

REGULATORY COMMITTEE

5th FEBRUARY 2003

**ASHTON KEYNES: THREE BRIDGES QUARRY -
APPLICATION FOR A SMALL SCALE EXTENSION OF
SAND AND GRAVEL EXTRACTION WITH RESTORATION
TO QUIET RECREATIONAL USE - SUBMITTED BY
ALLIANCE ENVIRONMENT AND PLANNING LIMITED
ON BEHALF OF MORETON C. CULLIMORE (GRAVELS) LIMITED
(Application No. N.02.0506)**

Purpose of Report

1. To consider the application and to recommend planning permission be granted subject to conditions.

Background

2. The application site lies immediately to the south of the existing permitted mineral extraction site referred to as Three Bridges Quarry which itself lies approximately 1km to the south-west of the centre of Ashton Keynes village and is juxtaposed with the Pike Corner Site of Special Scientific Interest (SSSI).
3. A site plan is attached at **Appendix 1**.
4. Three Bridges Quarry was granted planning permission in July 1992 (N.90.2924) for the extraction of 330,000 tonnes of sand and gravel.
5. Further planning permission was granted in July 1995 (N.95.0639) for the construction of a weighbridge, office, workshop, toilet, fuel storage and bailey bridge to serve the mineral extraction operation.
6. Since the original grant of planning permission the site has lain inactive for several years and undergone a series of ownership changes. Roger Constant and Company Limited transferred the interest within the site to the Hills Group, which in turn passed it to Moreton C. Cullimore (Gravels) Limited who currently operate sites immediately adjacent and to the north of the quarry.
7. The Applicant is seeking planning permission for a minor extension to the existing permitted operations within the Three Bridges Quarry.
8. If permitted, the extension area would realise approximately 55,000 tonnes of sand and gravel which, along with materials from the existing operation, would be transported via a new internal haul road to the Applicant's washing and processing plant at the adjacent Dairy Farm site.

9. Again, if permitted, the Applicant would wish to incorporate the proposed extension area into the overall operation of the Three Bridges site as detailed in the applications to revise phasing and restoration arrangements (Applications N.02.0507 and N.02.0508, the subject of separate reports to this Committee).

Consultations

10. **North Wiltshire District Council** - no comments.
11. **Cotswold District Council** - no comments.
12. **Cotswold Water Park Joint Committee** - no objections. However, concerned about the lack of information regarding the intended future use of the site.
13. **Ashton Keynes Parish Council** - "accepts in principle the terms of the extension to the present scheme but would request that the following conditions are attached if permission is given:-
- (i) New site excavations not to commence until other sites/phases within the Applicant's control are completed and restoration commenced.
 - (ii) Completion of the programme, extraction and restoration to be within six years of commencement."
14. **Cotswold Water Park Society, English Nature, Environment Agency** - letters submitted expressing concerns/objections including:-
- the suitability of the proposed scheme in the light of Biodiversity Action Plan (BAP) targets
 - ecological impacts
 - hydrological impacts
 - the potential effect on the Pike Corner SSSI
- However, following a site visit and the submission of further information by the Applicant, the majority of these fundamental concerns have now been addressed.
15. **Countryside Officer (Landscape)** - expressed concerns over matters relating to ecological, hydrological and operational considerations (eg phasing and restoration arrangements).
16. **Highways** - as the site will prolong the overall impact of minerals traffic in the Cotswold Water Park, it is requested that the Applicant enter into a voluntary agreement to provide funds to further the aims of the Local Transport Plan and the Cotswold Water Park Area Strategy. Also requests that, should planning permission be granted, a condition be applied to ensure continued maintenance of visibility splays at the junction with the B4696 to read as follows:-

The development hereby permitted shall not commence until a visibility splay, measured from a point 4.5 metres back from the edge of the B4696 along the centre line of the access to a point on the nearside carriageway edge 120 metres to the south, has been cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

- 17. **Rights of Way** - no comments.
- 18. **Southern Electric** - no comments.
- 19. **Thames Water** - no comments.

