

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	15 July 2009		
Application Number	S/08/8022		
Site Address	Brickworth Quarry, Harestock, Whiteparish		
Proposal	Proposed Extraction of Sand and Infilling with Inert Materials		
Applicant	Raymond Brown Minerals and Recycling Ltd		
Town/Parish Council	Whiteparish		
Electoral Division	Alderbury and Whiteparish	Unitary Member:	Mr Richard Britton
Grid Ref	22800 123200		
Type of application	Full		
Case Officer	David Rose	01225 776655 Ext 215 david.rose@wiltshire.gov.uk	

Reason for the application being considered by Committee

The Director of Development considers it inappropriate to deal with the application under delegated powers.

Purpose of Report

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

Main Issues

2. The main issues in respect of the proposed quarry extension are considered to be:
 - Need for the development
 - Landscape Impact/Visual Impact
 - Ecological Impact/Ancient Woodland
 - Noise impact
 - Air Quality
 - Traffic
 - Maximum area open at any one time

Site Description

3. The application site, referred to as Round Copse North Extension (RCNE), is located immediately south of the existing Brickworth Quarry and to the south-west of the A36 and A27 Brickworth Corner Junction at Harestock. The quarry is within a Special Landscape Area (SLA) and the New Forest National Park boundary lies approximately 350 metres to the south. The village of Whiteparish lies 1 kilometre to the east. To the west of the site is Goose Eye Copse and to the south is farmland belonging to Moor Farm which is currently used for pasture. Moor Lane, which runs from Newton Crossroads on the A36 (T) to Redlynch, is situated 350 metres to the south.

4. The land which is the subject of this application is managed by the Forestry Commission and was largely clear felled in 2006. A line of trees along the southern boundary of the site forms a visual screen between the proposed development and Moor Lane.
5. A site location plan is attached at **Appendix 1**.

Relevant Planning History

6. In brief, the planning history of the site is as follows:

<u>S/91/0446</u>	Proposed extraction of sand with re-instatement to agriculture using selected filling materials – approved 10 March 1993.
<u>S/00/1519</u>	Construction and use of Private Access Road and New Access onto the A36, plus relocation of site infrastructure - approved 25 April 2001.
<u>S/02/0509</u>	Modification of Conditions 9 and 15 of S/00/1519 to extend period for approval of Landscaping and Dust Suppression schemes - approved 28 October 2002.
<u>S/03/0592</u>	Modification of Condition 22 of permission S/01/0939 for use of an Alternative Access - approved 16 May 2003.
<u>S/05/8012</u>	Modification of Conditions 4,17,18,24 and 30 of permission S/03/0592 – approved 29 November 2005.
<u>S/07/8005</u>	Creation of a Site Operations Area - approved 19 June 2007.
<u>S/07/8006</u>	Modification of Conditions 3, 17 and 18 of Permission S/05/8012 - approved 19 June 2007.

Proposal

7. The application is for the extraction of approximately 1 million tonnes of sand over a 5 year period and the restoration, through backfilling, with approximately 500,000 tonnes of inert construction and demolition waste.
8. The extraction of 200,000 tonnes of sand per annum for processing would yield 150,000 tonnes of saleable sand. The residual 50,000 tonnes of reject material would be used in the restoration of the site.
9. It is proposed to work the extension area in an anti-clockwise direction commencing in the north-east corner and working through several phases with each phase having two 'lifts' to reach the base of the sand deposit. The depth of sand is between 11 metres and 25 metres.
10. The working and restoration of the site would be more complex than that undertaken within the adjoining Brickworth Quarry site due to its shape and depth of the mineral reserve and the general topography of the land. It will be necessary to construct a large phase at the outset in order to create a haul road to the working base. It is anticipated that the maximum 'open area' of operations at any one time would be approximately 80% compared with a maximum of 40% permitted for the current operation. However, the surface area open would itself be smaller.

