent copies of the following Agency Pollution Prevention Guidelines for Information: Pollution Prevention Guideline(s) 6

Cont/d..

The applicant/agent have been informed of our comments/requirements.

A copy of the subsequent decision notice would be appreciated.

Yours faithfully

 Peter Vosper
Planning Liaison Officer
Encs.