Publicity

- 20. The application was advertised in the press and on site by way of notices. To date no representations from the general public and/or interested persons have been received.

Main Considerations for the Council

- 21. The application seeks planning permission for a minor extension to the existing operations at Three Bridges Quarry. It is to be considered in the light of the Development Plan and all other material considerations.
- 22. At the strategic level, Structure Plan Policies C2, C6, MSP1, MSP3 and MSP5 are considered relevant to this application. The policies are set out in full in the attached **Appendix 2**.
- 23. In general terms, this application accords with the protectionist principles of Policies C2 and C6. The proposed extension to the existing operation at Three Bridges Quarry has been considered by the Applicant in the light of its location within the Cotswold Water Park and more particularly its relationship with the Pike Corner SSSI. Following a site visit and the submission of further detailed information, English Nature, the Environment Agency and the Cotswold Water Park Society agree in principle that the proposal will not lead to a detrimental effect on the interests of the SSSI and surrounding area.
- 24. The application is also considered to accord with the principles of Policies MSP1, MSP3 and MSP5. Again, the proposal represents a minor extension to an already permitted operation which, if granted, would realise approximately 55,000 tonnes of aggregate (sharp sand and gravel). In landbank terms this estimate is not significant. However, in the context of the overall operation of the Three Bridges Quarry, the proposal presents an opportunity to realise the last remaining, economically viable deposits of sand and gravel in the Ashton Keynes area.
- 25. At the local level, the Applicant has considered the proposed extension area against policies contained in the Adopted Minerals Local Plan and North Wiltshire Local Plan.

26. With respect to the Minerals Local Plan, the following policies are considered to be directly relevant to the consideration of the application: Policies 1, 2, 3, 7, 15, 16, 17, 18, 19, 20, 31, 32, 33, 34 and 38.
27. In terms of the North Wiltshire Local Plan, Policies RC15A and RC17 are considered relevant.
28. As mentioned above, in its original form this application (along with the two other submitted applications N.02.0507 and N.02.0508) met with strong objection from a number of consultees due to a lack of fundamental information in respect of hydrological, ecological and operational matters. However, with the submission of further information, particularly in respect of phasing and restoration, the majority of these objections have now been overcome. It is for this reason that the application now accords with the objectives and principles set out in the Local Plan policies listed.
29. In terms of other material considerations, the views expressed by Ashton Keynes Parish Council are welcomed but cannot be reconciled as conditional matters on the grounds of reasonableness and relativity. It is agreed that should planning permission for the extension area be granted, the overall lives of the Three Bridges Quarry and the Dairy Farm/Manor Farm complex would be marginally extended. However, the imposition of a condition that seeks to prohibit the commencement of development within the proposed extension area until all existing developments have ceased would be neither reasonable nor related to the application being considered.
30. The Highway Authority has commented that the proposed extension area will, if permitted, prolong the overall impact of minerals traffic in the Cotswold Water Park. To ameliorate this impact, it is suggested that the Applicant enter into a voluntary legal agreement to provide funding to further the aims of the Local Transport Plan and the Cotswold Water Park Area of Strategy.
31. As discussed above, the application site, if permitted, would realise approximately 55,000 tonnes of mineral, all of which would be transported via internal haul roads to the existing processing plant at Dairy Farm. It is therefore considered that there will not be a marked increase in overall traffic movements on the B4696 and Spine Road as a function of permitting this proposal. As a result, the request for a legal agreement to secure funding for improvements to the highway network is not considered to be reasonable in this instance.
32. With regard to the existing approved access to the Three Bridges site, the Applicant has noted the comments of the Highway Authority which highlight the need to trim back hedge growth and maintain visibility across the bellmouth and has agreed to implement the measures proposed. For the avoidance of doubt, the Highway Authority's suggested condition covering these matters should be imposed.