11. Material extracted would be transported to the existing site operations area for processing along a new haul road to be constructed from compacted hardcore. Vehicle movements would continue in line with those already permitted under the current permission for the site. This allows for the exportation of up to 150,000 tonnes of sand per annum. Based upon an average of 18 tonnes per load, and 270 working days per year, this results in an average of 31 loads, or 62 HGV movements per day. The existing quarry also benefits from permission to import waste (approximately 40 movements per day) giving an average of approximately 102 HGV movements per day.
12. HGVs leaving the site would travel north or south along the A36 (T) and would not be permitted to travel along the A27 through Whiteparish unless making a local delivery. This is the arrangement which currently operates at the site and would be maintained.
13. Restoration of the site by landfilling to a forestry afteruse would be able to commence once sand has been extracted from the western edge of the extension.
14. The hours of operation for the site would be in line with those already permitted at Brickworth Quarry, i.e.

Monday – Friday	07.30 – 17.00
Saturday	07.30 – 12.00
No extraction, processing or restoration works to be undertaken on Sundays and Public Holidays.	
15. No extra permanent fixed lighting would be required as a result of the proposed extension if permitted. Although no further jobs would be created, the extension of the site would secure the existing jobs for a further 8 years.
16. Details of the site layout are shown at **Appendix 2**.

Environmental Impact Assessment

17. The planning application is accompanied by an Environment Statement (ES). The ES reports the findings of an Environmental Impact Assessment (EIA) of the proposed development. The requirement for an EIA arises from the development being of a type listed in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (Categories 2 (a) and 11(b) of Schedule 2) and considered likely to have significant effects on the environment.
18. EIA is a procedure which serves to provide information to a local planning authority, other regulators, other interested parties and the general public, about proposed developments and their likely effects on the environment.
19. The ES reports the findings of assessments of those aspects of the proposed development which are likely to have significant environmental effects, namely landscape, ecological, ancient woodland, noise, air quality, hydrology and traffic impacts.

Planning Policy

20. The following Development Plan policies are considered relevant to the determination of this planning application:
- Policy RE3 of Regional Planning Guidance 10 (RPG 10) - (Minerals Planning)
 - Policies MSP1, MSP3 and MSP5 of the Adopted Wiltshire and Swindon Structure Plan 2016 (adopted April 2006) (WSSP)
 - Policies 31, 32, 37 and 38 of the Adopted Wiltshire and Swindon Minerals Local Plan (adopted November 2001) (WSMLP)
 - Policies G1 and G2 (General Principles of Development), C2 and C6 (Landscape Conservation) and C9 (Loss of Woodland) and C11 (Nature Conservation) of the Salisbury Adopted Local Plan June 2003.
21. All relevant policies are set out in the attached **Appendix 3**.

Consultations

22. **Previous Local Member, Mr W.R. Moss** – no comments received.
23. **Former Salisbury District Council** – no objections subject to conditions on operating hours, dust, noise, traffic routeing and scheme of restoration to forestry.
24. **Whiteparish Parish Council** – no objections.
25. **New Forest National Park Authority** - concerned that the proposal could impact on the landscape in a location visible from the National Park and diminish the experience of walkers, horse riders and cyclists of the natural beauty and rural character of the National Park. Also, has concern regarding noise impact from the operation and the need for HGVs to be confined to the A36 rather than B roads through the National Park.
26. **Environment Agency** – no objection subject to implementation of the requirements of the Flood Risk Assessment.
27. **Natural England** – no objection, but draws attention to the responsibility on Local Authorities for protecting Ancient Woodland in line with PPS9.
28. **Forestry Commission** - no objection, but highlight the importance of Ancient Woodland and Government policies which discourage development that results in its loss unless there are overriding public benefits arising from the development.
29. **Highways Agency** – no objections
30. **Countryside Section** -
- Landscape** - do not anticipate any significant effects on landscape character or visual amenity. A Soil Handling Strategy should be provided if the Council is minded to grant planning permission in order to protect existing soils/seedbank of the ancient woodland part of the site.
- Ecology** – concerned that extraction of sand would lead to the permanent loss of the ancient woodland seedbank. There is a need to ensure protection of the seedbank in the soil substrate, or some substantial planting of broadleaf woodland to compensate for its loss.

31. **Local Highway Authority (LHA)** - no highway objection. The proposed movements are well within the acceptable traffic levels at the signal-controlled junction onto the A36 Trunk Road. Advise that the existing lorry routeing agreement should be continued.
32. **County Archaeologist** – Agrees with the proposed mitigation and requirement for an archaeological watching brief during topsoil stripping. Advises that a condition be imposed regarding the submission of a written scheme of investigation for approval by the Planning Authority.
33. Copies of the consultation replies are available in the **Members' Room**.

Publicity

34. The application has been publicised in the local press and by site notices. A neighbour notification exercise was also carried out. Two letters of representation have been received raising the following concerns:
- (i) Permission should only be granted with the safeguards which currently exist for the site.
 - (ii) Phased extraction and reinstatement must be agreed from the start and the requisite conditions included.
 - (iii) The site should only be reinstated with inert waste as applied for.
 - (iv) The current traffic routeing agreement must be extended to all new permissions.
 - (v) Only inert material to be tipped in the future.
 - (vi) Move haul road so that it is further away from residential properties.
35. A response has also been received from the Whiteparish Preservation Group. The Group objects to the proposals for the following reasons:
- (i) No Environmental Permit has been issued by the Environment Agency despite assurances that one has been applied for. (A Pollution Prevention Control (PPC) Permit has now been issued for the site).
 - (ii) The area open at any one time will be twice that of the present site, (i.e. it should be 40% and not 80% as proposed).
 - (iii) Concerned that infilling may be delayed.
 - (iv) No vehicles to travel along the A27 through Whiteparish.
 - (v) Disappointed that Quarry will not close by 2012 in accordance with the current permission.
 - (vi) Requests extraction of sand from the site be linked to the infill of inert waste and restoration of the remaining phases of Brickworth Quarry as set out in the current permission relating to the site.
 - (vii) The reference to an inert waste recycling centre in the supporting text should be removed to accord with the decision to refuse permission for such a facility in December 2006.
 - (viii) Suggest that the haul road be re-routed to take it as far away as possible from residential properties.

36. Copies of all the representations received are available in the **Members' Room**.

Planning Considerations

Need for the Development

37. Policies 37 and 38 of the Minerals Local Plan consider soft sand mineral reserves and the need for proposals to meet forecast shortfalls in the landbank (Policy 37) and for extensions to sand and gravel workings to be considered favourably where they meet certain conditions (Policy 38). Currently the landbank for aggregates is approximately 4 years which is significantly below the 7 year minimum as prescribed by national policy. The proposed RCNE would produce 150,000 tonnes per annum and help reduce the shortfall. Consequently, the proposed RCNE is in accordance with Policies 37 and 38 of the Minerals Local Plan.
38. Furthermore, work on the Wiltshire and Swindon Minerals Development Framework has considered potential mineral sites for inclusion in the Sites Allocations Development Plan Document (DPD). The area around Brickworth Quarry has been designated as a Mineral Resource Zone within which mineral resources will be considered and extensions to existing sites will be given priority over new sites, subject to their environmental acceptability.

Landscape Impact/ Visual Amenity

39. The site lies within a Special Landscape Area (SLA) and some 350 metres north of the boundary to the New Forest National Park. The character of the landscape is defined by the gently undulating landform and a patchwork of broadleaved and coniferous woodland and pasture with a network of hedgerows, some with trees.
40. The New Forest National Park Authority is of the opinion that the site would be visible from the Park boundary and is concerned that adverse impact to the Park would arise. However, there is an existing tree and hedge screen along the southern edge of the proposed mineral working area, as well as a high hedge running alongside Moor Lane which itself forms the northern boundary to the National Park. Additional, advance planting would be carried out along the southern boundary of the application site to reflect the local native species and include beech, ash, oak, holly and hazel. It is therefore unlikely that the minerals workings would be visible from the National Park.
41. With regard to the wider SLA designation, the site is screened from the west and east by existing mature woodland. The adjoining part of Brickworth Quarry to the north has been restored to agriculture, and is not visible from the wider area.
42. The nearest residential property to the site is Ashdod Lodge which is located 200 metres to the south. Because of the topography of the site with the land rising from south to north there would be some visual impact experienced by the inhabitants of the property during the initial site clearance and during the restoration phase when vehicles are working at surface level. However, for the majority of the time the plant and machinery would be operating at below ground level and therefore the visual impact would be minimal.
43. Users of public footpaths in the vicinity of the site would experience glimpsed views of the quarry and its workings during the initial stripping and later reclamation stages. However, soil storage bunds would be constructed along the margin of the footpath to prevent views into the site.
44. The final restoration of the site would be to mixed native broadleaved trees and shrubs, together with some commercial conifer planting. This would ensure that the site was restored to an appearance which is consistent with the wider landscape setting. This approach accords with Policy C9 of the Salisbury District Local Plan (SDLP) which encourages the planting of indigenous tree species appropriate to the area.