Environmental Impact of the Proposal

33. As set out above.

Risk Assessment

34. A Risk Assessment is not relevant to the consideration of this report.

Financial Implications

35. There are no financial implications.

Options Considered

36. This application seeks planning permission for a minor extension to the existing approved operations at Three Bridges Quarry.
37. If permitted, the site would realise approximately 55,000 tonnes of mineral and be worked as part of the overall operation of the Three Bridges and Manor Farm/Dairy Farm complex.
38. The application accords with the policies of the Development Plan and, subject to the imposition of conditions, is generally supported by statutory consultees.
39. In the light of the matters set out and addressed above and the overall scale of the development proposed, it is considered that there are no justifiable reasons for refusing the grant of planning permission in this instance.

Reasons for Recommendation

40. The application has been considered in the light of the Development Plan and the material considerations expressed by statutory consultees. The conditions set out above reflect and address the remaining minor operational concerns expressed by the Environment Agency, English Nature and the Cotswold Water Park Society.
41. The grant of planning permission in this instance will ensure that the final reserves of workable and environmentally viable sand and gravel deposits in the Dairy Farm area are realised at a time when mineral operations are still centred in the area.

Recommendation

42. That planning permission be granted for a minor extension to the Three Bridges Quarry subject to the following conditions:-
1. The development hereby permitted shall be commenced within five years from the date of this permission. Written notification of the date of commencement shall be sent to the Director of Environmental Services within seven days of such commencement.
 2. The development hereby permitted shall be implemented in accordance with the details in the submitted planning application N.02.0506 (as subsequently amended by the applicant's letters dated 8th August 2002 and 6th November 2002) and submitted plans CU150/02, CU150/4 Rev C and CU150/6 Rev C.

3. The development hereby permitted shall not be commenced unless and until a full ecological survey of the site area has been undertaken. Details of the survey shall be submitted to the Mineral Planning Authority.
4. All work of soil stripping, stockpiling and reinstatement shall be carried out when the material is in a dry and friable condition.
5. At least ten 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 arrangements to be made for an archaeological investigation of the site to take place.
6. This permission shall not authorise the extraction of sand and gravel or subsequent restoration activity within ten metres of the Ashton Back Stream.
7. No minerals, soils/subsoils or imported restoration materials shall be stored within ten metres of the nearest bank of any watercourse.
8. Prior to the commencement of extraction from the site, details of the location and arrangements for the monitoring of groundwater levels for the duration of the working shall be submitted for approval by the Mineral Planning Authority and thereafter implemented as approved. The details shall specifically include provision for:-
 - the placement of gauge boards in the Ashton Back Stream and Swill Brook; and
 - the establishment of trigger levels and mitigation measures to protect the interests of the Pike Corner SSSI.
9. Any oil, chemical or fuel tank/container and its associated pipework shall be bunded in a manner so as to retain at least 110% volume of the tank/container 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.
10. Unless otherwise approved in writing by the Mineral Planning Authority, except in the case of emergency, no mineral extraction or other operations shall be carried out except between the hours of:-

07.00 - 18.00	Monday to Friday and
07.00 - 13.00	Saturday

No mineral extraction or other operations shall be carried out on Sundays, Bank or Public Holidays.
11. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures or erections shall be erected, extended, installed or replaced at the site without the prior written approval of the Mineral Planning Authority.

12. Notwithstanding the information conveyed on Drawing No. CU150/4 Rev C, the applicant shall, within one year of the date of this permission, submit a detailed restoration and aftercare scheme for the entire Three Bridges Quarry site. The scheme shall make specific provision for:-

- a programme of annual meetings to assess restoration/aftercare progress and remediation measures;
- the identification and implementation of locally derived Biodiversity Action Plan targets;

The scheme (once approved by the Mineral Planning Authority) shall be implemented as approved.

13. The development hereby permitted shall not commence until a visibility splay, measured from a point 4.5 metres back from the edge of the B4696 along the centre line of the access to a point on the nearside carriageway edge 120 metres to the south, has been cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

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Report Author

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The following unpublished documents have been relied on in the preparation of this Report:

Consultation responses.