45. Overall, although there would be negative impacts on the landscape at the beginning and end stages of the development, the proposed advanced planting and bunding carried out prior to and during the extraction operation would ensure that any impacts are mitigated to a satisfactory level in relation to nearby sensitive receptors.
46. The Landscape Officer has considered the proposals and is of the view that the workings would not have a major impact on the special landscape character of the area because the site is well screened from all sides and is a sufficient distance from sensitive receptors not to have an impact. It is considered that there are no grounds to refuse the application on landscape impact and visual amenity grounds.

Ecological Impact

47. Whilst the RCNE site is part of a commercial woodland plantation, there would be some habitat loss/disturbance during the working of the site. However, the creation of new habitats adjacent to the working and the retention and strengthening of hazel coppice along the southern boundary of the site would provide some habitat enhancement and there is no conflict with policy in this respect.
48. Approximately 25% of the planning application is designated as Ancient Woodland. The importance of Ancient Woodland as a valuable biodiversity resource is highlighted in national planning policy (PPS9) and planning authorities are expected to consider very carefully whether planning permission should be granted for proposals which would lead to the loss of the ancient woodland seedbank. The main consideration therefore is whether the need for the mineral outweighs the impact it would have on the Planted Ancient Woodland Site (PAWS) or whether the site is of sufficient importance that the mineral should be left in situ.
49. An assessment of the effects of the development on the ancient woodland, possible alternatives to working the site and measures to avoid, reduce or remedy any adverse impacts has been carried out. This concludes that, although the working of RCNE would lead to the loss of the PAWS falling within the footprint of the development, the site has already been disturbed as the trees within the site were clear felled by the Forestry Commission as part of their management of the commercial woodland in 2006. However, the site still retains the remnants of the ancient woodland ground flora which it is important to preserve and protect.
50. Further assessment work has been carried out to ascertain whether the important ground flora could be preserved and protected. This has established that a 'Soil Handling Strategy' could be put in place to ensure that the integrity of the ancient woodland seedbank would not be impacted as a consequence of the sand being extracted. It demonstrated that it would be possible to remove the soils and store them in such a way that they could be replaced from where they originally came thus maintaining the integrity of the soil seedbank. An appropriate Soil Handling strategy, including details of the location of soil and subsoil stocking areas, and proposals for maintaining and safeguarding them whilst extraction operations were underway, can be secured by condition
51. The Council's Ecologist has considered the submitted details and has confirmed that the approach proposed to safeguard the ancient woodland seedbank is appropriate. Subject to the proposals being carried out in accordance with the detailed Soil Handling Strategy and the provision of a Construction Ecological Management Plan to secure replacement value for any lost habitats or features as a result of carrying out the development, (to accord with Policy C11 of the SDLP relating to nature conservation) it is considered that the proposals are acceptable on ecological grounds.

Noise Impact

52. Concerns have been raised that the haul road running from the processing area to the site should be routed down the western side of the proposed working, rather than the eastern side, because it would take it away from existing residential properties and noise would be reduced. A noise assessment was undertaken as part of the ES which shows that the predicted noise level from the site at the closest residential receptors (Ashdod Lodge 200 metres and Moor Farm 400m from the site) would be significantly lower than the 55 dBLAeq noise limit which is advocated in Minerals Policy Statement 2 (Controlling and Mitigating the Environmental Effects of Minerals Extraction in England). Soil stripping and restoration (which would be potentially the noisiest activities because they are above ground) would be 42 dB at Ashdod Lodge and 37 dB at Moor Farm. During the lifetime of the development the majority of operations (extraction and infilling) will be undertaken below ground level during normal working hours and so the associated noise impact will be less than background levels at the closest receptors (i.e. Ashdod Lodge and Manor Farm). Because the nearest residential property is located to the south, it is unlikely to be adversely affected by increased noise levels having the haul road in the location proposed. The Environmental Health Officer has raised no objections to the proposals on noise grounds.

Air Quality (Dust)

53. Air quality has been considered as one of the topics within the ES. The baseline conditions for the assessment were modelled on the existing extraction and landfill operations at Brickworth Quarry. There have been no reported problems with regard to the control of dust from the current operations in the five years the quarry has been operational.
54. The only residential receptor within 250 metres of RCNE would be Ashdod Lodge, which is located approximately 200 metres south-east of the boundary. The prevailing wind in this area is south-westerly which would mean that any dust created would be carried away from this property.
55. Nevertheless, a condition can be imposed to ensure that dust does not become a problem and that best practice continues to be followed at the RCNE site. The Environmental Health Officer has raised no objections to the proposals on air quality grounds.

Traffic

56. The development of RCNE, would maintain the same annual rate of sand export and waste importation as is permitted under the permission for Brickworth Quarry. This results in up to 102 HGV movements per day (62 sand and 40 waste). The operator has suggested that a flexible arrangement should be allowed to operate such that any short term demand for either sand export or waste import could be catered for.
57. It has been suggested that to ensure that infilling is not delayed, the balance of numbers of vehicles taking sand from the site and bringing in inert waste should be approximately equal. The current Brickworth Quarry operation has a restriction on output of 150,000 tonnes per annum which equates to 31 loads per day and imports inert material for infilling which accounts for 20 loads per day. The amount of inert material imported is dependent on the amount of material available in the market and so there would be no concerns if the balance was altered in favour of importation as this would ensure that the site was restored in a shorter timescale.
58. The existing traffic controls which currently operate would be maintained and there would be a continuing obligation to monitor all traffic leaving the site to ensure that no HGVs travel along the A27 towards Whiteparish (unless delivering within the immediate area in which case they require dispensation from the Site Manager). This would continue to be enforced by the CCTV monitoring of the junction at the site entrance.

59. If the current application for RCNE is granted permission, this would have a timescale of up to 8 years, (5 years working and 3 years restoration) which would extend the lifetime of Brickworth Quarry by an additional 5 years beyond the current permissions which expire in 2012. Extraction would only commence when the existing sand extraction is completed and so there would be no net increase in traffic to and from the site.
60. It is considered that no additional mitigation is required as a result of the development proposed at RCNE because the impact on the existing junction is negligible. The Highways Agency and the Local Highway Authority have raised no objections to the proposals.

Maximum Working Area Open at any one time

61. A point raised by the local residents and by the Whiteparish Preservation Group in their letters relates to the proportion of the site proposed to be 'open' at any one time. The Brickworth Quarry operation requires that only 40% of the site be 'open' and worked at any one time prior to restoration taking place. In the case of RCNE it is proposed that 80% of the site be allowed to be open at any one time. However, whilst this appears to be a significant increase, the total area of Brickworth Quarry is 110,500 square metres. If 40% of this area is 'open' then this amounts to approximately 45,000 square metres. The total surface area of RCNE is 43,620 square metres i.e. less than the total area that is permitted to be 'open' under the existing planning permission.
62. RCNE will be a more difficult site to work than the existing Brickworth Quarry because of its shape, depth of deposit and the topography of the site. The existing quarry contains relatively shallow deposits which can be worked in large phases but which are visible from the A36 (T) whereas RCNE has deep deposits contained in a comparatively small well screened area. In order to be able to work the site safely it will be necessary to construct a large Phase 1 in order to create a haul road to the base of the quarry. Once this is in place the phases can be worked in an anti-clockwise direction. It is anticipated that restoration would be able to commence once extraction in Phase 4 has begun. Once extraction has commenced in Phase 4 approximately 75% of the extension area would be 'open'. This would equate to approximately 32,000 square metres which is almost a third less in surface area terms than the maximum 'open' area under the existing planning permission. Restoration would be progressive once commenced and in sequence with ongoing extraction.
63. It is considered that there are particular circumstances with the RCNE site which warrant special consideration. The operator has demonstrated his commitment to the proper working of the site having obtained an Environmental Permit from the Environment Agency to carry out the restoration of the existing site by importation of inert material. This Permit would be modified to include the RCNE site.
64. Although the site does present problems in terms of working, it is considered possible to condition the extraction and restoration operation such that the phases open at any one time are controlled without restricting the operator to an extent which would make the operation unviable. This would be done by condition.

Recommendation

65. That conditional permission be granted.

For the following reasons:

Having taken into consideration the environmental information, officers are of the opinion that the proposed development gives rise to no material harm, is in accordance with the relevant Development Plan policies and that there are no material considerations that indicate that the decision should be made otherwise. There is a demonstrated need for the development which would release soft sand reserves in order to help meet a significant under provision in the current land bank.

Part of the site is designated as a Planted Ancient Woodland Site (PAWS) and therefore there is a need to balance the importance of this designated area with the need for the mineral. It has been demonstrated that it would be possible to safeguard the seedbank resource contained within the site by the implementation of an appropriate Soil Handling Strategy. The site is located within a Special Landscape Area but is well screened from the west, north and east by existing woodland and restored land, and from the south by an existing belt of trees which is to be retained and added to. The New Forest National Park boundary is situated 350 metres to the south and so the development would not impact upon the purposes of the National Park.

The decision to grant planning permission has been taken having regard to Policy RE3 of RPG 10; Regional Planning Guidance for the South West, Policies MSP 1, MSP3 and MSP 5 of the Adopted Wiltshire and Swindon Structure Plan 2016, Policies 31, 32, 37 and 38 of the Adopted Wiltshire and Swindon Minerals Local Plan and Policies G1, G2, C2, C6, C9 and C11 of the Salisbury Adopted Local Plan June 2003.

Subject to the following conditions:

Commencement

1. The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: In accordance with Section 51(1) of the Planning and Compulsory Purchase Act 2004.

Duration

2. All operations granted by this permission shall have ceased and all plant, machinery, structures, hardstandings, security fences and haul roads shall be removed and the site restored in accordance with Drawing No. RBMR/AO46507 – 3/SEC/02 entitled ‘Round Copse North Extension Extraction and Restoration Contour Plan’ (dated 27 October 2008) by 30 April 2020.

Reason: For the avoidance of doubt and to not prejudice the long term restoration of the site.

Phasing

3. Extraction in Phase 4 as shown in Drawing No. RBMR/AO46507-3/ERP/02 (dated 27 October 2008) shall not be commenced until restoration has begun in Phase 1.

Reason: To secure what is proposed in the application, and ensure the progressive and timely restoration of the site.

Hours of Operation

4. No operations authorised by this permission shall take place outside of the following times:

Soil stripping and overburden removal: Monday – Friday 07.30 – 17.00

Mineral extraction and infilling: Monday – Friday 07.30 – 17.00
Saturday 07.30 – 12.00

There shall be no working on Sundays or Bank or Public Holidays.

Reason: To protect local amenity.

Soil Handling Strategy

5. No development shall commence on site until a detailed Soil Handling Strategy has been submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall provide for:

- (i) A full Soil Handling Strategy for the designated ancient woodland site.
- (ii) A detailed phasing plan highlighting the soil storage stockpile areas in combination with the excavation and restoration sequence, together with proposals for ensuring that storage stockpile areas are kept to a defined height so as to reduce compaction and to allow for controlled surface water run-off and drainage.
- (iii) A restoration scheme to be prepared detailing the future mix of commercial and broadleaved planting together with details setting out the different planting zones.
- (iv) Details of the proposed future maintenance for each of the planting zones.

Development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the seedbank of the area of designated ancient woodland is safeguarded.

Soil handling

6. No movement of soils shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a dry and friable condition such that the topsoil can be separated from the subsoil without difficulty and so it is not damaged by machinery passing over it.

Reason: To prevent damage to soils.

Ecology

7. Prior to the commencement of development on the site a Construction Ecological Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority. The Plan will set out the mitigation measures to be adopted to allow for the removal of any reptiles or other species encountered on the site. Development shall be carried out in accordance with the approved plan.

Reason: In the interests of wildlife conservation.

Waste Imported

8. Nothing other than inert waste shall be imported into the site and used in the restoration of the site.

Reason: Waste materials outside these categories raise environmental and amenities issues which would require consideration afresh.

Water Environment

9. The mitigation measures detailed in the Flood Risk Assessment submitted with the application shall be carried out in full throughout the course of the development.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of disposal of surface water from the site.

10. The development hereby permitted shall not commence until such time as a scheme for the storage of chemicals and the storage of oils has been submitted to, and approved in writing by, the Mineral Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: Protection of the water environment is a material planning consideration and development proposals, including mineral extraction, should ensure that new development does not harm the water environment.

Archaeology

11. No development shall take place on the site until the applicant, or agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Mineral Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: To enable sites of archaeological interest to be adequately investigated and recorded.

Landscape

12. No development shall commence on site until a detailed scheme of landscaping has been submitted to and approved in writing by the Mineral Planning Authority, the details of which shall include:

- (i) Indications of all existing trees and hedgerows on the land.
- (ii) Details of any to be retained, together with measures for their protection in the course of development.
- (iii) All species, planting sizes and densities, spread of all trees and hedgerows within or overhanging the site.
- (iv) Finished levels and contours.

Reason: To ensure a satisfactory landscape setting for the development and for the protection of existing important landscape features.

13. All landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding following development commencing on the site. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Noise

14. During the permitted working hours the freefield equivalent continuous noise level (LAeq, 1 hour) for the period due to mineral extraction and waste importation and depositing operations shall not exceed 55dB as recorded at the boundary of the nearest inhabited property.

Reason: To safeguard the amenity of local residents.

Mobile plant

15. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers whose noise levels adjust automatically to surrounding noise levels.

Reason: To safeguard the amenity of local residents.

Dust

16. No development shall take place on the site until a scheme and programme of measures for the suppression of dust have been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include inter alia:

- (i) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site.
- (ii) Dust suppression on haul roads, including speed limits.
- (iii) Provision for monitoring and review of the scheme.

Such scheme shall be implemented and complied with at all times.

Reason: To protect the amenities of the locality from the effects of any dust arising from the development.

Access to the Site

17. Access to and from the site for any purpose in connection with the development hereby approved shall only be gained via the junction onto the A36 Brickworth Corner as approved under Planning Permission Reference S/00/1519 dated 1 August 2001 and no other point.

Reason: In the interests of highway safety and to protect the amenities of the local area.

Restoration

18. Upon the completion of tipping in each phase, the final layer of the fill shall consist of permeable and obstruction free material, including subsoil, to a depth of one metre, finished with a layer of not less than 0.25 metre of topsoil. No soil movement shall take place during wet conditions.

Reason: To ensure the restoration of the site.

Aftercare

19. An aftercare scheme, requiring that such steps as may be necessary to bring each phase of the land reclaimed to the required standard for use as mixed woodland afteruse, shall be submitted for the approval of the Mineral Planning Authority not later than 3 years from the commencement of development and thereafter be implemented as approved. The scheme shall include details of:
- (i) Nature of the intended after-use of the site.
 - (ii) Sequence and phasing of backfilling and reclamation showing clearly their relationship to the working scheme.
 - (iii) Re-spreading on completing of each phase of filling, of a total depth of at least 1 metre of final cover consisting of soil or other cover material suitable as rooting medium, free of large stones or other obstructions to cultivation. This final cover shall be placed in layers. Any suitable cover material and overburden previously stripped from the site placed first as a base layer then subsoil as an intermediate layer, then topsoil as the uppermost layer to a depth of 0.25 metres.
 - (iv) Ripping of any compacted layers of final cover to ensure adequate drainage and aeration. Such ripping should normally take place before placing of the topsoil.
 - (v) Machinery to be used in soil re-spreading operations.
 - (vi) Final levels of the reclaimed land and the gradient of the restored slopes around the margins of the excavation to be no higher than original ground levels and graded to prevent ponding of surface water.
 - (vii) Drainage of the reclaimed land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage.
 - (viii) A timetable for implementation and aftercare.
 - (ix) Any other matters as relevant.

Upon approval such scheme shall be implemented as approved unless a variation has been agreed in writing by the Mineral Planning Authority.

Reason: To ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial afteruse and in the interests of the amenity of local residents.

Note to Applicant:

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References:

RBMR/A046507-3/LAY/01- Application Boundary and Site Layout – Dated 27 October 2008

RBMR/AO46507-3/SEC/02 – Cross Sections of Mineral Deposit – Dated 27 October 2008

RBMR/AO 46507 – 3/ERP/02 - Indicative Excavation & Restoration Phasing Plan – Dated 27 October 2008

RBMR/AO46507-3/LND/01 – Landscape Proposals – Dated 27 October 2008

Appendices:	Appendix 1 – Location Plan Appendix 2 – Site Plan Appendix3 - Policies
Background Documents Used in the Preparation of this Report:	Submitted application documents, consultation replies and representations.

BRAD FLEET

Service Director, Development